

*Specific DuPage County Comments on the Draft Scope of the EIS for Canadian National Railway Company and Grand Trunk Corporation - Control – EJ&E Company*

**Extend the time horizon of CN train traffic projections to 20 years.**

CN has provided three-year projections for the number of freight trains per day, gross tons of freight and hazardous materials carloads on the EJ&E and the CN lines if the EJ&E acquisition is approved by the STB. This is not an adequate time frame for conducting a detailed analysis and assessment on the future impacts of this acquisition. The EIS shall utilize, at a minimum, a 20-year horizon, as required by the NEPA process. In addition, the 20-year timeframe would be more consistent with the official 2030 Regional Transportation Plan (RTP) for the Northeastern Illinois Region. In the event that CN is unable to provide such projections, STB shall look into other sources. One such source would be CREATE (the Chicago Region Environmental And Transportation Efficiency program) which projects that by 2020, freight rail service demand in the Chicago area is expected to increase by 80%.

**Conduct a “purpose and need” assessment for the proposed transaction**

The EIS shall conduct a “purpose and need” assessment for the proposed transaction. The assessment shall include the identification of specific freight rail congestion points on the existing CN lines, and the consideration of additional alternatives toward alleviating that congestion without adversely impacting a large number of communities and affecting existing and planned passenger rail services. Such alternatives could include the utilization of other existing rail lines, constructing additional lines, and reconfiguring junctions and interconnections.

**Address the issue of the impacts of significantly increased freight train traffic on first respondents and emergency vehicle delays at all grade crossings**

Based on Canadian National Company 3-year projections, the number of freight trains on the EJ&E line within DuPage County would increase, depending on specific segments, from the current 4-16 per day to 24-42 per day (Please see **Appendix, Table 1**). It can be anticipated that those increases would be even greater after the initial 3-year period.

The expected increased train traffic on the EJ&E line in combination with the increased length of freight trains (average 10,000 feet) would result in longer and more frequent blocked crossings due to passing and in some cases stopped trains. Consequently, emergency vehicles would be delayed for extended periods of time at those crossings. This problem becomes even more critical in areas where no grade separation is nearby that can be used as an alternative route. A case in point is the DuPage County community of West Chicago, which is dissected by the EJ&E track: If there is a blockage or a long delay at the EJ&E crossings near the center of town, where five crossings (Washington Street, Aurora Street, Church Street, Ann Street, and George Street) are located on a less than a half-mile stretch of track, fire department vehicles would have to travel around the city to the nearest grade separated road (Roosevelt Road) to reach emergencies

occurring west of the EJ&E tracks. As a result, the response time would be increased from the typical 2 or 3 minutes to approximately 20 minutes.

A 2006 U.S.DOT report on “The Impact of Blocked Highway/Rail Grade Crossings On Emergency Response Services” states that *“ In evaluating the impact of delays, we must consider the cost in terms of deterioration in expected outcome for ambulance patients, worsening of fire damage from delayed fire truck response, and reduced likelihood for apprehension of suspects from delayed police response”*.

The EIS shall utilize current and future train traffic data (up to the 2030 horizon) to compare current “gate down” times at EJ&E at grade crossings to potential future increases in “gate down” times following the proposed acquisition. The EIS must then identify potential impacts from the increased emergency vehicle delays and determine mitigation measures as well as the conditions for implementing those measures.

**Address the issue of the increased risk levels for vehicle-train accidents as a result of the large increases in freight train traffic.**

The projected increase in the number of freight trains that would go over the EJ&E at grade crossings on a daily basis in combination with the expected increases in the future vehicular average daily traffic (ADT) would result in potentially higher risk levels for vehicle-train accidents at those crossings. The EIS shall utilize existing and future (up to 2030) train traffic data in combination with current and projected Average Daily Traffic (ADT) levels (with a 2030 horizon) to correctly assess current and future risk levels of vehicle-train accidents at all at grade crossings. (Please see **Appendix, Table 2** for DuPage County ADT data). The EIS shall also determine specific mitigation measures that would be needed to address this safety issue, and the STB must impose conditions for implementing those measures.

Some of the key at grade crossings are:

|                                       |                                                                                                                                         |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>Ogden Avenue (U.S. Route 34) -</b> | 2005 AADT: 45,000<br>2010 AADT: 51,900<br>Current number of freight trains per day: 16<br>3-year projected number of freight trains: 42 |
| <b>Liberty Street -</b>               | 2005 AADT: 15,900<br>2010 AADT: 16,000<br>Current number of freight trains per day: 16<br>3-year projected number of freight trains: 42 |
| <b>Diehl Road -</b>                   | 2005 AADT: 12,800<br>2010 AADT: 14,400<br>Current number of freight trains per day: 11<br>3-year projected number of freight trains: 35 |

**Montgomery Road -** 2005 AADT: 13,700  
2010 AADT: 14,500  
Current number of freight trains per day: 16  
3-year projected number of freight trains: 42

**Washington Street -** 2005 AADT: 11,000  
2010 AADT: 12,200  
Current number of freight trains per day: 11  
3-year projected number of freight trains: 35

(The Washington Street-EJ&E crossing is located only approximately 100 feet west of a Washington Street-UP West line at grade crossing. The UP West crossing is used every weekday by a total of 110 trains, of which 58 are Metra Commuter Rail trains. The complexity of this location requires that the EIS conduct a detailed analysis to assess the safety impacts that might result from the projected increases in the number of trains on the EJ&E, and to determine appropriate mitigation measures and the conditions for implementing those measures.)

**Stearns Road -** 2005 AADT: 11,500  
2010 AADT: 16,800  
Current number of freight trains per day: 6  
3-year projected number of freight trains: 24

**Address the impacts of increased freight train traffic on safety near schools:**

Seven EJ&E at grade crossings are within less than one mile of DuPage schools, with some of them being closer than 1,000 feet (Please see **Appendix, Table 3**). In addition, two Warrenville elementary schools are within one-quarter mile from the EJ&E tracks. Indian Prairie School District 204 is about to start construction of a new \$146 million 3,000-student high school on an 85-acre site located between the EJ&E tracks and Eola Road, just south of Interstate 88.

The potential adverse impacts of increased freight train traffic on schools located near the EJ&E tracks is a very serious issue, particularly for the community of West Chicago, where 5 at grade EJ&E crossings (one of which is a sidewalk crossing) are in close proximity to schools (including West Chicago High School with 2,160 students), athletic fields, and libraries. The increased freight train traffic would increase the potential for accidents at those crossings as well as the possibility of trespassing accidents that might occur along the EJ&E tracks.

The EIS shall address the potentially higher risk levels for pedestrian and bicycle accidents at all grade crossings as well as along EJ&E track segments in close proximity to schools. The EIS shall also address the issue of school bus safety at crossings, as it relates to the projected increase in freight train traffic. School buses carrying students to and from DuPage schools go over all EJ&E grade crossings hundreds of times each school day. The EIS shall determine the appropriate safety mitigation measures for all crossings, and the conditions for implementing those measures.

### **Address the issue of safety impacts on trails**

There are three at grade EJ&E crossings with Illinois Prairie Path trails: AT the IPP Elgin Branch, at the IPP Batavia Spur, and at the IPP Aurora Branch. The Illinois Prairie Path is a key component of the 2030 Regional transportation Plan's "Bicycle and Pedestrian Strategic Regional System", and it is used by over one million people every year. In addition to being one of the most widely used open space and recreation assets of the region, the Illinois Prairie Path enhances the region's mobility and environment by providing non-motorized multimodal transportation opportunities. The EIS shall address the impacts of the projected increased freight train traffic on the EJ&E on the Illinois Prairie Path, and determine the appropriate mitigation measures and the conditions for implementing those measures. The EIS shall also consider the fact that millions of federal, state and local dollars have been used toward improving and expanding the Illinois Prairie Path.

### **Address the health and safety issue related to the significant increase in the transportation of hazardous materials on the EJ&E line**

CN 3-year projections show a more than ten-fold increase in the transportation of hazardous materials on the DuPage County segments of the EJ&E. As a result, communities along the EJ&E will see the number of hazardous materials carloads jump from the current 21 to 43 per year to 265 and 380 per year (Please see **Appendix, Table 1**). This is a critical issue, as potential accidents would have disastrous consequences, particularly along the rail segments that run next to dense residential areas and schools (case in point: West Chicago High School with 2,160 students).

The tremendous increase in the carloads of hazardous materials is an issue of great importance for the well being of DuPage County communities along the EJ&E line. In order for the EIS to correctly assess the future impacts of this issue, there is a need for CN to provide train traffic and freight projections for a 20-year horizon.

The EIS shall conduct a detailed evaluation and analysis of CN's safety record (frequency and extend of accidents, spills and derailments, and the company's approach toward mitigation), both in the U.S. and Canada. The EIS shall also evaluate the safety record of the railroad companies that are likely to be given EJ&E trackage rights by CN.

The STB must require specific restrictions and oversight in order to ensure the safety of the thousands of people who live, work and go to schools along the EJ&E.

### **Address the issue of the impacts of the projected increases in freight train traffic on vehicular delays at EJ&E grade crossings**

Based on CN's 3-year projections, EJ&E at grade crossings in DuPage County would experience train traffic increases ranging from 18 to 27 trains per day. In addition, freight trains using the EJ&E track after the proposed acquisition will be longer, with an average length of 10,000 feet (currently the average length is 6,500). As a result, "gate down" times at each crossing would be

significantly longer, resulting in lengthier motorists' and emergency vehicle delays. Also adding to the "gate down" times would be the increased potential of stopped trains blocking one or more crossings.

The EIS analysis shall provide estimates of: a) current vehicle delays at each EJ&E railroad-highway grade crossing (baseline), b) of delays based on CN's 3-year train traffic projections (short-term), c) 2020 delay estimates (mid-term), and d) 2030 projections based on projected data for that time horizon. The estimates for future delays must incorporate ADT level forecasts up to the 2030 time horizon based.

The EIS vehicle delay analysis shall include estimates (with a 2030 time horizon) of the annual amounts of added emissions released into the air as a result of idling vehicles delayed at all EJ&E at grade crossings. Estimates of net emission changes should be available for individual crossings as well as for counties and the Chicago area.

The EIS analysis shall determine whether added delays and traffic backups at crossings would result in a number of motorists choosing to bypass those crossings by driving on minor residential streets, thus impacting local traffic, safety and the overall quality of life in the affected communities.

Increased delays at crossings would affect thousands of cars and trucks, which would be collectively delayed for many hours on an annual basis. The EIS shall provide annual estimates of the financial costs to motorists and businesses for individual counties and the Chicago area.

The EIS shall evaluate the impacts and costs related to increased vehicular delays at EJ&E crossings, and identify specific mitigation measures, and conditions for implementing those measures.

#### **The EIS shall address the impacts on the affected area's air quality**

The EIS shall assess the adverse air quality impacts of potential air emission increases from vehicles idling at blocked crossings (as mentioned above), from the larger number of locomotives traveling or idling on the EJ&E, and the potentially increased number of trucks using nearby intermodal facilities. Those estimates shall be produced with a 2030 time horizon. The EIS shall determine the appropriate mitigation measures and the conditions for implementing those measures.

#### **The EIS shall determine the impacts of increased noise and vibration**

The expected large increases in daily freight train traffic and tons of freight (Please see **Appendix, Table 1**), as well as longer trains would result in significant increases in noise and vibration impacting thousands of homes, and many schools and other sensitive receptors along the EJ&E. The EIS shall address this issue, according to STB Environmental Rules (49 CFR, Section 1105.7), and determine mitigation strategies including funding, that would be needed to alleviate potential hardships on individuals, school districts and communities. Noise mitigation measures shall include the construction of noise berms and the soundproofing of qualifying

homes and other sensitive receptors, using as a model the Federal Aviation Administration's (FAA) noise mitigation program.

The EIS shall specifically address the impacts of increased noise and vibration on the Fermi National Accelerator Laboratory, whose property abuts the EJ&E tracks over a distance of three miles.

The EIS shall also determine the potential impacts of increased freight train traffic on existing and planned Quiet Zones, as well as on the needs for establishing new Quiet Zones. The EIS shall address this issue, and determine specific mitigation strategies to assist the affected communities in funding and implementing the required by the FRA crossing safety measures.

### **Impacts on Metra's STAR Line**

The EIS shall address the impacts of the proposed acquisition on the viability of Metra's planned STAR Line. The STAR Line is planned as the nation's first suburb-to-suburb commuter line, to provide enhanced public transportation services, including efficient connections to the expanded and modernized O'Hare International Airport for some of the fastest growing parts of the Northeastern Illinois region. Contrary to the assertions made by some CN staff, the STAR Line is a viable project. A number of state and local transportation agencies and several communities have already invested significant amounts of dollars and time into this project. In addition, the STAR Line is currently in the Alternatives Analysis phase of the Federal Transit Administration's (FTA) New Starts process. A project does not move into this phase unless there has been a demonstrated commitment by the FTA and other transit and service providers to move the project through the process.

The EIS shall examine the validity of CN's offer for Metra to construct a new track for the STAR Line on the EJ&E 100-foot right-of-way, based on the fact that CN plans to double-track and possibly triple-track that line. The EIS shall provide a detailed assessment on the feasibility of adding a Metra track on the EJ&E right-of-way.

The EIS shall address the issue of local and regional impacts in the event the STAR line is not feasible as a result of the EJ&E acquisition. Potential impacts include reduced public transportation options, additional vehicles using the already congested regional highway system, increased vehicle air emissions, increased use of fossil fuels, and the overall mobility and economy of the region.

### **Impacts on Existing Commuter Rail Traffic**

CN projects substantial increases in freight train traffic for many segments of the EJ&E line. It could be assumed that some of those trains might be also diverted to and/or from other non-CN railroad lines, such as the UP West and the BNSF, thus increasing train traffic congestion and adversely impacting Metra commuter train flows on those lines. The EIS shall determine the impacts of freight train traffic increases on current Metra commuter train flows, as well as on the feasibility of expanding Metra services in the future.

The EIS shall also address the impacts of the proposed transaction on existing and future commuter rail traffic on the passenger service in DuPage County. This analysis shall also include improvements referenced in the *DuPage Area Transit Plan*, a transit planning tool prepared in concert by the DuPage Mayors and Managers Conference and DuPage County. (The paper filing that will be delivered will include a hard copy of the above-referenced *DuPage Area Transit Plan*). The document, prepared in 2002, was the first of its kind in the region. It has been a guiding force for the Regional Transportation Authority (RTA) and providers who have focused on inter-county and suburb-to-suburb commutes. As more and more jobs have moved to the suburbs, the predominant travel direction of west to east in the morning, and the reverse in the evening is no longer the case. DuPage County has become a net importer of jobs; more people come into the County to work than leave it.

One key area where the EIS should focus is the rail-to-rail at grade crossing of the EJ&E line with the UP West line in West Chicago. Currently, approximately 110 trains (52 freights and 58 Metra trains) use the UP West triple tracks on weekdays. While there is very little train traffic on the EJ&E now, CN's three-year projections show that the number of freight trains using the EJ&E track at that crossing would increase by 20 to 24 trains per day.

The EIS shall address the impacts of the increased freight train traffic on the EJ&E on current and future commuter rail services, and determine the appropriate mitigation measures and the conditions for implementing those measures. The EIS shall incorporate in its analysis freight train as well as commuter train traffic forecasts up to the 2030 horizon.

#### **The EIS should address the issue of CN's "winners" and losers" in more detail**

CN states that, as a result of the EJ&E acquisition, 34 communities along the EJ&E would experience increased freight train traffic, while 80 communities along some segments of the existing CN lines would experience a reduction in the number of freight train traffic. The EIS should analyze this issue in more detail and in the context of expected increases in freight train demand in the region up to the 2030 time horizon. The analysis shall determine whether,

- a) future growth in demand for freight train services in the Chicago region would result in increasing train traffic on those CN track segments that CN claims would see a reduction in the number of trains; and
- b) the projected reduction in the number of trains in the above-mentioned CN track segments would create potential opportunities for other railroad companies to fill existing and future service needs, thus resulting in increasing freight train traffic through many of those areas.

#### **Address the impacts on public costs and local economies**

The EIS shall address the issue of the impacts of the increased freight train traffic through the communities along the EJ&E on existing comprehensive plans, needs for additional infrastructure improvements, and potential loss of benefits for already implemented or planned projects. Such impacts could result in financial hardships and threaten the overall quality of life for the residents of many communities. The EIS shall estimate the costs of those impacts to

individual communities and determine the appropriate mitigation strategies, and the conditions to implement those strategies.

The EIS shall also address the issue of potential adverse impacts on local businesses, particularly those located near at grade crossings. Long delays and traffic backups at crossings could restrict customer accessibility and increase delivery and service times, affecting the sustainability of those businesses.

## APPENDIX

**TABLE 1:**

Train Traffic Changes on EJ&E Rail Line Segments in DuPage County  
Affected by CN Acquisition

(Source: Canadian National data)

| Rail Line Segment Description |                                 |                                              | Number of Freight Trains / Day |                 |        |          | Freight - Gross Tons / Day |                 |         |          | Hazardous Materials Carloads/Year |                 |        |
|-------------------------------|---------------------------------|----------------------------------------------|--------------------------------|-----------------|--------|----------|----------------------------|-----------------|---------|----------|-----------------------------------|-----------------|--------|
| Segment #                     | From Station                    | To Station                                   | Base                           | Projected Total | Change | % Change | Base                       | Projected Total | Change  | % Change | Base                              | Projected Total | Change |
| EJE-13                        | Munger (Bartlett)               | Spaulding (Metra Milwaukee West Line, Elgin) | 5.5                            | 23.5            | 18.0   | 327%     | 23,285                     | 173,935         | 150,650 | 647%     | 21.0                              | 200.6           | 179.6  |
| EJE-12                        | West Chicago                    | Munger (Bartlett)                            | 4.4                            | 24.4            | 20.0   | 455%     | 14,397                     | 184,969         | 170,572 | 1185%    | 21.1                              | 265.5           | 244.4  |
| EJE-11                        | West Chicago                    | East Siding (BNSF Line, Aurora)              | 10.7                           | 34.5            | 23.8   | 222%     | 62,233                     | 245,049         | 182,816 | 294%     | 30.7                              | 301.4           | 270.7  |
| EJE-10                        | East Siding (BNSF Line, Aurora) | Walker (Plainfield)                          | 15.7                           | 42.3            | 26.6   | 169%     | 87,162                     | 301,359         | 214,197 | 246%     | 43.4                              | 379.3           | 335.9  |

**TABLE 2:** At Grade EJ&E Crossings in DuPage County (Road, Trail, Sidewalk)  
2005 ADT Levels and 2030 ADT Projections (DuPage County Traffic Model)

| ID | STREET                      | Jurisdiction             | Protection Device             | ADT (2005) | 2010 Project. | 2015 Project. | 2030 Project. |
|----|-----------------------------|--------------------------|-------------------------------|------------|---------------|---------------|---------------|
| 1  | Stearns Road                | DuPage County            | Gates-Mast FL-Cntlvd FL-Bells | 11,500     | 16,800        | 22,100        | 38,000        |
| 2  | Private Pratt's Wayne Woods | Forest Preserve District |                               |            |               |               |               |
| 3  | Army Trail Road             | Bartlett/Wayne           | Gates-Mast FL-Bells           | 8,100      | 9,300         | 10,500        | 14,000        |
| 4  | IPP Trail - Elgin Branch    | DuPage County            |                               |            |               |               |               |
| 5  | Smith Road                  | Wayne/Wayne Twmsp        | Gates-Mast FL-Bells           | 6,100      | 6,900         | 7,600         | 9,900         |
| 6  | Hawthorne Ln                | West Chicago             | Gates-Mast FL-Bells           | 7,000      | 8,400         | 9,800         | 14,100        |
| 7  | Private Railport Road       | Private                  | Crossbucks                    |            |               |               |               |
| 8  | Private NW Flavors Co.      | Private                  | Crossbucks                    |            |               |               |               |
| 9  | Washington Street           | West Chicago             | Gates-Mast FL-Bells           | 11,000     | 12,200        | 13,400        | 17,000        |
| 10 | Aurora Street               | West Chicago             | Crossbucks                    | 159*       | NA            | NA            | NA            |
| 11 | Church Street               | West Chicago             | Gates-Mast FL-Bells           | 659*       | NA            | NA            | NA            |
| 12 | Sidewalk - George St        | West Chicago             | Crossbucks                    |            |               |               |               |
| 13 | Ann St                      | West Chicago             | Gates-Mast FL-Bells           | 659*       | NA            | NA            | NA            |
| 14 | Batavia Road                | Warrenville/ Winfield    | Mast FL-Bells                 | 2,499      | 2,700         | 2,800         | 3,300         |
| 15 | Old Ferry Road              | Aurora                   | Mast FL-Bells                 | 699        | NA            | NA            | NA            |
| 16 | IPP Trail - Batavia Spur    | DuPage County            | Crossbucks                    |            |               |               |               |
| 17 | Diehl Road                  | Naperville               | Gates-Mast FL-Cntlvd FL-Bells | 12,800     | 14,400        | 16,000        | 20,800        |
| 18 | IPP Trail - Aurora Branch   | DuPage County            |                               |            |               |               |               |
| 19 | Liberty Street              | Naperville/ Aurora       | Gates-Mast FL-Bells           | 15,000     | 16,000        | 17,000        | 19,900        |
| 20 | US 34 - Ogden Ave           | IDOT                     | Gates-Mast FL-Cntlvd FL-Bells | 48,900     | 51,900        | 54,900        | 64,000        |
| 21 | Montgomery Road             | Aurora/Naperville Twmsp  | Gates-Mast FL-Bells           | 13,700     | 14,500        | 15,300        | 17,600        |
| 22 | 87th Street                 | Aurora/Naperville Twmsp  | Gates-Mast FL-Bells           | 6,100      | 7,600         | 9,000         | 13,400        |

\* FRA data, Year: 1987

**TABLE 3:**

Selected EJ&E At Grade Crossings with Major Safety Concerns  
(Near schools, libraries or parks)

| <b>Municipality</b> | <b>Crossing Street</b> | <b>Institution</b>             | <b>Number of Students (07-08)</b> | <b>Approximate distance from crossing</b> |
|---------------------|------------------------|--------------------------------|-----------------------------------|-------------------------------------------|
| West Chicago        | Washington Street      | West Chicago Public Library    |                                   | 900 feet                                  |
|                     |                        | West Chicago Park District     |                                   | 550 feet                                  |
|                     |                        | West Chicago High School       | 2,163                             | 1050 feet                                 |
| West Chicago        | Church Street          | West Chicago High School       | 2,163                             | 750 feet                                  |
| West Chicago        | George Street          | West Chicago High School       | 2,163                             | 650 feet                                  |
| West Chicago        | Ann Street             | West Chicago High School       | 2,163                             | 650 feet                                  |
|                     |                        | Pioneer School (PK-6)          | 566                               | 1/4 mile                                  |
|                     |                        | West Chicago Middle School     | 793                               | 3/4 mile                                  |
|                     |                        | Gary School (K-6)              | 529                               | 3/4 mile                                  |
|                     |                        | Sherman St. Park (Prk Distr.)* |                                   | 1/4 mile                                  |
|                     |                        |                                |                                   |                                           |
| Aurora              | Ogden Avenue           | Jeffrey C. Still Middle School | 1,155                             | 3/4 mile                                  |
|                     |                        | Prairie Children's Preschool   | 636                               | 1/2 mile                                  |
|                     |                        | Waubonsie Valley H.S.          | 2,793                             | 1 mile                                    |
| Aurora              | Montgomery Road        | Georgetown School (K-5)        | 615                               | 1/2 mile                                  |
|                     |                        | Waubonsie Valley H.S. Gold     | 956                               | 3/4 mile                                  |
| Aurora              | 87th Street            | White Eagle School (K-5)       | 578                               | 1/2 mile                                  |
|                     |                        | Peter M. Gombert School (K-5)  | 528                               | 3/4 mile                                  |

\* Approximately 800 feet south of the Ann St. crossing, the EJE line runs adjacent to the eastern boundary of the Sherman St. Park. The increased train traffic would result in a greater chance of train/pedestrian accidents near the park.