

FOREST PRESERVE DISTRICT
of Cook County, Illinois

GENERAL HEADQUARTERS



WILLIAM BEAVERS	JOSEPH MARIO MORENO
JERRY BUTLER	JOAN P. MURPHY
FORREST CLAYPOOL	ANTHONY J. PERAICA
EARLEAN COLLINS	MIKE QUIGLEY
JOHN P. DALEY	TIMOTHY O. SCHNEIDER
ELIZABETH ANN DOODY GORMAN	PETER N. SILVESTRI
GREGG GOSLIN	DEBORAH SIMS
ROBERTO MALDONADO	ROBERT STEELE
	LARRY SUFFREDIN

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536 NORTH HARLEM AVENUE, RIVER FOREST, ILLINOIS 60305
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Steven M. Bylina, Jr., GENERAL SUPERINTENDENT

September 29, 2008

Phillis Johnson-Ball
 Surface Transportation Board
 395 E. Street, SW
 Washington, D.C. 20423

Attn: EIS Scoping Comments-CN/EJ&E RR- Cook County Portion
 Environmental Filing
 STB Finance Docket No. 35087

Dear Ms. Johnson-Ball:

Thank you for the opportunity to provide comments on the Draft Environmental Impact Statement (EIS) for the proposed acquisition of the Elgin Joliet and Eastern Railway Company (EJ&E) by the Canadian National Railway Company (CN). The Forest Preserve District of Cook County understands the Surface Transportation Board (STB) will proceed with making a decision in accordance with the National Environmental Protection Act (NEPA).

Approximately 11% of Cook County is owned by the Forest Preserve District of Cook County and nearly 4.5 linear miles of those holdings are adjacent to the EJ&E right-of-way (ROW) that will be included as part of the proposed acquisition.

The Forest Preserve District of Cook County finds the above referenced EIS incomplete in its assessment and submits the following comments regarding the draft EIS:

Sensitive Species

Several State threatened and endangered species were excluded from this EIS. All are located within the 4.5 mi corridor adjacent to the EJ&W ROW. This includes 4 mussels, 1 fish, 1 reptile, 1 mammal, and, at least 2 birds. Habitat for one federally listed species lies adjacent to the ROW.

Rare Community Types

Information related to several unique and sensitive community associations located in or adjacent to the EJ&E ROW was excluded. These associations include grasslands, fens, streams, sedge meadows, and savannas.



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The Board of Commissioners

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Noise

The Forest Preserve District of Cook County disagrees with the EIS position on noise. A 400% increase in railway traffic will result in a 400% increase in noise. According to the United States Fish and Wildlife Service (USFWS), noise can impact nesting birds as far as 1500 meters (4,921 ft) away from a ROW. At this rate, approximately 2700 acres of the Forest Preserve District of Cook County holdings, or 4%, will be adversely affected.

Water Quality

The EIS provided no information related to water quality and the potential effects of a 400% increase in operational releases of greases, oil and other hazardous materials. The Forest Preserve District of Cook County disagrees with this assessment.

Mitigation

Because the draft EIS estimated there would be no additional impacts to Forest Preserve District of Cook County holdings, mitigation was not recommended. The Forest Preserve District of Cook County disagrees with this finding. Based on estimates by the USFWS as many as 2700 acres will be adversely affected by noise alone. That mitigation cost will range from 27 million dollars (2700 acres of restoration) to 270 million dollars (2700 acres of new land acquisition).

Thank you once again for the opportunity to comment.

Sincerely,

Wayne Vanderploeg
Resource Ecologist III
Forest Preserve District of Cook County

