BEFORE THE
ILLINOIS COMMERCE COMMISSION

TRANSPORTATION POLICY COMMITTEE MEETING

Springfield, Illinois
Wednesday, September 9, 2009

Met, pursuant to notice, at 1:30 p.m. in
Hearing Room A, First Floor, Leland Building, 527
East Capitol Avenue, Springfield, Illinois

PRESENT:

MR. CHARLES E. BOX, Chairman
MS. LULA M. FORD, Commissioner
MS. ERIN M. O'CONNELL-DIAZ, Commissioner
MR. SHERMAN J. ELLIOTT, Commissioner

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CHAIRMAN BOX: Good afternoon. Welcome, everyone. Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a Transportation Policy Committee meeting of the Illinois Commerce Commission. With me in Springfield are Commissioners Ford, O'Connell-Diaz, Elliott and myself, Chairman Box. We have a quorum.

During the Transportation Policy Committee meeting today we will be discussing plans for a high speed rail corridor from Chicago to St. Louis.

Before we get into that, this is the time to allow the members of the public to address the Commission. Members of the public wishing to address the Commission must notify the Chief Clerk's office at least 24 hours prior to the bench session. According to the Chief Clerk's office, we have one request to speak, and I will deal with another issue we have after Mr. Allan Ross.

Are you available? I am sorry, Mr. Allan R. Post. Is he in the other room? He
might be in the overflow room.

I have been asked to tell all the speakers today, because we have people in another room who just have audio, if you could state your name and who you are with before you make your presentations, we would greatly appreciate it.

As I just read, the State statute that was passed a few years ago indicated that the Illinois Commerce Commission would allow public statements of the three to five-minute variety before each and every public meeting we have. The Commission, in working with JCAR and others, came up with rules. The one rule and regulation that was established was that in order to speak at the Illinois Commerce Commission meetings and every time we meet, you must notify the Chief Clerk's office at least 24 hours prior to that meeting date. We don't ask what you are going to talk about. We just say you have to give that notice.

We have received two requests, and because of the importance of this particular hearing, I think I will make an exception from the chair,
unless any other commissioners object, to allow the
two individuals who have not complied with that rule
to speak today, only because of the importance of
this issue.

And hopefully all the people here and
the other people on any other issue we have before us
will hopefully heed the rules and this is a one-time
exception. After this, no one would be allowed to
speak. The statute was passed. This is mandated
upon us. The rules and regulations were passed, and
this is the only way that we can conduct business.
And rather than having people impromptu standing up
asking to speak, it is a 24-hour notice.

However, Mr. Frank McNeil of
Springfield, are you here today?

MR. McNEIL: Yes, sir.

CHAIRMAN BOX: If you will come forward, we
will hear what you have to say. Three to five
minutes, please. I am such a nice guy.

MR. McNEIL: Always good to have a good
chairman.

CHAIRMAN BOX: All right.
MR. McNEIL: Good afternoon. Is this working?

CHAIRMAN BOX: Yes, it is working.

MR. McNEIL: Good afternoon, Chairman Box and members of the Commission. My name is Frank McNeil. I am a former alderman for the City of Springfield and I am here representing myself as a public citizen. And I am addressing this body today because of the importance, as you stated earlier.

This will have -- the rail corridor that's proposed, the 3rd Street corridor, will have devastating effects for the city of Springfield. But even greater than that, I am one of those few individuals that live east of the 19th Street tracks. As part of the plan that is currently proposed, the 19th Street tracks will not be consolidated into the 3rd Street corridor. If we are going to do this kind of devastation to the city of Springfield, the minimum you can do or this Commission can allow to be done is to consolidate the 19th Street tracks into whatever corridor that is eventually chosen.

My concern is going back to the 19 early 70s or late 70s, early 80s when the Capital
City Railroad Relocation Authority proposed numerous plans to consolidate tracks in the city of Springfield. But here we are in 2009 again faced with the same dilemma. I would implore you and the Department of Transportation, the City of Springfield and all to look at the study that was completed by the Hansen Engineers for the Department of Transportation in the City of Springfield. It says the 10th Street corridor is the most desirous corridor because of less impact to the city of Springfield.

I represent myself. I am not an alderman any longer. There is a concern in my community that the 10th Street corridor will block access to health care facilities, hospitals and those things. I can say, for an alderman who served over 19 years, that not once did I have a complaint or have a case where I knew that there was not available access to the local health facilities, hospitals in Springfield, nor was there any blockage where an emergency vehicle was blocked because of the 10th Street corridor.
I think that in the best interests of all citizens of Springfield, the 10th Street corridor will provide less intrusive as far as business concerns and housing concerns. Neither one is the most desirous in my opinion. If I had my way, we would take this out around Interstate 55 like the proposal back in 1973 and '83 said to do. But with the choices that we have of 10th or 3rd Street, I think the 10th Street corridor is most desirous and it also provides for the consolidation.

I think -- I don't want this to get lost -- that the consolidation of the 19th Street tracks is extremely important. Because in the mornings when I get up and go to work, if it is according to what time it is, you can have train traffic that blocks South Grand, Ash and Laurel Street all the way back to Dirksen Parkway and in the afternoon it is the same thing. So I think it is extremely important if we are going to do railroad construction, if we are going to consolidate lines, I think that if we are going to do it, we should do it right. I don't think we should be stampeded into
moving precipitously into doing a project that will not have the long term best interests of the city of Springfield. And I will conclude my remarks and ask if there is any questions, I will be more than happy to answer them.

CHAIRMAN BOX: Thank you very much.

Joan Patricia Murphy, Cook County Commissioner of the 6th District.

MS. MURPHY: Thank you, Mr. Chairman and committee. It is Joan Patricia Murphy from the 6th Cook County District. My district runs around along the south end of the county and as far south as you can be and still be in Cook County and it goes as far east and I'm still to be in Illinois. So I border another state and county.

I am here to speak on behalf of the high speed rail. I was elected Cook County Commissioner in 2002 and that year was appointed vice chair of the Transportation Committee for the National Association of Counties. In 2005 while I was serving in that position I was invited to be a
delegate to Germany to ride on the ICE train and to
inspect the Siemens facility and ride on the Maglev.
And I have to tell you that after doing that and
seeing what the transportation in Europe is like, I
came back a believer in high speed rail.

Scott Haggerty was one of the
dелегації and the supervisor in Oakland County, and
it was because of him that the high speed rail is
really coming to be in California where the people
passed a referendum to help support it.

We need this in this country. We are
30 to 50 years behind the times as far as
transportation. But for too long the freight rail
has dominated what has happened in this country, and
passenger transportation has been put on the
sidelines. Amtrak, the never-on-time rail line that
has been given that bad reputation, for the most part
was side tracked and they couldn't be on time because
freight took priority. Even though I understand that
faster rail was supposed to have priority, that did
not happen.

The freight rails now are trying to
dominate all discussion on high speed rail. High speed rail should have a dedicated line. I don't believe it should share the freight tracks, although I have -- there is many people who say it can happen. It can happen with timing devices, etc. But it should be a dedicated track.

And in high population areas like Springfield, like some of the cities along the route from Chicago to St. Louis, it should deviate from the heart of the city. Make it go around the city or else go under. Don't have grade crossings. Under or over, grade separation could be an answer. We cut down on the sound; we cut down on everything.

It is more costly, but we have to invest in this country now. This is the land of the free. Taxpayers should have the benefit. This is not -- now it seems like we are the land of the corporate and the shareholders are the ones that benefit.

We need to have the American people step forward and tell the railroads -- they were given everything in the beginning. The property that
they had to process was deeded and dedicated. They had a mile on each side of the track to do whatever they wanted with it. Let them start to give back to us. And I know that Union Pacific has a lot of opposition to what we are trying to do and that Springfield gets what it needs to make this high speed rail a success.

Thank you very much for your time.

CHAIRMAN BOX: Thank you. As indicated, hopefully in the future people will acknowledge the provisions of the ICC so we won't be accused of playing fair to one side or the other in these public hearings.

With that I would like to turn the floor over to Commissioner O'Connell-Diaz.

AUDIENCE MEMBER: Sir, I would just like two or three minutes.

CHAIRMAN BOX: No, no, I am sorry.

AUDIENCE MEMBER: But it wasn't in the paper that we should call 24 hours in advance. And I just have these few little words that I want to say.

Please.
CHAIRMAN BOX: What is your name, please?

MS. LACHANCE: Marilyn LaChance.

CHAIRMAN BOX: This is what happens when I am such a nice guy. Please join us.

Could you state your name into the microphone so the people in the other room in Chicago can hear you?

MS. LACHANCE: Marilyn LaChance, uh-huh.

Okay. I am talking about covers on coal cars. The dust from the wind, it gets trapped by the buildings and the neighborhoods. And the people breathe this in their noses and in their throats, in their lungs. They have early painful deaths. And I know it might be more costly and more time consuming to have these covers on each coal car, but it is necessary if you care about the people. And it also would help the high cost of medical care and the premiums for all of us.

Thank you.

CHAIRMAN BOX: Thank you very much. With that, I would like to turn the meeting over to Commissioner O'Connell-Diaz for the Transportation Policy meeting.
COMMISSIONER O'CONNELL-DIAZ: Well, thank you very much, Chairman, and welcome, everyone, to what is, I think, the most robust Transportation meeting we have had, other than I think we had one for the Canadian Pacific rail line that we have up north. So many of the similar issues that I know are of concern and the Commission is aware of we saw in that. Because while this is a national strategic plan that will be talked about today, it is a local situation that -- (cell phone ringing) -- when I was an ALJ, you would get kicked out for that.

So I think it is important that we understand that we are looking at it from a national perspective. But the Chairman has a line about everything being local, and we do understand that this is of very great local impact.

The purpose of today's meeting is really informational. It is educational for the Commissioners to hear from the various speakers. I think it will be educational and informative for many of the folks in the audience so that we really have facts as opposed to, you know, I won't say untruths
but maybe misinformation. So I think it is really important as we move forward in our dialogue, in our discussion, that we are dealing with a proper factual basis. And that is the intent of our meeting today.

We are very pleased to have a very robust group of speakers that will help educate us and help us to understand more about this new rail system, actually reinvigorating a rail system that in my estimation was one of the best in the world and we kind of got lost along the way.

Up where I live there is a rail museum with all the old rail cars up there and you see the 20th and the 21st Limited and all these different types of machinery that really made this country great. We haven't deployed the moneys to be able to move people across the country like we used to. I think that this format that the federal government has come up with is going to try to achieve that which will have great economic benefits for our country. It will also have environmental benefits. So there are very many positive aspects of it.

Our first speaker today will be
Mr. Michael Stead who is one of our wonderful people in our Rail Safety Program. Illinois enjoys a wonderful reputation around the country for its forward-looking programs for rail safety, and Mr. Stead has been instrumental in us achieving that notoriety with the positive things that we can say about state government today, I am very happy to say.

So our first speaker will be Mr. Michael Stead. He is the Rail Safety Program Administrator for the Commission.

MR. STEAD: Thank you. I will keep my comments brief so our representatives from IDOT, UP and the City and County can have additional time.

But I would like to acknowledge the fact to the Commissioners that the Rail Safety section has been monitoring this project for several years, not just this most current project, but we know this project has been on again and off again since at least the early 1990s. And I haven't been -- I have been with the Commission since 1997. We have been monitoring that project ever since, the progress or lack thereof.
This most recent iteration is certainly in my opinion the best possible opportunity for the state of Illinois to see high speed passenger rail service come to fruition.

With that, with our responsibilities in the Rail Safety section we are looking at it with an eye towards the public safety issue, how the improvements as part of this project will affect public safety, and we still are monitoring that information, trying to gather as much as we can and we will continue to do so, working with the parties to accrue that information and then analyze it as best we can.

COMMISSIONER O'CONNELL-DIAZ: Thank you. Our next speaker will be Mr. Mike Garcia. Mike serves as the Railroad Unit Engineering Chief for the Illinois Department of Transportation.

Mr. Garcia.

MR. GARCIA: Thank you, Commissioner. I am going to try to get the Power Point presentation up. In April of 2009 the President under the American Recovery and Reinvestment Act called for
the states to have a vision for high speed rail in America. This vision was assigned to the Federal Railroad Administration and was called the High Speed Inner City Passenger Rail Program. Congress answered the President's call and appropriated $8 billion to jump start the high speed rail in the United States.

FRA quickly put together an application and selection process. Pre-applications were required and due by July 10. This vital step allowed the states to apply. 270 pre-applications were received, asking for a total of $93 billion, quite a bit more than the $8 billion available.

The first round of shovel-ready or Track 1 projects, applications were due on the 24th of August. However, due to the restrictive Federal Railroad Administration eligibility requirements, many of the states were forced to drop out.

The full corridor or end-to-end applications are due on October 2 of this year.

One of the primary eligibility requirements for the passenger corridor to receive federal funding under this program is that that
The corridor must have been included in a service development plan. The plan includes analyzing train modeling, providing corridor benefits, train scheduling and the like. Illinois is one of the members of a nine-state initiative referred to as the Midwest Regional Rail Initiative. Since 1998 the Midwest Regional Rail Initiative has been compiling a blanket service development plan for the corridors shown on this map in an effort to insure the cooperation by all states for passenger rail service and high speed rail development in the Midwest.

In addition to advancing the St. Louis corridor that we will talk about today, Illinois is also working with Wisconsin and Michigan on the Milwaukee corridor and the Detroit corridor.

A high speed rail corridor is significantly different than a standard passenger corridor in its needs. Primary and foremost is the need for a track bed which will handle the increased speed and maintain the safety standards enforced by the FRA and this Commission. Additionally, the design of the track configuration is needed to
accomplish the goals of the project, in this
indication 280 miles in four hours or less.

Secondly, train sets not only need to
reach speeds of up to 110 miles an hour, but they
need to be safe and comfortable. You can't sell
tickets if the passengers don't enjoy the ride.

Next is the train signal system. FRA
mandated an anti-collision signal system or positive
train control, PTC, by the year 2015. This system is
currently being developed by AAR and Amtrak.

Further, the Commission knows better than anyone that
the trains need to talk to the road crossings much
further away when going 110 miles an hour than going
79 miles an hour as the go today. A whole new system
needs to be designed and developed to do this with a
high degree of safety.

And, lastly, if you don't treat
passengers properly when they are waiting for the
train, buying tickets, carrying luggage or parking
their car, you won't sell tickets and you won't build
a passenger base.

Once the Federal Railroad
Administration finally laid out the application process for this money just two months ago, the State got busy and submitted pre-applications in accordance with the requirements. Shortly thereafter, we submitted two shovel-ready projects relating to this corridor.

The first application is a full rehabilitation of all the existing sidings. These sidings are generally restricted to ten miles an hour, and this rehabilitation to 40 miles an hour will reduce delays to the existing Amtrak operations.

The second application that we submitted is a two and a half mile siding extension north of Gardner, Illinois, and a new seven-mile stretch of second main track between Joliet and Elwood. This project will allow trains to pass each other in an area currently restricted to only one train.

The deadlines for these applications were August 24. We are expecting to hear back by mid-October of this year as to whether or not we received that money.
The next round of applications which are due in three weeks is for the corridor itself. While we are compiling applications for numerous corridors, we have three applications that are specific to this corridor.

The Federal Railroad Administration is very specific as to what documents are required for eligibility of this money. The four major documents are as follows: A corridor level NEPA document or National Environment Protective Act document, a service development plan, proof of support from the railroad owner, in this case the Canadian National north of Joliet and the Union Pacific south of the Joliet, and proof of support of the operating railroad which in our case, of course, is Amtrak. Without these documents we cannot submit an application for any of the $8 billion on this or any other corridor.

While FRA allows you to apply for one hundred percent of the funding, we were told that matching state funds or matching railroad funds were viewed as highly desirable in our application.
process.

Simply put, we will apply for the
original project as shown here. We will apply for
the additional main line track and we will apply for
the cost of the trains.

Shown on this slide is a basic
overview of the application funding tracks and
timelines. Illinois has submitted or will submit the
following: We have submitted six Track 1 projects
totaling $228 million. We have submitted two Track 3
projects totaling $6.3 million in FRA funding. These
applications can be found at
www.recovery.illinois.gov. And we anticipate on
submitting five Track 2 projects by October 2 and the
amounts for that are being compiled as we speak.

Thank you very much for the
opportunity to share this information with you today,
and please have a safe trip.

COMMISSIONER O'CONNELL-DIAZ: Our next
presenter will be Mr. Michael Payette. He is
Assistant V.P. for Governmental Affairs of the Union
Pacific Railroad, and he will share his expertise on
this matter.

Thank you, Mr. Garcia. I think we are going to take questions after the representatives are all done if the Commissioners have questions.

MR. PAYETTE: Thank you, Commissioner.

As the Commissioners said, my name is Michael Payette. I am Assistant Vice President for Union Pacific. I am headquartered in Chicago, Illinois.

UP, which Mr. Garcia indicated which owns the corridor from Joliet to East St. Louis, has chosen to very well participate in this high speed rail project with the Illinois DOT. We see it as a project that could bring national recognition to Illinois. It can be a project that is a showcase for other projects.

One reason that we think that it can be done, why it is such a good project, is that, as Mr. Garcia said, there is a lot of the environmental work that has already been done. Many projects in the Midwest have been cut out because of that.

Secondly, we think that we can move
quickly because UP and Illinois DOT have such a long standing relationship. We had a good relationship when we did some of the high speed rail work north of Springfield several years ago and we have been working closely on this project ever since it was announced.

Also, the lay of the line from Chicago to St. Louis is a good passenger line. It doesn't have many gradients which means it doesn't go up and down hills. There is no sharp curves. So it is a perfect line to showcase high speed rail.

I want to talk to you just a little bit about the plan and the trains. I know that you have heard a lot about this. The high speed rail trains when the line is upgraded, and as Mike said we are not sure when that will be yet -- I mean, most of the infrastructure will be done in the next few years. But the final piece has to be positive train control and we are working on that. But when that is put into place, there will be 16 high speed rail trains on the line, eight in each direction, and the two Amtrak Texas Eagles that come up from Texas.
We also are trying to accommodate UP's existing and future freight trains. Presently on the line there are about six freight trains. We have said, and many of you probably have seen, that we had a ground breaking south of Joliet last week where we are opening a Joliet intermodal terminal and we hope -- obviously we are going to put $350 million of our own in it, we are hoping it will be successful and will generate business. We think that beginning next year at the end of the year if we are successful the freight train count will go from 6 to 12. The Amtrak trains will stay at ten.

Sometime in this time period when the PTC gets put in, then the Amtrak and high speed rail trains will go to 18. By 2017 which is our optimistic goal is by that time there will be phased in more freight trains and by 2017 there will be 22 freight trains and most of them will be intermodal container trains that go track speed and are very agile trains. So by 2017 there could be 40 trains on this line, 18 passenger trains, 22 freight trains.

My next point is one that Mike has
already covered but I think it is so important I want to go over it again. And that is safety is our primary concern in this service. And we will be working closely with your Rail Safety staff, as we have already.

But as I said, the number one factor will be positive train control which the United States Congress mandated last year. Unfortunately, it is not quite invented yet. So we are working very hard. The deadline to get it done is the end of 2015. UP made a commitment to the Los Angeles Basin to try to get it done by 2/12. I am sure if we get that done by 2/12, we will try to get this line as a high priority line towards the high speed rail project, and we will try to get it on this rail as well.

The upgrade of the line consists of premium track materials, both the rail and the concrete ties, again, safety, super elevation and the curves. And we will really be working with the Commission staff at the grade crossings to make sure that the grade crossings conform up and down the
line -- I am talking from Chicago to East St. Louis -- to what the Commission requires and expects. Some places there may have to be grade separations. Other places, if there is low ADT, I hope we can work with the Commission staff and close a few crossings so that the investment could be not done and would add to safety which is the most important thing. But those are all future things that we will be working very closely with your staff on.

The other thing is that we are very aware that the Commission filed a petition with the FRA on the crossings talking to the locomotive. Whatever the FRA comes down on that we are going to follow it. And so again we will work very closely with the Commission staff and get that done.

The station designs all up and down the crossings, we will be working to make them safe. What that will probably entail is probably some passenger underpasses or bridges over the line or any kind of accommodation like that. But we will be working that out at each depo. Again, that's a safety concern.
And then there is, I don't want to call it miscellaneous safety, but some parts of the line will require fencing. There is kind of requirements that the FRA has, so we will be following those very closely. So the safety piece is a big piece of this project.

What we are trying to accomplish, as Mike said, is we are trying to meet a high speed rail passenger goal of less than four hours between St. Louis and Chicago so it will be competitive with the air lines and to have the service more than 90 percent on time.

And to get to that point, what the Union Pacific did is we have -- and the rail industry has it as well -- is we have our RTC simulation model which is a computer model. Our people spent 500 hours putting the different aspects to the line. I mean, where there are switches, you have to know that. Where there are side tracks going off, where there are stations, you have to put all that information in the model.

So we built this model after 500 hours
and you put that in, you put the assumptions in of your 18 passenger trains, when you want them to leave, what's the on-time performance. So that, the model, the computer model, really helped us determine what the infrastructure was going to be. It wasn't just somebody's thought on the back of an envelope or what we thought was going to be needed, but it was really what the computer model showed us. And you can put different scenarios in and out of the model and you can see what happens when you put those scenarios in the model and run them.

I guess finally what has gotten a lot of ink around this time is the alignment through Springfield. We consider that very critical to the success of the project. There was a double main line on the 3rd Street corridor through the 1960s and the second main line was removed. In fact, there was a double main line on the whole line between Chicago and East St. Louis, and that's another reason why it is a good candidate for high speed rail because the second main line can be put back in without acquiring property. That's always a difficult problem when you
are upgrading a railroad and you have to take property from your neighbors. Sometimes they don't appreciate it.

So this line was built as a double track line and so we can restore the double track line through Springfield on its old track centers. We would not go to 20-foot track centers which is our normal standard today.

Based on modeling, Springfield is a choke point in the high speed rail line. We don't believe the 10th Street corridor as proposed. We believe that it would degrade the service. Of 148 daily meets, passes and takeovers on the line, 16 will take place in Springfield. So we have to have adequate infrastructure in Springfield.

I am not going to say too much more on the Springfield issue. I am sure my colleagues to my left will say more. But we are trying to work out a, you know, a win-win situation, if it is possible for both of them, and there is another meeting scheduled with all the parties at the end of this week. So I am not going to say anything much more about
Springfield. I, of course, will answer any questions you have.

With that being said, we have cooperated with IDOT to get the August 24 application in, and we are cooperating right now to get the October 2 application in. And as I said, your staff -- IDOT and UP have held conference calls once a week on this project just so that the details don't bring you down. But we have been having weekly conference calls, and Mr. Stead and Mr. Blair have been invited to be a part of those calls because the last thing we want to do is come to a decision or a mini-decision and find out the Commission doesn't support it.

So you are one of our partners. We see you as one of our partners, and that's all I have right now.

COMMISSIONER O'CONNELL-DIAZ: Thank you, Mr. Payette.

Mayor Davlin, are you going to speak
or Mr. Van Meter or both of you?

MAYOR DAVLIN: Chairman Van Meter and I are going to split our ten minutes, if we could.

COMMISSIONER O'CONNELL-DIAZ: Okay. Just so I can announce you because we have got an overflow room and just in case somebody doesn't know you.

We are now going to hear from Springfield Mayor Tim Davlin and following him will be County Board Chairman Van Meter.

MAYOR DAVLIN: Thank you, Commissioners and Mr. Chairman. I can't help but think what a nice guy you were to me in this scene. I don't think a lot of my city residents that backed me realized it came to you being the past mayor of Rockford. I am sure that's where you get all that nicety from. So thank you very much.

Let me say that you have in front of you some supporting documents that have been passed out prior to the meeting starting, and I will just leave that with you as some of the things that we are going to discuss here for the next ten minutes or so.

I have to start out by saying this.
Almost everything that's been said up to this point both Chairman Van Meter and I agree to a hundred percent. We want to see high speed rail come through Springfield, Illinois. We want to see it go from Chicago to St. Louis and beyond. We want to see it be able to go from Springfield to Duluth, Minnesota. We want these projects, short term and long term, and we are going to do, as Mr. Payette said, we are going to do everything we can to try and work these things out. We do have a meeting set later this week between all of the parties, and we are hoping that we can make some progress here.

But as Mr. Stead said at the beginning, we have been working on this for quite some time. He mentioned back in the 1990s. I know that the City itself has been working on this for over nine years on rail consolidation and have taken a look at a number of different options. And I want to just focus my attention right now to encourage you to take a look and discuss and study the safety issues that we see happening on the 3rd Street corridor, and Chairman Van Meter is going to talk a
little bit about the 10th Street corridor and safety issues there.

One of the things that has been noted earlier in the presentation was that the environmental impact study needs to be done, needs to be accomplished for this to happen. And I know that the FRA has certainly been approached about using an old 2003 EIS, and so much of that had to do with the safety issues. And I just want to point out some deficiencies that are in there and would ask for you to help us to encourage a future -- sorry, a current EIS to be done. And some of those deficiencies are really glaring, I mean, just glaring us right in the eye.

The 2003 study is totally different than this project that is proposed in 2009. For one, there was no alternate rail corridor. It doesn't consider there were alternate rail corridors in the city of Springfield. There is no alternate design.

The city of Springfield is unique. We have three different railroad tracks that run from north to south and dissect our city in three
different areas. We are different than so many of the others that will be hosting high speed rail through their communities like Pontiac, Bloomington and Normal where, even though they may have some impact, they only have one set of tracks that go through there that would have an impact.

It doesn't consider -- the 2003 EIS doesn't consider the construction of a second track. It doesn't consider the impact of the additional freight trains, the 40 additional freight trains, and I guess I am here today to plead this case of safety, not as much as for me. I won't even be the mayor. With the term limits I couldn't be the mayor if I wanted to in 2017. But I am really looking at future generations. My grandchildren's great grandchildren are the ones that are going to be impacted by what happens on 3rd Street within the next two or three years.

The 2003 study only took a look at six high speed rails and three to five freight trains a day, not the proposed 40 additional freight trains that will happen sometime around 2017 or could get as
high as that, according to Mr. Payette, but also the 16 high speed rail. It was only taking a look at six in the 2003 EIS.

Regarding grade separations, the 2003 EIS provided no grade separations in Springfield and there was only one altogether. But the 2009 project anticipates over ten grade crossings just in Springfield alone.

So if nothing more, I am going to point out a couple other things. I just want you to keep this in mind as we are doing everything we can to not intentionally move this project to 10th Street, but just study it. And at the end of the day I think everyone that's here, if they realize that it can't be done, it is impossible, I think we are going to have to live with that and we will live with the mitigation that comes along with that. But right now we don't even have as a city, as every other city, and certainly, Mr. Chairman, you know what Rockford is like and their finances, we don't even have the money to provide even the studies. We are not able to get moneys from the Department of Transportation
to study the alternate routes.

Noise and vibration was not even addressed in 2003. It said that there was no adverse noise impact. But the 2009 project with this amount of trains, both rail and high speed rail, is obviously going to have a lot more, considering that this 2009 project has 4,000 percent more trains running on it than the 2003 EIS did than what was studied back there.

We also have a huge impact. Our future of economy in the city of Springfield is with the medical district, and this dissects right down the middle of our medical district. But the real safety issue, that's not as much a safety issue for you to be concerned about, is the fact that this separates our two major hospitals, both Memorial Hospital and St. John's Hospital. They alternate with trauma centers. Every year January 1, December 31 they swap as far as the trauma center. This divides the two. Literally there are dozens and dozens of patients a day that are transferred between the two hospitals, but yet, using the 2003 EIS, there
were no grade separations whatsoever that were addressed here.

And additionally when it comes to safety, we are talking about 3rd Street being a very highly residential area, no different than taking the line out to Wrigley Field from downtown and you see what dissests that residential area. But certainly mitigation has been properly addressed over the years, and we don't have that opportunity here in Springfield, considering the fact that we are dissecting our medical district and dissecting a residential district.

3rd Street itself is an active street. Cars literally back out of their driveway and come within feet, just a few feet, of the tracks themselves. So 3rd Street is active and that's something that just -- I don't think it's been addressed properly. Obviously, with the widening of the tracks and the doubling of the tracks we see a lot of other problems including the social, the economical and the environmental.

And with that I am going to turn this
over to Chairman Van Meter and let him address some
of the concerns that we see safety-wise on 10th
Street.

CHAIRMAN VAN METER: Thank you, Mr. Mayor.

Commissioners, my name is Andy Van
Meter. I showed up late to a county board meeting
several years ago and I found out my colleagues
elected me chairman of the county board.

I want to echo the mayor's comments
that we really favor bringing high speed rail to this
community, and we welcome UP as we would welcome any
outside business that was going to bring new
opportunities to our community. We want to work with
the UP to try to satisfy their concerns.

But as the mayor has indicated, we see
lots of problems with the 3rd Street tracks and we
see the potential that the 10th Street corridor may
be able to address the railroad's issues, operational
issues, as well as the community's very serious
concerns about how this would affect the community.

It is important to stress that this
entire enterprise is being funded largely with public
money, $2.3 billion of public money. And with public money comes public responsibilities. We don't expect that necessarily from the railroad. They are a profit-making enterprise and their primary focus is efficient operations. But we do expect an emphasis on public responsibility to come from some element of state government.

Unfortunately, in this case we would normally turn to IDOT, but IDOT in our view has completely abdicated its responsibilities. In fact, IDOT's attitude seems to be we can't stop it, we can't stop and study the 10th Street corridor. We might find out that it works better; we just don't have time to do that.

We have asked IDOT repeatedly for funds to study just the impact of the 3rd Street. Even though they indicate that this is very important, we need to move very quickly with this, they haven't been able to release the funds that exist to the City to fund studies of the mitigation. So we have had to do all of the mitigation research on our own dime, and we don't have too many dimes.
Because IDOT in our view has abdicated its responsibility as a state institution, we are doubly grateful to the ICC for stepping up and giving us this forum to say that they are willing to look into what issues may pertain to them.

And we think with respect to the 10th Street corridor, it would be helpful if you would consider funding a study of the improvements to safety that might come from the improvements to the 10th Street corridor if that were to prove a workable solution.

We believe if the 10th Street corridor were selected, we would attain additional underpasses under the 10th Street corridor that would never be interrupted by or interrupt the railroad's operations and would give the east side of our community better access to the critical public safety and hospital services that are on the west side of the community and in the medical district.

We believe that there are important public safety issues currently on the 10th Street tracks with respect to houses that are located very
close to those 10th Street tracks. And if 10th Street were selected as the corridor, we would be able to mitigate those problems.

We also believe there are potential problems with children playing near the 10th Street tracks. And if the 10th Street tracks were selected, we would eliminate any problems with any dangers associated with the 3rd Street tracks and we would be able to mitigate those current problems with children playing near the 10th Street tracks.

I suppose while we are at it we might address some barriers or berms of some sort to address this lady's concern about coal dust on the 10th Street tracks.

So we are hoping in your considerations of this matter that you may be able to provide us some assistance in reviewing the safety issues, the safety benefits that might come to us by selecting the 10th Street corridor.

Thank you.

COMMISSIONER O'CONNELL-DIAZ: Thank you very much for the presentation and now we will open it up
for questions from the Commissioners.

COMMISSIONER ELLIOTT: Madam Chairman, thank you.

COMMISSIONER O'CONNELL-DIAZ: Commissioner Elliott.

COMMISSIONER ELLIOTT: Mr. Payette, is it the intention to use or to solicit Grade Crossing Protection Funds for grade separations and improvements along the line?

MR. PAYETTE: I believe, and Mr. Garcia can correct me, but I believe that all the grade crossing improvements were included in the high speed rail grant.

COMMISSIONER ELLIOTT: So it would be all funded by the ARRA grant?

MR. GARCIA: We have in the original application, I don't have the exact number of the grade separations that we proposed because we are still working on the application, we have three weeks, but we had envisioned any grade separations would be included in the request for funds.

COMMISSIONER ELLIOTT: And grade crossing
improvements as well?

MR. GARCIA: That is correct.

COMMISSIONER ELLIOTT: So in your estimation there will be no request for Grade Crossing Protection Funds?

MR. GARCIA: We are starting from that point of view, yes.

COMMISSIONER O'CONNELL-DIAZ: That doesn't mean you necessarily will end up there, right?

MR. GARCIA: That is correct.

COMMISSIONER O'CONNELL-DIAZ: Mr. Stead, do you want to elaborate on that?

MR. STEAD: Actually, we had worked on the assumption that requests for assistance from the Grade Crossing Protection Fund would be part of this. So this is certainly good news for me. But we still will plan accordingly that a certain amount from the Fund will probably become a part of the funding package. And if not, then we certainly have other places we can propose to use that money.

COMMISSIONER ELLIOTT: That was going to be my next question. Because even with our five-year
planning, the grade crossing protection is pretty much allocated going out, at least five years forward.

MR. STEAD: That's correct.

COMMISSIONER ELLIOTT: So if there is any request for funding, something is going to have to be shifted, I would imagine.

MR. STEAD: Quite possibly, dependent on the schedule of this project and how the proposed improvements are laid out. We could find a way to include those projects, if necessary, into our plan in future years. As you are aware, the General Assembly and the Governor provided an additional $15 million a year for the Grade Crossing Protection Fund effective this current year. So we have more money at our disposal but we also have certainly more requests for assistance.

COMMISSIONER ELLIOTT: There are options out there.

Next question to the Mayor and Chairman Van Meter. I am a Springfield native and I recall 40 or 50 years of railroad relocation studies,
authorities, etc. And just doing a quick Google
search on this issue, I came across the Springfield
railroad consolidation study of 2005 which I believe
was funded through IDOT and a $200,000 grant. The
recommendation in that study and, if I am not
mistaken, all of the studies that preceded it have
been to consolidate the railroad through a single
corridor. And in my estimation none of those have
recommended the 3rd Street corridor.

And I guess I would ask if anyone
disputed the results of these studies in the past
and, if they have, I would like to see the responses.

MR. PAYETTE: If I may, Commissioner, for Union
Pacific we didn't see -- the senior management at
Union Pacific didn't see this study until July of
this year. Now, maybe we should have on our own -- I
mean, our problem is that we have 32,000 miles of
track in 23 states. We go through 8,000 communities.
And maybe we should have proactively tried to find
it, but it was not presented to our senior
management.

COMMISSIONER ELLIOTT: Well, that's a good
point because I don't believe it was circulated to
the ICC, either. I picked this up on the net. So I
would agree with you that I don't think it was widely
circulated.

MAYOR DAVLIN: I would somewhat beg to differ,
not so much with the ICC distribution, but over a
year ago when UP came to Springfield in time for them
to upgrade, do the 10, 12 million dollar upgrade to
3rd Street, we sat down with the highest ranking
individuals from Union Pacific and we told them at
that time that -- at that time I believe they needed
a little bit of something from the City, permission
or some type of rights, and we explained to the
highest level of Union Pacific that we are not in
favor of this upgrade of 3rd Street, what can we do
right now to convince you not to do this.

Because the entire consolidation plan
that was presented to them that we had been working
on was actually finished in 2003. It started in 2003
-- it started in 2002, I apologize, and finished a
year or so later. Everything indicated 9th Street,
and we were told at that time not a problem. We
don't see you moving 3rd Street over to 9th Street --
or to 10th Street until for probably at least five,
six, seven years and we said you are probably right.
They said it behooves us to continue to do this $10
million upgrade. This is all in my conference room
with 15 or 17 witnesses. They said no. If we do
that, we know how easy it is to pick this up to move
it over to 10th Street. We are definitely willing to
take a look at that.

Then when we were notified earlier
this year that high speed rail was moving forward, it
is going to move to the 3rd Street corridor, the
first question we asked was what happened from last
year. They said, well, that individual isn't with UP
any more. Things have changed. Things changed with
the amount of stimulus money now available, with $9
billion. Everything is changed, were the exact words
given to us.

This has been out in the open and
studied and looked at and made public, certainly made
public to UP last year sitting in my conference room
with a lot of people there.
COMMISSIONER ELLIOTT: That's all the questions I have.

COMMISSIONER FORD: I guess my only concern is with Mr. Garcia and Chairman Van Meter, did you promise some funds for that study, Mr. Garcia, to study that 10th Street corridor? He asked for funding to do a study. Did we say we were going to give them to him?

MR. GARCIA: For the 3rd Street corridor?

COMMISSIONER FORD: The 3rd Street corridor.

MR. GARCIA: The Bureau of Railroads promised -- I am not sure.

COMMISSIONER FORD: Who promised, Mr. Van Meter?

MAYOR DAVLIN: I don't know if there were promises made. What we had asked for was, at the time this first came out, we made it clear to IDOT -- not that UP -- this isn't their concern. This is more of an IDOT local issue, was we don't have the money to be able to study this. We were told the money is available for studies, yet we heard the dollar amount of 275,000. I certainly wouldn't say
that Mr. Garcia made that promise, but that money is available but it hasn't been released yet to do the study.

We understand now that perhaps that $275,000 is to do an entire EIS update from Chicago to St. Louis. The original one wasn't even from Chicago to St. Louis. The 2003 EIS was from Dwight to St. Louis. So there hasn't even been an EIS done on the current 2009 project.

COMMISSIONER FORD: Thank you. Well, I would like to see whenever a project of this magnitude, I am sure in that study there should have been some collaboration between the City, certainly, and IDOT and UP. And I guess I am heartened by the fact that you are saying that there will be a meeting on Friday. Hopefully, we can lessen some of this strain it's causing the community and everybody can walk away happy with this high speed rail. I hope that that's what we will come to see at our next transportation meeting.

Thank you.

CHAIRMAN BOX: Mr. Payette, you have given us
the deadlines and the dates of August 24 and October 2. If everything moves smoothly, what is the timetable for this, for the selection, for the construction?

MR. GARCIA: It is my understanding that for the Track 1, the August 24, those are due mid-October of this year.

CHAIRMAN BOX: A decision?

MR. GARCIA: The decision of selection for funding for the Track 1 projects, that's the shovel-ready projects. The last I heard from the Federal Railroad Administration is that they hope to have the Track 2 projects which are the corridor, the larger dollar, by the end of the first quarter of next calendar year.

CHAIRMAN BOX: April 1 of 2010?

MR. GARCIA: That's correct. That's what they are shooting for.

CHAIRMAN BOX: And in these applications are they expecting you to have -- say the October 2 filing, are they expecting you to have everything finalized?
MR. GARCIA: Yes, they are.

CHAIRMAN BOX: Filed and everything else?

MR. GARCIA: Yes. That's the four major elements that I talked about. The NEPA documents, the service development plan, the support from the railroad and the operator have to be in place for us to even apply. And if those are altered in any way, we cannot apply.

CHAIRMAN BOX: So you have less than three weeks to potentially solve this issue in Springfield?

MR. GARCIA: Well, we have three applications submitted. We anticipate three applications. The first application is for the original EIS, as it stood, three high speed trains and the alignment.

The second application is specifically just for the second main line. As they have indicated, that was not originally envisioned in the original EIS. So that's its own application.

And then the third application is for the equipment for the train sets and that will actually be train sets for all of the corridors, not just this corridor.
CHAIRMAN BOX: All the corridors in Illinois?

MR. GARCIA: All the corridors that Illinois would be involved with, the Wisconsin and Milwaukee, the Detroit, some of the new corridors through Rockford. We have one we have an application for.

CHAIRMAN BOX: What are the trains that run through Rockford, since you brought it up?

MR. GARCIA: We are actually submitting an application for -- let me just back up a little bit.

The Track 2 applications that we will be submitting for, we will be actually submitting for what's considered a preliminary engineering, final design and construction. So we do not have the plans in hand. We are asking for the money to do the plans. We are asking for the money once the plans are done to do the construction, which the federal government allows us to do.

All they are saying is you have to have that NEPA document, you have to have that service development plan, and you have to have those letters of support to even apply for the money to go on to the preliminary engineering and the final
design and the construction.

So that's merely what we are doing, is we are using that as our eligibility to ask for the money, and then we will get letters of intent, letters of intent from the federal government to spend money for the preliminary engineering. Once we get the preliminary engineering done, we will get a letter of intent for the funds for the final design. We will work our way through all five elements, as I said, the track, the trains, the signal system, etc., the stations.

So we are really asking for the funds for all of it. But obviously the Federal Railroad Administration will require us to go in tiny steps as we work our way through. We don't have -- I don't have in my office, you know, we are going to build tomorrow and it will be done by next year. We are actually working our way through the steps.

CHAIRMAN BOX: What trains go through the Rockford area?

MR. GARCIA: Oh, I am sorry.

CHAIRMAN BOX: You are not going to get away
from it. I would be remiss if I didn't ask you.

MR. GARCIA: Right, right. One of the applications, one of the corridor Track 2 applications that we are submitting, is for new Amtrak service from Chicago to Dubuque that will go through Rockford.

So we are asking -- well, I am not involved with that particular application. However, we will submit, you know, the preliminary engineering, the design, for that route. And that's being done and that is due by October 2. So we are actively putting together that application so that we can get funds to provide that route, new Amtrak service to that route.

CHAIRMAN BOX: New Amtrak service; not high speed?

MR. GARCIA: At this point, yes, it is new service, new Amtrak service, correct, which ARRA allows us to do. It's for inner city passenger rail and inner city high speed rail.

COMMISSIONER O'CONNELL-DIAZ: I had a question with regard to the studies. Obviously, there was
done some studies earlier with regard to using the 10th Street route and the 3rd Street route. Am I understanding correctly, Mayor Davlin or Chairman Van Meter, that the 10th Street study, there has not been a full-blown 10th Street study? Was that what I heard you say?

MAYOR DAVLIN: That is correct.

COMMISSIONER O'CONNELL-DIAZ: And, Mr. Garcia, who would have been looking at the alternate routes to -- this is similar to when we do transmission lines. We always have like alternate routes and the parties fight about it and ultimately the Commission has to make that determination. I am not suggesting that's what's going to occur here. But in my experience of things, when you are looking at two different routes, you have studies on both of them. So is there a 10th Street study that you have or why was there not one done?

MR. GARCIA: I just received a copy of the feasibility study three weeks ago from my boss. So I am reviewing it now. I can't answer for the original EIS. We had public hearings in, I believe it is,
August 1, 2000, back in 2000, in fact, at the UIS in Springfield. And I reviewed those comments and there were no City of Springfield comments at that hearing. So why we didn't look at it then, I can't say because I wasn't in charge of the EIS at that time. But there was no record, public record, that said that we needed to study it at the time we did the EIS. Now that's not to say -- you know, it's a different day today.

COMMISSIONER O'CONNELL-DIAZ: Well, exactly. According to somebody, everything has changed since we now have the stimulus money. So I guess to go back to my question of a 10th Street study and a 3rd Street study, so that all the attributes and efficiencies of both of those could be looked at and made. Obviously, there has to be a decision that is made and we have a timeline that is quite -- seems quite unforgiving with regard to getting our plans in.

So is something going to happen with regard to understanding the 10th Street versus the 3rd Street?
MR. GARCIA: Well, it is my understanding that there is going to be a meeting later this week. I won't be involved with the meeting, so I can't answer for what will happen with respect to the two studies.

CHAIRMAN BOX: Given the complication of the numbers you cited earlier, I think it was 8 billion that is being allocated by the federal government and the requests for 90 plus billion, obviously they are going to be highly competitive. I hate to see Illinois lose any kind of -- leverage is a bad word, any type of pluses we might have with the President and Mr. LaHood and others.

Could this issue of 10th Street versus 3rd Street versus an updated EIS and all that kill any money at all coming to the state of Illinois for this corridor?

MR. GARCIA: Well, I can't answer for what the Federal Railroad Administration has decided.

CHAIRMAN BOX: But you know what they are looking for in the applications and what the criteria will be, the selection criteria?

MR. GARCIA: Yes. The major document that we
have to have completed, in the first application we are using the EIS that was originally compiled. And we are using that as our eligibility document. If that gets altered, we have to withdraw the document because we can't alter it in three weeks. You can't physically open an environmental impact study and--

CHAIRMAN BOX: What area does that EIS cover?

COMMISSIONER ELLIOTT: That's a single track issue.

MR. GARCIA: That's the single track, that is correct, from Chicago to St. Louis. However, there were three alternatives north of Dwight and none of the alternatives were selected at that time. South of Dwight -- so it said it essentially established no build north of Dwight. South of Dwight it was the high speed rail, so you could actually go 110 south of Dwight. So it was studied. It is just that there wasn't an alternative selected.

CHAIRMAN BOX: So this issue has to be resolved before the state of Illinois is even in the running for any funds, this issue?

MR. GARCIA: Yes, it would affect our
application, that's correct.

COMMISSIONER ELLIOTT: Is there going to be the need for an additional EIS to deal with the dual track issue?

MR. GARCIA: Currently, for the second Track 2 application that we have for the second track, we have consultants putting together what we believe is an environmental assessment.

COMMISSIONER ELLIOTT: So an EIS for the second track?

MR. GARCIA: No.

CHAIRMAN BOX: That's due October 2.

MR. GARCIA: That's correct.

COMMISSIONER ELLIOTT: So no EIS in your mind is needed for that application?

MR. GARCIA: Well, I am not an environmental engineer. It is my understanding that our consultant is compiling an EIA which is an environmental assessment, different than an environmental impact study.

COMMISSIONER ELLIOTT: And that's sufficient to meet the FRA requirements for the ARRA funding?
MR. GARCIA: Well, we will find that out when
the EIS is cleared. I mean, there is -- they are
compiling that now, so we are hoping to have it
satisfactory by October 2 so we can in fact apply.

CHAIRMAN BOX: And all this is dependent on
this meeting that is coming up on Friday; some of
these questions will be answered?

MR. GARCIA: Well, I --

CHAIRMAN BOX: It's a lot of money but it is a
lot of requests throughout the country. And I hate
to see the worst thing of all happen where we are not
even in the game, there are no hard decisions being
made by the federal agencies. Because we are not
going to even be considered if you don't come to
agreement on something.

MR. GARCIA: Yes, if we have to withdraw our
application because they are incomplete due to
outside issues, we don't know if -- obviously, the
other states will, I am guessing, will get the $8
billion and I don't know if there will be another
round available for us to apply for or not.

COMMISSIONER ELLIOTT: You mentioned in the
applications that came in a number of states dropped out. Do you have any idea of what the total value requested is now with the dropouts?

MR. GARCIA: No, I do not.

COMMISSIONER ELLIOTT: So it was somewhere in the 90 billion range for 8 billion and then several states dropped out?

MR. GARCIA: Yeah, what happened was there was a requirement for the pre-applications. You had to have a pre-application to apply. The eligibility requirements were not published yet. So once the eligibility requirements came out for those applications, the states realized they were not prepared. And then they -- even though they had submitted a pre-application, they realized they were not prepared to put in the full application for Track 1 and Track 2.

CHAIRMAN BOX: Mr. Stead, one final question, what is our role in this, in the CEN acquisition? We put a lot of time and effort in that in our judgment. We were asked about the safety issues and we spent a lot of time and I think it was great work that was
done. What is our role here? Is it to look at those same safety issues or 10th Street and 3rd Street or do you have to wait until you get a proposal from them or do we just weigh in anyway? What is our role?

MR. STEAD: All of the above. But, yeah, technically we are looking at three aspects. We are looking at the operating practices, how the trains are going to actually be operated; the condition of the track to make sure that would be an ongoing thing in both of those cases. Our inspectors will, once the project is complete and the trains are operational, we will be making sure that they are operating properly and the tracks are maintained to the classification that they are built for in order to meet the federal regulations.

But more specifically with regard to our day-to-day activities, we will be looking at public safety. And I know that's somehow of a nebulous term, but we will be looking at how the crossings will be approved. Mr. Payette mentioned some of those crossings may in fact be closed. Some
of them may be replaced by bridges. Some of them may be improved with automatic warning devices.

We also have issues of access to right-of-way for trespassers and others. We have pedestrian safety issues. So we have a myriad of things we are looking at in a project of this magnitude, 310 miles essentially from Chicago to St. Louis. We have numerous opportunities where those types of thing can happen, whether it is Springfield or it is in rural Will County, something could happen that we have to be aware of.

And IDOT and UP and CEN in this case in Georgetown, we are certainly aware of those issues as well. We don't anticipate any problems. It would just be a lengthy process. Eventually, UP will be required to present to us plans for any improvements at those crossings. Staff will have to review them and then those will come to you.

CHAIRMAN BOX: It's a long process. But is there anything required of us in this application process for October 2 from the Commission itself concerning your application and safety?
MR. GARCIA: Not that I am aware of.

MR. STEAD: No. We stand ready to assist in any negotiations or meetings or discussions that will have to take place, both here locally or in the other community that is affected by this corridor. We are always aware of the fact that most people in the industry, public work type personnel, look to the Commission for advice, and we are certainly willing to provide that advice as necessary. We don't like to stick our nose where it doesn't belong necessarily, but certainly willing to help when we are asked.

MR. GARCIA: Now, I might add --

CHAIRMAN BOX: Are you going to the meeting on Friday?

MR. STEAD: Not yet.

COMMISSIONER ELLIOTT: I would recommend it.

MR. GARCIA: I might add that in the preliminary engineering stage Mike's office will be very active in the initial design of the crossing itself and the signal system, things like that.

MAYOR DAVLIN: Mr. Chairman, if I could also
add that over, not even the course of this last year, but even prior to that in previous years I have been the mayor for six and a half years, your staff has been invaluable to all of us. Mr. Stead and Mr. Blair have been there and helped guide us through to make sure we knew what we were supposed to be even asking the right questions, and we want to say thanks for their help and expertise. And to the best of my knowledge they have never stuck their nose where it didn't belong, but they have certainly helped.

Thank you.

If I could just add one last thing, when we talk about Friday, Friday is really -- it really isn't an ICC issue. This is really an issue between a couple of the railroads themselves. As you problem know, Norfolk Southern controls the 10th Street corridor and UP the 3rd Street. So it's as much an issue, as you can understand doing what you do on a basis here at the ICC, this is about control and we understand that. And they are both in business to make money and this is a lot about how we might be able to share control. It is not so much
physically the area that's there, but it is as much a
control issue.

And I want to thank Senator Durbin for
trying to put us all together in the same room, IDOT,
UP, Norfolk Southern, both the chairman and I, and we
can try to at least work this out so we better
understand what the situation is.

CHAIRMAN BOX: Given the short time period
before the federal government is to make a decision,
I hate to see Illinois left out.

MAYOR DAVLIN: We agree.

COMMISSIONER O'CONNELL-DIAZ: Okay. I would
like to thank all of our presenters today, and they
have a lot of work to do before Friday.

Also, I would like to announce that we
have a very special guest in our audience today.
Former Commissioner Mary Frances Squires is in the
back of the room, if I might ask her to rise so
everyone can show respect to her.

CHAIRMAN BOX: I told her before the meeting
started we had an extra seat up here, but she chose
not to show up.
COMMISSIONER O'CONNELL-DIAZ: Thanks for coming.

I wish you all the best of luck. You know, I always say bring some boxing gloves and then be nice and resolve this. Because obviously as Mayor Davlin stated and Mr. Garcia, this is a project that will greatly benefit our state. And I am just confident that we will be able to work out an appropriate remedy to this, that maybe everybody will go home with half a loaf of bread instead of a whole loaf.

Thank you very much for sharing your views and thank you, Mr. Stead, and for all the work that our Transportation Division has done. I greatly appreciate it.

And we do have a meeting, a regularly scheduled meeting of the Commission at three o'clock. So we will take a break now and --

AUDIENCE MEMBER: May I please be heard?

CHAIRMAN BOX: This is the problem that I talked about earlier. I would like to probably talk to our public relations people to put on the website
and put on all of our agendas the fact that these are the rules and we have to abide by these. Because if we start letting one person speak, I have gotten three notes since we have been here of other people wanting to speak, and we can't do that. The rules are there and the statute says we must allow it. And it is a good thing to do to hear from citizens, but also we have to cut it off at so point. And we will make it clear to the public that the rule is 24 hours before. No matter what you want to talk about, we will let you talk, but we have to draw the line somewhere.

And if I let you speak, there are probably three other people in the other room wanting to speak, and I don't think that's a good idea.

AUDIENCE MEMBER: I am sorry. I was in the next room. I am in a wheelchair. May I please be heard? As a former mayor may I please be heard?

CHAIRMAN BOX: Boy, you know how to get to me, don't you? Mayor, yes.

MR. LANGFELDER: I am sorry I can't stand up.

CHAIRMAN BOX: No problem.
MR. LANGFELDER: I've lost my leg. But as a former mayor I wasn't going to be here today, except I read the paper this morning and I was very upset by the attack on our public officials. I think they are just doing their job and they are stating what a lot of us believe. I have not been involved in city politics for 15 years, but I thought this was urgent. I love this city. I don't have much longer to live, anyway. But I came here to defend, not only public officials, but their opinions.

I am here to object to the 3rd Street corridor. I was involved in the railroad relocation study which was completed 20 years ago and that was never implemented. We spent hundreds of thousands of dollars making that study. It was a good study. And I hope, which I am sure won't be done now, that everybody considers maybe implementing the ideas and the thoughts of railroad relocation. I don't want to see the downtown area destroyed. I love Springfield and I always fought for Springfield and I want the best for Springfield.

These administrations have finally
revitalized the downtown area and I am proud of Springfield. I don't want to see it go and I don't want to see this, the railroad, down 3rd Street. I think it's just a bad idea. I have lived here long enough to see one of the tracks removed because for expediency and now it is going to be reconstructed. I hope not. I hope you use your best judgment.

I don't care what the federal government wants to do, to spend their money on. We have already spent our money, and I hope you defend our desires.

Thank you.

CHAIRMAN BOX: Thank you.

If I could ask your indulgence for one more second, if one of our assistants can help me, there was a gentleman I think in the other room who also requested to speak. I was he was head of the NAACP. If that gentlemen is still here, if he would like to come over to this room since we are adding to the list, it's only what's fair. And if he is still here, I would like for him to come over and address us, please.
Any other former mayors in the audience?

AUDIENCE MEMBER: As a matter of fact, there is.

CHAIRMAN BOX: I should have known. I thought he looked familiar. I knew you were either a mayor or a bill collector.

COMMISSIONER ELLIOTT: Well, if you wanted to have an unbiased attendant at your meeting on Friday, I would recommend having Stead there for an unbiased perspective.

CHAIRMAN BOX: Meeting is adjourned. Thank you.

MEETING ADJOURNED