

1 SCOPING MEETING FOR THE PROPOSED CANADIAN NATIONAL  
2 RAILWAY COMPANY ACQUISITION OF THE ELGIN, JOLIET  
3 AND EASTERN RAILWAY COMPANY  
4 BARTLETT HIGH SCHOOL  
5 701 SCHICK ROAD  
6 HANOVER PARK, IL 60103  
7  
8 CHIMNIAK REPORTING & VIDEO  
9 Telephone: 312-781-9111  
10 REPORTED BY: Dyann L. Berndt, CSR, RPR; Heather  
11 Reiva, CSR; Barbara Polke, CSR;  
12 Robin Chimniak CSR, RMR  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

1 MS. ADAMS: If everyone can please  
Page 1

2 take your seats, we're about to begin the  
3 public comment portion of the meeting.  
4 Good evening, ladies and gentlemen. Thank  
5 you for attending tonight's meeting. We  
6 are here tonight to hear your comments on  
7 the draft Environment -- draft  
8 Environmental Impact Statement that was  
9 released July 25th regarding Canadian  
10 National Railway's proposed acquisition of  
11 the EJ&E Railroad. My name is Tina Marie  
12 Adams, and I will be facilitating the  
13 meeting tonight.

14 Before we get started, I'd like to  
15 take this opportunity to review some  
16 protocol for tonight's meeting. For  
17 starters, I would ask that everyone please  
18 turn off your cell phones and please  
19 refrain from interrupting any of the  
20 speakers or commenters. In a moment I will  
21 introduce those presiding over the meeting,  
22 and there will be a short presentation on  
23 the findings of the draft Environmental  
24 Impact Statement. Immediately following

ChimniakCourtReporting.com  
312.781.9111

□

3

1 this, we will hear your comments.  
2 Each commenter will be given up to  
3 three minutes to speak. The time clock  
4 will be displayed on the screen right here  
Page 2

082808 Public Meeting.txt

5 in the center of the stage, and a yellow  
6 card will be shown and will be right in  
7 front of you at the microphone at two  
8 minutes and 30 seconds, with a red card  
9 shown at three minutes.

10 You will also see a list of speakers  
11 in order displayed on the screen. I will  
12 call forward the next two speakers in line  
13 after each speaker so we can be as  
14 efficient as possible. As you can see,  
15 there are two microphones set up in each  
16 aisle so move to the one closest to you.  
17 If you are interested in speaking and you  
18 haven't registered yet, you can still  
19 proceed to the registration table in the  
20 lobby here outside the auditorium.

21 Alternatively, I just wanted to remind  
22 you that you can submit comments to the  
23 Surface Transportation Board through the  
24 toll-free number, web site, or the mailing

ChimniakCourtReporting.com  
312.781.9111

4

1 address, all of which are located in the  
2 program of the meeting that you received  
3 tonight. There are also comment forms and  
4 drop boxes in the lobby, and you can record  
5 your comments with the court reporters that  
6 are also located in the lobby. Again, just  
7 to remind you that all methods of comment

8 are -- that are received by September 30th  
9 will be taken into consideration and  
10 weighed equally.

11 Tonight we are here to listen to your  
12 comments on the draft EIS. This is not a  
13 question and answer session, but we invite  
14 you to return to the open house area if you  
15 have questions or if you would like to  
16 provide your comments in a more private  
17 setting with one of the court reporters.

18 We appreciate your courtesy as we work  
19 to create an environment where everyone can  
20 be heard tonight. If you disagree with the  
21 speaker, we ask that you not express your  
22 disagreement out loud. Likewise, we know  
23 that interrupting a speaker during his or  
24 her remarks would give that person less

ChimniakCourtReporting.com  
312.781.9111

□

5

1 time to speak, and this is a time for  
2 everyone. So please just be considerate of  
3 all the speakers in that regard.

4 If we have anyone needing a Spanish  
5 translator, we do have someone here to  
6 assist you with that. She'll be available  
7 and around the room; but, also, you can  
8 look for someone with one of our tags that  
9 represents a staff person. In general if  
10 you have any questions, we have staff

11 around the facility to help. One quick  
12 housekeeping matter in terms of emergency  
13 exits, we have two located to your right  
14 and to my left; and we have three emergency  
15 exits to the right, to your left.

16 I'd now like to introduce to you the  
17 people on stage with me. Victoria Rutson,  
18 chief -- chief of the section of  
19 environmental analysis for the Surface  
20 Transportation Board, and John Morton, the  
21 team leader supporting the Surface  
22 Transportation Board's section of the  
23 environmental analysis. Victoria Rutson  
24 will now make some remarks about the draft

ChimniakCourtReporting.com  
312.781.9111

□

6

1 EIS.  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

7

1 MS. RUTSON: Thank you, Tina Marie.  
2 Can everyone understand what I'm saying?  
3 If you can't hear me or understand me,  
4 please just put your hand up; and I'll try  
5 to slow down a bit or be a little more  
6 clear.  
7 Thank you so much for coming this  
8 evening. It's a pleasure for me to be with  
9 you here tonight. As Tina Marie explained,  
10 the purpose of tonight's meeting is for us  
11 to hear you. We're here to listen, take  
12 notes, and carefully understand the  
13 comments that you would like to make to us  
14 on the draft Environmental Impact  
15 Statement.  
16 I am the chief of the section of

082808 Public Meeting.txt

17 environmental analysis at the Surface  
18 Transportation Board. Again, my name is  
19 Vicki Rutson, R-u-t-s-o-n. I've received  
20 letters from thousands and thousands of  
21 people in the Chicagoland area, and I'm  
22 sure many of you have written to me, as  
23 well. I've read the letters, and I  
24 understand what you're saying to us. I'm

ChimniakCourtReporting.com  
312.781.9111

□

8

1 very eager to hear what you have to say to  
2 us tonight.  
3 As Tina Marie explained, there are  
4 many ways to submit public comments on the  
5 draft EIS. You may speak tonight in  
6 public. If you feel less comfortable  
7 speaking in public, you may write your  
8 comments down and mail them to the Surface  
9 Transportation Board. As long as they're  
10 postmarked by September 30th, those  
11 comments will be considered. You may meet  
12 privately with one of the court reporters  
13 that are available in the hall area. You  
14 may e-file your comments following the  
15 directions in the materials that have been  
16 provided. You may also call the board's  
17 toll-free environmental hot line number and  
18 record your message. You may do all of  
19 those things all at the same time. If you  
Page 7

082808 Public Meeting.txt

20 think of a comment later on and want to add  
21 to what you've said, please don't hesitate  
22 to take some extra comment forms home with  
23 you to add to what you thought and said  
24 earlier.

ChimniakCourtReporting.com  
312.781.9111

□

9

1 Now, what are we going to do with all  
2 of your comments? Everything that we  
3 gather by September 30th or, in the case of  
4 letters, that are postmarked by September  
5 30th will be read, reviewed, considered,  
6 and responded to in a final Environmental  
7 Impact Statement. That final Environmental  
8 Impact Statement will be issued sometime  
9 between December 1st and January 31st.  
10 That document will set forward the  
11 recommendations of the environmental staff  
12 to the decision-maker in this case.

13 who is the decision-maker? It's the  
14 three men who comprise the Surface  
15 Transportation Board.  
16 The board is an agency located in  
17 Washington, DC. The board was created by  
18 Congress and given by Congress the job of  
19 ensuring a strong national freight rail  
20 transportation system. The board members  
21 are appointed by the President and  
22 confirmed by the Senate for standard

23 five-year terms. That's explained on page  
24 5 of your materials. The board is a

ChimniakCourtReporting.com  
312.781.9111

□

10

1 bipartisan, neutral body that will consider  
2 whether to approve this transaction, deny  
3 this transaction, or approve this  
4 transaction but only with the addition of  
5 mitigating conditions. Again, the board is  
6 neither an opponent or a proponent of this  
7 proposed acquisition. It is a neutral  
8 decision-maker. All your comments  
9 are very important to us, and each is  
10 considered equally. So if you don't feel  
11 like speaking tonight, please don't feel  
12 bad about that. You may comment in one of  
13 the many other ways I've suggested.

14 With that, I'll turn the microphone  
15 over to John Morton, who will talk about  
16 the findings of the draft Environmental  
17 Impact Statement. Thank you so much for  
18 being with us here tonight, and I thank you  
19 in advance for your respect and courtesy to  
20 other speakers. You have shown courtesy  
21 and respect to me throughout this very  
22 difficult process, and I am so appreciative  
23 to you for that; and I would ask you when  
24 people are saying things that you may not

1 necessarily agree with -- we understand you  
2 don't agree with the things that everyone  
3 says but please be respectful to those  
4 people. It's hard to speak in public, and  
5 it's really hard when people are saying  
6 things while you're trying to do it. So  
7 thank you for your courtesy, and we're so  
8 pleased to be here.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

1           MR. MORTON: Thank you, Vicki. If  
2           it's okay, I -- I would -- I would just  
3           plan on speaking down here on the floor. I  
4           wanted to quickly go through some of the  
5           findings from the -- the Environmental  
6           Impact Statement. It's a -- it's a large  
7           document. I know you have a lot of  
8           questions. I'm only going to cover a few  
9           areas. We've set up some of the tables and  
10          the displays that were in the open house  
11          and set them up in the -- in the back  
12          corridor right behind the auditorium, and  
13          the staff that was manning -- maintaining  
14          and manning the displays down there are  
15          available back there to answer your  
16          questions. So I encourage you at any time  
17          just to go ahead and -- and ask your  
18          questions to the staff that's -- that's  
19          back in -- in the back.

20          First, I'd like to talk briefly about  
21          the -- the applicant. CN is a class one  
22          railroad, and it -- it basically is a major  
23          shipper, both, you know, foreign and -- and  
24          domestic freight. They have five rail

ChimniakCourtReporting.com  
312.781.9111

□

1          lines that -- in the Chicago area that  
2          converge on -- oh, I'm sorry -- that

3 converge on Chicago. And if I can get this  
4 -- I'm sorry. My hand does -- it shakes a  
5 little bit. But those are the five  
6 dark-colored rail lines that -- you know,  
7 and they come into Chicago. They operate  
8 about 150 miles of rail line in the Chicago  
9 area.

10 EJ&E is a regional rail line that --  
11 that starts up in the north by Waukegan,  
12 comes down to the -- the Joliet area pretty  
13 much due south, and then across the, you  
14 know, southern part of the Chicago area,  
15 due east into Indiana and then up to -- to  
16 -- to Gary, Indiana. The EJ&E has two  
17 major rail yards; that is, the east Joliet  
18 rail yard in Joliet, Illinois, and the Kirk  
19 yard in -- in Gary, Indiana.

20 CN has identified three primary  
21 purposes for the -- the acquisition.  
22 First, they'd like to combine, you know,  
23 their five rail lines and -- and improve  
24 their operations around the city. Second,

ChimniakCourtReporting.com  
312.781.9111

□

14

1 they'd like to acquire the use of EJ&E's  
2 Kirk yard; and, third, they'd like to  
3 develop a more extensive relationship with  
4 the shippers on the -- the EJ&E.

5 The -- the draft EIS evaluated a lot

6 of -- of issues, and we did it by -- and we  
7 -- we organized it by resource category;  
8 and these are the -- these are the areas  
9 that are discussed in the draft  
10 Environmental Impact Statement. What I'd  
11 like to do is briefly go through the  
12 findings in a -- in a couple of these  
13 areas. Once again, I'm not going to cover  
14 everything that's -- that's in the  
15 document, and we -- and we do have people  
16 if you have questions on anything we talk  
17 about, they'll be -- feel free to ask the  
18 people back in -- in the hallway.

19 First, the -- the proposed transaction  
20 would have a number of changes. I'm going  
21 to talk about the rail line operational  
22 changes in just a second. The -- the --  
23 the -- CN also proposes to construct six  
24 new connections. One is -- is fairly close

ChimniakCourtReporting.com  
312.781.9111

□

15

1 to here at Munger, and they also propose to  
2 construct 19 miles of a second parallel  
3 track in four specific areas that we've  
4 listed here. Once again, you have charts  
5 and maps located in the hallway that can  
6 show you the specific locations of those  
7 connections and where they're going to  
8 construct the second track.

9           From a traffic change standpoint, this  
10       is -- this is a density chart; and I know  
11       it's a -- it's a little hard to read, and  
12       it could be -- what it is is the outer area  
13       is -- is the EJ&E ring, you know, or arc.  
14       The inner lines are the -- the CN lines.  
15       The light blue color is the current traffic  
16       levels. The dark blue color is the  
17       proposed traffic levels should the  
18       transaction be approved.

19           So you can see that primarily what the  
20       -- what the operation plan includes is  
21       shifting traffic from the interior of the  
22       arc to the arc in -- in -- in coming around  
23       the -- the Chicago area. The expected  
24       increase on the EJ&E is anywhere from 15

ChimniakCourtReporting.com  
312.781.9111

□

16

1       to, you know, 24 trains per day. What that  
2       means and -- in -- in what the EIS  
3       evaluated is that in some areas the -- the  
4       practical capacity of the EJ&E rail line,  
5       you know, that will be at or near that  
6       practical capacity.

7           As a result, you know, the EIS  
8       indicates that we don't really expect any  
9       higher volumes of trains than -- than what  
10      was proposed in the Canadian National's  
11      operating plan. In addition, Metra does

12 cross the EJ&E in a number of areas, and  
13 coordination between Metra and CN will be  
14 required.

15 We -- the EIS evaluated train and  
16 roadway's safety. On -- on the EJ&E rail  
17 line itself because of the increased number  
18 of trains, the probability of -- of train  
19 accidents does increase, and the  
20 probability of a highway rail accident also  
21 increases. On the CN rail lines inside the  
22 arc because of the decreased train traffic,  
23 the probability of a freight accident  
24 decreases, and the probability of a highway

ChimniakCourtReporting.com  
312.781.9111

□

17

1 rail accident -- accident also decreases --  
2 decreases. In addition, the EIS identifies  
3 three intersections that -- where there  
4 would be a substantial increase in -- in  
5 the potential for an accident, and those  
6 are Woodruff Road in Julia, Illinois, and  
7 then Lake and Miller in Griffith, Indiana.

8 The EIS also looked at passenger rail  
9 and hazmat. There is no passenger rail  
10 currently operating on the -- the EJ&E.  
11 There is passenger rail operating on the CN  
12 rail line segments inside the arc. Because  
13 of the reduced number of freight trains,  
14 there would be an improvement in passenger

082808 Public Meeting.txt  
15 rail safety there. There will be a  
16 substantial increase in the movement of  
17 hazardous material on the -- the EJ&E arc  
18 and a corresponding decrease in the  
19 movement of hazardous material on the CN  
20 rail lines inside the arc.  
21 The EIS looked at 155 highway  
22 crossings on the CN rail line segment.  
23 There's -- 125 of those would have reduced  
24 freight train -- and then -- you know,

ChimniakCourtReporting.com  
312.781.9111

18

1 activity and thus a reduced delay at those.  
2 The EIS looked at 112 highway at-grade  
3 crossings on the EJ&E. Of those, 87 did  
4 meet the board's threshold for analysis.  
5 In the analysis, the -- the EIS concluded  
6 that without mitigation, 15 of those  
7 highway rail at-grade crossings would be  
8 substantially affected.  
9 And those 15 are shown, once again, in  
10 the little diamonds up there; and if you  
11 want to know the specific locations, we do  
12 have a map, once again, in the back in the  
13 hallway. We'd be happy to show you where  
14 that is and actually show you where it is  
15 on -- on the -- the map that we have back  
16 there, too.  
17 The -- the draft EIS looked at air

18 quality. There would be increased mileage  
19 because of the longer route around the arc,  
20 but there's increased efficiencies, also.  
21 The -- the net result is that the --  
22 overall there would not be -- the -- the  
23 air emissions increases it -- by 2015 would  
24 not exceed current regulations or

ChimniakCourtReporting.com  
312.781.9111

□

19

1 jeopardize the air quality -- the region's  
2 air quality compliance.  
3 The -- the draft EIS looked at  
4 emergency service providers, evaluated all  
5 the emergency service providers in -- in  
6 the vicinity of the EJ&E arc and identified  
7 that the documentation of level would --  
8 would be substantially affected. That  
9 would be nine fire stations and two  
10 hospitals. Once again, the locations are  
11 shown up there, and the -- and the details  
12 on that are in the -- on the maps in the --  
13 in the hallway in the back.  
14 The -- the EIS looked at noise. There  
15 would be about 3,000 residences that would  
16 experience -- would be now within the 65 db  
17 contour on the EJ&E arc. There would be  
18 about 2700 that would no longer be within  
19 that contour on the CN rail line segments.  
20 Also, the Barrington area quiet zone would

082808 Public Meeting.txt  
21 -- because of the increase in freight  
22 traffic would no longer be able to maintain  
23 its quiet zone status without some type of  
24 mitigation.

ChimniakCourtReporting.com  
312.781.9111

20

1 The EIS also looked at mitigation for  
2 -- for a number of activities. The CN  
3 provides 76 voluntary mitigation measures.  
4 They're -- they -- they're shown in the  
5 various classes here. They're listed in  
6 the -- both the draft EIS and in -- the  
7 executive summary to the draft EIS lists  
8 all 76 of the measures.

9 In addition to that above and beyond  
10 those 76, CN identified 72 proposed  
11 mitigation measures; and it's certainly one  
12 of the things that they were hoping for  
13 comments on to also address a number of --  
14 of -- of issues there. And, once again,  
15 those 72 measures are located in the -- in  
16 the executive summary of the EIS and also  
17 in the EIS itself.

18 And with that I'd just like to remind  
19 you that, as Vicki mentioned, there's a  
20 number of ways to provide comments. We  
21 encourage you to use all those forms, and  
22 I'd like to turn it over to Tina Marie.

23

ChimniakCourtReporting.com  
312.781.9111

1 MS. ADAMS: We will now begin the  
2 comment portion of our meeting. Let me  
3 remind you that we will adhere to the  
4 three-minute rule, which begins as soon as  
5 you start speaking. If three minutes is  
6 not enough time for you, please feel free  
7 to speak with a court reporter out in the  
8 lobby to complete your remarks.

9 We'd also invite you, if you have  
10 written remarks if you're speaking tonight,  
11 to provide those to the court reporter  
12 located to my right, to the audience's  
13 left, as you complete your speaking. If  
14 you speak beyond the three minutes, I will  
15 have to announce the next speakers. I  
16 would now like to ask the first commenter,  
17 Janet Andrew, to approach one of the  
18 microphones followed by Catherine Melchert  
19 and Michael Blazer. Please state your name  
20 and who you represent and the town that  
21 you're from.

22  
23  
24

1 MS. ANDREW: My name is Janet  
2 Andrew. I live at 109 Forest View Drive in  
3 Elgin in unincorporated Cook County. I'm  
4 an officer of the Rolling Meadows  
5 Homeowners Association, and I represent the  
6 concerns of 57 homeowners, about half of  
7 whom own homes that are within  
8 approximately 300 feet of the EJ&E tracks.  
9 Of the many concerns that I would like  
10 to comment on --

11 MS. ADAMS: Would you get a little  
12 closer to the microphone? Thank you.

13 MS. ANDREW: -- there are two specific  
14 that I want to talk about right now. My  
15 neighbors and I believe that the SEA has  
16 made a gross oversight in failing to  
17 estimate the loss of property values.  
18 Although the study referenced in the draft  
19 is stated as recent, it is from 2004 and  
20 cites home values in Cuyahoga County, Ohio,  
21 where the median home price last year was  
22 \$154,000. The average age of the homes in  
23 the study was 60 years. The study did not  
24 address the impact of increased rail

ChimniakCourtReporting.com  
312.781.9111

1 traffic on newer neighborhoods at all.  
Page 20

2           In contrast, the median home price in  
3           Cook County in 2007 was \$449,000. We  
4           believe it's preposterous to suggest that  
5           the study is representative of homes along  
6           the EJ&E today. Plus current median home  
7           values are shown in the draft for only six  
8           of the 60 affected communities, and no  
9           estimated counts are provided for how many  
10          homes will actually be impacted. The  
11          comparison of our homes to this  
12          four-year-old study in Ohio is highly  
13          questionable.

14          Since the draft fails to estimate  
15          property loss values for any of the  
16          impacted areas, we've come up with our own.  
17          Using home values in Rolling Knolls as  
18          listed on Zillow and Cyberhomes, we  
19          estimate the loss of property value in my  
20          neighborhood alone to be in the range of  
21          three to three-and-a-half million dollars.  
22          This comes to about an average of \$60,000  
23          per home.

24          These are seriously large numbers and

ChimniakCourtReporting.com  
312.781.9111

□

1           considering the shockingly high foreclosure  
2           activity we're seeing today, it's a glaring  
3           shortfall on the part of the SEA to not  
4           have comprehensively addressed the impact

5 on property values. If I can come up with  
6 a dollar estimate, surely the SEA should  
7 have been able to come up with a dollar  
8 estimate.

9 The safety of our ground water is also  
10 a serious concern for my neighbors. None  
11 of the 57 homeowners in my neighborhood  
12 have access to municipal infrastructure;  
13 rather, we rely on private wells for our  
14 water. While the draft suggests that the  
15 likelihood of a hazardous materials spill  
16 is remote, the risk does still exist and,  
17 in fact, has occurred on CN rail lines in  
18 the past.

19 Should a hazmat incident occur along  
20 our stretch of rail, all of our wells would  
21 likely become contaminated.

22 CN has been shown in recent years to  
23 have a deplorable safety record and has  
24 proven to be profoundly insufficient in

ChimniakCourtReporting.com  
312.781.9111

□

25

1 their response to hazardous spills. The  
2 fact that the SEA has not considered the  
3 impact of this risk to our private water  
4 supply is an egregious omission and should  
5 be rectified in the final study. Thank  
6 you.

7 MS. ADAMS: Catherine Melchert,  
Page 22

082808 Public Meeting.txt

8 followed by Michael Blazer and Danny  
9 Simpson.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

26

1 MS. MELCHERT: Good evening. My  
2 name is Catherine Melchert, and I am the  
3 village president of Bartlett. The point  
4 has been made by the Canadian National  
5 Railroad Company and some communities that  
6 this purchase would be good for the region,  
7 and that point is false. Creating new  
8 problems without fixing the old is neither  
9 good for sustainable growth, nor does it do  
10 anything to promote regional cooperation.

11           Had Canadian National and its sister  
12           railroad company embraced the concepts of  
13           CREATE with full vigor from the beginning,  
14           the congestion on existing lines could have  
15           been mitigated and could be mitigated; but  
16           the problem seems to be that the railroad  
17           companies, the CN in this instance, are not  
18           looking for long-term solutions to existing  
19           problems but, rather, short-term answers to  
20           their long-term profits. This purchase  
21           will add nothing to the communities along  
22           this line. There is no benefit which would  
23           improve our communities, only problems; and  
24           we know something about these problems.

ChimniakCourtReporting.com  
312.781.9111

□

27

1           There is an existing CN line that runs  
2           east-west of our community. Although this  
3           is one of the lines which will see less  
4           traffic, it is because of this line that we  
5           have experienced difficulties with this  
6           railroad company. This line has caused  
7           serious disruption to our community and the  
8           travelers on state Route 59 for many years,  
9           and until recently there has been no effort  
10          to respond to the correction of problems  
11          which speak to the issues of air quality,  
12          traffic congestion, and quality of life for  
13          our residents.

082808 Public Meeting.txt

14 I refer you to the posters that we  
15 have in the hallway with information  
16 regarding the delays over the period of the  
17 last 18 months. Think about this: You  
18 have a major highway blocked; the closest  
19 north-south arterial in either direction is  
20 two miles away; access to police, fire, and  
21 ambulance is cut off; police officers taken  
22 away from the normal duties to cover major  
23 traffic issues; and there is no  
24 communication from CN. Equally

ChimniakCourtReporting.com  
312.781.9111

□

28

1 frustrating, there is no recourse.  
2 we are afraid that if this purchase is  
3 approved without federal regulations  
4 prohibiting such practice, it will begin  
5 again after the purchase is approved. This  
6 cannot be allowed to occur. It seems that  
7 regulations or agreements must have strong  
8 consequences in order for the railroad to  
9 be a good neighbor.  
10 Let me go back once again to regional  
11 planning and a topic of which you are well  
12 aware. The STAR line, an innovative idea,  
13 would be good for the region in many ways,  
14 not the least of which is improvement in  
15 congestion and air quality. This purchase  
16 all but brings the death knell to that

17 project, and that would be unforgivable.  
18 That would be so 19th century.  
19 Sacrifice a modern day, light rail  
20 commuter line that daily benefits thousands  
21 of the region's commuters, creates less  
22 road congestion for thousands more,  
23 attracts new businesses and jobs because of  
24 these improvements to the quality of life

ChimniakCourtReporting.com  
312.781.9111

□

29

1 in our area and for what? A foreign-owned  
2 company able to swiftly move foreign  
3 goods through our region to be transported  
4 to the gulf and on to other foreign  
5 countries which in the end results in the  
6 loss of business and jobs at our own west  
7 Coast ports.

8 There are far too many unintended  
9 consequences to this purchase for it to be  
10 quickly approved. There are far too many  
11 unintended consequences that need to be  
12 mitigated for this purchase to be approved.  
13 We need a plan that addresses all the  
14 issues, not just for today for this  
15 purchase, but for the region and for the  
16 future. Thank you.

17 MS. ADAMS: Michael Blazer followed  
18 by Danny Simpson and Michael Airdo. Folks  
19 in the back of the auditorium, are you

20 hearing the speakers okay?

21 MS. ADAMS: Rob Sherman?

22

23

24

ChimniakCourtReporting.com  
312.781.9111

□

30

1 MR. SHERMAN: Good evening, Tina  
2 Marie. Good to see you, John. Nice to see  
3 you all survived Barrington last night.

4 I'm Rob Sherman, the green party  
5 candidate for state rep in such communities  
6 as Buffalo Grove, Wheeling, and Prospect  
7 Heights where the Metra north central line  
8 runs and where the current freight trains  
9 run. I wanted to add five quick points to  
10 my comments from Tuesday night.

11 First, I continue to hear that this  
12 proposal is a catastrophe but only if it  
13 affects the people along the EJ&E rail. If  
14 it affects my communities, then it's okay.  
15 So if -- if these trains are a problem, if  
16 these trains really weren't that big of a  
17 problem, then there would be a problem all  
18 over, not just in the EJ&E ring.

19 Zoning, I want to talk about zoning  
20 mitigation meetings and Metra STAR line.  
21 Regarding zoning, I go to a lot of Buffalo  
22 Grove village board meetings, as well as

23 village board meetings in other  
24 communities, and I hear this all the time

ChimniakCourtReporting.com  
312.781.9111

□

31

1 where residents say, hey, I don't want a  
2 business to go in in a particular location,  
3 or I don't want something built in a  
4 particular spot where it's zoned for that.  
5 And the municipal officials always say,  
6 well, there's nothing we can do because the  
7 property owner has the right to use his  
8 property for what it's zoned for.

9 So this sounds basically like a zoning  
10 dispute. Ladies and gentlemen, this is  
11 zoned for rail; and just because the  
12 property owner didn't fully do the license  
13 resource, doesn't mean he should be denied  
14 the opportunity to fully utilize it now.  
15 It -- it's not like they're asking for a  
16 zoning variance. It's not like they want  
17 to, you know, shoot fireworks off. They're  
18 asking to use their property for what it's  
19 zoned for. How can you or the communities  
20 say that a property owner should be denied  
21 the right to use his property for its  
22 intended purpose?

23 Next, in regard to mitigation, the  
24 only mitigation that I think is

1 appropriate, the only key piece of  
2 mitigation, one, rush hour. Perhaps there  
3 can be a moratorium during rush hour so it  
4 doesn't mess up, you know, the Metra trains  
5 that cross and also the street traffic when  
6 people are -- are trying to get through and  
7 in a hurry to get to the -- to -- to work  
8 or school. But, also, if that kind of  
9 moratorium is put in, then in regards to  
10 the forest preserve where they want to link  
11 somewhere in DuPage County forest  
12 preserves, they should be given that option  
13 to do that.

14 Meetings, I've heard a lot about how  
15 the meetings are along the EJ&E  
16 communities. We should have meetings; and  
17 as a procedural question, can we get some  
18 meetings along the -- where the line is,  
19 not on the freight line?

20 And the last thing in regards to the  
21 Metra STAR line, I hear that 20 freight  
22 trains a day would be catastrophic; but 40  
23 Metra trains, that would be okay. And the  
24 freight trains, they wouldn't run during

1           rush hour but the Metra trains would. So  
2           if -- if 20 freight trains would be  
3           catastrophic, 40 Metra trains would be  
4           terrible. Thank you for your time.

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

1           MR. SIMPSON: The first thing I want  
2           to talk about is the CN's desire to

3 short-circuit this entire process. They  
4 have filed a petition asking for early  
5 approval of the stock purchase agreement  
6 with U.S. Steel.

7 They want you to decide by  
8 October 15, only 15 days after the public  
9 comment period, and they want you to decide  
10 whether you will do that by September 15,  
11 before this public comment period is even  
12 concluded, and if you don't do it, they say  
13 they will take this to the appellate court.

14 Now, why are they in such a  
15 hurry? They say this is a "minor  
16 transaction" because any anticompetitive  
17 effects of the transaction will clearly be  
18 outweighed by the transaction's anticipated  
19 contribution to the public interest in  
20 meeting significant transportation needs,  
21 and they say that there is a risk that U.S.  
22 Steel will walk away from the deal if this  
23 isn't done by December 31.

24 Now, I don't know about you, but

ChimniakCourtReporting.com  
312.781.9111

□

35

1 I haven't heard of a lineup of other buyers  
2 for the EJ&E waiting in the wings if this  
3 deal falls through.

4 So what's the real reason? Why  
5 do they want a rush to judgment? Because

6 they have failed to adhere to recognized  
7 engineering principles; because they ignore  
8 pending projects that dramatically alter  
9 the results of their faulty analysis;  
10 because the data they've submitted is just  
11 plain false.

12 This is not just theoretical.  
13 We are not here opposing just for the sake  
14 of opposing. This isn't "minor" to the  
15 village of Bartlett. We are dealing with  
16 significant life, health and safety issues.

17 There are two at-grade crossings  
18 in Bartlett, as you know, West Bartlett  
19 Road and Stearns Road. The current  
20 conditions are already untenable. I have  
21 here almost 250 pages of police reports in  
22 one 12-month period, resulting from extreme  
23 delays at the grade crossings in Bartlett,  
24 all far in excess of the ten minutes that

ChimniakCourtReporting.com  
312.781.9111

□

36

1 the CN says should be the standard. They  
2 propose a 400 to 500 percent increase in  
3 rail traffic at these two crossings, but  
4 according to the CN, 22.5 plus 23.4 equals  
5 zero.

6 The CN effectively ignores the  
7 Stearns Road Bridge over Fox River, and  
8 then there is the new fire station being

9 built, recognized in the draft EIS (p.  
10 ES-44, Table ES-2) as an Emergency Service  
11 Provider Potentially Substantially Affected  
12 under the Proposed Action.

13 what does the CN say about such  
14 a direct and substantial impact on the  
15 residents of Bartlett? They don't put  
16 forth a single specific mitigation  
17 proposal. Instead, what we get is  
18 generalities like VM 21: Applicants shall  
19 notify Emergency Services Dispatching  
20 Centers for communities along the affected  
21 segments of all crossings blocked by trains  
22 that are stopped and may be unable to move  
23 for a significant period of time.

24 Now, I suppose that could work

ChimniakCourtReporting.com  
312.781.9111

□

37

1 if fires will cooperate and not start while  
2 trains are blocking the road, and if  
3 accidents won't happen at those times, and  
4 if people will also cooperate and have the  
5 courtesy to not have heart attacks or  
6 strokes at the wrong time.

7 we are dealing with situations  
8 where seconds matter and where minutes can  
9 mean the difference between life and death.  
10 But to the CN this is a minor matter and  
11 they are making a contribution to the

082808 Public Meeting.txt  
12 public interest.  
13 why is the CN doing this, what  
14 is, in fact, a conscious effort to avoid,  
15 to evade grade separation requirements?  
16 Now, I will close in reminding  
17 you of your obligations. What is the STB  
18 duty here? That you not be swayed by false  
19 and misleading information and that you do  
20 your job and not rush to judgment.  
21 Thank you.  
22 MS. ADAMS: Daniel Simpson, followed  
23 by Michael Airdo and Brent Coulter  
24

ChimniakCourtReporting.com  
312.781.9111

□

38

1 MR. SIMPSON: My name is Danny  
2 Simpson. I'm assistant vice president of  
3 safety and environmental proceedings. I  
4 appreciate the opportunity to present CN's  
5 perspective on safety and emergency  
6 response issues here this evening.  
7 You probably heard some people  
8 raise concerns about CN's corporate  
9 culture, saying it would lead to decrease  
10 in safety levels if this transaction were  
11 approved. These suggestions aren't  
12 supported by the facts. Safety is one of  
13 CN's core values since CN operates one of  
14 the safest railroads in North America

082808 Public Meeting.txt  
15 according to the Federal Railroad  
16 Administration's statistics.

17 As required by the Board and FRA  
18 regulations, CN prepared a safety  
19 information plan, or SIP, with this  
20 transaction. Should the board approve this  
21 transaction, CN is fully prepared to comply  
22 with the terms of the final SIP and to  
23 continue to coordinate with the FRA  
24 integration into CN's operations.

ChimniakCourtReporting.com  
312.781.9111

□

39

1 Unfortunately, despite best  
2 efforts, incidents do sometimes occur in  
3 the rail industry. However, CN's emergency  
4 response plan is designed to allow seamless  
5 integration of federal, state and local  
6 governments before, during and after  
7 emergencies. CN works with communities to  
8 ensure a high level of emergency  
9 preparedness. In addition, our system  
10 protection plan ensures distribution of  
11 resources aimed at prevention,  
12 preparedness, and emergency response  
13 capability.

14 Training is an important aspect  
15 of our efforts. CN's dangerous goods group  
16 conducts outreach training programs in  
17 communities across the system, resulting in

082808 Public Meeting.txt  
18 better trained global responders, working  
19 safely and efficiently with CN personnel  
20 should emergencies arise.

21 Some have made much of the  
22 findings in the draft relating to increased  
23 frequency of train accidents and increased  
24 risk of accidents at rail crossings. The

ChimniakCourtReporting.com  
312.781.9111

□

40

1 possibility of any accident is a serious  
2 matter, but what people seem to forget is  
3 in the draft finding the likely number of  
4 rail accidents from CN's existing lines, if  
5 such changes are made, would decline 77  
6 percent compared to current operations, and  
7 the grade crossing accidents in the region  
8 overall would decrease by 8 percent.

9 Also, as the draft pointed out,  
10 while the number of major key routes of  
11 hazardous material shipments on the EJ&E  
12 line would increase from 2 to 14, the  
13 number of major key routes on CN's existing  
14 lines through downtown Chicago would fall  
15 from 23 to 3. The DIS shows the risk of  
16 adverse safety impacts along the EJ&E line  
17 are more than offset by the safety benefits  
18 for the communities located along the CN's  
19 existing lines.

20 CN recognizes the potential

082808 Public Meeting.txt  
21 adverse safety impact along the CJ&E must  
22 be addressed. CN proposed a number of  
23 voluntary mitigation measures relating to  
24 ER and haz mat transportation, which were

ChimniakCourtReporting.com  
312.781.9111

□

41

1 included in the DIS. In addition, as my  
2 colleagues testified earlier this week, CN  
3 has been actively engaged in outreach  
4 efforts to communities along the EJ&E line  
5 in an effort to develop comprehensive  
6 voluntary mitigation measures and to  
7 address community concerns.

8 I'm happy to discuss these  
9 related issues with any and all communities  
10 along the line, and I have already done so  
11 with numerous within the community.

12 Thanks again for the opportunity  
13 to speak before you this evening.

14 MS. ADAMS: Michael Airdo, followed  
15 by Brent Coulter and Alan Murphy.

16  
17  
18  
19  
20  
21  
22  
23

ChimniakCourtReporting.com  
312.781.9111

□

1 MR. AIRDO: Good evening. Michael  
2 Airdo, Bartlett Village Trustee.

3 There are three concerns that I  
4 would like to focus my comments on this  
5 evening; safety, air quality and noise.  
6 I'm narrowing my comments to these areas  
7 because these will have the greatest  
8 negative impacts on the residents of  
9 Bartlett.

10 These three issues; safety, air  
11 quality and noise, are also the impacts  
12 that the draft DIS has provided little hope  
13 for meaningful mitigation by CN.

14 The first issue is safety. With  
15 the huge increase in freight volume, as  
16 well as an increase in hazardous cargo  
17 loads, the risk to safety is very real.  
18 The draft DIS indicates the total number of  
19 train accidents on the EJ&E will likely  
20 increase by 28 percent, and the number of  
21 major key routes, key routes being aligned  
22 with the trains that carry more than 20,000  
23 car loads per year of hazardous materials,  
24 will increase from 2 to 14. A greater

1 potential of train accidents coupled with a  
2 dramatic jump in loads carrying hazardous  
3 material is a dangerous combination, that  
4 what does the Draft EIS say to communities  
5 faced with this increase?

6 It tells us not to worry, that  
7 hazardous material would remain remote  
8 because of the regulatory and other  
9 safeguards already in place. Such a  
10 statement does little to ease the concerns  
11 of our residents living along the EJ&E.

12 This is especially worrisome  
13 given CN's deplorable safety record in  
14 Canada. In a report released this year by  
15 the Canadian Parliament, CN received the  
16 lowest grade possible on implementing  
17 safety management systems designed to  
18 offset accidents and other safety hazards.

19 But we need not rely on the  
20 Canadian Parliament to tell us the  
21 priorities of CN when safety is involved.  
22 We can look to the company's response to a  
23 \$130 million hazardous material spill in  
24 Canada caused by a defective rail.

ChimniakCourtReporting.com  
312.781.9111

1 According to that account, CN  
Page 39

2 still faces charges from Alberta's  
3 Environment Ministry that it failed to act  
4 properly to confine the spill. But those  
5 charges don't raise red flags as fast as  
6 the fact that within 48 hours the big  
7 rail's trains were moving again, while the  
8 townspeople had to physically block the  
9 tracks to get the attention of CN  
10 officials, who would not meet with local  
11 citizens impacted by their spill.

12 The assurance that CN will  
13 operate in a safe manner is met with  
14 skepticism here in Bartlett, and  
15 justifiably so. That the SEA decided not  
16 to look at CN's Canadian safety record in  
17 developing the Draft EIS is remarkable and  
18 needs to be rectified.

19 The second issue is the  
20 increased freight traffic. CN argues the  
21 more rail traffic means fewer trucks on the  
22 road, improving the local environment. The  
23 traffic idling, while waiting for two-mile  
24 long trains to pass at grade crossings,

ChimniakCourtReporting.com  
312.781.9111

□

45

1 will negatively impact local air quality.  
2 The crossings in Bartlett and Route 59 and  
3 Munger Road were blocked 120 times.

4 The final issue is noise. The  
Page 40

5 CN locomotives have stopped in Bartlett in  
6 the past, and we read about it in the  
7 Chicago Tribune, from 36 to 48 hours  
8 straight, less than a hundred feet from the  
9 Woodland Hills subdivision, and CN has done  
10 nothing about it and refuses to do anything  
11 about it.

12 MS. ADAMS: Bret Coulter, followed  
13 by Alan Murphy and Joseph Fink.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

46

1 MR. COULTER: Good evening. My name  
2 is Brent Coulter. I'm a registered  
3 professional engineer in the State of  
4 Illinois and hold a national certification  
5 as a professional traffic operations  
6 engineer.

7 My testimony tonight is on  
Page 41

8 behalf of the village of Bartlett, and I  
9 will be following up on the introductory  
10 comments of Mr. Blazer earlier.

11 The CN proposes to increase  
12 train traffic fourfold in a section of the  
13 EJ&E rail corridor that already experiences  
14 excessive at-grade crossing blockage by  
15 train activity, and where no alternative  
16 highway/rail grade separation exists for a  
17 length of nearly seven miles. This action  
18 is of great concern to the Village of  
19 Bartlett with respect to increased highway  
20 delay and queuing, and significantly slower  
21 vehicle response times to a large  
22 residential and employee population west of  
23 the EJ&E.

24 Equations for delay and queuing

ChimniakCourtReporting.com  
312.781.9111

□

47

1 for rail/highway at-grade crossings used in  
2 the Draft EIS were developed based on  
3 rudimentary concepts borrowed from highway  
4 traffic signal theory and reference the  
5 nationally recognized Highway Capacity  
6 Manual. While I agree with this analogy to  
7 highway traffic signal control, the simple  
8 equations used in the Draft EIS fail to  
9 incorporate many critical factors.

10 Application of computer models  
Page 42

11 that implement the full Highway Capacity  
12 Manual indicate that both delay and queuing  
13 in the Draft EIS are underestimated by 50  
14 percent or more, with both the Stearns Road  
15 and West Bartlett Road arterial at-grade  
16 crossings exceeding the 40 daily vehicle  
17 hours of delay criterion used in the Draft  
18 EIS for grade separation consideration.

19 In the absence of additional  
20 lanes crossing the EJ&E on West Bartlett  
21 Road, peak hour vehicle queues could exceed  
22 4,000 feet and would block all access  
23 points serving nearby residential  
24 neighborhoods just east and west of the

ChimniakCourtReporting.com  
312.781.9111

□

48

1 crossing, as well as access to Bartlett  
2 Fire Protection District Station No. 3.  
3 In addition, the adverse or  
4 extra travel distance that fire department  
5 vehicles would be forced to travel to  
6 access a grade separation or open crossing  
7 to serve the area west of the EJ&E ranges  
8 from 2.1 miles to over 4.2 miles. That's 3  
9 to 5 times the 3/4-mile threshold that  
10 defines a substantial impact used by the  
11 Illinois Commerce Commission for at-grade  
12 crossing closures in urban areas.

13 In some cases, projected year  
Page 43

14 2015 highway traffic volumes used in the  
15 draft EIS for evaluation of the proposed  
16 action have been significantly  
17 underreported. On top of that, use of the  
18 seven-year horizon for impact evaluation is  
19 unacceptable and out of step with the  
20 typical 20-year design horizon mandated by  
21 the Illinois Department of Transportation  
22 and the Federal Highway Administration.

23 The draft EIS analysis crossing  
24 delay in queuing is based upon assumptions

ChimniakCourtReporting.com  
312.781.9111

□

49

1 favorable to the proposed acquisition in  
2 terms of train operating speeds, no  
3 bunching of train traffic during the  
4 highway peak hours, and no excess crossing  
5 blockage due to train switching activity.  
6 Such an environment is contradicted by a  
7 history of extremely long delays and  
8 blockages along EJ&E crossings in the  
9 Bartlett area.

10 In conclusion, I believe that  
11 the draft DIS method for estimating delay  
12 and queuing is flawed, and, in combination  
13 with low estimates of future highway usage,  
14 significantly underestimates at-grade  
15 crossing delay and queuing. The Draft DIS  
16 also fails to estimate the adverse travel

082808 Public Meeting.txt

17 distance for police, fire and ambulance  
18 vehicles to provide emergency service to  
19 the Bartlett area west of the EJ&E railroad  
20 when crossings are blocked by trains.

21 MS. ADAMS: Alan Murphy, followed by  
22 Joseph Fink and Karen Wojciechowski.

23

24

ChimniakCourtReporting.com  
312.781.9111

□

50

1 MR. MURPHY: Good morning. My name  
2 is Alan Murphy. I'm here represent the  
3 people of the Du Page Group. If you are  
4 not familiar with us, we led the fight and  
5 defeated the transfer station in West  
6 Chicago. We also do other charitable  
7 activities in western Du Page.

8 As you are possibly aware or  
9 becoming aware, we provided the signs out  
10 in front of the high school tonight, the  
11 nice yard signs. Our group is formed to  
12 help the local people in western Du Page  
13 County, and I think it is a life safety  
14 issue, the whole CN proposal.

15 One of the things you have got  
16 to realize is what happens if you have a  
17 heart attack and you are on the wrong side  
18 of the tracks? What happens if you live  
19 west of Bartlett and have a heart attack?

082808 Public Meeting.txt

20 what happens if you live downtown Wayne and  
21 there is a UP train and a CN train? Wayne  
22 becomes an island. How do you get help to  
23 that person? Three minutes, four minutes;  
24 how long does it take for you to expire?

ChimniakCourtReporting.com  
312.781.9111

□

51

1 People's lives are more important.  
2 west Chicago spent a lot of  
3 money on redeveloping its downtown. What  
4 will the CN do to West Chicago's traffic  
5 patterns? Will it put a stranglehold on  
6 our town's development, our time, our  
7 money, our citizen's way of life? It will  
8 affect everybody along the whole route.  
9 One of the things you must  
10 realize is West Chicago is at a junction;  
11 the Union Pacific west line, Canadian  
12 National, or the EJ&E. This point where  
13 the junction meets, if all the proposals go  
14 through, will be the busiest train  
15 intersection in the United States. With  
16 all the projections, there will be over 200  
17 trains a day at that intersection. What is  
18 the railroad industry and what is the CN  
19 doing to help the community of West Chicago  
20 and the residents?

21 The other thing I would like to  
22 address is the Petitioner filed a

082808 Public Meeting.txt

23 1,000-page document, and I'm given, what,  
24 three minutes to respond to 1,000 pages?

ChimniakCourtReporting.com  
312.781.9111

□

52

1 You know, we teach our kids to  
2 say no to drugs. Why doesn't the National  
3 Transportation Board take a lesson from  
4 that and just say no? Thank you.

5 MS. ADAMS: Joseph Fink, followed by  
6 Karen Wojciechowski and Michael Kwasman.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

1 MR. FINK: My name is Joe Fink. I  
2 live at 617 Rose Lane in Bartlett, and I'm  
3 just here to speak for me, and not other  
4 organizations.

5 I do appreciate the fact that  
6 officials from Bartlett have taken the  
7 position that this is not good for our  
8 area. I was quite surprised when we came  
9 here tonight to find that at a grade  
10 crossing about a mile from my house, the  
11 number of hazardous car loads would go from  
12 29 to 209. That concerns me, and the name  
13 and number of trains at that same grade  
14 crossing goes from five to 22.

15 That grade crossing is very  
16 close to the new fire station that has just  
17 been built here on West Bartlett Road, and  
18 a train, if you try to get across west from  
19 there, you would have a very difficult time  
20 if the train is going across that crossing.

21 I can appreciate personally how  
22 important it is, when you call for  
23 emergency service, you need it. This is a  
24 personal thing for me. My wife has needed

1       that a number of times. We had a wonderful  
2       response from the Bartlett police and the  
3       fire department, and I just think that that  
4       would be jeopardized.

5               The last thing I'm concerned  
6       about is the length of the trains. These  
7       two-mile trains, possibly two-mile trains,  
8       traveling in the Chicago area and in the  
9       Bartlett area, it just doesn't make sense  
10      to me. Thank you very much.

11             MS. ADAMS: Karen Wojciechowski,  
12      followed by Michael Kwasman and Ruben  
13      Pineda.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

1             MS. WOJCIECHOWSKI: Hi. I'm Karen  
2      Wojciechowski, and I'm a concerned resident

082808 Public Meeting.txt  
from Bartlett.

If this deal were only about interstate commerce or transportation efficiency, we probably wouldn't be here tonight because there wouldn't be much to talk about; however, there is one very important issue, and that is safety, the seriousness of which is minimized by the study.

I'm not here because I'm worried that I will be late for an appointment to the beauty salon due to a train blocking the road or because I'm annoyed by trains going at all hours. What keeps me awake at night is the risk of being cut off from emergency services, which would be four or five times more likely to happen if this deal goes through.

Like thousands of Bartlett residents, I live west of the EJ&E tracks. Unfortunately, all of the services that my neighbors and I potentially need during an

ChimniakCourtReporting.com  
312.781.9111

56

emergency situation are located east of the tracks, including a new fire station, the two existing fire stations, the police station, and the nearest hospitals.

Seconds count in an emergency

6 situation. The fact of the matter is if  
7 your house is on fire, if your husband is  
8 having a heart attack, or your baby can't  
9 breathe, you don't have time to wait for  
10 that fire engine, for that police car, or  
11 for that ambulance to turn around and take  
12 an alternate route because a freight train  
13 is blocking the only path to your house.

14 The STB study has already  
15 identified the impact of the emergency  
16 services in Bartlett as a substantial  
17 potential problem area, and, with all due  
18 respect, approving this deal without having  
19 effective mitigation in place would be the  
20 height of irresponsibility. I'm aware that  
21 a level of risk exists today because of the  
22 existing freight traffic, but let me give  
23 you an analogy here: Increasing the risk  
24 to public safety by allowing freight

ChimniakCourtReporting.com  
312.781.9111

□

57

1 traffic on the line to quadruple is like  
2 dealing with a few drops of spilled milk by  
3 dropping the entire pitcher on the floor.  
4 It only makes the situation worse.

5 No one can and no one should  
6 attempt to put a price on a human life.  
7 The risk to public safety is too serious  
8 and can't simply be dismissed for those of

9 us living along the EJ&E tracks. Public  
10 safety is not a game of number crunching,  
11 or regional averages, or comparing the  
12 number of towns that will and won't be  
13 impacted. It is about preserving human  
14 life and nothing is more important.

15 That's why I urge the STB  
16 members to imagine themselves in a similar  
17 position and truly evaluate the serious  
18 safety risks this deal poses.

19 Thank you.

20 MS. ADAMS: Michael Kwasman,  
21 followed by Ruben Pineda and Jesse Felix.

22

23

24

ChimniakCourtReporting.com  
312.781.9111

□

58

1 MR. KWASMAN: Good evening. I'm  
2 Mike Kwasman, mayor of West Chicago, the  
3 community that has its tradition of a  
4 railroad town.

5 However, we were stricken when  
6 representatives from the STB came to my  
7 community, looked at what we had to offer,  
8 and they were a little bit stumped about  
9 the train-to-train roadblock. We are not  
10 talking just commuters. We are talking the  
11 CN versus the UP. You don't think that the

12 UP would let the CN get an upper hand when  
13 it comes to competition? I think not.

14 So when most trains bottleneck  
15 in an area, what are we to do in our town  
16 of West Chicago? Miles and miles of  
17 stopped trains. Your plan, it wasn't even  
18 mentioned in your plan.

19 Number two, you say, about fire  
20 stations, sure, we are building new fire  
21 stations in West Chicago, not due to  
22 growth. We are building fire stations due  
23 to rail traffic.

24 The CN wants to increase their

ChimniakCourtReporting.com  
312.781.9111

□

59

1 capacity. Their capacity is for repayment  
2 to their stockholders. Well, my  
3 stockholders are the citizens of West  
4 Chicago. They have already dug into their  
5 pocket and raised their property tax to as  
6 far as 25 percent, not due to them, but due  
7 to the railroads.

8 In today's times, how much can  
9 we keep asking our constituents to go into  
10 their pocket? There has to be some sort of  
11 balance between commerce and the safety of  
12 our public. Your job is to weigh that  
13 balance. We come from the community that  
14 is a railroad town. We have no intention

15 082808 Public Meeting.txt  
of being enslaved by a railroad.  
16 Thank you.  
17 MS. ADAMS: Ruben Pineda,  
18 followed by Jesse Felix and Randy Ramey.  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

60

1 MR. PINEDA: I'm alderman Ruben  
2 Pineda from the City of West Chicago, Third  
3 Ward. The Third Ward is exactly right  
4 where these railroad tracks are. It runs  
5 right along the border of the Second and  
6 Third ward. My ward is going to be greatly  
7 impacted.  
8 Right now we have five at-grade  
9 crossings in west Chicago. With the length  
10 of the trains, if this acquisition happens,  
11 at any time all five of those grade  
12 crossings can be stopped at one time. So  
13 nobody would be able to get to the eastside  
14 of west Chicago.  
15 I kind of like the eastside of  
16 west Chicago, and I would kind of like to  
17 be able to visit once in a while. With all

18 these trains coming through here, five  
19 at-grade crossings, we really wouldn't have  
20 a chance to get across there.

21 Right now we have one at-grade  
22 crossing that is going to be greatly  
23 impacted; it is called Aurora Street, and  
24 there that is completely landlocked, and

ChimniakCourtReporting.com  
312.781.9111

61

1 that is the only way in and out to those  
2 four or five homes. We already had one  
3 house fire that our fire department was not  
4 able to get to in time, and we lost two  
5 lives, two small young children. So we  
6 have an issue there if there is a train  
7 stopped in front of Aurora. There is no  
8 way in and out of that little tiny  
9 subdivision.

10 we have got about 300 or 400  
11 students that are on the west side of the  
12 tracks in my ward that have to cross three  
13 grade crossings there to get to high  
14 school, either in a vehicle or walking.  
15 There are a large percent of pedestrians  
16 that are students and are walking, and of  
17 course students, when they start hearing  
18 those bells, the first thing they are going  
19 to try to do is try to beat that train, and  
20 I find that very disturbing because we have

082808 Public Meeting.txt  
21 already had one death this year, within the  
22 last six months. It was a small child  
23 trying to beat the train. If we have more  
24 trains running through there, the averages

ChimniakCourtReporting.com  
312.781.9111

□

62

1 are going to go way up as far as possible  
2 fatalities.  
3 with the impact that these  
4 trains could possibly cause, we have only  
5 got a couple of options as far as my ward,  
6 and that's going out on Tower Road or Pearl  
7 Road. Those are two very critical  
8 intersections that a lot of people  
9 literally don't go that way because,  
10 Roosevelt Road, we have got two blind spots  
11 there to try to get out on the track. If  
12 these trains start coming through, they  
13 have no option but to go out there and try  
14 to get through there. There is no  
15 stoplight. There is nothing there.

16 So that's a huge concern because  
17 of the amount of traffic accidents at that  
18 crossing there would be incredible.

19 This acquisition could literally  
20 cut my community in half. The City Council  
21 has worked very hard to make it a better  
22 community, and it will completely destroy  
23 our community, and I would hate to see

24                   082808 Public Meeting.txt  
something like that happen.

ChimniakCourtReporting.com  
312.781.9111

63

1                   Thank you very much.  
2                   MS. ADAMS: Jesse Felix followed  
3           by Randy Ramey and Hugh Stott.  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111  
Page 57

1 MR. FELIX: My name is Jesse  
2 Felix. I am a resident of the Community of  
3 Bartlett, and I am the superintendent of  
4 parks for the West Chicago Park District.  
5 A key factor when one decides to move a  
6 corporation or, most important, a family to  
7 a community is the quality of life.  
8 Parks, I have always  
9 felt, demonstrate community pride and give  
10 the residents and visitors a positive  
11 impression to what a community has to  
12 offer. Active and passive recreation are  
13 important factors for the quality of life  
14 in a community. They are important factors  
15 to remember when considering this proposal,  
16 however minor the Board may feel this that  
17 transaction may be.  
18 We are very proud of our  
19 parks in West Chicago. They are more than  
20 just athletic fields and open spaces. Our  
21 parks contain plants, animals, and the  
22 inanimate.  
23 If I do not object to  
24 this proposal, which will bring additional

ChimniakCourtReporting.com  
312.781.9111

2 negatively influence the parks, I would be  
3 doing a disservice to the community I work  
4 for and the community I live in.

5 Commissioner Buttrey is  
6 correct in his concern and assessment that  
7 even the most far-reaching mitigation would  
8 be enough to offset or balance the  
9 environmental detriments that would flow  
10 from this proposal.

11 No one came to West  
12 Chicago Park District and asked about our  
13 adjacent properties or future plans for  
14 development. Reed-Keppler Park has 500,000  
15 visitors annually that use it for  
16 recreation and special events.  
17 Reed-Keppler Park contains 20 acres of high  
18 quality wetlands that run along the EJ&E.

19 Pioneer Park has a  
20 master plan to redevelop the existing park  
21 amenities and the land that was acquired by  
22 EJ&E. This park will see an increase in  
23 usage once the redevelopment has occurred  
24 beginning in 2009. Pioneer Park is our hub

ChimniakCourtReporting.com  
312.781.9111

1 park for the south side of west Chicago.

2 One major park that was  
3 missed in the report was Manville Oaks  
4 Park. Manville Oaks is a 184 park site

5       that runs along the east side of the EJ&E  
6       across from Fermi Lab. This park has a  
7       master plan for redevelopment that has  
8       recently been completed. We would  
9       anticipate at least 250,000 visitors to the  
10      park to attend concerts, play disc golf,  
11      attend sporting events, or walk, jog, and  
12      bike.

13                      within Manville Oaks is  
14      Kress Creek, which was recently cleaned up  
15      by the Kerr-McGee Corporation under the  
16      watchful eye of the EPA, and please note  
17      that Wilson Street was vacated by the  
18      Winfield Township and is not the property  
19      of the park district.

20                      When the ICC approved  
21      the purchase of the Chicago Northwestern by  
22      the Union Pacific, no environmental impact  
23      statement was ever done.

24                      Vibration by the

ChimniakCourtReporting.com  
312.781.9111

□

67

1       additional train traffic may have an  
2       adverse effect on our building at 157 West  
3       Washington Street. The increased train  
4       traffic after the purchase has had an  
5       adverse effect on our location also.

6                      Chicago landscape  
7       planner, Jens Jensen, wrote that, "Everyone  
                    Page 60

8 is entitled to a home where the sun, stars,  
9 open fields, giant trees, and smiling  
10 flowers are free to teach an undisturbed  
11 lesson of life."

12 we have strayed from  
13 that vision by not properly planning for  
14 expansion, not only in the city, but as far  
15 west as you can imagine. Thank you.

16 MS. ADAMS: Randy Ramey,  
17 followed by Hugh Stott and Joe Modrich.

18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

68

1 MR. RAMEY: Thank you. I am  
2 Randy Ramey. I represent the 110,000  
3 people of District 55 and, specifically,  
4 the residents of West Chicago, Wayne, and  
5 Bartlett.

6 I have a brief statement  
7 from Senator John Millner, who couldn't be  
8 here this evening. He has served as a  
9 police officer and leader of many law  
10 enforcement organizations for over 30 years  
Page 61

11 and has a complete understanding of  
12 life-threatening situations.

13 Under the current  
14 situation with the few trains that move  
15 through the communities, we have had  
16 situations where the public safety officers  
17 could not reach those in need, i.e.,  
18 choking, heart attacks, serious accidents,  
19 et cetera.

20 If we increase train  
21 traffic from 4 trains a day to 20 or more  
22 even longer trains, these situations would  
23 only multiply.

24 Our communities are

ChimniakCourtReporting.com  
312.781.9111

□

69

1 expected to build additional public safety  
2 facilities, hospitals, and other  
3 multimillion dollar infrastructure  
4 improvements to prevent dangerous and  
5 tragic situations from occurring.

6 I understand the  
7 importance of efficiently utilizing our  
8 rail lines to move goods throughout our  
9 state and country, but if you balance it  
10 out, I believe that this sale would cause  
11 more harm than good.

12 The Village of Wayne  
13 would -- has a unique situation where a  
Page 62

14 good portion of the community is built  
15 between two rail lines. If those  
16 additional trains would start to roll, a  
17 large part of the community would be  
18 trapped between the two trains where  
19 police, fire, and ambulances would not be  
20 able to attend to those in need until the  
21 train has passed.

22 In west Chicago  
23 ambulances are located on one side of the  
24 train tracks, and in Bartlett emergency

ChimniakCourtReporting.com  
312.781.9111

□

70

1 personnel won't be able to reach the  
2 emergency in a timely basis because rail  
3 lines run through their major throughways.  
4 In a choking or heart attack situation,  
5 seconds count, and those situations would  
6 statistically be more prevalent than they  
7 are today.

8 Even the STB report  
9 concluded that fire and emergency medical  
10 service providers near the EJ&E rail line  
11 would potentially experience substantial  
12 effects as a result of the proposed action.  
13 why would we take such a risk?

14 Additionally, the  
15 traffic congestion would be so onerous that  
16 the local economy may be adversely impacted

17 with these additional trains.  
18 I am appealing to you  
19 and the officials of the Surface  
20 Transportation Board to weigh this decision  
21 carefully and urge you to consider concerns  
22 of residents and communities on both sides  
23 of this issue.  
24 So as you have seen

ChimniakCourtReporting.com  
312.781.9111

□

71

1 throughout this evening, a lot of what we  
2 are talking about is public safety. I am  
3 concerned that the STB predicts a  
4 28-percent increase in accidents along the  
5 EJ&E line. My wife just got a job at the  
6 Community High School in West Chicago,  
7 which runs right by that line. I certainly  
8 hope she is not part of the 28-percent  
9 increase in accidents. Thank you.

10 MS. ADAMS: Hugh Stott, Joe  
11 Modrich, followed by Vicky Lenahan.

12  
13  
14  
15  
16  
17  
18  
19

20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

72

1 MR. STOTT: My name is Hugh  
2 Stott. I'm deputy fire chief of the West  
3 Chicago Fire Protection District. The West  
4 Chicago Fire Protection District protects  
5 the lives and properties of approximately  
6 35,000 residents of the towns of West  
7 Chicago, Wayne, and Warrenville.

8 Our population rises  
9 during the daytime to approximately 50,000  
10 residents, visitors, and travellers.

11 The area that we protect  
12 is literally divided by the presence of  
13 railroad tracks. The Union Pacific  
14 right-of-way divides us from east to west.  
15 The current EJ&E right-of-way divides us  
16 right down the middle from north to south.  
17 We are subject to the presence of  
18 approximately 68 Metra trains and upwards  
19 of the 80 to 100 freight trains on any  
20 given day.

21 As in any movement of  
22 freight by rail or truck, a concern in the  
Page 65

23 west Chicago Fire District includes the  
24 potential for grade-crossing accidents and

ChimniakCourtReporting.com  
312.781.9111

□

73

1 the potential release and management of  
2 hazardous materials.  
3 But, even more  
4 importantly, is the increased obstruction  
5 of six grade crossings by the potential  
6 acquisition of the Canadian National. It  
7 was mentioned there were five crossings.  
8 Those were within the City of West Chicago.  
9 We have one that is outside of the city  
10 limits.

11 At the present rail  
12 traffic density, we estimate that on an  
13 average, 20 minutes out of each hour  
14 results in the most critical downtown grade  
15 crossing being obstructed by a train. With  
16 the increase from the current 6 EJ&E trains  
17 to a potential of 22 or more CN trains,  
18 this delay can only increase.

19 There is only one grade  
20 crossing separation that allows us to  
21 access that area that is potentially cut  
22 off by EJ&E or CN rail traffic. This adds  
23 4.6 miles of travel to our response. This  
24 will undoubtedly increase the emergency

1 response times, and as any public safety  
2 professional will tell you, response times  
3 are critical.

4 Our community has  
5 supported our ability to deliver quality,  
6 professional emergency service. The west  
7 Chicago Fire District sees the acquisition  
8 of the EJ&E and the resulting increased  
9 rail traffic as a threat to that ability to  
10 deliver those services promptly and with  
11 limited delay during critical moments.

12 I would also like to  
13 point out that the charts of the study  
14 failed to identify the six grade crossings  
15 within the district and the district at all  
16 being impacted by this acquisition. Thank  
17 you.

18 MS. ADAMS: Joe Modrich,  
19 followed by Vicky Lenahan. Is Joe Modrich  
20 here? If not, Vicky Lenahan. Vicky  
21 Lenahan? Is Frank Napolitano here? Okay.  
22 Frank Napolitano?

23 Thomas Ashton. We will  
24 have Thomas Ashton, followed by Ken

1 Kaczynski and Candice Grace.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

ChimniakCourtReporting.com  
312.781.9111

1 MR. ASHTON: My name is

2 Thomas Ashton, and I represent myself and

3 200 other homeowners near me. My home,  
4 along with some 200 other homes, is located  
5 squarely in what I am calling the Canadian  
6 National/UP Triangle. I live in the  
7 Village of Wayne, the center of which is  
8 bound on the north, south, east, and west  
9 by rail lines with five at-grade crossings  
10 separated by less than two miles at most  
11 and less than half a mile at the closest.  
12 We are likely to be trapped on all sides by  
13 trains; to the north at the Powis Avenue  
14 crossing, to the west at the Army Trail  
15 Road crossing, to the east at the other  
16 Army Trail Road crossing and at the Smith  
17 Road crossing, and to the south at the  
18 other Smith Road crossing. Like the  
19 infamous Bermuda Triangle, the CN Triangle  
20 could make many aspects of my life in my  
21 community disappear.

22 Look at the map and the  
23 aerial photos. With 5 at-grade crossings,  
24 my family and the 200 other homeowners

ChimniakCourtReporting.com  
312.781.9111

□

77

1 trapped by trains are going to suffer real  
2 losses. Trapped in the CN Triangle, we  
3 will suffer a loss of safety.

4 Wayne does not have a  
5 public water supply, so we do not have fire

6 hydrants in our community. A house fire  
7 can double in size every minute, so every  
8 minute counts, especially with no fire  
9 hydrant system to put out the fire. With  
10 an average of 4 minutes for a train to  
11 clear an at-grade crossing, if one of those  
12 200 homes catches fire, the delays from a  
13 fivefold increase in freight traffic each  
14 day will be devastating.

15 Likewise, the crossing  
16 delays will have catastrophic effects on  
17 EMS response times where every minute delay  
18 results in greater loss of life.

19 School safety is also a  
20 major concern. Wayne Elementary School,  
21 with over 600 grade-school students, is  
22 also in the middle of that triangle. From  
23 bus delays to classroom interruptions as  
24 freight trains barrel past with noise,

ChimniakCourtReporting.com  
312.781.9111

□

78

1 smoke, vibration, and hazardous cargo, the  
2 exposure is simply unacceptable.

3 We will suffer financial  
4 loss. CN's acquisition of the line will  
5 have a huge impact on home values for my  
6 family and the 200 others in the triangle.

7 To add insult to injury,  
8 my village of 2700 residents is expected to

9 help pay to mitigate the impacts it will  
10 have on our community. The costs would  
11 include not only crossing corrections, but  
12 emergency service personnel, school buses,  
13 bus drivers, in addition to the  
14 incalculable impact on the local  
15 environment.

16 We would have a loss of  
17 cultural heritage. The quaint little  
18 village of Wayne where we hear the sound of  
19 train whistles numerous times a day, from  
20 the 6:00 a.m. train when I get up in the  
21 morning to the 11:15 when I go to bed, will  
22 now be inundated with freight trains at all  
23 hours. The town will be split east and  
24 west. It will lose its shared sense of

ChimniakCourtReporting.com  
312.781.9111

□

79

1 community.  
2 The move will only  
3 invite other rail carriers to fill the void  
4 CN leaves in Chicago. Please look at your  
5 maps and don't leave me on an island.

6 MS. ADAMS: Ken Kaczynski,  
7 followed by Candice Grace and Jim McCarthy.

8  
9  
10  
11

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

80

1 MR. KACZYNSKI: Good evening.  
2 My name is Ken Kaczynski, and I am the  
3 president of the Board of Education of  
4 School District U-46, Illinois' second  
5 largest school district. Joining me here  
6 this evening is Dr. Jose Torres,  
7 superintendent of schools.  
8 On behalf of our Board  
9 of Education, let me first thank the U.S.  
10 Surface Transportation Board for holding  
11 this forum in Bartlett High School, which  
12 is one of the five high schools in our  
13 school district.  
14 The School District U-46

082808 Public Meeting.txt  
15 serves many communities, including  
16 Bartlett, Wayne, Elgin, Hanover Park,  
17 Hoffman Estates, South Elgin, and  
18 Streamwood.

19 As you know, EJ&E  
20 Railway runs through the eastern portion of  
21 U-46, including the villages of Bartlett  
22 and Hoffman Estates.

23 I am here this evening  
24 to express the concerns of School District

ChimniakCourtReporting.com  
312.781.9111

□

81

1 U-46 regarding the proposed acquisition of  
2 the EJ&E Railway Company by the Canadian  
3 National Railway.

4 First, the anticipated  
5 increase of 15 to 24 trains per day will  
6 pose a problem for the safety and timely  
7 transportation of our students. Our  
8 transportation department conducted an  
9 analysis that shows there are 4 grade  
10 crossings where the EJ&E railroad crosses  
11 our bus stops, including West Bartlett  
12 Road, Sterns Road, Army Trail Road, and  
13 Smith Road.

14 Last year we had 55  
15 buses that crossed on West Bartlett Road,  
16 16 buses that crossed at Army Trail, 14 on  
17 Smith Road, and 4 buses that crossed on

082808 Public Meeting.txt  
West Sterns Road.

18  
19                               Without question, the  
20                               anticipated increase in rail traffic during  
21                               the day will have a negative impact on our  
22                               ability to safely and timely transport the  
23                               students on these 89 buses to and from  
24                               school.

ChimniakCourtReporting.com  
312.781.9111

□

82

1                               Secondly, the increase  
2                               in rail traffic could impact the emergency  
3                               response times of local police, fire, and  
4                               ambulances to our schools. while local  
5                               authorities are extremely cooperative and  
6                               have plans in place to ensure that they are  
7                               able to respond to an emergency despite any  
8                               obstacles, the timeliness of their response  
9                               will be affected by the increase in rail  
10                              traffic.

11                             What I did not see in  
12                             your presentation was the impact it might  
13                             have on mutual-aid responses from  
14                             surrounding communities.

15                             Finally, we are  
16                             concerned about the increase in hazardous  
17                             waste material that may be transported near  
18                             several of our schools. School District  
19                             U-46 has four schools that are within one  
20                             mile of the EJ&E lines, including Wayne

082808 Public Meeting.txt  
21 Elementary in Wayne, Nature Ridge in  
22 Bartlett, Hilltop Elementary and Timber  
23 Trails Elementary School in Hoffman  
24 Estates. Another Bartlett school, Liberty

ChimniakCourtReporting.com  
312.781.9111

□

83

1 Elementary, is approximately two miles from  
2 the rails. Please consider the impact that  
3 any spill of hazardous materials could have  
4 on nearly 3200 students who are being  
5 served in these buildings. Again, thank  
6 you for taking the time to hear the  
7 concerns of School District U-46.

8 MS. ADAMS: Candice Grace,  
9 followed by Jim McCarthy and Colleen Mullen.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

ChimniakCourtReporting.com  
312.781.9111

1 MS. GRACE: Good evening. My  
2 name is Candi Grace, and I am a trustee in  
3 the Village of Riverside, and I feel very  
4 strongly about this issue, the issue before  
5 us, which is should the CN Railway be  
6 allowed to purchase the EJ&E in order to  
7 move freight traffic through our region  
8 more efficiently.

9 I am disappointed that  
10 no public hearings were available in the  
11 communities that are going to benefit from  
12 this acquisition.

13 In making this important  
14 decision, I would hope that the STB would  
15 look at the bigger picture for northeastern  
16 Illinois and northwest Indiana, not just  
17 what municipalities along the EJ&E have  
18 said.

19 Mayor Melchert of  
20 Bartlett has been quoted as saying, "We  
21 have to find a new approach to traffic  
22 congestion," in reference to the STAR line  
23 project. The purchase of the EJ&E is part  
24 of that answer for us in my village.

1 Mayor Melchert is  
2 correct. We do need to find new approaches  
3 to address traffic congestion, and the  
4 railroads are a solution to meeting the  
5 nation's growing freight mobility needs.  
6 Railroads can haul a larger volume of goods  
7 than trucks while using less fuel. The  
8 land needed to haul freight on a railroad  
9 versus a road is much less, and  
10 improvements to rail are often much cheaper  
11 than expanding or building new roadways.

12 We have capacity  
13 challenges and transportation congestion in  
14 this region that needs to be moved. The  
15 country's economy depends on it as much as  
16 our region does.

17 The goal of this project  
18 is to make freight move much more  
19 efficiently through our region and to reduce  
20 freight congestion in areas that have been  
21 impacted for decades.

22 The draft EIS talks  
23 slightly about the benefits to the other  
24 communities in the inner ring suburbs. I

ChimniakCourtReporting.com  
312.781.9111

1 wish the Environmental Impact Statement had  
Page 77

2 looked more closely at that.

3 Riverside has two train  
4 lines. We have 150 to 160 trains per day.  
5 If this deal goes through, we'll lose 8 to  
6 10. That's not a huge percentage; but in  
7 terms of the public safety impact, it's  
8 enormous.

9 The CN trains block our  
10 access to Loyola University Medical Center,  
11 which is a Level I trauma center in that  
12 area, and there is no way around it for  
13 miles.

14 North Riverside, which  
15 is just to the north of us, their train  
16 station is right next to the tracks. The  
17 tracks bisect the town. They require  
18 mutual aid from their neighbors to fight  
19 fires. If there is a train across the  
20 tracks, we deal with it.

21 I'm running out of time.  
22 If I thought the status quo was best for  
23 the region, I wouldn't be here speaking  
24 tonight; but I think we have to look at

1 this as a regional solution and not just  
2 look at the effects on the communities  
3 nearby. You will also be hearing us from  
4 in written comments, but we wanted to make  
Page 78

5       sure that the voice of the inner ring  
6       suburbs was heard, because we are impacted  
7       by this in ways that, while it's negative  
8       here, it's also positive for us, and you  
9       need to look at those just as closely as  
10      you listen to the comments tonight. Thank  
11      you.

12                      MS. ADAMS: Jim McCarthy,  
13      followed by Colleen Mullen and Jim  
14      Plonczynski.

15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

88

1                      MR. MCCARTHY: My name is Jim  
2      McCarthy. I'm a trustee for the Bartlett  
3      Fire Protection District.

4                      My comments this evening  
5      are out of concern for our residents living  
6      west of the EJ&E tracks along West Bartlett  
7      Road. Approximately 11 percent of our

8 45,000 residents live west of these tracks.  
9 As a point of reference, we responded to  
10 almost 3300 calls last year.

11 On October 1st the  
12 district will open our third station, which  
13 is located on West Bartlett Road less than  
14 1/2 mile east of the EJ&E tracks. The  
15 location of this station was based on a  
16 very fundamental strategy: Lower the  
17 response times to all of our west-side  
18 residents.

19 In the fire service,  
20 response time is critical. We are all  
21 aware that cardiac tissue begins to die  
22 after 4 minutes without blood flow, but did  
23 you know that fire doubles in size every  
24 minute? In other words, after 4 minutes, a

ChimniakCourtReporting.com  
312.781.9111

□

89

1 fire is 16 times its original size.

2 I am very concerned with  
3 the drastic increase in the number and  
4 overall length of the trains crossing West  
5 Bartlett Road.

6 Additionally, I am  
7 concerned with the trains moving through  
8 this crossing at a reduced speed and/or  
9 stopping as they switch tracks at Randall  
10 Road. Both of these scenarios greatly

11 increase the possibility of these residents  
12 being faced with extended emergency  
13 response times.

14 while we have mutual-aid  
15 agreements with surrounding communities,  
16 these do not meet the critical response  
17 times I spoke of earlier.

18 Assuming the best-case  
19 scenario, a blocked grade crossing at West  
20 Bartlett Road would likely result in an 8-  
21 to 10-minute total response time for a  
22 resident living west of the EJ&E line.

23 After 4 minutes, the  
24 chance of survival decreases by 50 percent

ChimniakCourtReporting.com  
312.781.9111

□

90

1 for every minute that critical care is  
2 delayed.

3 I appreciate CN's offer  
4 of an alerting system to allow our dispatch  
5 personnel to know when a train is blocking  
6 West Bartlett Road. While this is helpful,  
7 it really only provides minimum mitigation  
8 towards meeting those critical response  
9 times.

10 I strongly believe the  
11 5,000 residents west of this grade crossing  
12 need something more than an at-grade  
13 crossing and the lengthy emergency response

14 times that would go along with it.

15 They need a commitment  
16 from the STB that they will be mindful of  
17 the emergency response times that they  
18 deserve. Thank you.

19 MS. ADAMS: Colleen Mulen.  
20 Is Colleen Mulen here? If not, Jim  
21 Plonczynski. Is Jim Zay here? Okay. We  
22 have Jim Zay followed by Eileen Phipps and  
23 Representative Mike Fortner.

24

ChimniakCourtReporting.com  
312.781.9111

□

91

1 MR. ZAY: Good evening. My  
2 name is Jim Zay. I am a DuPage County  
3 Board member, and I represent parts of  
4 Bartlett, Wayne, West Chicago, and  
5 Warrenville, which is greatly affected by  
6 this acquisition.

7 As a local elected  
8 official, when you have to make decisions  
9 regarding zoning or development, you have  
10 to look at the benefits; but, also, you  
11 have to look at the negatives that affect  
12 the community and the region. This greatly  
13 affects our region and our quality of life,  
14 which I don't think EIS has taken a look  
15 at.

16 We have heard many  
Page 82

17 statements today about public safety. I'm  
18 not going to get into this. On the EIS it  
19 says that 125 grade crossings will benefit  
20 from this. The County of DuPage has  
21 recently done studies, which we will be  
22 submitting, talking about the 18 grade  
23 crossings that are in DuPage County.  
24 Through our study, out of those 18, 7 of

ChimniakCourtReporting.com  
312.781.9111

□

92

1 those will qualify for grade separations.  
2 Of those 7, we estimate the cost at  
3 \$700 million for this. That is  
4 \$400 million in the total acquisition of  
5 the EJ&E.

6 The EJ&E was very nice,  
7 originally offering \$30 million for grade  
8 separation. \$30 million will not build you  
9 a grade separation.

10 The county did a grade  
11 separation on County Farm Road near the  
12 complex with Central DuPage Hospital five  
13 years ago, and it cost \$50 million. That  
14 would mitigate the UP and Canadian National  
15 running through that area. So \$30 million  
16 might get you a grade separation of one  
17 lane each, so their offer is very short.

18 The County will be  
19 submitting this to you during the process.

20 when we talk about public safety, U-46 came  
21 here tonight. It has not been brought up.  
22 You have the second largest school district  
23 in the state of Illinois sending kids  
24 across these tracks every day. Now you're

ChimniakCourtReporting.com  
312.781.9111

□

93

1 increasing that fourfold and putting kids  
2 at risk every day, and it's unfortunate,  
3 but these accidents do happen. You have to  
4 look at that as parents in the  
5 neighborhoods.

6 I would hope that the  
7 EIS would not rush to judgment, would take  
8 their time and not move this forward, as  
9 has been asked by the Canadian National.  
10 This needs a full process and needs to be  
11 looked at completely while the public  
12 hearings are going on and every statement,  
13 pro and con, is looked at during the  
14 process. Thank you.

15 MS. ADAMS: Eileen Phipps  
16 followed by Representative Mike Fortner and  
17 Michael Anastasio.

18  
19  
20  
21  
22

23

24

ChimniakCourtReporting.com  
312.781.9111

□

94

1 MS. PHIPPS: Thank you. My  
2 name is Eileen Phipps. I have had the  
3 honor and the privilege of serving as Mayor  
4 of the Village of Wayne since 1995. Wayne  
5 is a one-of-a-kind community. It's located  
6 in both Kane and DuPage County, and we are  
7 approximately 35 miles west of Chicago.  
8 Our population is in the range of 2500  
9 people, all of whom strongly support our  
10 rich heritage of volunteerism, historic  
11 preservation, and equestrian activities.

12 We are home to the  
13 Wayne-DuPage Hunt, and it is a most  
14 spectacular sight to see the riders in  
15 their scarlet colors, majestic horses  
16 riding out of the mist on a Sunday morning  
17 following the hounds as they track the  
18 scent of a fox.

19 Our community is home to  
20 two National Register of Historic Places:  
21 Oak Lawn Farm, which includes the Dunham  
22 Castle at Army Trail and Dunham Roads, and  
23 our downtown center on Army Trail Road  
24 where you will find the Little Home Church

1 by the wayside. This historic church,  
2 which recently celebrated over 125 years,  
3 is the gathering place for large community  
4 events as well as our annual Flag Day  
5 Parade and Ice Cream Social.

6 We are extremely  
7 fortunate to have Pratt-Wayne Woods Forest  
8 Preserve and the newly acquired Dunham  
9 Marsh Forest Preserve in our community.  
10 Ours is one of the few towns where one can  
11 regularly observe nature in all of its  
12 abundant glory.

13 I wanted to take a few  
14 moments to give you a feel for our  
15 community. We have a small yet very  
16 professional police department with five  
17 full-time officers and several part timers.

18 Most of our roads are  
19 private and maintained by the homeowners'  
20 associations. Every home is on private  
21 well and septic. We have no commercial  
22 base.

23 The people that choose  
24 to make Wayne their home do so because of

1 the uniqueness and the character and the  
2 peace and tranquility; an oasis, if you  
3 will, in the center of urbanity.

4 Adding an additional 20  
5 trains per day would have a devastating  
6 socioeconomic impact on and no benefit to  
7 our residents, neighboring towns, or  
8 industries. This transaction will not  
9 bring new jobs or better lives. It will  
10 destroy the quality of life the families  
11 that have made Wayne home came out here  
12 looking for.

13 We all know that an  
14 increase in traffic translates into an  
15 increase in potential accidents. Should  
16 there be a hazardous waste spill, with the  
17 types of soils we have, our wells would  
18 become contaminated. We have absolutely no  
19 way to get fresh water to our homes.

20 What will the STB or  
21 Canadian National offer as assurance to our  
22 families that a catastrophe of this nature  
23 will not happen?

24 I will cut short my

ChimniakCourtReporting.com  
312.781.9111

□

1 comments. It is extremely important that  
2 the scope of the EIS take into

3 consideration the socioeconomic impacts on  
4 our communities. This process must be  
5 extended to allow the time necessary to  
6 give full and equal weight to our concerns.  
7 The decision that you make is one that we  
8 will have to live with. Thank you.

9 MS. ADAMS: Representative  
10 Mike Fortner, Michael Anastasio, Jim  
11 Morris.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

98

1 MR. FORTNER: Thank you. I  
2 am State Representative Mike Fortner of the  
3 95th District, which includes the  
4 communities of West Chicago, Warrenville,  
5 Aurora, and Naperville along EJ&E.

6 I want to address a

7 number of omissions and inconsistencies

8 that I have found in the draft EIS.

9 I want to reserve those

10 comments about public transit, traffic

11 congestion, and safety to written comments

12 I will be submitting later.

13 Tonight I'm going to

14 address some of the issues on hazardous

15 material transport. Chapter 4 gives the

16 impression that this is merely a trade-off

17 of hazardous material as it is being

18 carried on lines more towards the center of

19 the city and moving them out to the

20 suburbs. John said as much in his opening

21 comments, that this was a corresponding

22 decrease matching the increase.

23

24 Those are not the case,

ChimniakCourtReporting.com  
312.781.9111

□

99

1 based on the numeric facts that are in the

2 EIS. For instance, if you look at

3 Figure 4.2-6, up in Lake County where the

4 current Waukesha Subdivision shows a

5 decrease of about 150 hazardous material

6 cars per day, there's an increase right

7 nearby, if this acquisition goes through,

8 of about 165.

9                   The situation gets much  
10 worse as you get into western DuPage  
11 County. There you see West Chicago rise  
12 from about 30 to 315 hazardous material  
13 cars per day. That's an increase of almost  
14 300. It gets even worse as you get to  
15 Naperville where the increase is 350.  
16                   when one goes to look  
17 for a decrease, it's not there at that  
18 level. There is a decrease, but if I look  
19 at all of the north-south entry points on  
20 the north side, I can only come up with  
21 about a decrease of 220. So it's not a  
22 match, and, on top of it, that's multiple  
23 lines. You're seeing a concentration of  
24 that material along the western DuPage

ChimniakCourtReporting.com  
312.781.9111

100

1       corridor; much greater risks that will come  
2 about not balanced by a decreased risk  
3 further in.

4                   The final point I'm  
5 going to raise that I think is a glaring  
6 omission is the lack of anything in the  
7 draft EIS that relates to the requirements  
8 of the Congressional Act passed last year  
9 that recognizes there may be alternative  
10 non-target railroads. What's that? That  
11 is about results from the 9/11 Commission

082808 Public Meeting.txt  
12 that were enacted by Congress last year  
13 that said there must be attempts to move  
14 hazardous materials out of the metropolitan  
15 areas. Find alternative routes.  
16 The Canadian National  
17 has certainly used agreements in the past  
18 to route things around Chicago. As  
19 recently as 2004 there has been such an  
20 agreement. That's been missing in the EIS.  
21 It certainly needs to be addressed that  
22 this type of traffic needs to get out of  
23 the metro area, and moving to the EJ&E does  
24 not solve that problem. Thank you. ^^^

ChimniakCourtReporting.com  
312.781.9111

□

101

1 MS. ADAMS: Michael Anastasio,  
2 followed by Jim Morris, and Alderman James  
3 Beifuss.  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14

15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

102

1 MR. ANASTASIO: My name is Michael  
2 Anastasio. I'm the president of the North  
3 Country in Wayne Community Association,  
4 which comprises approximately 46 homes and  
5 about 150 wayne residents, including  
6 children. And I'm here on their behalf, as  
7 well as myself.

8 We vociferously object to the  
9 proposed action and support only the  
10 no-action alternative because approval of  
11 the proposed action, with or without the  
12 proposed mitigation efforts, would be  
13 arbitrary, capricious, and illegal and,  
14 among other things, place a highly  
15 disproportionate and illegitimate adverse  
16 impact on our safety, air quality,  
17 environment, productivity, and quality of

18 life.

19 The three-minute time allotment  
20 for comment doesn't allow me sufficient  
21 time to point out all the inadequacies and  
22 illegalities, but here are some examples.

23 The study predicts that the  
24 proposed action would lead to upwards of

ChimniakCourtReporting.com  
312.781.9111

□

103

1 150 percent increase in the annual number  
2 of highway/rail accidents in at-grade  
3 crossings on the EJ&E rail line. Refer to  
4 page 12 of the summary, if you'd like.

5 It would also increase the risk  
6 for pedestrians and bicycles at the  
7 railway. Our residents and their children  
8 pass over those crossings on a daily basis,  
9 and that increase poses an outrageous and  
10 unacceptable risk to our community.

11 Particularly troubling is that  
12 the study notes the EJ&E rail line has more  
13 public highway/rail at-grade intersections  
14 than the current CN lines. It's simply  
15 incomprehensible to us how any action that  
16 will lead to a more than quadrupling of  
17 traffic over at-grade crossings is  
18 acceptable, especially when it's clear the  
19 number of accidents we experience will  
20 increase.

21           The analysis done by the study  
22       relative to hazardous materials releases  
23       has absolutely no credibility. The study  
24       admits that the report of hazardous

ChimniakCourtReporting.com  
312.781.9111

104

1       material increases would increase and there  
2       would be a large percentage increase in the  
3       volume of hazardous materials that would be  
4       transported on the EJ&E line. However, the  
5       study only focuses conclusorily on the  
6       likelihood of an accident being remote and  
7       does no analysis whatsoever of the extent  
8       of damage, personal injury, and death that  
9       have been caused by such a release. A  
10      proper risk analysis factors in not only  
11      probability, but also the magnitude of  
12      damage that could be caused.

13           By way of example, in 1984 the  
14      Union Carbide chemical release in Bhopal,  
15      India, that killed nearly 4,000 people.  
16      That was a remote likelihood, but the  
17      damage was catastrophic.

18           The study also erroneously  
19      relies on historical data while ignoring  
20      the added operational safety risks that  
21      will arise from the EJ&E line operating at  
22      or near capacity. Such operation levels  
23      makes useless any historical data.

082808 Public Meeting.txt  
Further, the study admits that

ChimniakCourtReporting.com  
312.781.9111

105

1 emergency services response times would  
2 experience substantial delays, and these  
3 delays were not factored into the risk  
4 analysis relative to the damages and harm  
5 that can be caused by the releases.

6 My time has run out. I'll  
7 submit the rest of my comments on-line.

8 MS. ADAMS: Jim Morris, followed by  
9 James Beifuss, and Robert Schoen.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111  
Page 95

106

1 MR. MORRIS: My name is Jim Morris,  
2 and I am here with my wife, Michelle. We  
3 own a home in Wayne, which we are here to  
4 protect tonight.

5 I want to thank these three  
6 folks up here -- Vicky, Tina Marie, and  
7 John -- for their time they spend here in  
8 what has got to be some very trying  
9 meetings. But more than that, I want to  
10 thank those of you who came here tonight,  
11 and certainly those of you who have spoken  
12 in opposition to what is trying to be done  
13 to us tonight. So thank you.

14 But this discussion is more than  
15 just about safety, the environment, and the  
16 other negative aspects of this situation.  
17 The discussion is about more than just home  
18 values in Wayne or in West Chicago or  
19 Bartlett or Barrington. It's about  
20 preserving a way of life for which many of  
21 us in here have spent time, energy, and  
22 love to preserve and to keep, to enjoy now  
23 and to pass it down later.

24 Earlier tonight I was called a

ChimniakCourtReporting.com  
312.781.9111

107

1 NIMBY. For those of you who are uneducated  
Page 96

2 in that type of lingo, that means "not in  
3 my backyard." That means I don't want it  
4 in my backyard. I would rather give it to  
5 somebody else. That's not true. I don't  
6 want anybody to have this in their  
7 backyard.

8 Now, I was told that we can't  
9 stop progress of the CN railroad. Well, I  
10 am amazed that a foreign company can come  
11 to this country and dictate to us what  
12 we're going to do with our property. These  
13 proposals offer no benefits to anybody  
14 within this region and offers no -- almost  
15 nothing to ease the disastrous effects on  
16 what their railroad would do.

17 I am concerned about American  
18 bureaucracy endowed with the power to make  
19 decisions that ignore and minimize  
20 individual investment of the love and the  
21 efforts and the treasures that we have in  
22 this part of this country.

23 So my wife and I want to  
24 personally thank all of you for showing up

1 tonight and all of you that hold a stake in  
2 the results of these ongoing discussions  
3 because only by turning out to make these  
4 lively, energetic, and committed comments  
Page 97

5 do we have a chance of winning this battle.

6 One more comment before I leave.

7 I've got 22 seconds.

8 My NIMBY guy also said, you

9 know, "The railroad was here first."

10 You know what? It was here

11 first. The EJ&E was here first. So let's

12 keep it the EJ&E, and kick the CN out.

13 Thank you.

14 MS. ADAMS: James Beifuss followed

15 by Robert Schoen and Jerry Nordengren.

16

17

18

19

20

21

22

23

24

ChimniakCourtReporting.com  
312.781.9111

□

109

1 MR. BEIFUSS: I am Jim Beifuss,  
2 alderman for the City of West Chicago. I'm  
3 a 15-year resident for the City of West  
4 Chicago and have served on the city council  
5 for about 7 years.

6 I have been a member of our  
7 council's infrastructure and development  
Page 98

8 committees and have served as chairman of  
9 the infrastructure committee. As such, I  
10 have developed a substantial understanding  
11 of our transportation needs and challenges  
12 and the importance of mitigating adverse  
13 impacts in connection with transportation  
14 projects.

15 My interest here is in the  
16 health, welfare, and safety of the  
17 residents of West Chicago. West Chicago  
18 was incorporated more than 150 years ago  
19 and has a long history with the railroads.  
20 The EJ&E railroad and the Union Pacific  
21 lines intersect in the geographic center of  
22 our town, in our historic downtown in the  
23 middle of Washington Street, the primary  
24 collector street. Those two rail lines

ChimniakCourtReporting.com  
312.781.9111

□

110

1 box off the residents of the southeast  
2 corner of town from the main fire station  
3 located on Fremont Street directly north of  
4 our downtown.

5 The consequences of track  
6 blockage to fire and ambulance response are  
7 well known to our first responders and  
8 residents. It is notable that the study  
9 did not consider the cumulative effect of  
10 two intersecting lines in the calculation

11 of total delay hours and the determination  
12 of "substantial affected crossings."

13 We have, during two different  
14 administrations, commissioned engineering  
15 studies to come up with plans to bridge or  
16 go under the tracks to address public  
17 safety concerns associated with fire,  
18 police, and ambulance response.

19 The first study came up with  
20 various grade separation options on  
21 Washington Street that entailed wrecking a  
22 substantial portion of downtown and cost  
23 about \$20 million. This was done years  
24 ago.

ChimniakCourtReporting.com  
312.781.9111

□

111

1 The second, more-recent study  
2 looked at a bypass option a few blocks  
3 north of Washington Street. The  
4 engineering consultants' design, taking  
5 into account all of the main track, spur,  
6 and terrain features, entailed a monstrous  
7 bypass four lanes wide, about a mile long,  
8 most of it elevated about 30 feet high.

9 The railroad contribution to  
10 building such overpasses in either  
11 scenario, just 5 percent, the rest of the  
12 cost to be borne by the taxpayers.

13 Given the crippling blockage  
Page 100

14 caused by the combined traffic of the rail  
15 lines, imagine our shock when we read that  
16 the Washington Street crossing did not make  
17 the list of intersections meriting  
18 mitigation.

19 On the subject of environmental  
20 justice, the draft report indicates that  
21 the most densely populated areas along the  
22 line are West Chicago and Park Forest. The  
23 population of West Chicago is 26,000  
24 persons, and approximately 48 percent of

ChimniakCourtReporting.com  
312.781.9111

□

112

1 those persons are Hispanic. In West  
2 Chicago the EJ&E right-of-way is directly  
3 adjacent to dense residential  
4 neighborhoods, including many thousands of  
5 school children and senior citizens. Those  
6 residents will be disproportionately  
7 adversely impacted by the 12-fold increase  
8 in train traffic along the track.

9 First, combined with the UP  
10 traffic, the increase will effectively wall  
11 off a quarter of our town from emergency  
12 response and services. This will  
13 materially adversely impact their health  
14 and welfare, and the impact --

15 MS. ADAMS: Robert Schoen, followed  
16 by Jerry Nordengren, and Elizabeth Regan.

17 MR. BEIFUSS: Thank you. I have  
18 additional comments, which I will provide  
19 to the court reporter.  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

113

1 MR. SCHOEN: Thank you. My name is  
2 Bob Schoen. I am here with my wife,  
3 Debbie. We're residents of Wayne,  
4 Illinois.  
5 When we moved to Wayne, we moved  
6 to that oasis we thought we had. Now we're  
7 stuck on this island, and it's only going  
8 to get really bad apparently.  
9 We moved out there because of  
10 the parks, because of the prairie path,  
11 because of Pratt's Wayne Woods. This is  
12 devastating. I feel like I'm in a horror  
13 movie right now. I was nervous before --  
14 upset before I got here tonight. Now I'm  
15 hearing all the -- all the reality of the  
16 CN Railroad, all the problems they're  
17 having in Canada.  
18 My house, by the way, our house,  
19 is 46 feet -- our property line is 46 feet

20 from the tracks behind our house. Our pool  
21 that we thought we could come and enjoy  
22 with our grandkids is 66 feet from the  
23 tracks. These four trains a day that we  
24 get to come, two of them during the middle

ChimniakCourtReporting.com  
312.781.9111

□

114

1 of the night, that's okay. Now we're going  
2 to get 24 or more?

3 There is no way we're going to  
4 be able to have any quality of life living  
5 in this home, let alone the concerns of,  
6 you know, safety, my wife's heart problems,  
7 getting to a hospital. It's a lot worse  
8 than I even thought it was with this coming  
9 to our area.

10 so we're here simply to voice  
11 our opposition of what's going on. It's  
12 going to absolutely totally destroy our  
13 property values and our way of -- our way  
14 of life.

15 Thank you.

16 MS. ADAMS: Jerry Nordengren,  
17 Elizabeth Regan, Tim Schneider.

18

19

20

21

22

23

24

ChimniakCourtReporting.com  
312.781.9111

□

115

1 MR. NORDENGREN: Thank you. I'm  
2 Jerry Nordengren. I'm from West Chicago.  
3 I've been there for about 40 years.

4 Much of what I was going to talk  
5 about has already been said, and so I'm not  
6 going to be redundant.

7 But I will say that, oh, about  
8 40 years ago we came in with an emergency,  
9 possible emergency. My wife had a very bad  
10 heart, and whether or not she could make it  
11 when she delivered was another question.  
12 But the big thing is living in West Chicago  
13 and west of Main Street, well, trying to  
14 get to Elmhurst Memorial Hospital at any  
15 time of the day could be very difficult  
16 because the railroads. And we're lucky, we  
17 made it.

18 But it's extremely risky when  
19 you've got a situation like that. And now  
20 you have quadruple the situation. It's  
21 hard to see. And, again, since I'm one who  
22 lived through it, I really dread this  
23 happening.

24 And, again, much of what I was

1 going to say was already said. But to me,  
2 I live, let's say, a good Chicago city  
3 block from the railroad, and it's enough  
4 where it shakes the house. And I feel so  
5 bad for those -- like the man in Wayne who  
6 lives just -- well, 60 feet away, it's  
7 extremely dangerous in a situation like  
8 that. And I just can't see how they want  
9 to propose this.

10 I have a question for you people  
11 up there. How many of you live within 60  
12 feet of a railroad line? None of you, or  
13 you would not be up there.

14 So you see, it's extremely  
15 important for you to consider. We live  
16 here. These towns were set up with the  
17 railroad to be a part of them. These towns  
18 were not set up by the railroads to be us a  
19 part of a town with them leading a way.  
20 There is a big difference. We really are  
21 the town, and you're part of the town.  
22 We're not a part of the railroad. That's  
23 extremely important.

24 By the way, I used to work for a

1 railroad, and no one has talked about the  
2 money bit, but, you know, you're losing an  
3 awful lot of money with those lines in  
4 Chicago, where the cars can't get out of  
5 there, and you're losing a lot of money,  
6 too, because you've got to pay rental on  
7 the cars.

8                   Folks, I used to be an  
9 accountant with the railroad, and it's  
10 something else when you stop and think  
11 about the fact that, say, Milwaukee Road  
12 was using Canadian -- a hundred cars from  
13 them, and Canadian only used 50 of the  
14 Milwaukee. Well, that means that they're  
15 going to have to pay for 50 cars, the  
16 rental. So it's a case of money, folks.

17                   Thank you. Bye now.

18                   MS. ADAMS: Elizabeth Regan,  
19 followed by Tim Schneider, and Cathy  
20 Scanlon.  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

1                   MS. REGAN: Hello. My name is  
2 Elizabeth Regan. I'm a resident of Wayne

3 and one of the people who will be living in  
4 this island that everyone keeps referring  
5 to. I'll be brief.

6 I agree many people have already  
7 stated everything I had intended to say  
8 tonight, but basically I believe there are  
9 two things that every human being fights  
10 for; home and country. I deliberately put  
11 home first, and I believe myself and  
12 everybody here tonight agrees with that.

13 Homes are supposed to provide  
14 security, safety for our families. All of  
15 these things will be taken away from all of  
16 us with this move.

17 I think the solution is that the  
18 railroad should take that \$30 million that  
19 they're offering and provide it to the  
20 unfortunate people who already have these  
21 issues and make their problems better,  
22 instead of moving it to a new location and  
23 increasing the possibility of destroying  
24 many, many lives.

ChimniakCourtReporting.com  
312.781.9111

119

1 Thank you very much.

2 MS. ADAMS: Tim Schneider, followed  
3 by Cathy Scanlon, and Mike Kelly.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

120

1 MR. SCHNEIDER: Good evening. I  
2 would first like to thank you for your  
3 professionalism this evening.  
4 My name is Tim Schneider, and  
5 I'm a resident of Bartlett. I serve as a  
6 member of the Cook County Board of  
7 Commissioners and represent 325,000 people  
8 in the northwest suburbs of Cook County.

9                   We debated this issue at length  
10           during the recent Cook County board  
11           meeting. At the end of the meeting the  
12           board voted in favor of the CN proposal.  
13           All of the commissioners who felt they  
14           would get relief from rail traffic voted  
15           for it, and those suburban commissioners  
16           like myself who would get stuck with  
17           additional traffic voted against it.  
18                   This is absolutely  
19           a not-in-my-backyard situation. They don't  
20           want it in their backyard, and they're  
21           trying to stick it in ours, and I really  
22           don't get it.  
23                   Even CN has stated that within  
24           three years after purchasing EJ&E, the

ChimniakCourtReporting.com  
312.781.9111

121

1           number of trains running on the Chicago and  
2           eastern lines will be back to their  
3           previous levels. Mind you, this is freight  
4           from China, shipped to a Canadian port,  
5           transported by Canadian rail, bypassing  
6           Chicago on its way to Memphis, and destined  
7           for Europe.  
8                   This will create no new jobs.  
9           In fact, EJ&E workers will lose their jobs  
10           and create devastating effects up and down  
11           the EJ&E line.

12 Residents and Metra riders will  
13 suffer, not to mention the proposed STAR  
14 line that the local, state, and federal  
15 officials have been working on for over ten  
16 years. And yes, the quality of our lives  
17 will suffer, along with the safety of our  
18 family.

19 I thought I knew what audacity  
20 was. Canadian National has elevated it to  
21 an art form. They come in and try and tell  
22 us what is best for us and for the greater  
23 good. And what is best for us? Apparently  
24 they want us to believe that poor air

ChimniakCourtReporting.com  
312.781.9111

□

122

1 quality and exposure to hazardous waste,  
2 longer travel times, and decreased safety  
3 conditions are what is best.  
4 And what do they offer?  
5 Essentially nothing in the way of  
6 mitigation or improvements. They want  
7 taxpayers to pay for the infrastructure and  
8 residents and commuters to suffer forever.  
9 we've all heard of the audacity  
10 of hope. well, Canadian National needs to  
11 understand the audacity of nope, n-o-p-e.  
12 But at the end of the day, when Canadian  
13 National tries to encroach on our  
14 communities, lower safety, environmental,

082808 Public Meeting.txt  
15 and quality of life standards and then  
16 expect us to foot the bill, the only  
17 responsible answer should be of the  
18 four-letter variety; nope.

19 Thank you.

20 MS. ADAMS: Cathy Scanlon, followed  
21 by Mike Kelly, and Terry Witt.  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

123

1 MS. SCANLON: Hi. I'm Cathy  
2 Scanlon, and I'm a BRAT, a Bartlett  
3 resident against trains.

4 STB cannot ignore CN's total  
5 safety record. Only considering CN's  
6 record in the U.S. is half the picture.

7 Consider the CN derailment in  
8 August 2005 in Lake Wabamun, Canada.  
9 700,000 liters of oil spilled into that  
10 lake. That's almost 4,700 barrels of oil.  
11 Faulty track laid back in 2003, only  
12 two years earlier, was the blame.

13 At the February scoping meeting  
14 that was held here in Bartlett, I asked a  
15 CN official what happened. Normand  
16 Pellerin told me "shit happened" and  
17 laughed.

18 I asked him pointed questions  
19 such as what was CN doing about the rest of  
20 that faulty track. He explained that there  
21 was a five- to seven-year phased  
22 replacement plan in progress. I find that  
23 time line unacceptable.  
24 Canada charges CN failing to

ChimniakCourtReporting.com  
312.781.9111

124

1 take all reasonable measures to remedy and  
2 confine the spill, \$500,000 fee.  
3 I implore the STB to further  
4 analyze CN's ambitions to move manufactured  
5 goods from Asia, through Canada, into  
6 Chicago, through Bartlett, on to Memphis.  
7 CN's VP of sales and marketing, James  
8 Foote, refers to that as the Midwest  
9 Express.

10 The real capacity and growth  
11 that CN is pursuing strategically with  
12 shipping these containers from Asia through  
13 Canada and through Bartlett, it needs to be  
14 analyzed and included more accurately in  
15 the scope of this study. Rerouting trains  
16 on the EJ&E will create capacity for them  
17 to do this, additional capacity beyond what  
18 is noted.

19 Once Phase II of CN's growth  
20 strategically -- the Midwest Express part

082808 Public Meeting.txt  
21 of it -- is achieved, I would guesstimate  
22 more than 100 trains will be coming through  
23 Bartlett.

24 The EJ&E was a regional train

ChimniakCourtReporting.com  
312.781.9111

125

1 line linking Chicago and the Midwest areas.  
2 It was not intended nor should it be an  
3 international line.

4 Thank you.

5 MS. ADAMS: Mike Kelly, Terry Witt,  
6 and Matt Fuesting.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

ChimniakCourtReporting.com  
312.781.9111

126

1 MR. KELLY: I'm Mike Kelly; Hanover  
2 Township supervisor.

3 Hanover Township north of here  
4 has about 76,000 residents; contains Cook  
5 County-Bartlett, Cook County-Hanover Park,  
6 Cook County-Elgin, all of Streamwood,  
7 portions of Schaumburg, and Hoffman  
8 Estates.

9 As the STB knows, our board  
10 passed a resolution back in January  
11 opposing this acquisition, and rather than  
12 read it back in the record, just looking I  
13 see No. 35. There is many more to come  
14 after me. By my count, I think I'm the  
15 33rd person who has opposed the acquisition  
16 here this evening.

17 I will not attempt to  
18 extrapolate on the eloquence of our  
19 previous speakers; our mayors, our state  
20 representatives, our fire board members,  
21 our school board members. Hanover Township  
22 stands firmly with all of those individuals  
23 to oppose the acquisition, and we urge you  
24 to block it.

1 Thank you.  
2 MS. ADAMS: Terry Witt, Matt  
3 Fuesting, and Joe Modrich.  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

1 MR. WITT: My name is Terry Witt.  
Page 115

2 I'm a 5-year resident of Bartlett, a  
3 27-year resident of Des Plaines before  
4 that, one of those towns in favor of this.

5 I just want to give a little  
6 perspective from when I was in business for  
7 about 30 years. I did a lot of business  
8 with the railroads, and I found them to be  
9 firmly entrenched in the 1800s. And I  
10 think they're still there. And when they  
11 had to expand through the country, that was  
12 maybe good.

13 A couple of examples. We would  
14 get sugar from the Dakotas. It took seven  
15 days to get a railcar in. We could have  
16 put it down to five, but the railroads  
17 would not make a switch in Minneapolis,  
18 where it was less crowded. So not only did  
19 we have longer to wait, we were also having  
20 an extra day of unknown on the switch.

21 We would also get corn syrup.  
22 We got it from 15 miles away. It took 7 or  
23 8 days to get that from the railroad; 15  
24 miles.

ChimniakCourtReporting.com  
312.781.9111

□

129

1 And when we were nine days, one  
2 day late, we would call them up real quick,  
3 and in 30 minutes we could have a truck.

4 So I'm a little skeptical about  
Page 116

5 the railroad and how good they can do  
6 business. I think they need to take a  
7 great big step back and see what's  
8 important for a hundred years from now.  
9 They're looking for a "right now," "money  
10 right now."  
11 well, how should we expand this  
12 country? How are we going to become energy  
13 independent? Let's put a big broad plan  
14 together, get them totally out of Chicago.  
15 I agree take them out of that  
16 inner ring, but don't just go ten miles.  
17 Go a hundred miles, and make the thing work  
18 for the whole country.  
19 And then I just have one  
20 other -- just a local comment. I noticed  
21 on the map you were missing one of the  
22 crossings of the EJ&E Railroad. In Pratt's  
23 Wayne Woods there is a trail. It's about  
24 midway between Army Trail and the Chicago

ChimniakCourtReporting.com  
312.781.9111

□

130

1 Central Railroad. And to cross that, you  
2 just pick up your bicycle, walk up the  
3 berm, cross the tracks, and down the other  
4 side. There is no signal, but it's there.  
5 It's official, and it should be provided  
6 for.

7 Thank you.  
Page 117

8 MS. ADAMS: Matt Fuesting, followed  
9 by Joe Modrich, and Rob Sherman.  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

131

1 MR. FUESTING: Good evening. I'm  
2 Matt Fuesting from the City of West  
3 Chicago, on behalf of Nick Dzierzanowski,  
4 my co-alderman from the City of West  
5 Chicago.  
6 I want to express our  
7 displeasure and our opposition to the plan  
8 that's possibly being proposed. Our ward  
9 is at the intersection of Powis and Smith  
10 Road. Norton Creek Elementary School sits  
Page 118

11 there. Those aren't statistics. They are  
12 children. It's within a chip shot of 755  
13 homes and an elementary school. We're  
14 vehemently opposed to the plan that's  
15 possibly being proposed here.

16 In addition, I served as  
17 chairman of the transportation task force  
18 in 2003, 2004 for the City of West Chicago.  
19 One of the things we did during this time  
20 when I was chairman was to study an  
21 at-grade separation and the cost and the  
22 engineering situation.

23 Our county board members talked  
24 about the \$15 million aspect of what went

ChimniakCourtReporting.com  
312.781.9111

□

132

1 on at County Farm in Wheaton. I know about  
2 that. That is simplistic in nature  
3 comparatively speaking. I know about the  
4 studies because I served as chairman.

5 The other -- to try to  
6 reconfigure and do the necessary steps for  
7 an at-grade separation in downtown West  
8 Chicago would be herculean. It would not  
9 cost \$20 million. It would be more along  
10 the lines of the gross national product of  
11 a third-world nation.

12 Once again, we're dealing with  
13 people's lives, people's situations, where

14 we don't have the aspect of getting from  
15 one side of the tracks to the other for  
16 purposes of emergency response.

17 These are not statistics.  
18 They're hard-core people, hard-core issues  
19 that need to be addressed. They have not  
20 been addressed in the mitigation aspect  
21 with the study.

22 One of the things you will not  
23 see in that study is the maintenance of an  
24 at-grade separation. Who is going to do

ChimniakCourtReporting.com  
312.781.9111

□

133

1 that? Who is going to be responsible for  
2 that? CN comes in, they take over, it's  
3 going to be borne by all of the  
4 municipalities, specifically west Chicago.

5 So I ask you to take that into  
6 consideration and consider that when you're  
7 making a decision.

8 Thank you.

9 MS. ADAMS: Joe Modrich, followed by  
10 Rob Sherman.

11

12

13

14

15

16

17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

134

1           MR. MODRICH: Good evening. My name  
2           is Joe Modrich. I'm a director of the park  
3           district in Franklin Park.  
4                       From our perspective -- we have  
5           four facilities in Franklin Park; two  
6           parks, and two -- our community center, and  
7           our pool right on the railroad tracks. And  
8           in Franklin Park there are as many as 100  
9           to 150 trains a day; commuters and freight.  
10                      From our perspective in Franklin  
11           Park, the regional rail system in the  
12           Chicago area is antiquated and  
13           overburdened. In its current state it's  
14           not capable of sustaining the area's needs  
15           for freight transit, much less for the  
16           expected growth.  
17                      over the past several years  
18           Franklin Park and many other communities  
19           have experienced a significant increase in  
                    Page 121

20 train traffic and vehicle congestion.

21 Many communities have suffered  
22 for decades with the pollution caused by  
23 idling trains.

24 The CN acquisition will bring

ChimniakCourtReporting.com  
312.781.9111

□

135

1 environmental justice in the area while  
2 maintaining Chicago as a major rail hub;  
3 fewer idling trains and less traffic  
4 delays, as well as decreased fuel  
5 emissions.

6 CN is offering a fair and  
7 reasonable solution to the rail congestion  
8 in Chicago. While some suburban  
9 communities will see an increase in trains,  
10 many more will see a decrease.

11 Motorists and homeowners would  
12 see a significant reduction in truck  
13 traffic on roads and highways in the  
14 Chicago area. Fewer trucks on the road  
15 means cleaner air.

16 Weaknesses in the current rail  
17 system affect more than just freight  
18 traffic. Metra and Amtrak trains are  
19 delayed and disrupted because of jockeying  
20 the position with the backlog of freight  
21 trains trying to get through the area.

22 This plan will -- will be funded  
Page 122

23 mostly by private money. In this day and  
24 age, with government shortfalls, this is a

ChimniakCourtReporting.com  
312.781.9111

□

136

1 significant benefit.

2 As a member of the S.T.A.R.T.  
3 coalition, I am interested in supporting  
4 the goals of the Chicago Region Environment  
5 and Transportation Efficiency Program and  
6 protecting the Chicago region's status as  
7 transportation hub of North America.

8 It is important to look at the  
9 big picture when looking at this proposal.  
10 It is the best solution for the entire  
11 area.

12 There is a not-in-my-backyard  
13 component to all these things. We  
14 experienced it in the park district all the  
15 time. No one wants a facility in their  
16 neighborhood; for example, a skate park for  
17 the children.

18 In this situation we believe  
19 that the region benefits economically from  
20 the transport of the rail situations that  
21 we have, and the best way to share that is  
22 to spread the responsibility of providing  
23 the land and the infrastructure for the  
24 freight systems.

1 Thank you.

2 MS. ADAMS: We have one more  
3 speaker, Frank Napolitano.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1 MR. NAPOLITANO: My name's Frank  
2 Napolitano. I live at 1048 Webford Road in  
3 Bartlett, Illinois. I'm sorry I wasn't  
4 able to speak earlier when I was -- I had  
5 to duck out for a few minutes, but I'm glad  
6 I'm able to speak at this time.

7 I've heard a -- you know, a lot of  
8 things discussed for people that are for  
9 it. The last two speakers, they would like  
10 to see perhaps the EJ&E line take over this  
11 committee, national traffic, because  
12 national traffic is in their backyard now.  
13 The bottom line is the infrastructure is  
14 not here. It's not presently here, and  
15 there's no -- nobody willing to take  
16 ownership for building the infrastructure  
17 to support that, be it building underpasses  
18 and things like that.

19 Clearly, we have a school  
20 district that's the second largest school  
21 district in the state that straddles this  
22 EJ&E line. You have 40,000 students, a  
23 good portion of them going east and west  
24 across major -- many of these roads here

ChimniakCourtReporting.com  
312.781.9111

1 in -- in Bartlett, part of U46. That's a  
2 hazard to their health with -- without

3 having these underpasses built currently  
4 and not having the -- anybody taking  
5 ownership to build that, the underpasses  
6 and things like that.

7 You have a -- in Bartlett they  
8 have a train station that's almost  
9 completed that is really close to the --  
10 the -- the tracks, EJ&E line, and obviously  
11 this congestion would put major delays.  
12 I'm sure you've heard all heard all these  
13 things already.

14 One of the first things we learn in  
15 life about making decisions is make a list  
16 of the pros and the cons. It's pretty  
17 simple. You've got your positives on one  
18 side to do something; you've got your  
19 negatives on the other. When it outweighs  
20 it so significantly one way or the other,  
21 that's the decision you make. Clearly,  
22 maybe there's one or two pros to the other  
23 areas that are affected by the Canadian  
24 National at this point; but there are so

ChimniakCourtReporting.com  
312.781.9111

140

1 many negatives in moving this to our  
2 community, with our region, that the cons  
3 and the negatives totally outweigh this.

4 It should be a no-brainer to not allow  
5 this purchase to go through at this point.

6 Again, Canadian National, they're not  
7 bringing enough to the table. There's no  
8 positives for the region for them to move  
9 out here. They're not going to add the  
10 infrastructure we need to support that, and  
11 the negatives are endless.

12 Obviously, I'm not in favor of  
13 this purchase going through, and as I said,  
14 I think it's a no-brainer to deny this  
15 purchase. Thank you for your time.

16 MS. ADAMS: Do we have any more  
17 registered speakers at this time? We would  
18 like to invite any additional commenters to  
19 go ahead and register in the lobby. In the  
20 meantime, we would invite everyone to  
21 return to the open house area if you'd like  
22 to review the boards or ask questions. The  
23 court reporter and at least one member of  
24 the STB team will remain here in the public

ChimniakCourtReporting.com  
312.781.9111

□

141

1 meeting area to receive additional comments  
2 should we have any additional registration  
3 during this hour. Thank you for your  
4 comments tonight that everyone provided,  
5 and the next public meeting is in Chicago,  
6 September 8th, from 4:00 to 9:00 p.m.

7 (Brief pause.)

8

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

□

142

1 MR. BRUNO: My name's Tom Bruno.  
2 I'm a resident of Hoffman Estates. I did  
3 not hear Hoffman Estates mentioned in  
4 tonight's meeting. Most of the speakers  
5 are from West Chicago, Bartlett, those  
6 areas. There are at least three to five  
7 hundred homes that back up to the EJ&E  
8 line. Our house backs up directly to the  
9 EJ&E line. We take three to five trains a  
10 day. Our property is within 50 feet of the  
11 line. We are very -- I'm very, very

12 concerned about 20 to 25 trains a day.

13 The biggest concern by far is  
14 hazardous waste. We would have absolutely  
15 no time to escape if there was a  
16 derailment. This line -- this Canadian  
17 National, I know they tout a good safety  
18 record; but I've done some digging and  
19 researching accidents in Canada. They had  
20 a lot of accidents in Canada.

21 They had one in Illinois -- in  
22 southern Illinois just three years ago. It  
23 was shown to be -- the conclusion of the  
24 study was shown to be faulty weld marks or

ChimniakCourtReporting.com  
312.781.9111

□

143

1 faulty welding on the rails that caused the  
2 derailment. A three-mile area had to be  
3 evacuated. That type of accident would  
4 wipe us out. Literally we would be -- we  
5 could be killed from something like that.  
6 The hazardous waste issue very much  
7 concerns us, all the residents along that  
8 section of the line.

9 I also want to mention Shoe Factory  
10 Road. Shoe Factory Road gets blocked by  
11 these trains already, but they are  
12 infrequent now. If you let a -- 20 or 25  
13 trains a day and longer trains, Shoe  
14 Factory Road will be severely impacted; and

15 there will be buses that go down that road  
16 to the schools that were mentioned tonight.

17 There's also a bike path that crosses  
18 that same intersection, and the bike path  
19 is used frequently. I'm one of the users  
20 of that bike path. There's absolutely no  
21 mention of mitigation in the study that I  
22 saw, and that concerns me a lot.

23 I would love to see Canadian National  
24 put forward much better mitigation --

ChimniakCourtReporting.com  
312.781.9111

144

1 self-mitigation options. We'd be more --  
2 more than willing to entertain that, but  
3 they're only willing to put forward 130  
4 million for a few sites. That just  
5 absolutely does not work for the  
6 infrastructure that we have. We don't have  
7 enough infrastructure to accommodate that  
8 many trains.

9 The other thing I want to mention is  
10 that we really don't believe that the  
11 traffic in the inner city is going to go  
12 down. Give it three years. The traffic's  
13 going to be back up to where it was, and  
14 those people are going to be right back  
15 where they started. So thank you for  
16 accommodating my comments.

17 (End of statement.)

18  
19  
20  
21  
22  
23  
24

ChimniakCourtReporting.com  
312.781.9111

145

1 MS. CATALANO: I'm Marilyn Catalano.  
2 On August 23rd, 1993, my family celebrated  
3 a great celebration of the baptism of our  
4 grandson. My mother, that night we took  
5 her home. She lived in Berwyn, and as soon  
6 as I got home to Glen Ellyn we got a call  
7 from her, please come back to the house;  
8 something's wrong with me. So I called my  
9 son who lived upstairs; I said, get down by  
10 grandma. He called for an ambulance right  
11 away.

12 Ambulance came within minutes, took  
13 her to MacNeal Hospital -- tried to take  
14 her to MacNeal Hospital; but because of all  
15 the railroads that are there and all the  
16 trains that stop through there, they were  
17 unable to get her into that hospital for  
18 quite awhile until the railroad -- the  
19 train passed.

20 My mother had a massive stroke. It

21 hit at the base of her brain into both  
22 sections of her -- her brain from the base,  
23 hit both sides of her brain. She's still  
24 alive at the age of 95, paralyzed on the

ChimniakCourtReporting.com  
312.781.9111

□

146

1 left side, blind, and unable to swallow.  
2 Had we been able to get her there quicker,  
3 we would have been able to prevent what  
4 took place with her, not the stroke; but  
5 she would have had the medical aid that she  
6 needed.

7 As a result of this, it compounds  
8 because now my husband and I are just  
9 retiring; but we are her caretakers. So  
10 now our lives are on hold until God decides  
11 to take her. I watch; I look at my mother  
12 who had the most beautiful blue-violet eyes  
13 you ever wanted to see, and there's no  
14 color in her eyes. I want to hear her  
15 voice, to be able to talk to me and can't.  
16 I want to be able to eat the meals that she  
17 made for my family. I want to see her  
18 crochet; I want to see her do her artwork.  
19 She was a talented woman. She's vegetated  
20 because of the railroad, because we  
21 couldn't get her into MacNeal Hospital  
22 because of a train that was stopped there.

23 That's all I have to say. That's

082808 Public Meeting.txt  
24 reality; that's what can happen. And we

ChimniakCourtReporting.com  
312.781.9111

□

147

1 live in Wayne. I am so scared of what's  
2 going to happen because I have the same  
3 heart problems she has, the blood pressure  
4 problems she had; and I don't want to have  
5 to leave my house. You know, all our life  
6 savings is invested in that house. This is  
7 where we wanted to spend our retirement;  
8 and it -- nothing's working out, absolutely  
9 nothing. This scares the living daylights  
10 out of me not being able to get to a  
11 hospital if we need it. That's my story.  
12 Thank you.

(End of statement.)

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

1           MR. KOZIAL: My name is George  
2           Kozial, K-o-z-i-a-l. Like so many of my  
3           friends and neighbors I'm very concerned  
4           about the attempts by the railroad to  
5           purchase for a number of reasons. Today  
6           five to six trains pass through Bartlett.  
7           After the sale 20 to 25 trains will pass  
8           through, a potential increase of 400  
9           percent. With the increase comes longer  
10          trains. This will create times when it  
11          might be impossible to get across either of  
12          the two crossings in Bartlett. Trains of  
13          two miles in length will make this very  
14          difficult.

15          All in all they may become a serious  
16          health and safety issue. Police cannot get  
17          to where they need to be while they wait  
18          for a train to pass by. This applies east  
19          to west and west to east. And heaven  
20          forbid somebody's sitting on the other side  
21          of the west side of the tracks and they  
22          need to -- and they're in an ambulance and  
23          they need to get to the east side.

24          what about the children who are being

ChimniakCourtReporting.com  
312.781.9111

1           bused to and from South Elgin to the  
            Page 134

2 tracks? My community of Walnut Hills, all  
3 the children of high school age bused to  
4 South Elgin. What happens when the bus  
5 sits and this is what causes students to be  
6 late? U46 has indicated that as many as 45  
7 to 60 buses will pass this way every day.  
8 Just a little logic says more longer trains  
9 will lead to more congestion and idling as  
10 trains pass.

11 what happens if a derailment occurs in  
12 this area? More trains increase this  
13 possibility. I am concerned when a foreign  
14 company asks to have the approval process  
15 sped up to be completed sometime in  
16 October. Why? I do not want discussions  
17 about remediation to occur after the sale.  
18 If that occurs, we have lost a great amount  
19 of leverage to get environmental human and  
20 community issues discussed and resolved.

21 I'm afraid their remediation issues  
22 will never be agreed to should CN be  
23 allowed to purchase the railroad.  
24 Remember, if we rush into and through this

1 process, we just might miss something very  
2 important and make a decision on a very  
3 important matter that will affect us, our  
4 children, our environment, our health, our  
Page 135

5 way of life for many, many years. We  
6 cannot afford to make the wrong decision.  
7 In closing I must say that I must ask that  
8 the Surface Transportation Board deny CN's  
9 proposal to purchase EJ&E at this time.  
10 Thank you for letting me speak tonight.

11 (End of public meeting  
12 speakers.)  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24