

Forest Preserve District
OF WILL COUNTY

Bringing People and Nature Together

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Executive Director

September 12, 2008

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street SW
Washington, DC 20423

Dear Mr. Williams:

On Thursday, September 11, 2008, the Board of Commissioners of the Forest Preserve District of Will County approved Resolution #08-64 (enclosed) opposing the acquisition of the Elgin, Joliet & Eastern Railroad by Canadian National Railway Company (CN).

The proposed acquisition would involve shifting a significant amount of train traffic that currently moves over CN rail lines in the City of Chicago to sections of the EJ& E rail lines west and south of the City, including major segment that runs through the County of Will. Some Will County communities will experience a more than 700% increase in the amount of hazardous material routed through their municipalities if the acquisition is approved.

This proposed acquisition raises concerns about 1) access to emergency services for forest preserves with a single public access; 2) vibration damages to flood control and other preserve infrastructure; 3) noise and safety impacts to preserve/trail users, and as well as visitors attending on-site public programs; 4) noise impacts on wildlife, in particular breeding birds (especially at Lake Renwick Heron Rookery); 5) increased mortality to mammals and reptiles as a result of increased train traffic through wildlife migration corridors; and 6) impacts to sensitive ecological areas and groundwater aquifer areas along the EJ&E, particularly in light of the likely increase in potential for hazardous material spills.

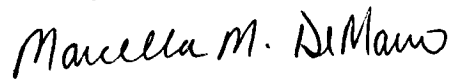
While acknowledging there would be long term impacts to natural resources, the Draft EIS offered no mechanism for monitoring, evaluating, or mitigating for these acknowledged impacts. The District believes the final EIS needs to provide quantifiable conclusions for impacts to biological resources and appropriate mitigation measures.

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The Forest Preserve District requests that you consider the District's position with regard to this proposal.

Sincerely,

A handwritten signature in black ink that reads "Marcella M. DeMauro". The signature is written in a cursive, flowing style.

Marcella M. DeMauro
Executive Director

MMD/lg

Enclosure

cc: Will County, State, and Federal Legislators

A RESOLUTION TO OPPOSE THE ACQUISITION OF THE ELGIN, JOLIET & EASTERN RAILROAD BY CANADIAN NATIONAL RAILWAY COMPANY

WHEREAS, on October 30, 2007, the Canadian National Railway Company (CN) along with its wholly owned U.S. subsidiary, the Grand Trunk Corporation, filed an application with the U.S. Surface Transportation Board seeking approval to acquire the EJ&E West Company, a wholly owned subsidiary of the Elgin, Joliet, and Eastern Railway Company; and

WHEREAS, the proposed acquisition by CN would involve shifting a significant amount of train traffic that currently moves over CN rail lines in the City of Chicago to sections of the EJ&E rail lines west and south of the City of Chicago, including a major segment that runs through the County of Will; and

WHEREAS, Will County, Illinois has been consistently listed as one of the fastest-growing counties in terms of population growth in the nation for the past seven years; and

WHEREAS, the proposed acquisition by CN impacts public enjoyment and safety at Forest Preserves and Trails; and

WHEREAS, CN recognizes there will be long-term impacts to natural resources; however there is no process in place for evaluation and/or mitigation of the known impacts; and

WHEREAS, CN recognizes there will be long-term impacts to existing air quality; however there is no process in place for evaluation and/or mitigation of the known impacts; and

WHEREAS, the acquisition of EJ&E is not in line with current planning trends to reuse existing infrastructure; and

WHEREAS, with this exceptional population growth come concerns ranging from traffic congestion to emergency services to environmental safety; and

WHEREAS, some Will County communities will experience a more than 700% increase in the amount of hazardous material routed through their municipalities if the acquisition is approved; and

WHEREAS, routing hazardous material through one of the fastest growing Counties in the United States increases the potential for acts of terrorism and the potential for harm to i) large population centers; ii) infrastructure that provides public access to Forest Preserves and Trails; iii) protected terrestrial and aquatic habitats; and iv) wildlife populations; whether from terrorism or other unforeseen events; and

WHEREAS, the EJ&E line within Will County has a total of 52 public highway grade-crossings and several recreational trail-crossings that may require improvements if the proposed acquisition is approved.

NOW, THEREFORE, BE IT RESOLVED, that the Forest Preserve District of Will County hereby opposes the application of Canadian National Railway Company along with its wholly owned U.S. subsidiary, the Grand Trunk Corporation, filed with the Surface Transportation Board, seeking approval to acquire the EJ&E West Company, a wholly owned subsidiary of the Elgin, Joliet, and Eastern Railway Company as the impacts of the proposed acquisition are hazardous to the health, safety, public welfare, environment and quality of life of the citizens of Will County, Illinois, so as to cause irreparable harm.

SECTION I. That the Secretary of the Board of Commissioners of the Forest Preserve District send a copy of this resolution to the Will County, State, and Federal legislative delegations, the Chairman of the Surface Transportation Board, the President of the Canadian National Railway Company, the Secretary of the Illinois Department of Transportation, the Chairman of the Illinois Commerce Commission, and the Governor of the State of Illinois (as attached in Exhibit A).

SECTION II. That the Forest Preserve District of Will County Board of Commissioners urges the Surface Transportation Board to not approve the sale of the Elgin, Joliet, and Eastern Railway Company to the Canadian National Railroad.

SECTION III. That the preamble of this resolution is hereby adopted as is fully set forth herein. This Resolution shall be in full force and effect upon its passage and approval as provided by law.

Passed this 11th day of September, 2008.


CORY S. SINGER, President
Board of Commissioners
Forest Preserve District
of Will County

ATTEST:


LEE ANN GOODSON, Secretary
Board of Commissioners
Forest Preserve District
of Will County

Exhibit A

Members of the 95th General Assembly

State Senators

Maggie Crotty
Kirk Dillard
Gary Dahl
Debbie Halvorson
Christine Radogno
Linda Holmes
Arthur "AJ" Wilhelmi
Randall Hultgren

State Representatives

Kevin McCarthy
James "Jim" Meyer
Careen M. Gordon
Lisa M. Dugan
George Scully
Renee Kosel
Jim Durkin
Tom Cross
Brent Hassert
John "Jack" McGuire
Joe Dunn

U.S. Senators

Richard Durbin
Barack Obama

U.S. Representatives

Jesse Jackson, Jr.
Gerald "Jerry" Weller
Judy Biggert

Governor of Illinois

Rod R. Blagojevich