

August 28, 2008

Phillis Johnson-Ball
STB Finance Docket No. 35087
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Dear Ms. Johnson-Ball,

I am writing to express my strong opposition to the Canadian National Railway's acquisition of the EJ&E Rail Road currently pending an environmental review by the U.S. Surface Transportation Board in Washington, D.C.

First, I would like to express my appreciation to Leif Thorson. I believe he was a member of the Draft EIS team. He was on hand at the public meeting in Barrington; he was quite knowledgeable and answered many of my questions with great detail.

However, as a resident of Lake Zurich, IL, I am convinced that the increased rail traffic on the EJ&E line will have a **significant** negative impact on my community.

1. Socioeconomic Impact

The Draft EIS states that "Communities and residents near the EJ&E rail line may experience minor, adverse, local effects on property values and community cohesion as a result of increased rail traffic on the EJ&E rail line."

The Village of Lake Zurich has already lost a \$22 million dollar construction project for an affordable/assisted senior living facility due to the pending acquisition. This is not a "minor adverse effect". Many planned or approved uses, especially residential, are now unviable. The proposed acquisition will negatively impact land value and severely impair future land use, especially the downtown redevelopment district.

2. Safety

The Draft EIS considers accident probability and safety factors for vehicular traffic; it does not address the local impact to pedestrian safety, especially around Lake Zurich High School.

Mr. Thorson indicated that there is no data regarding the number of students who cross the tracks each day. The acquisition should not be approved until a diagnostic review of pedestrian traffic is performed. If approved, the installation of barrier walls between the rails and school property and pedestrian crossing bridges should be provided at no cost to Lake Zurich.

3. Proximity of Hazardous Material Transportation to School

The Draft EIS does not address any resources or educational support from CN for local emergency responders. Lake Zurich High School and May Whitney Elementary School are directly adjacent to the existing railroad tracks. Especially with the proximity of thousands of school children, local emergency service responders are entitled to receive a detailed manifest along with spill emergency plans at no cost to Lake Zurich.

4. Traffic Delays/Limit Rail Traffic During School Commuting Hours

The Draft EIS studied only 87 of the 133 grade crossings and determined that only 15 of them will face "substantial effects". I question the technical quality of these evaluations. I think it is likely that far more crossings will face significant impacts. The ripple effect of lengthy delays will be felt throughout the community; proper evaluation would require more sophisticated simulation studies. Mr. Thorson acknowledged that the traffic delay estimates were limited to the grade crossings, and did not take into account the delays on surrounding roads. A true analysis would be far more complex; it is evident that traffic delays are grossly underestimated.

My youngest son has special needs and the services he receives are not available at our home school. He already faces a longer commute than his peers. With the delays expected, especially at the Old Rand Road and East Main Street crossings in Lake Zurich, his commute will be markedly increased. If the acquisition is approved, rail traffic should be shifted away from not only morning and evening rush hour, but also the

school transportation hours. This mitigation should be detailed and enforced by the STB.

5. Burden on Local Taxpayers

The Draft EIS suggests that CN pay only 5-10% of the mitigation costs. With grade separations costing up to \$50 million dollars each, this is a major tax subsidy for CN. I have read that "historically" the rail company is not financially responsible for these costly mitigation expenses. Maybe that is because 100 years ago, it was a huge economic boon for a town to get a railroad to pass through. Frankly, whenever I hear "because it's always been done that way", it raises a huge red flag for me. As a local taxpayer in the Village of Lake Zurich, we will face an overwhelming burden to fund the mitigation of a project we do not want and will not benefit from.

It truly is a lose-lose proposition. We will lose tax revenue (already have) and will face an increased tax burden, along with extensive traffic delays and increased accident probability.

The STB should reserve the right to **enforce** a more equitable distribution of the mitigation costs as a condition to the acquisition.

Thank you for the informative Public Meetings and for your time and consideration.

Sincerely,



Cathy Danial

597 Turtle Pond Ct.

Lake Zurich, IL 60047

847.540.8455

pondcom@sbcglobal.net