

City of Warrenville

September 17, 2008

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Phillis Johnson-Ball
Surface Transportation Board
395 E Street, SW
Washington, DC 20423
Ref: STB Finance Docket No. 35087

**RE: Canadian National Railway Company and Grand Trunk Corporation-Control—
EJ&E West Company (STB Finance Docket No. 35087)**

Dear Ms. Johnson-Ball:

The Warrenville Bicyclists and Pedestrian Advisory Commission has been in existence since 2006, and during that short time we have become intimately familiar with the needs and wants of the cycling and pedestrian community. One of Warrenville's best features is its ability to incorporate the natural landscape into the fabric of the town. The City is surrounded by forest preserve and we have made an effort to maintain open space that residents and visitors alike can enjoy. Across these open spaces traverse trails and paths frequently used by cyclists, joggers, and walkers. With these types of recreational amenities being so important to our residents and their families in mind, the Commission listened with great concern of Canadian National's intent to purchase the EJ&E.

The City owns and maintains a multi-use path that connects to the pathway system in Fermilab. This is a very popular route and crosses the EJ&E tracks before entering the Lab. Has the STB considered how increased train traffic would impact the use of this pathway and the safety of its users? The STB was unable to quantify potential accidents involving pedestrians or bicycles because they were not able to identify any agencies that keep data on such incidents. The draft EIS did, however, conclude that the consequences of increased train traffic would increase the *risk* of such accidents. Naturally, agencies are required to report an injury or fatal accident related to rail traffic to the Illinois Commerce Commission, who maintains data on such incidents. Has the STB reviewed this data and estimated potential safety risks for path users with this purchase?

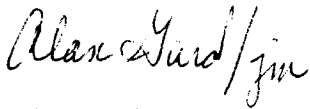
Of great concern are pathway/rail crossings along the Illinois Prairie Path outside the borders of Warrenville, but well within the regional system Warrenville residents regularly use. There are two pedestrian-only crossings over the EJ&E tracks in DuPage County southwest of City limits. One is located on the north side of I-88, the other on the south side. Neither have gates, lights, or constant warning devices. Has CN committed to upgrading these crossings to make them safer for the thousands of pedestrians and cyclists that use them each year? Has the STB considered the impact of increased waiting time for trains to pass these crossings given the large increase in train traffic the CN is proposing?

The draft EIS notes that railroads may add trackage and change operations within their existing right-of-way at any time without STB approval. So should this transaction be approved, double tracks may be added at any time along the EJ&E. In their application, CN admits that their use of the EJ&E tracks would be at or near train volume capacity and would not be exceeded without upgrades. In addition, certain future rail traffic growth is contemplated by CN in its operating plan through 2015.

CN's vague future use is ominous at best for users of the pathways that cross these tracks. Not only is use of these pathways reduced due to increased traffic, but also the span of the crossing could potentially increase with the addition of double tracks. Both these potentials mean a much higher safety risk for pathway users.

The Warrenville City Council has taken a position of opposition to this proposed purchase with the passage a Resolution 2008-30 on July 21, 2008. The Warrenville Bicyclists and Pedestrian Advisory Commission supports the City Council's action and adds the aforementioned comments to the STB's review. It is our belief that this proposed transaction will have a negative impact on the safety and quality of life for Warrenville residents and visitors who use our wonderful local and regional pathway system.

Sincerely

A handwritten signature in cursive script that reads "Alan Gard/jm".

Alan Gard, Chairman
Warrenville Bicyclists and Pedestrian Advisory Commission

AG/jm

cc: Mayor and City Council
Judy Biggert, U.S. Representative – 13th District
Bill Foster, U.S. Representative – 14th District
Bicyclist and Pedestrian Advisory Commission