

October 9, 2015

VIA E-MAIL

Mr. Alex Buoscio

Email: [REDACTED]

RE: 15-FOIA-194 Info - OTC/CTA/Floor Plans

Dear Mr. Buoscio:

We have received your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“**FOIA**”).

I. Background

On September 18, 2015, we received your request for answers to the following questions regarding the Ogilvie Transportation Center and the CTA:

- What are the track elevations (from the street level) at the Ogilvie Train station;
- What are the platform elevations (from the street level) at the Ogilvie Train station;
- What is the clearance under the CTA tracks;
- How many riders pass through the MetraMart terminal a day;
- How many people use the Ogilvie Station each day;
- Does Metra own all the space underneath the train tracks; and
- Is the parking lot below the tracks independent from Metra;

Additionally, you requested a copy of the floor plans of the Ogilvie Terminal from the Citi Corp Building to the CTA Clinton Green line stop (“**Request**”). Your Request is granted in part and denied in part.

II. Responsive Documents

In response to your Request, Metra’s Engineering, Strategic Planning and Real Estate Departments have provided the following documents / answers:

- *What are the track elevations (from the street level) at the Ogilvie Train station?* – see attached drawings for track elevation details. The Engineering Department advised that they do not have good data concerning street level elevations;
- *What are the platform elevations (from the street level) at the Ogilvie Train station?* – see attached drawings for platform elevation details. The Engineering Department advised that they do not have good data concerning street level elevations;
- *What is the clearance under the CTA tracks?* – 16.90’ clearance under the CTA at Lake Street;

- *How many riders pass through the MetraMart terminal a day?* - After performing a diligent search of Metra's records, we have been unable to locate any records responsive to this portion of your request;
- *How many people use the Ogilvie Station each day?* – Data regarding the number of passengers that board and alight trains at Ogilvie Transportation Center comes from the passenger boarding and alighting counts last conducted in 2014. In 2014, the number of passengers alighting every train arriving, and boarding every train leaving Ogilvie on a weekday were counted. In total, 39,552 passengers boarded and 40,254 alighted trains at Ogilvie Transportation Center. Assuming the vast majority of riders ride to and from Ogilvie Transportation Center each day, we can conclude that approximately 40,000 individuals use Ogilvie Transportation Center for Metra service each day. This data is summarized in the 2014 Count Summary report, Page 27 Exhibit VIb, posted online at: http://metrarail.com/content/dam/metra/documents/Planning/2014Count_Summary10.pdf
- *Does Metra own all the space underneath the train tracks?* - Yes, from the south line of West Washington Street to the south line of West Lake Street; and
- *Is the parking lot below the tracks independent from Metra?* - No, the parking lot facility is owned by Metra, but it is leased by one party and managed on behalf of the lessee by another party

(“Responsive Documents”).

III. Denial

Your Request for a copy of the floor plans of the Ogilvie Terminal from the Citi Corp Building to the CTA Clinton Green line stop is being denied under Section 7(1)(k) of FOIA which states:

Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings, but only to the extent that disclosure would compromise security. 5 ILCS 140/7(1)(k).

The requested Ogilvie terminal floor plans contain certain information that if released, would compromise security within the Ogilvie station terminal. As such, attorney Thomas Stuebner has determined that the withholding of the above-referenced floor plans is proper under FOIA.

IV. Right of Review

You have the right to have the denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

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Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Kathleen E. Haton
Freedom of Information Officer
foia@metrarr.com
FOIA Hotline #312-663-3642

Attachments