

La Follette Avenue High-Speed Rail Corridor Group

**Final questions for October 21, 2010, meeting with Wisconsin Department of Transportation officials and consultants
4-5 p.m. Goodman Community Center, 149 Waubesa Street**

Communications and Transparency

One of the difficulties involved for residents to give input to the corridor management plan is that no one knows what decisions have been made so far, nor do people understand what is negotiable or what laws, rules, policies are requiring certain decisions. We strongly urge a postal mailing and a web page that outlines every decision made thus far and makes the timeline clear and then urge a follow-up postal mailing once final decisions have been made. Even updating the 2001 frequently-answered-questions page posted on the city of Madison's web site would be helpful, as would a Madison-specific web page on the Wisconsin Department of Transportation's web site.

C1. What final decisions specific to the corridor between Anziger Court and Winnebago Street and Waubesa Street have been made so far?

Even though all fencing and signals will be placed inside the railroad right of way, people living or owning property adjacent to the corridor are extremely concerned about how the location of fencing, signals and other equipment will affect their quality of life and property values. Communication on these plans should take place in at least two ways. One, people should have a way to ask questions and receive answers in a timely fashion so they can advise the corridor management plan focus group. Two, once policymakers have made their decisions, individual residents and property owners should be able ask questions and get answers to find out about the impact on their property so they can make plans. The corridor management plan focus group process does not appear to accommodate questions about individual parcels of land.

C2. How are decisions, plans and timelines going to be communicated to people living in the neighborhoods near or owning property adjacent to the railroad corridor?

For example, preliminary fencing locations are to be presented at the November corridor management plan focus group. How can people living in the neighborhoods near or owning property adjacent to the railroad corridor get accurate, current information so they can make recommendations to the corridor

management plan focus group so their recommendations can be taken into account at the November meeting?

C3. How can property owners who are unable to attend a spring 2011 public information meeting two to four weeks prior to construction going to be able to find out about the anticipated physical impact on their property? How can people who do not use the internet or have email find out information now and in the future? When will construction information be posted online? What is the web address?

What is the date, time and location of that November meeting?

How will the results of that November meeting be reported back to people living or owning property on the corridor?

~~What is the construction timeline? How will that be communicated to people living along the tracks?~~

C5. How can we get answers to additional questions in a timely fashion?

C6. To whom do we submit our recommendations? Which official? What is the deadline for them to be considered?

C7. Will a new Environmental Assessment be conducted? When? When will it be released to the public? Is the June 2001 assessment posted on the WIDOT web site being followed?

Speed

S1. How fast will the train be going between Winnebago and Waubesa streets? In the beginning of the operation and ultimately? Our understanding is that the ultimate goal for the westbound passenger train coming into Madison is for it to travel 40 to 45 miles an hour in the city once it crosses Milwaukee Street and then Junction A at Wirth Court Park. Is that true? How about the eastbound train

Streets

R.1 The 2001 environmental assessment recommends that Corry Street be closed. Is it still on the list of streets to close? Is Waubesa Street under consideration to be closed?

Legal and policy issues

Individual property owners along the tracks are extremely concerned about their quality of life and property values.

L1. Our understanding now is that property owners will not have their homes seized or condemned. Is there a possibility that some owners will have *parts* of their property taken by the government? If so, how will they be notified? How much advance warning will they have?

L2. Which decisions are dictated by laws, policies, regulations, administrative rules, etc., and which decisions are discretionary?

For example our understanding now is that a fence is NOT required by federal or state regulations and thus is a discretionary decision.

~~For example, is where the fence is placed in relation to the edge of the railroad right of way a discretionary decision?~~

Are decisions about closing streets and/or pedestrian-bike crossings discretionary?

L3. What other decisions are discretionary? Who is making these discretionary decisions? How are they being made? How can citizens share their concerns and recommendations?

L4. How is the corridor management plan process going to help lessen possible reductions in property values?

Is the Environmental Assessment mentioned below the one dated June 2001?

Answer to question "What will happen to property values, especially for homeowners adjacent to the corridor?":

The Environmental Assessment reviews potential effects on property values. At that time, the EA noted that existing studies indicated property values of homes within one thousand feet of an existing railroad track are lower compared to homes with similar characteristics in similar neighborhoods. Thus, it would be expected that the current value of homes in the project corridor reflect their proximity to the existing tracks. Previous studies do not account for the effect of increased activity in low-activity corridors.

The effect on property values will likely vary depending on local market conditions and conditions of individual properties. Some decline may occur during construction

and initial operation, and due to uncertainties about project impacts. As noted in the EA, residents adapt to rail operations, as demonstrated in the eastern portion of the project corridor where the CP Rail mainline corridor travels through communities. Over time, it could be expected that real estate values will stabilize and that rail operations on an existing track have little impact on values beyond the existing proximity impacts.

As a result of this potential impact, WisDOT committed to the corridor management plan process to help mitigate potential impacts to adjacent properties.

Noise

We appreciate that the crossings will be designed to standards that will allow the city of Madison to request quiet zone status from the Federal Rail Administration and that the road bed and welded rail will reduce the sounds of shifting cars and eliminate the clicking sounds now heard as each train wheel passes over a rail joint.

N1. Are street crossings with gates required to clang? For the entire time the gates are down?

N2. Do plans include putting gates at pedestrian-bicycle crossings? Would those crossings need to clang?

N3. Immediate neighbors are concerned about the effects of the train inducing vibration on buildings, people and animal immediately adjacent to the tracks, and about the release of toxins from the soil. Will the new road bed and welded rail eliminate vibration? Does different class of track reduce vibration and noise more than another? What class of track is to be installed from Highway 30 to the Capitol? Are there any tradeoffs of using a higher class of track to reduce noise? If so, what are they?

~~Can train-induced vibration release toxins in the soil, including radon? If so, what is being done to prevent this, especially along the former Rayovac site?~~

~~What studies exist on this topic to investigate the effects of train-induced vibration on buildings and individuals immediately adjacent to the tracks? Does the DOT or its consultants plan to do any studies? If so, when?~~

Fence/barrier

- F.1 Apparently a fence is NOT required federal or state law, policy, regulation or administrative rule. Our understanding now is that the train's speed DOES NOT dictate whether a fence is needed or required. Is that true?
- F.2 Is it true that fencing may not be required continuously along the corridor within the city of Madison to achieve safety limits?
- F.3 Have policymakers and engineers already made their decisions about fencing locations?
- F.4 If not, what is the decision-making process? What entity makes recommendations to install fencing? How can residents and property owners make recommendations? Can individual property owners build fences on their property abutting the right of way?
- F5. If fencing is installed anywhere along the corridor, how are policymakers taking into account de facto pedestrian and bicycle movement in determining where crossings will be located? Can official pedestrian-bicycle crossings be added?
- F6. Are Wisconsin DOT officials and the consultants open to recommending to the city of Madison, the Wisconsin Office of the Railroad Commissioner and the Federal Rail Administration that an official, legal crossing be added, especially if Corry Street is closed, leaving us with no way of crossing the corridor for eight blocks if it is fenced? If so, how do we facilitate getting such a recommendation made?
- F7. If fencing is installed anywhere along the corridor, would it be on both sides of the tracks? Is that a discretionary decision?

How are public safety concerns being accounted for in this scenario? People could still walk along the corridor between the fences. Assaultants who are assaulting or robbing passersby could drag victims up between the fences, which would make it hard for victim to escape or get help from people living or walking outside the fenced area.

- F8. If policymakers decide to require a fencing anywhere along the corridor, what is the recommended minimum distance between legal crossings for vehicular AND pedestrian traffic? How is distance between crossings determined for an urban walking neighborhood?
- F9. If fencing is installed anywhere along the corridor, what determines its distance from the tracks and adjacent property lines?
- F10. Why would a fence be necessary with high-speed rail and not freight trains? What are the safety fears? Why is trespassing a larger worry with high-speed rail than with freight trains?
- F11. If fencing is installed anywhere along the corridor, can residents and property owners request a barrier that provides maximum noise mitigation instead of a simple fence? Our understanding is that the community center has requested a noise-mitigation barrier on a portion of the railroad corridor.
- F12. We understand that the DOT and its consultants are working with various companies to locate and relocate utility lines. Does that mean the utility lines will be moved out of the railroad corridor? If so, where will they be located? How can residents learn more about that process? Is consideration being given to burying current above-ground lines?
- F13. If policymakers have decided to fence at least portions of the corridor, what style of fence has been chosen?

Green space

We understand that whether existing vegetation will survive the addition of high-speed rail depends on the DOT and consultants' decisions about public and rail operations safety and that vegetation may need to be removed because of fencing and construction and to keep tree limbs from falling on tracks.

For years, neighbors of the corridor have maintained the corridor to the extent that the corridor is maintained, except for the railroad's periodic spraying of herbicide five feet on either side of the tracks and periodic tree trimming.

G1. How will the maintenance agreement DOT plans develop with Wisconsin and Southern Railroad to address maintenance problems be any different from the current situation? Concerns include mowing, picking up trash, removing graffiti, removing brush all along the corridor. If any portion of the corridor is to be fenced, these concerns pertain to spaces inside and outside the fence?

If the corridor is fenced, will the area inside be maintained?

G2. What entity will be responsible for maintaining the entire corridor? Who can people call to complain about poor maintenance and stewardship?

G3. As part of the rail corridor design, can additional trees be planted in the right of way to mitigate the negative visual impact and to provide privacy for residents along the tracks?

~~If a fence is installed along the corridor, would it be on both sides of the tracks?
Is that a discretionary decision?~~

~~Where will the pulloff for freight trains be located so they do not impede the passenger trains?~~

G4. Where will the pulloff for freight trains be located so they do not impede the passenger trains?

Speed revisited

If that is not true, how fast will the inbound train and the outbound train travel between Winnebago Street and Junction A at Wirth Court Park?

S2. What is the relationship between the class of track and speed?

Is it correct that at that speed of 40-45 miles an hour, the track would be a class 3?

for passenger trains:

Class 1 – maximum speed is 15 mph.

Class 2 – maximum speed is 30 mph.

Class 3 – maximum speed is 60 mph.

Class 4 – maximum speed is 80 mph.

Class 5 – maximum speed is 90 mph.

What is the class of track to be installed between the Capitol and Highway 30?