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1 SCOPING MEETING FOR THE PROPOSED CANADIAN NATIONAL
2 RAILWAY COMPANY ACQUISITION OF THE ELGIN, JOLIET,
3 AND EASTER RAILWAY COMPANY

4

5 PUBLIC HEARING

6 August 26, 2008

7 6:00 P.M.

8

9 Conducted by:

10 Heather Tarczan, Meeting Facilitator - MWW Group
11 Public Relations

12 Victoria Rutson, Section Chief - Surface
13 Transportation Board, Section of Environmental
14 Analysis

15 John Morton, Project Manager - HDR Engineering

16 CROWNE PLAZA CHICAGO NORTH SHORE
17 510 EAST ROUTE 83
18 MUNDELEIN, ILLINOIS

19 CHIMNIAK REPORTING & VIDEO
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21 REPORTED BY: TINA ALFARO, CSR No. 084-004220
22 ELSIE DELAVICH

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1 MS. TARCZAN: Good evening, ladies
Page 1

2 and gentlemen. For those of you standing,
3 if you'd like to take a seat, please feel
4 free to do so at this point.

5 Thank you for attending tonight's
6 meeting. We're here tonight to hear your
7 comments on the Draft Environmental Impact
8 Statement that was released on July 25th
9 regarding Canadian National Railway's
10 proposed acquisition of the EJ&E Railroad.

11 My name is Heather Tarczan, and
12 I work for a firm called MWW Group Public
13 Relations. We are part of a third-party
14 contracting team that supports the Surface
15 Transportation Board and its section of
16 environmental analysis. I will be
17 facilitating this meeting.

18 Before we get started I would
19 like to take this opportunity to review
20 some protocol for tonight's meeting. In a
21 moment I will introduce those presiding
22 over the meeting, and there will be a short
23 presentation on the findings from the Draft
24 Environmental Impact Statement.

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1 Immediately following this we will hear
2 your comments.

3 Each commenter will be given up
4 to 3 minutes to speak. The time clock will
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5 be displayed on the screen, and a yellow
6 card will be shown at 2 minutes and 30
7 seconds, a red card at 3 minutes. A list
8 of speakers in their speaking order will be
9 displayed on the screen. Also, I will call
10 forward the next two speakers in line after
11 each speaker so we may be as efficient as
12 possible. There is one microphone set up
13 in the middle of the aisle.

14 There are still some speaking
15 spots available tonight. If you are
16 interested in speaking, please proceed to
17 the registration table or see a staff
18 member who can assist you. Alternatively,
19 you may submit comments to the Surface
20 Transportation Board through a toll free
21 number, web site, or mailing address, all
22 of which are in the program you received
23 tonight. There are also comment forms and
24 drop boxes located in the lobby and court

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1 reporters located throughout the venue.
2 You may record your comments with them
3 throughout tonight's meeting. Please
4 recognize that all methods of comment
5 received by September 30th will be taken
6 into consideration and weighed equally.

7 Tonight we are here to listen to
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8 your comments on the draft EIS. This is
9 not a question and answer session. The
10 meeting will conclude at 9:00 p.m. with an
11 announcement at 8:30, noting 30 minutes
12 remaining. We appreciate your courtesy as
13 we work to create an environment where
14 everyone can be heard.

15 In the event that anyone is in
16 need of a Spanish translator, Beatrice is
17 here tonight.

18 If you have any questions, we
19 have a number of staff available to assist
20 you. Staff are identified with nametags
21 and are located throughout the venue. Our
22 open house will remain open during the
23 evening where additional court reporters
24 are available for those of you wishing to

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1 provide comments in a more private setting.

2 One housekeeping note, emergency
3 exits are located behind you.

4 I'd now like to introduce the
5 people with me on stage. Victoria Rutson,
6 chief of the section of environmental
7 analysis for the Surface Transportation
8 Board; John Morton, project manager from
9 HDR Engineering, who is a third-party
10 consultant supporting the Surface

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11 Transportation Board's section of
12 environmental analysis.

13 Victoria Rutson will now make
14 some remarks on the draft EIS.

15 MS. RUTSON: Thank you, Heather. I
16 was going to come down closer. It seems
17 like an intimate group, and I'd feel more
18 comfortable down there talking to you
19 rather than up here talking at you.

20 Again. My name is Vicky Rutson;
21 I'm with the Surface Transportation Board's
22 section of environmental analysis. I'm
23 very pleased to be with you all here
24 tonight. We're here for one purpose, and

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1 that is to hear what you have to tell us,
2 what you have to say about the Draft
3 Environmental Impact Statement that my
4 office produced on July 25th.

5 As Heather said, there are a
6 number of ways of submitting public
7 comments. You may feel uncomfortable
8 speaking in public. I certainly understand
9 that. If you do feel that way, please
10 understand you can go talk to one of the
11 court reporters who are in the other room,
12 you may call the toll free environmental
13 hotline, and the number is in the materials

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14 you've been given, you may submit your
15 comment by E-filing through the Board's web
16 address, or you may simply send us a
17 letter, the conventional way. Again, all
18 the instructions for how to submit those
19 various forms of comments are in the
20 materials. Written comments, letters, need
21 to be postmarked by September 30th. The
22 E-filing or hotline number comments must be
23 received by September 30th.
24 what are we going to do when

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1 we've received all of your comments? This
2 is what happens next. We'll take all of
3 the comments that we receive, oral,
4 written, court reporter, E-filed, every
5 comment we receive, and we will read,
6 review, consider, and respond to each
7 comment in a final Environmental Impact
8 Statement. Comments that raise similar
9 issues will be grouped and responded to.
10 The final EIS will contain my shop's
11 recommendations to the Surface
12 Transportation Board on mitigation and on
13 environmental impact.

14 Potential environmental impacts
15 can be both adverse and beneficial, and
16 it's my office's job to make sure that we
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17 reveal both the potential adverse and
18 beneficial impacts of Canadian National's
19 proposal.

20 I'm going to take just a minute
21 to talk about the Surface Transportation
22 Board. I'm sure one of the many questions
23 you've been asking yourselves during this
24 process is who is the Surface

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1 Transportation Board and what do they do.

2 The Surface Transportation Board
3 is a federal agency located in
4 Washington D.C. Congress created the Board
5 in order to ensure a strong national rail
6 transportation system, but the Board also
7 must comply with the National Environmental
8 Policy Act Or NEPA, and it's under NEPA
9 that we prepared the Draft Environmental
10 Impact Statement.

11 This essentially requires two
12 things. First, that an agency truly
13 understand the potential adverse and
14 beneficial impacts of any decision it makes
15 before it makes that decision, and, second,
16 NEPA requires that the public have a full
17 opportunity to participate in the process.
18 That's why it's so important that we hear
19 what you have to say tonight.

20 I'll wind up quickly because I
21 know right now it seems like I'm doing all
22 the talking.

23 The process that remains, we'll
24 issue the final Environmental Impact

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1 Statement sometime between December 1st and
2 January 31st. That's the procedural
3 schedule to date. It is only after that
4 final Environmental Impact Statement is
5 issued that the Board may make its final
6 decision on CN's proposal to acquire the
7 EJ&E rail line.

8 When the Board makes that
9 decision, it has three choices. It can
10 choose to approve the proposed acquisition,
11 to deny the proposed acquisition, or to
12 approve the proposed acquisition but only
13 with the addition of certain mitigating
14 conditions.

15 Again, I'm very pleased that
16 you're with us tonight. I have one note
17 based on our meeting last night. Again, we
18 had excellent participation. We did have
19 one speaker who was not accorded the
20 respect that I believe all speakers are
21 entitled. I understand completely that
22 this transaction, this process has raised

23 many questions. I know too that by coming
24 to this meeting you're exhibiting your

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1 responsibility as public citizens, and I
2 ask you just to remember -- and I know you
3 know this well -- to be respectful and kind
4 to the other speakers. It's not easy
5 getting up to speaking, especially if
6 you're saying something that is not going
7 over well. People have different opinions,
8 and we're blessed in this country to have
9 the freedom to express those.

10 So I'll stop nagging, I'll thank
11 you for being here, and I'll turn the
12 microphone over to John Morton.

13 MR. MORTON: Thank you, Vicky.

14 I'd like to quickly go through
15 some of the findings of the draft EIS, and
16 I know that I'm covering these very rapidly
17 in that there's a lot more information
18 behind these findings. I know people have
19 questions. We've left the open house open
20 and the staff is over there. So if you
21 have any questions, anything that you'd
22 like to discuss, you know, get better
23 explanation on, feel free to talk to the
24 staff that will be manning the open house

1 session.

2 CN is a class 1 railroad that is
3 a major shipper of domestic freights and
4 imports and exports and it has five rail
5 lines converging on the City of Chicago.
6 And you can see the rail lines, the five CN
7 rail lines are in the dark color there on
8 the map. They operate about 150 miles of
9 rail lines in the Chicago area.

10 EJ&E is a regional railroad. It
11 operates essentially in an arch starting at
12 Waukegan on the top side of the screen.
13 It's the lighter colored route that comes
14 basically south to Joliet and then across
15 to Gary. I hope people in the back can see
16 the slide. If not, we do have these maps
17 over in the open house.

18 EJ&E operates about 200 miles of
19 rail line around the arch. They have
20 several yards, including two major yards,
21 one east Joliet yard in Joliet, Illinois
22 and the Kirk yard in Gary, Indiana.

23 According to the Canadian
24 National their purpose in acquiring the

1 EJ&E is to, one, increase CN's operational
2 flexibility by providing a continuous route
3 around the city. They also want to make
4 use of Kirk yard and they want to develop a
5 closer relationship with the shippers on
6 the EJ&E.

7 The draft EIS, you know,
8 evaluated a number of areas, and we did it
9 by resources. These are the resources that
10 are generally talked about in the draft
11 EIS, and I just want to cover just a couple
12 of those resources.

13 First, you know, the application
14 does include certain changes in rail
15 operations. I'll talk about those in a
16 minute. In addition to that their proposal
17 included six connections, and those are
18 rail lines, for rail line connections. It
19 also included 19 miles of new parallel
20 second track, and that is either a siding
21 extension or a double track in some areas,
22 and those areas will listed on the screen.

23 This is an output from some of
24 our studies. It's a density map. It

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1 essentially is a schematic of the EJ&E
2 along the outside and then the CN rail

3 lines converging on the inside. So I know
4 it's a little bit confusing, but it's a
5 graphic that sort of helps show what the
6 proposed traffic changes are. The light
7 blue color is the current day traffic in
8 terms of trains per day. We have the
9 actual numbers available, but the width of
10 the bar sort of represents the number of
11 trains per day. The dark color represents
12 the proposed traffic in terms of trains per
13 day. So you can see essentially the plan
14 is to shift some of the traffic from the
15 current CN rail lines through town to the
16 EJ&E.

17 As a result of that the EIS
18 reached a couple conclusions. One is that
19 in some areas on the EJ&E they're reaching
20 their practical capacity, and, as a result,
21 the EIS concluded that it's really unlikely
22 that the traffic levels would be higher
23 than the numbers that CN estimated in their
24 application. In addition, because of the

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1 crossings, the EIS indicated that Metra
2 on-time performance, you know, there needs
3 to be -- can be maintained with an
4 effective working relationship with CN.

5 EIS evaluated a number of safety

6 issues, and in general, because of the
7 increase in train miles on the EJ&E rail
8 line itself, there is an increased
9 probability of train accidents and an
10 increased probability of highway/rail
11 accidents. By the same token, on the CN
12 rail lines, because of the reduction in
13 freight rail traffic, there is a
14 corresponding decrease in the probability
15 of a rail accident and a probability of a
16 highway accident. In addition, there are
17 three roads, Woodruff Road, Lake Street,
18 and Miller Street in Griffith, Indiana that
19 would experience a substantial increase in
20 risk.

21 The EIS evaluated passenger rail
22 and hazardous material. There is no
23 passenger rail operating of the EJ&E.
24 Consequently, there is no effect on

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1 passenger rail safety on the EJ&E. There
2 is passenger rail operated on the CN line
3 segments within the arch, and because of
4 the reduction in the rail traffic there,
5 there would be an improvement in passenger
6 rail safety there. There would be a
7 substantial increase in the amount of
8 hazardous material that's shipped on the

9 EJ&E and a corresponding decrease, of
10 course, on the CN rail line segments.

11 The EIS evaluated 125
12 highway/rail at-grade crossings on the
13 Canadian National out of a total -- there's
14 a total of 155. 125 of those actually
15 improve on the CN rail line. Of the 112 on
16 the EJ&E 87 of those trip the threshold for
17 analysis in the EIS. As a result, the EIS
18 identified 15 highway/rail at-grade
19 crossings that would be substantially
20 impacted, and those are the blue diamonds
21 that you see around there. Once again, the
22 list is on a board on the outside if you
23 wanted to find out the specific crossings.

24 The EIS evaluated air quality,

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1 and because of the longer EJ&E route there
2 would be an increase in fuel use and an
3 increase in emissions, but because of the
4 more efficient movement, the overall air
5 quality emissions, you know, changes in
6 2015 would not exceed the current
7 regulations or impact the region's air
8 quality compliance.

9 The EIS looked at emergency
10 service providers and identified 11
11 emergency service providers, nine fire

12 departments, two hospitals, that would be
13 impacted by the proposed transaction.

14 In addition, the EIS identified
15 about 3,000 residences on the EJ&E that
16 would be within the 65 DBA noise contour.
17 It identified about 2,700 residences on the
18 CN rail lines that are currently within
19 that where noise would decrease. In
20 addition, in the Barrington quiet zone,
21 because of the increased freight traffic,
22 without mitigation would lose its quiet
23 zone designation.

24 The EIS also looked at mitigation

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1 for these impacts. Canadian National
2 submitted a set of voluntary mitigation
3 measures covering the areas that we
4 identified up there. They had 76
5 mitigation measures. In addition to that,
6 the CN included 72 recommended mitigation
7 measures to cover other impacts that either
8 weren't covered by the voluntary ones or to
9 augment the voluntary mitigation measures.

10 And with that I'd like to turn it
11 back over to Heather to start the comment
12 phase of this. Thank you.

13 MS. TARCZAN: One important note we
14 want to make sure that is understood is

15 that the Surface Transportation Board and
16 its representatives here tonight are a
17 neutral third party who are responsible for
18 evaluating and putting together the
19 Environmental Impact Statement.

20 We will now begin the comment
21 portion of our meeting. Let me remind you
22 again that we will adhere to the 3-minute
23 rule.

24 I would now like to ask the first

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1 commenter, Congresswoman Melissa Bean, to
2 please come forward and begin your remarks.
3 Al Engberg and Keith Petropoulos, your
4 turns are next, and you may take the
5 position behind the microphone.

6 When you are coming up to speak,
7 please state your name, spell your last
8 name, and indicate who you represent or
9 which town you are from.

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1 REPRESENTATIVE BEAN: I'm going to
2 turn so I can kind of talk to you and the
3 people who are here.
4 I'm Melissa Bean, and I have the
5 honor of representing the Illinois State
6 District in the U.S. Congress and many of
7 you who are here tonight. I did ask for a
8 little extra time and was granted that
9 early. Particularly representing many
10 people who wanted to be here but couldn't
11 be here. So summarizing much of what I've
12 heard from so many of you already.
13 I'm not just speaking on behalf
14 of constituents I serve in Congress, but
15 also as a mother of two who has to cross
16 the EJ&E regularly in our daily lives to
17 get to school, to get to the hospital, to
18 get to the grocery store, basically to get
19 anywhere where crossing the EJ&E.
20 This is an issue that doesn't

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21 just affect the Barrington area where I
22 happen to live, but it also effects many
23 communities in the 8th District, Mundelein,
24 Bartlett, Hawthorn Woods, Lake Zurich,

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1 Hawthorn Estates, just to name a few
2 outside of my district, and the reason
3 there is strong Congressional support on a
4 bipartisan basis -- I should say opposition
5 to this deal from members Rosco, Biggert,
6 Manzulio, Foster and Bisclosky is because it
7 also effects or Illinois communities like
8 Naperville, Aurora, Plainfield, West
9 Chicago, Frankfort, and even gets into
10 northwest Indiana as far as the over 40
11 communities throughout the region who would
12 experience up to a 400 percent increase or
13 more in freight train traffic if this
14 proposed acquisition of the EJ&E by CN is
15 approved.

16 Last November I requested the
17 environmental impact study, which you
18 recently did provide the draft to. Unlike
19 the standard review performed by the STB,
20 the EIS gives local residents a forum to
21 raise their concerns, and over the last
22 several months the level of involvement
23 from thousands of residents has displayed

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24 in unprecedented level of communication by

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1 all parties involved.

2 The intent of an Environmental
3 Impact Study should be to provide balanced
4 perspective with the challenges we're
5 facing from a transportation perspective
6 looking for sufficient solutions, but
7 balancing those issues of commerce and
8 efficiency with the concerns of community
9 and taxpayers. So our taxpayers are
10 expecting the Surface Transportation Board
11 to represent them when they're making these
12 decisions.

13 Regrettably the draft EIS which
14 was issued a month ago didn't really do
15 that. Instead it seemed to endorse much of
16 what you've just seen from the earlier
17 proposal. They're allowing a private
18 foreign company to destroy local
19 communities' quality of life, their safety,
20 their economies while expecting those same
21 communities to pick up the tab.

22 Some specifics. First of all, in
23 the draft it fails to provide other options
24 to consider to relieve congestion in those

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1 areas that have been severely already
2 impacted by freight traffic. It also fails
3 to review existing alternatives and places,
4 again, an egregious and unwanted tax burden
5 on local communities by expecting them to
6 fund the vast majority, roughly 90 to 95
7 percent, of the mitigation costs for a
8 project that they don't want and would not
9 benefit from in any way.

10 For instance, IDOT testified at a
11 hearing we had in Chicago recently and
12 talked about 133 crossings on average, and
13 you heard earlier those grade crossing
14 separations could cost on average \$50
15 million each. So the \$40 million of
16 proposed mitigation costs from CN is
17 laughable in that there's over a billion
18 dollars in mitigation costs at a minimum to
19 make this work.

20 So instead of solving a problem
21 what we have here is a private company
22 saying they're solving other people's
23 problems when they're really, as they
24 should be, serving their shareholders.

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1 That's their job. It's my job to serve my
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2 constituents and to serve Illinois'
3 efficiency. We should be looking at not
4 moving a problem, but solving it.

5 In the draft EIS there was
6 identified at-grade crossings where police,
7 fire, and emergency medical service
8 providers would be cut off from the
9 consumers that they serve. There's no
10 solutions offered. It identifies that. It
11 doesn't offer any solutions or
12 recommendations on how do we ensure the
13 safeties of our communities, some of whom
14 have no overpasses, no underpasses to get
15 people to the emergency services that they
16 need.

17 Highway and rail accident rates,
18 which you already identified, are already
19 predicted to increase by 28 percent on the
20 EJ&E. Now, let's note this is Canadian
21 National whose parliament did a study in
22 Canada and they came out dead last in
23 safety. There's also already been recent
24 deaths on the EJ&E right here in my

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1 district. So safety concerns should be one
2 of our most paramount considerations, and
3 I'm sure the STB will be considering that
4 as you move forward.

5 It also refuses to evaluate the
6 impact that this proposed acquisition would
7 have on the planned Metra Star line.
8 Actually, what it says is because CN says
9 it will just be fine, they're accepting
10 that. Again, Phil Pagano (phonetic) from
11 Metra, who testified recently at the
12 hearing we had in Chicago, clearly
13 communicated that there has been zero
14 commitment in writing or in any form from
15 CN to actually say how, in fact, you could
16 add this additional freight traffic to the
17 same tracks that we were going to put this
18 suburban rail transportation on.

19 In doing the suburban
20 transportation which is something that was
21 planned by so many of our local
22 municipalities it would have reduced
23 utilization and costs of our highways while
24 also reducing emissions. That would be

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1 entirely thrown out because of this
2 transaction. It disregards the severe
3 impact that the 400 percent increase in
4 freight traffic would have on our
5 communities, including deadlock traffic,
6 increased emissions and pollution, noise
7 levels, very dangerous safety concerns.

8 Thousands of our children
9 standing in the freezing cold Chicago
10 winters while 2-mile trains stop them from
11 crossing their tracks just on the way to
12 school, and that's not even considering the
13 economic issues of businesses that will go
14 away, property values that will go down,
15 and the economic burden of increased and
16 egregious taxes.

17 Local planning organizations and
18 elected officials have been entirely
19 circumvented from doing what they're
20 supposed to do, which is to plan and act,
21 and worse, the so-called benefits are
22 clearly a sham.

23 My office has communicated with
24 CN from the very beginning of this proposed

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1 transaction trying to get them to make
2 commitments to those communities, and some
3 of you I know are in those communities who
4 support this because you believe you'll see
5 a reduction in traffic. There's no such
6 guarantee that there would be, particularly
7 beyond the three years of recommended
8 accountability by the STB.

9 If you look at given the high
10 gas prices and how freight traffic is going

11 to increase, the stronger likelihood if
12 this goes through as it's proposed is we'll
13 reduce it a little over here, we'll
14 increase it a little over there, and then
15 we'll go right back as soon as the three
16 years is up and just increase it right back
17 to where it was in those other communities,
18 and that's if, given how the timing works
19 out, those short-term reductions ever
20 happen.

21 We've tried to get commitments in
22 writing. We've gotten absolutely nothing
23 because they're trying to jam this through
24 without the real planning that should be

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1 happening.
2 As I stand before you, I really
3 urge you, the STB, to reject this proposed
4 acquisition, and also suggest that if you
5 don't, that you would at least require that
6 CN fund and complete all the needed
7 mitigation that's been identified by our
8 communities before they increase any
9 freight traffic in these areas.
10 This transaction, everyone needs
11 to be reminded, has been initiated by and
12 for the benefit of this private, foreign
13 entity and their shareholders, and their

14 shareholder upside should not be paid for
15 my American taxpayers.

16 I come from the private sector,
17 and in the private sector usually process,
18 planning, performance measurement are the
19 criteria around which decisions are made.
20 That's not what's happening here. The STB
21 when it was created was created for the
22 purpose of insuring the viability of the
23 railroad industry and community concerns
24 have not historically been considered, and

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1 if we don't change the process, they won't
2 be in the future. It's one of the reasons
3 with bipartisan support we introduced
4 legislation in Washington to change their
5 scope and require that all of these
6 considerations be included before any of
7 these types of decisions be made in the
8 future so we can balance the interests of
9 commerce with the interests of American
10 taxpayers.

11 On that note, I thank you all for
12 weighing in. I hope you'll continue to
13 weigh in so we can give the STB all the
14 information they need so that they can
15 serve us best. Thank you for being here.

16 MS. TARCZAN: Al Engberg please step
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17 to the microphone.

18 MR. ENGBERG: My name is Al Engberg,
19 E-N-G-B-E-R-G. I'm from Mt. Prospect.

20 This transportation will
21 negatively affect this area. How easy
22 should we state the obvious? But that's
23 not the single focus of this board. Its
24 job is to assess the impact across the

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1 entire region. On the existing CN
2 right-of-way there are more grade
3 crossings, more motorists, more school
4 busses, more ambulances, and more hospitals
5 than all of EJ&E. Within a short distance
6 of my house alone there are five major
7 highways across the CN, 12, 14, 58, 62, and
8 68. All the well- organized, well-funded
9 motion-based opposition cannot alter these
10 facts.

11 Then there is Metra. For the
12 EJ&E there is a proposed but not funded
13 expansion commonly referred to as the Star
14 line, but the only significant addition to
15 Metra in the last 20 years is the North
16 Central that was put on the CN
17 right-of-way. In order to operate both
18 there was an improvement on the CN
19 right-of-way including additional trackage.

20 Most other Metra lines share the
21 right-of-way with freight. In short,
22 freight traffic can and does coexist with
23 Metra lines. To use the Star line as a
24 means to block this purchase is deceptive

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1 and not supported by the facts.
2 The task given this board is to
3 evaluate the facts of the proposal and
4 arrive at a decision in an environment
5 that's free of political and localized
6 pressure. Probably the most disturbing
7 aspect of this process is the new
8 legislative effort proposed by politicians
9 pandering to local pressure groups and by
10 no means in the best interests of the
11 entire region. I have no problem with new
12 legislation that will apply to future
13 requests but should not apply to
14 applications currently under view.

15 In fact, from Senator Durbin's
16 own web site, his statement on the proposed
17 CN (inaudible) says, and I quote, "CN must
18 think they are playing a weak hand because
19 it seems they are making every attempt to
20 change the rules of the game."

21 I agree, no change in the rules
22 of the game. Therefore I call upon the

23 Senator to follow through on his statement
24 and to use his position as majority whip to

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1 oppose any retroactive provision in new
2 legislation.

3 Being a resident of
4 Mt. Prospect, I have a bias in this
5 proceeding. Those along the EJ&E also
6 cannot be taken as objective. So I look
7 for studies that can be ascribed to
8 impartial parties. I believe no one can
9 characterize the Transportation Center of
10 Northwestern University as being in the
11 pocket of either side and has earned
12 credibility of regional transportation
13 issues.

14 A presentation of this purchase
15 was presented at Northwestern in February
16 of this year and considered all aspects of
17 the proposal and included in the approval
18 of the purchase was in the best interest of
19 the entire region. And I quote, "The
20 negative impacts on a relative basis will
21 be less than the negative impact currently
22 existing or being felt every day on the
23 other areas of the region." I have the URL
24 if anybody wants it.

1 Communities used to encourage
2 railroads because of the transportation as
3 a key part of the economic vitality of the
4 region, not an inconvenience of our daily
5 lives. This new antirail attitude can be
6 attributed in part to a growing service
7 economy, but those who believe our economy
8 can grow are resisting the industries that
9 provide the framework for our prosperity
10 are sadly misguided.

11 MS. TARCZAN: Thank you. Your 3
12 minutes are over.

13 MR. ENGBERG: Can I have a few more
14 seconds?

15 MS. TARCZAN: I'm sorry, sir. We're
16 going to try to keep us on time tonight.

17 So I'd like to call Keith
18 Petropoulos to the microphone, followed by
19 David Heyden, who will be followed by John
20 Tolomei.

21 I'd like to remind everybody too
22 that you can also submit comments over to
23 the court reporter located in the room next
24 to us.

1 MR. PETROPOULOS: My name's Keith
2 Petropoulos, P-E-T-R-O-P-O-U-L-O-S. I
3 represent my family that I moved a year
4 ago. I've got five kids. We moved from
5 Algonquin, Illinois -- Oh, my time has
6 started already. I haven't even started my
7 speech yet. Can I start my time over?

8 MS. TARCZAN: No, sir. Please keep
9 going.

10 MR. PETROPOULOS: Well, anyway, here
11 we go.

12 I'm speaking to appeal to your
13 core values, not as analysts of the STB,
14 but as citizens of this deserving country.

15 During the Marshall Plan the
16 United States made sacrifices to numerous
17 overseas countries and basically gave away
18 our industry and our resources to help
19 create a peaceful means to defeat
20 communism. In the '80s foreign labor
21 accelerated the export of our wealth-making
22 ability and the invention of the
23 containerized movement of freight increased
24 the number of imports to the United States

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1 and reduced our industrial capacity. This
2 process keeps continuing at reducing

3 America's wealth- making ability where our
4 country gets poorer and poorer and other
5 countries like China become more wealthy
6 and more wealthy.

7 This transaction is basically
8 run by two partners, a greedy Canadian
9 railroad company that wants an advantage in
10 the import freight business so it can
11 compete with the Burlington National and
12 the American railroads and the Union
13 Pacific to bypass American ports to bring
14 crappy Chinese goods to America from
15 Canada.

16 So this entire transaction is
17 being brought so -- and try and remember
18 who the Canadian's partner is. It's
19 Costco. Costco is the Canadian National
20 steamship line, a steamship line that's
21 completely subsidized on the backs of the
22 poor peasants of China. This is the same
23 government that murdered 30 million of its
24 own people since 1950. The butchers of

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1 China are going to bring their junk to this
2 country on a Canadian railroad through my
3 beautiful town.

4 You've got to stop and think,
5 think of what you're doing, think about

6 what you're bringing to this country.
7 You're bringing a further demise of our
8 country and you're only speeding the
9 destruction of our industrial capacity.
10 The whole process, the whole plan is
11 preposterous and ludicrous. It is
12 practically almost treasonist to approve of
13 this plan.

14 I really need you to think about
15 the interests of your family, the interests
16 of your neighbors in this entire
17 transaction and stop worrying about dotting
18 the Is and crossing the Ts and how many
19 decibels, what goes on with the railroad,
20 how many intersections you're going to
21 affect, and you've got to stop and think
22 about what you're truly working on. Look
23 in your hearts.

24 MS. TARCZAN: David Heyden please

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1 come to the microphone, followed by John
2 Tolomei, followed by Mayor Keith Hunt.

3 MR. TOLOMEI: Point of order before
4 you start my time. Dave Heyden had
5 reserved his time for an opportunity to
6 speak tomorrow, night. So he expects to be
7 speaking tomorrow night, I know he called
8 for that time, and I was told that I could

9 use his time since he isn't here since he
10 expected to be speaking -- he expected to
11 be speaking tomorrow night.

12 MS. TARCZAN: Sir, at this point
13 we're not able to take substitutes for the
14 folks that are not here. So I do apologize
15 for that.

16 To that end I will be calling John
17 Tolomei.

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1 MR. TOLOMEI: John Tolomei, Village
2 President of Lake Zurich. Thank you for
3 the opportunity to speak tonight.

4 The draft EIS severely
5 underestimates the impact of the
6 acquisition on homes and businesses. The
7 report references the presence of the EJ&E
8 line since 1891 but fails to realistically
9 evaluate the impact or, more importantly,
10 the lack of impact from decades of the EJ&E
11 operating with minor freight volumes.

12 Failure to recognize the minor impact of
13 the present EJ&E operations leads to
14 defective conclusions in the EIS such as
15 that at 4.6.4 where it states, "The effects
16 on community facilities would be minimal
17 because the communities have grown around
18 the EJ&E and adapted to its presence."

19 In fact, what the communities
20 did grow accustomed to is a railroad that
21 has virtually no impact on daily life. For
22 at least four decades the EJ&E operated
23 their rail line with next to no traffic and
24 fostered an environment of a virtually

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1 nonexistent rail line. Accordingly, the
2 communities through which it passes grew
3 without any reason to provide accommodation
4 for its trains. Our communities were
5 lulled into normal suburban development by
6 an innocuous short-haul rail operation. We
7 are not equipped to handle its overnight
8 conversion into a major trunk line and lack
9 the infrastructure for it.

10 I agree wholeheartedly with the
11 statement of the report at 4.6-6 that
12 "Homes and businesses are often the biggest
13 investment people have and anything that
14 might affect the value of these investments

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15 is a serious concern." As a result of
16 decades of minimal EJ&E operations
17 communities developed, good businesses
18 grew, and many people built high-quality
19 homes since rail traffic imposed no
20 appreciable burden.

21 Homeowners and local proprietors
22 had no reasons to expect such a drastic
23 change in EJ&E operations and built close
24 to the tracks that will now bring day and

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1 night noise, vibration, and delays. This
2 acquisition gives us the entire burden of a
3 major freight line with no benefits such as
4 public transportation that other
5 communities that want to lose trains still
6 have and will retain at our expense.

7 Thus, the real depression in
8 values to housing and businesses is closest
9 to the case of building a freight only rail
10 line where none existed before. Any
11 finding that the past presence of EJ&E
12 lessens the impact of the CN acquisition
13 plan completely ignores the EJ&E operations
14 over the last decades when all major growth
15 in our communities took place. Property
16 values will drop precipitously with the
17 acquisition since the change it will bring

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18 is not incremental but a dramatic step
19 change that completely alters the nature of
20 our communities.

21 Thank you.

22 MS. TARCZAN: I'd like to remind
23 everybody tonight that there are other
24 methods to make comments. You can use our

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1 web site, our toll free number, as well as
2 our mailing address. I'd also like to
3 remind the speakers who are speaking
4 tonight that the second they come to the
5 microphone and begin speaking your time is
6 counted.

7 To that end, I'd like to call
8 Mayor Keith Hunt, to be followed by Eric
9 Jakubowski, followed by Mayor Tony Arredia.

10 Mayor.

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1 MR. HUNT: Good evening. I'm
2 Keith Hunt. I'm the mayor of Hawthorn
3 Woods.

4 The draft EIS fails to
5 adequately address the impacts to our
6 community in critical areas including noise
7 levels, transportation of hazardous
8 materials, traffic delays, safety risks,
9 and, most importantly, impacts the
10 emergency services.

11 We have -- you have a chart in
12 your executive summary that identifies 11
13 different emergency response units in
14 Illinois and Indiana that are, in your
15 words, likely to be seriously affected.
16 Two of those serve our community.

17 The draft EIS fails to consider
18 the local and regional planning that has
19 gone on in this area for decades. Our
20 community and the others around it have
21 worked together cooperatively to plan the
22 entire Route 12 corridor and other areas.
23 We have a plan for a complete downtown area

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along Midlothian Road, which runs

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1 immediately next to the EJ&E line. Those
2 economic hopes and that planning will all
3 be for naught and will be dashed if this
4 proposal is allowed to go forward and if
5 those types of considerations are not
6 seriously addressed.

7 We've tried to meet with CN, we
8 asked for commitments, and we were told why
9 would we agree to that, why would we commit
10 to that, why would we give you that kind of
11 commitment. Failing those types of iron
12 clad commitments, this deal has to be
13 vetoed. It's not good for the region.
14 There's been, as Congresswoman Bean pointed
15 out, very, very poor level of planning
16 that's gone in, and many of the local
17 factors simply have not been considered.

18 One of our local fire chiefs from
19 the Lake Zurich Fire Department has been
20 asking for months to get information from
21 CN about the nature of the hazardous
22 materials. They won't give it to him. Why
23 is that? Why can't we get basic
24 information so that we can plan for our

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1 community?

2 Speaking of planning for our
3 community, we're a small community of 8,000
4 people. We have a budget of roughly
5 \$3 million a year, and as the Congresswoman
6 pointed out, just one of these grade
7 separation crossings is going to cost about
8 \$50 million. We need two. That represents
9 the next 30 years of our budget. And yet
10 CN is not willing to make any commitment in
11 writing to our community, just like they're
12 not willing to make any commitment in
13 writing to any of the communities who they
14 tout as a three-year beneficiary of this
15 plan but with no forward commitment in
16 terms of what's going to happen in the
17 future. We need to hold people --
18 honorable people honor their commitments.
19 We need to make these people honor, but we
20 need to make them honor their commitments.
21 We need to make sure that we have
22 adequate investigation given considerations
23 for local planning and local impacts here,
24 and the draft EIS statement simply doesn't

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1 go nearly far enough.
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2 Thank you.

3 MS. TARCZAN: Eric Jakubowski, Tony
4 Arredia, James Johnson.

5 I'd also like to remind people
6 that you are cutting into time with
7 clapping or any other method of showing
8 your approval or disapproval.

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1 MR. JAKUBOWSKI: My name is Eric
2 Jakubowski. I'm a director for CN based
3 here in Chicago, and this evening I would
4 like to describe the formal community
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5 outreach process that CN has been
6 undertaking for the past several months.

7 The SEA encouraged CN to propose
8 voluntary mitigation and to negotiate
9 mutually acceptable agreements with
10 affected communities to address potential
11 environmental impacts related to this
12 transaction. CN is working diligently to
13 this end. We are taking very seriously the
14 concerns of communities along the EJ&E
15 line. The DEIS also confirms our view that
16 the transaction and environmental impacts
17 can be reasonably mitigated.

18 Following the SEA scoping
19 meetings earlier this year my colleague,
20 Mike Molene, (phonetic) and I sought
21 meetings with all 34 communities on the
22 EJ&E and 32 agreed to meet with CN. Our
23 approach to these meetings has been
24 deliberate and professional. We have

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1 undertaken a thorough analysis of traffic
2 flows, the locations of hospitals, schools
3 and police stations, and other
4 characteristics of each community along the
5 line. Our very first meeting with each
6 community focused on listening to specific
7 concerns and answering questions about our

8 plan.

9 Once the community leaders and CN
10 agreed upon issues that may require
11 mitigation, we scheduled a joint field
12 investigation to discuss options. It is
13 not CN's intention to try to impose
14 solutions, but rather to construct
15 arrangements that will be responsive to
16 community concerns long lasting and
17 beneficial.

18 Our discussions focused on the
19 following: Safety, CN is reviewing
20 locations where schools and parks are
21 adjacent to railroad property for possible
22 safety fencing. We reviewed these
23 locations with local communities to clarify
24 limits and specific fencing types to

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1 prevent trespassing.

2 Operations, CN's committed to
3 making improvements to railroad plans to
4 minimize various noise and train delay in
5 pass. This includes remote powering of
6 railroad switches to minimize stopping and
7 curb loop indicators to reduce possible
8 wheel screws. where the usual standards
9 are exceeded CN is also working with
10 several communities to construct traffic

11 facilities that will expedite train
12 movements and reduce the delay on nearby
13 grade crossings.

14 With respect to grade crossings,
15 CN remains concerned that the DEIS does not
16 adhere to the criteria previously used by
17 the STB for measuring crossing impacts and
18 applies federal guidelines designed for
19 other purposes as the basis for mitigation
20 analysis. The DEIS also builds on future
21 traffic projections and does not
22 appropriately take into account the nature
23 and implications of existing conditions at
24 crossings. Nevertheless, we are making

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1 every effort to address legitimate
2 community concerns and reach reasonable
3 agreements.

4 Noise mitigation, our analysis
5 indicates that portions of some communities
6 may witness increased noise exposure, and
7 we are discussing options such as home
8 sound producing, berms, vegetation, or
9 sound walls.

10 Quiet zones, CN's involvement in
11 funding improvements required for quiet
12 zones are unprecedented, but we believe
13 this is the greatest concern of many

14 neighbors.
15 Training and emergency
16 communication protocol, CN will commit to
17 training their community's emergency
18 response folks, and we are discussing
19 coordination efforts to ensure that
20 emergency dispatchers have realtime access
21 to train movement information and that we
22 can establish a reliable protocol that is
23 customized for each community.
24 Thank you.

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1 MS. TARCZAN: Mayor Tony Arredia
2 please step to the microphone, followed by
3 James Johnson, and John Gohmann.
4 Mayor Arredia?
5 James Johnson?
6 MR. JOHNSON: Jim Johnson, village
7 trustee, Lake Zurich.
8 we have only hit the tip of the
9 iceberg in the acquisition process. Yet
10 the CN is yelling at the captain, the STB,
11 to damn the icebergs and go full speed
12 ahead. The partial environmental impact
13 study has gaps, lacks data to substantiate
14 a number of claims, invites more questions
15 than it answers. It alludes to economic
16 consequences. why ask the STB to slow down

17 and listen to and actually study the
18 concerns and then fully investigate?

19 It is the goal of the CN to get
20 a monopoly. A North American train from
21 Asia by developing in stages a mega port of
22 Prince Rupert freight will come via the
23 shortest water route through a super
24 highway through our community. The Star

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1 line, a vital commuter link from Chicago
2 and connecting communities will be lost for
3 all time.

4 Our West Coast ports will suffer
5 and Americans will lose jobs, lost hours
6 waiting for trains, pollution damage from
7 waiting vehicles, thousands of homes along
8 the track losing value is, again, only the
9 tip of the iceberg.

10 This is the time for the STB to
11 step up. You're not bound to follow
12 50-year-old precedents. This is the time
13 to set a new course and to get out of the
14 iceberg's way. Railroads are no longer the
15 poor step-children of transportation.
16 They're big business in every sense of the
17 word. They do not need to be subsidized.

18 when trains first crossed the
19 country railroads got incredible benefits

20 because ultimately it directly benefited
21 our citizens and our country's development.
22 Now a foreign national giant wants to
23 benefit by taking advantage of our laws to
24 subsidize their effort to put a super

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1 highway from Prince Rupert to Memphis and
2 on to Europe.

3 STB, I ask you to use the
4 authority you already have to make them
5 pay. Mitigation should not be a token
6 payment left up to the CN. They have not
7 negotiated in good faith. In fact, they
8 have tried to divide and conquer using
9 parts of their original 40-million- dollar
10 offer. They are relying on past STB
11 precedent to determine what they must be
12 forced to pay. I say the hell with
13 precedent, set a new course.

14 I implore the STB, do not do the
15 expected thing, do the right thing. To do
16 that you must not let the CN bully you.
17 You're not paper pushers or puppets on a
18 string. You must take the time to gather
19 all the data that is needed, including a
20 full economic impact study. If it takes 18
21 months or two years, the railroad line will
22 still be there and so will the CN. Please

23 avoid the iceberg, stand up for every
24 taxpayer, defend our citizen's rights, and

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1 represent the best interests of America
2 Thank you.
3 MS. TARCZAN: John Gohmann, Malcolm
4 Holec, John Lobaito.
5 I'd also like to ask everybody to
6 please form a line once your name is called
7 behind the speaker in front of you.

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1 MR. GOHMANN: Good evening. I'm
2 chairman of the Minnesota Commercial
3 Railroad in St. Paul --

4 MS. TARCZAN: Sir, can you please
5 state your name.

6 MR. GOHMANN: John Gohmann,
7 G-O-H-M-A-N-N. I'm chairman and founder of
8 the railroad in Minnesota and truck line
9 and I'm also president of the Small
10 Railroad Business Owners of America, and
11 I'm basically here to suggest -- I've heard
12 lot of emotion. I've heard about big old
13 Canadian National Railroad Company. About
14 60 percent of the shareholders of CN are
15 American. They have about 8,000 American
16 employees, all who have jobs and families
17 like the rest of the people here.

18 The Canadian National -- I have
19 put a press kit together and I have several
20 copies, I'll give the Board one, with a lot
21 of facts and background so you'll have a
22 copy of it. It's a matter of the record.

23 But everything you talk about,
24 Prince Rupert, Prince Rupert is a new port

1 to serve North America, not the Canadian
2 National. Prince Rupert is going to
3 relieve congestion to move grain for export
4 from America from the farmers. It's going
5 to open up another network for boats.

6 Everybody in this room, if I asked
7 you to take out any clothes that you have
8 that were not made in China, anything in
9 your house or in your car that wasn't made
10 in China, folks, they're here. They're
11 here and they've been here for 20 years.
12 The bottom line is that we have to make
13 more jobs in America.

14 Let me tell you some of the stuff
15 the CN moves. I served as a consultant to
16 help form the Wisconsin Central, which
17 became the CN. Grain from Iowa, Wisconsin;
18 coal from the Powder River Basin for power
19 plants; automobiles from Michigan,
20 Wisconsin, Minnesota, southern states;
21 paper to the Chicago Tribune, 15 to 20 car
22 loads a day of paper comes out of Northern
23 Minnesota; fertilizer, hundreds of cars a
24 year for agriculture, thousands of cars a

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1 year; steel from northwest Indiana to
2 steel-producing facilities all over the

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country.

Right now it takes the EJ&E four days to get one car of steel from Gary, Indiana to Leafland and it's forcing all this business to move on truck over the highway. How do I know? It comes to my warehouse. It takes another three days to get it to St. Paul. The bottom line is there's already congestion here.

This book explains how a series of railroad mergers forced by bankruptcies in the '60s and '70s caused the rationalization of plants and railroad yards over Chicago. The system accommodated what it was at the time, but for the last five or six years Chicago has been grid locked. I have photographs of trains being parked all over Chicago waiting to get through the Chicago terminal on the CN, CP, other railroads. It happens, and it happens east and west. We move about 25 percent of all United States

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freight through Chicago. There's an unprecedented demand.

Lastly, I would only suggest that people here who have a problem go down and look at the BNSF main line, they look at

6 the UP main line, they look at the CP main
7 line over here. The CP main line has 110
8 trains a day. It's all documented.

9 MS. TARCZAN: Ladies and gentlemen,
10 I would like to ask all of you tonight who
11 are cutting in to other people's comments,
12 we will have to alert security, which is
13 already in the room. Those of you who do
14 make these comments will be removed.

15 Thank you, sir.

16 MR. GOHMANN: It's all in the
17 record. I will submit it to you later.

18 MS. TARCZAN: Thank you.

19 Malcolm Holec, John Lobaito, Jeff
20 Steingart.

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1 MR. HOLEC: Malcolm Holec,
2 H-O-L-E-C. I live in Mt. Prospect.

3 Our family has lived within 150
4 feet of the existing Northline of the
5 Canadian National track for almost 40
6 years. We had some rough times. We had
7 the Sioux line, Milwaukee Road, Wisconsin
8 Central, all railroads with limited

9 resources and a lot of noise and a lot of
10 problems.

11 Since the Canadian National took
12 over things have vastly improved. We now
13 have more trains, we've got about 22
14 freight trains, and we've got 22 North
15 Central line commuter trains. So we've got
16 about 44 trains going through. The
17 Canadian National has made such dramatic
18 improvements all the way along. Better
19 track, they replace track constantly. I
20 think they maintain their wheels. We don't
21 any clickity clack that we had for many
22 years. Until they took over we had the
23 clickity clack all the time. They've done
24 a remarkable job.

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1 They've improved -- talking
2 about environment. They've improved our
3 environment I think dramatically.
4 I think it's very important that
5 the process -- I think what should happen
6 is each town should work with the Canadian
7 National. I think they should be working
8 together. Obviously a lot of people are
9 working against them. I think it's
10 important. I think they can do a wonderful
11 job.

12 I'm concerned that if the
13 Canadian National doesn't do this, because
14 of the congestion and the congestion is not
15 going to go away, it's going to end up with
16 some American railroad that's going to have
17 to be subsidized by taxpayers.

18 I think we're fortunate that
19 Canadian National is doing this in a way
20 because I think it's going to have to be
21 done. The congestion around the Chicago
22 area is certainly affecting the whole
23 country, perhaps the whole world, and if
24 they don't do it, somebody I firmly believe

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1 is going to have to do it. I think they're
2 doing it, and from my experience with the
3 Canadian National, they're a reliable
4 private firm and I truly believe we should
5 support -- I think that each community
6 should be working with them, and I hope
7 they would do -- I hear they're not as
8 cooperative as they should be.

9 They've got to be made to
10 realize too and I think the Board should
11 spend more time in getting parties
12 together, getting the Canadian National and
13 the towns together -- some towns obviously
14 are very resistant and Canadian National

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15 seems to be a bit resistant. That's where
16 I see the duty of the board is, to get
17 these parties together.

18 I think that's where the problem
19 is right now. I think it's very obvious at
20 this meeting that that's the problem.
21 There's nobody getting them coordinated,
22 and that's where I think this board should
23 be serving. I just get the feeling they're
24 not, and I think that's the reason there's

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1 all this turmoil. They're not doing the
2 job that I think should be done, and I
3 think it's important because I think it's
4 going to cost the taxpayers if this falls
5 through.

6 Thank you.

7 MS. TARCZAN: John Lobaito, Jeff
8 Steingart, Tim Sashko.

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1 MR. LOBAITO: John Lobaito, Village
2 of Mundelein, L-O-B-A-I-T-O.
3 Mundelein is central to this
4 transaction because of the connection
5 between Canadian National line and the EJ&E
6 line. Mundelein will see the greatest
7 diversion of train from one line to the
8 other and that slow speed connection will
9 block crossings both on the CN and the EJ&E
10 line. We believe Mundelein will be
11 impacted more than any other community as
12 the Draft Environmental Impact Statement
13 shows.
14 We have been negotiating with the
15 CN and have made some progress, with an
16 emphasis on some, on reaching a voluntary
17 agreement and mitigating the impact that we
18 will see in our community.
19 We have made no agreement on
20 addressing major issues and the proposed

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21 transaction will have on traffic and our
22 provision of delivering emergency services.
23 Mundelein's fire and emergency services
24 providers are potentially seriously

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1 affected. Additionally, Allanson Road on
2 the CN line blocked by trains transferring
3 to the EJ&E line is listed as one of the 15
4 crossings that, and I quote, "Require
5 mitigation due to effects under the
6 proposed action."

7 Furthermore, we believe that the
8 SEA erred in it's not including Route 60/83
9 in the top 15 lists of severely impacted
10 crossings because it meets two of the
11 criteria that SEA has established for
12 inclusion. The impacts on Route 60/83
13 include over 40 hours of delay per day and
14 the queue will block a major roadway.
15 Moverover, that route is critical to
16 emergency services over a large area
17 because Mundelein Fire Department is
18 closely partnered with Countryside Fire
19 Protection District that provides emergency
20 service response in Mundelein.

21 We're asking the CN for these
22 three things: One, as in interim step
23 until a grade separation can be built at

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1 additional firemen, paramedics per shift.
2 Mundelein will match that by providing \$4
3 million worth of equipment and facilities.
4 By adding staffing we hope to alleviate the
5 drop in our response time caused by the
6 proposed action. We estimate this cost to
7 be \$750,000 per year.

8 Upfront engineering costs of a
9 million dollars for a grade separation at
10 60/83. We're also asking them to pay
11 50 percent of the cost of the grade
12 separation at 60/83 and 50 percent of the
13 cost of the grade separation at Allanson
14 Road. To date they have not offered on
15 these two crossings anything except to
16 increase train speed in that connection.
17 We don't believe that's going to be enough.
18 We do not believe that an engineer would
19 attempt that sharp curve at anything more
20 than 25 miles an hour.

21 Another open issue we have that
22 happens to begin with the date the board
23 approval and the date that the higher speed
24 connection between the CN and the EJ&E is

1 built. By building this connection this
2 will take at least two years. Given that
3 the wetlands and the land was
4 acquired -- the land that needs to be
5 acquired, this is an optimistic time frame.
6 We ask that some condition be imposed on
7 the proposed action either delaying any
8 rerouting until the new connection is built
9 or limiting allowable train lanes until it
10 is built.

11 we understand the significant
12 transportation benefits of the proposed
13 action. We trust that the board will
14 understand the significant environmental
15 impacts on Mundelein and take those into
16 account.

17 MS. TARCZAN: Thank you, sir. Your
18 time has ended.

19 Jeff Steingart, Tim Sashko, Peter
20 Crouch.

21 Please state your name, spelling
22 your last name, please.
23
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1 MR. STEINGART: Jeff Steingart,
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2 S-T-E-I-N-G-A-R-T, the fire chief of
3 Countryside Fire Protection District
4 serving Vernon Hills, Unincorporated Lake
5 County area, portions of Hawthorn Woods,
6 Long Grove. Also with me is Chief Tim
7 Sashko with the Mundelein Fire Department.

8 As Mr. Lobaito stated, we work
9 very closely in protecting the 33.2 square
10 miles between our two agencies through a
11 very comprehensive intergovernmental
12 agreement responding to over 7,500
13 emergencies a year in the affected area.

14 with the shift of the 15 trains
15 to the EJ&E it simply shifts the problem to
16 an area within that protection zone, as
17 we'll call it, to an area that is lacking
18 water supply, has extended response times
19 due to long rural roads, and is farther
20 away from hospitals when we're transporting
21 patients to the emergency room. This
22 provides much greater vulnerability in
23 providing emergency service to the area
24 that we serve collectively through four

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1 fire stations.

2 It's adding two new grade
3 crossings that will seriously hamper our
4 response times to a scene and then also
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5 backing each other up for when we have
6 multiple incidents in that 33 square miles.
7 Split change on the curve in the
8 effected area of Route 60/83 near Diamond
9 lake Are what concerns us the most.
10 MS. TARCZAN: Thank you, sir.
11 Tim Sashko, Peter Crouch, Robin
12 Meier.
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1 MR. SASHKO: Thank you. Tim Sashko,
2 S-A-S-H-K-O, fire chief, village of
3 Mundelein.
4 Three things that the EIS report
5 doesn't address that we think are critical
6 and following with Chief Steingart's
7 comments. Number one is code of federal
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8 regulation 1910134 which is an OSHA law.
9 It is something that we are judged by as
10 far as fire ground operations and our
11 ability to have two in and two out on fire
12 ground operations. It's a requirement by
13 law that we have firefighters outside of a
14 building that match what is inside a
15 building both in voice and visual contact.
16 with the delays that we
17 anticipate because specifically of the
18 60/83 grade crossing, we will lose the
19 ability to provide that level of service
20 because of delays that occur, and we cannot
21 enact fire ground operations without having
22 that standard in place. And it is
23 measurable. It's a law. It's something we
24 cannot hide from.

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1 Second to that is the National
2 Fire Protection Association Standard 1710
3 that also creates minimum requirements and
4 time elements for what we need on the fire
5 ground in resources in order to be able to
6 fight a fire. Both of these being violated
7 jeopardizes law enforcement officers who
8 are faced with the need to potentially
9 react and go into a burning building where
10 they don't belong, as well as firefighters
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11 and certainly the lives and property of the
12 people we serve.

13 Another thing the EIS does not
14 address, the third point, emergency medical
15 services. There is nothing in there about
16 clinical death, which is four minutes, and
17 biological death, which is six minutes.
18 Any grade crossing delays that we have will
19 definitely affect the ability for us to
20 provide services with EMS and be able to
21 provide patient care so we get people to
22 the hospital in a timely matter. Our only
23 hospital that we serve in this area on a
24 regular basis is Condell in Libertyville.

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1 we have to go through 60/83 in order to
2 effectively deliver patients.

3 The EIS does identify the
4 possibility of erecting another fire
5 station. In our conversations with the CN
6 this is not feasible and it's, frankly, a
7 waste of money. It's a resource we don't
8 need and we have that in place. As
9 Mr. Lobaito stated, we need manpower.
10 We've openly had discussions with the CN on
11 a model that can possibly resolve a lot of
12 the mitigating factors that prevent us from
13 being able to provide emergency services.

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Thank you.

MS. TARCZAN: Peter Crouch, Robin
Meier, Representative Elaine Nekritz.

Again I ask that you please form
a line behind the speaker who is speaking
so that we do not lose time.

Peter Crouch, Robin Meier.

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MS. MEIER: Robin Meier, M-E-I-E-R,
Mundelein.

I would like to mention that I
hope to see the Metra Star line become a
reality sometime in the future. However,
tonight I want to focus on the transitional
curve from the CN to the EJ&E line located
between Allanson Road and Route 60 in
Mundelein.

This is a relatively sharp curve
in a limited space. There is potential for
a freight train accident involving
hazardous waste and dangerous chemicals at
this curve even if this curve is
redesigned. Speed, the condition, and
maintenance of the track will directly

17 impact ongoing safety.

18 In a train accident on August 22,
19 2008 in Luther, Oklahoma traffic was
20 blocked in a 3-mile radius as a precaution
21 against toxic chemicals that could be
22 spread by the wind. The Oklahoma accident
23 involved crude oil and ethanol and was
24 located in a remote area.

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1 The section of the Mundelein
2 track is located near an industrial area.
3 However, a 3-mile radius includes
4 approximately 31 public or private schools
5 and 21 parks, not to mention local business
6 or residential areas. Do our residents,
7 parents, business, or government leaders
8 have an accurate list or knowledge of the
9 chemicals and toxic material that's
10 traveling on this rail line through our
11 communities? We should all be concerned
12 about the hazardous material traveling
13 through our towns.

14 A direct quote from the executive
15 summary of the EIS statement, page 13 under
16 Safety, "Based on the historic data
17 maintained by the FRA for annual hazardous
18 materials release, the likelihood of a
19 release of hazardous materials would still

20 be remote, less than once every year."
21 Trains managing even a
22 redesigned curve will be an accident
23 waiting to happen. The likelihood of an
24 accident or potential release of hazardous

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1 material less than once every year should
2 not be acceptable. Please consider the
3 safety, health, and wellbeing of our
4 residents and children.

5 Thank you.

6 MS. TARCZAN: Representative
7 Nekritz, Dr. Brian Knutson, Dale Perrin.

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1 REPRESENTATIVE NEKRITZ: I'm State
2 Representative Elaine Nekritz,
3 N-E-K-R-I-T-Z. I represent parts of
4 Des Plaines, Mt. Prospect, and Prospect
5 Heights, all of which are home to the
6 existing CN line.

7 My constituents know all too
8 well the impacts of the freight rail, which
9 is why we would very much welcome the
10 relief that the proposed acquisition could
11 provide even for a few years. CN is
12 projecting that their existing line would
13 see a reduction in trains from 19 to 2 per
14 day in those suburbs. Yet the draft EIS
15 gives short trip to the positive community
16 and environmental impacts along the
17 existing CN line.

18 For example, it seems that the
19 wait time for vehicles stopped at grade
20 crossings along the CN line are completely
21 ignored in the calculation of energy use
22 and air quality and climate in the
23 executive summary.

24 Furthermore, over the last ten

1 years communities along all freight lines
2 have experienced dramatic increases in
3 traffic. The freights already own these
4 lines. They did not seek permission to
5 increase the number of trains, nor did they
6 provide any mitigation. In Des Plaines, a
7 community of almost 60,000, there are 32
8 at-grade crossings and only two grade
9 separations.

10 So while I support mitigation, I
11 find it difficult to justify that
12 communities which would just now feel the
13 impact of more trains would go to the front
14 of the line to receive mitigation while
15 those who have been dealing with this issue
16 for decades continue to wait.

17 I also serve as chair of the
18 Illinois House Rail Committee, and, as
19 such, I would like to point out there is a
20 regional economic perspective to this
21 potential acquisition that is significant.
22 Chicagoland is the world's fifth largest
23 intermodal freight hub. The movement of
24 freight is a huge economic engine in our

1 regional economy. The rail industry alone
2 employs almost 9,000 people in northern
3 Illinois and many thousands more are
4 employed in the warehousing distribution
5 and logistics sectors. Unfortunately
6 investment in the necessary transportation
7 infrastructure has lagged to the point
8 where rail and truck traffic congestion is
9 intolerable. Companies are being lured
10 away by Kansas City, Memphis, and others.

11 The Chicago Department of
12 Transportation, the Illinois Department of
13 Transportation, and the six class 1
14 railroads came together a few years ago to
15 work on a plan to relieve congestion. The
16 result was create a 1.5-billion-dollar
17 public/private partnership. In the last
18 Federal transportation bill we received a
19 fraction of that money, and the State has
20 yet to come up with any.

21 while we haggle over taxpayer
22 funding for critical congestion relief, the
23 CN is offering a purely private sector
24 solution. All manner of consumer goods

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1 from shoes to food to cars are transported
2 by train. It is the most economically and

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3 environmentally efficient form of
4 transportation. In the global economy,
5 which is dependent upon transporting goods
6 quickly and reliably, freight trains are a
7 fact of life.

8 The CN proposal deserves a fair
9 review that considers all factors,
10 including the positive regional and
11 economic benefits.

12 MS. TARCZAN: Dr. Brian Knutson,
13 Dale Perrin, James Tarbet.
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1 MR. KNUTSON: I'm Brian Knutson,
2 K-N-U-T-S-O-N, superintendent of Community
3 Unit School District 95 in Lake Zurich and
4 surrounding villages.

5 The wellbeing of students, staff,

6 and residents is always at the forefront of
7 both our short- and long-term plan. I'm
8 here this evening to speak in opposition to
9 the proposed acquisition of the EJ&E rail
10 line by Canadian National Railway Company.

11 If approved, this acquisition
12 will significantly impact the day-to-day
13 functionality of our nine schools, more
14 than 7,000 students in public and private
15 schools in our area, and nearly a thousand
16 staff members in Community Unit School
17 District and our private schools within
18 District 95.

19 School District 95 serves a
20 combined population of more than 6,400
21 students and staff from a service area of
22 approximately 20 square miles. Our
23 transportation fleet travels around 500,000
24 miles annually to and from school and for

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1 school trips. Our private transportation
2 contractors travel another 350,000 miles
3 for our special education programs.
4 One-third of our transportation fleet is
5 located approximately 50 feet from the
6 railroad tracks in the center of our
7 village. Should there be any incident in
8 that proximity, a derailment, train stalls,

9 or slow-downs, our equipment would be
10 vulnerable to damage and delays.

11 Significant delays and safety
12 situations will occur throughout our
13 district as buses cross the EJ&E line more
14 than 230 times per day to deliver students
15 to and from our schools. In addition to
16 the location of our fleet, the hub of our
17 district-wide technology infrastructure is
18 located within 50 feet of the railroad
19 tracks.

20 The EJ&E rail line intersects
21 several major thoroughfares in our school
22 district. There are only two elevated
23 crossings in the entire district with all
24 other crossings at grade. This increased

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1 freight traffic will dramatically affect
2 the commute times of staff, students, and
3 parents, which could jeopardize their
4 safety and the safety of the area's
5 children as they travel to and from school.

6 Lake Zurich High School and May
7 Whitney Elementary School are located
8 immediately adjacent to the EJ&E tracks
9 raising critical environmental and safety
10 concerns in the wake of increased freight
11 traffic. There is currently no fence or

12 barrier separating the schools from the
13 tracks. We know in spite of repeated
14 warnings that students use the tracks as a
15 cut-through to get to school. More than
16 500 of the high school's 2,200 students
17 either walk or transport themselves to
18 school each day. We can expect hurried and
19 impulsive behavior causing more concerns.

20 In addition to these dangerous
21 conditions, increased rail traffic will
22 result in significant transportation
23 disruptions, delayed emergency response
24 times, and add significant cost to our

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1 schools and taxpayers to mitigate the
2 issues cited above.

3 The proposed EJ&E acquisition if
4 approved will adversely affect the welfare
5 of students and staff. I implore you to
6 think seriously about the safety and
7 welfare of our students.

8 MS. TARCZAN: Dale Perrin, James
9 Tarbet, Steve Riess.

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1 MR. PERRIN: Dale Perrin,
2 P-e-r-r-i-n.
3 As a resident of Lake Zurich and
4 the executive director of the Lake Zurich
5 Area Chamber of Commerce, I'd like to state
6 my strong opposition to this acquisition.
7 This purchase will ruin the
8 economy of our local community, and the
9 state of Illinois and the Chicago
10 metropolitan area can ill afford the
11 negative consequences of this transaction.
12 CN should not be allowed to expediate the
13 approval and acquisition in advance of the
14 upcoming presidential inauguration. This
15 matter has such long-term effects that it
16 should be reviewed by the newly appointed
17 STB members who will be in office to face

18 the consequences of their decision.

19 The Chamber of Commerce strongly
20 opposes this transaction for the following
21 reasons: Disruption to current businesses,
22 negative impact on property values, and
23 hesitancy to build will strongly impair the
24 realization of current and future plans

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1 within Lake Zurich's downtown and Hawthorn
2 Woods, Midlothian developments.

3 Additional delays from 400
4 percent increase in train traffic will
5 negatively impact public, vehicular, and
6 pedestrian safety.

7 Average train lengths of 10,000
8 feet or more will block all of our at-grade
9 crossings bringing traffic to downtown to a
10 standstill. The added delays will increase
11 emergency response times resulting in
12 unnecessary loss of life.

13 This transaction will also
14 seriously jeopardize the proposed Star
15 line's viability to relieve the region's
16 traffic congestion and improve air quality.

17 The STB must require CN to be a
18 hundred percent financially accountable to
19 mitigate all of the adverse public safety
20 and environmental impacts that will be

21 imposed upon effective communities such as
22 the 400 percent increase in
23 traffic -- freight traffic will make areas
24 planned or approved for residential and

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1 other uses no longer viable projects, plus
2 the current road infrastructure cannot
3 handle the vehicular traffic congestion
4 that will be created by this large traffic
5 increase.

6 Greater train frequency through
7 our town will increase the probability of
8 rail- related accidents. The installation
9 of barrier walls as well as pedestrian
10 crossing bridges and controlled access
11 points should be provided at no cost to
12 Lake Zurich.

13 Oakwood emergency service
14 responses must receive a detailed manifest
15 of all hazardous materials being
16 transported. Response training, evacuation
17 planning, and recovery resources as relates
18 to the hazardous materials being
19 transported should be provided at no cost
20 to Lake Zurich.

21 CN should fund construction of
22 overpasses and/or underpasses to minimize
23 traffic backups throughout town.

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In closing I'd like to recommend

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1 that the STB reject CN's proposal to
2 acquire the EJ&E rail line given the
3 catastrophic impacts it will have on Lake
4 Zurich and all the affected communities.

5 MS. TARCZAN: James Tarbet, Steven
6 Riess, Marty Moylan.

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1 MR. TARBET: My name is Jim Tarbet,
2 T-A-R-B-E-T. I'm a resident of Lake
3 Zurich, and I'm ferroequinologist. A
4 ferroequinologist is a fancy term for a
5 rail fan. I am also an analytical reader.
6 If this was about railroading, I'd be all
7 for it.

8 In reviewing the information I
9 keep hearing strains of the Shirelles, will
10 you still love me tomorrow. Due to the
11 time limitation I will be submitting my
12 comments in writing and extending my
13 remarks at a later time.

14 The basic problem in the analysis
15 is it's based upon a short-term impact.
16 Unfortunately CN's documentation truly
17 projects a long-term impact that will
18 severely be detrimental to the quality of
19 lives throughout the area.

20 I want to make a couple points
21 perfectly clear. There are always comments
22 about nimbees (phonetic). I strongly
23 believe that people have to ask the
24 question, if not in my backyard, why in

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1 yours?

2 I'm not affected by the traffic
3 issues that concern people. Literally, I
4 walk everywhere. Comments about welfare
5 sometimes a little bit absurd. Most areas
6 affected in Lake Zurich are the lower
7 income people within our community.
8 They're not a bunch of snobs.

9 I've heard also that certain
10 issues are not to be addressed within the
11 STB findings. I hope that STB in doing so
12 will find that these issues are outside of
13 their scope of control and that they need
14 to be addressed in the final findings. I
15 also understand that the STB will only
16 address concerns about CN's operation in
17 the U.S. I certainly hope and respectfully
18 request that the STB reconsider this point.
19 Prior corporate conduct should be
20 considered in this.

21 Ask any police officer, the
22 first prime suspect in a crime is the
23 person with means, opportunity and motive,
24 and a record of prior conduct. CN right

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1 now is under investigation and study by the
2 government of Canada both for their safety
3 problems and for their service problems.

4 I have read through all the
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5 information that has been provided, and I
6 find that there are some extreme conflicts
7 throughout between what CN has told you and
8 what CN is promoting on their own end in
9 Canada along with the Canadian government.

10 Thank you.

11 MS. TARCZAN: Steve Riess, Marty
12 Moylan, Robert Sherman.

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1 MR. RIESS: My name is Steve Riess.
2 I'm with the Village of Hawthorn Woods.
3 Last name spelled R-I-E-S-S.

4 I caution you guys, the STB
5 should pay attention. This is not the last
6 time you will face this issue. This issue
7 will come up again in other communities

8 around the country. It's going to take
9 place in Los Angeles, in Phoenix, Arizona,
10 and Atlanta, and the decisions you make
11 here will govern how it will be treated in
12 the future. There will be precedent
13 setting.

14 As many of you on this board
15 might know, much of the law governing
16 operations and land rights of railroads are
17 very old, dating back to a time when this
18 country was in its youth, with vast regions
19 of unpopulated areas. Unprecedented
20 rights-of-way, land grants, and even the
21 right to change the course of rivers was
22 granted to the railroads. Railroads were
23 the vehicles of the American dream and
24 prosperity came to America on those rails.

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1 Congress had great foresight
2 when they granted sweeping powers and
3 authorities to those corporations, but
4 America has changed, and I have little
5 doubt that they could not possibly have
6 perceived the impact your decisions have in
7 our world today.

8 In fact, it is these very laws
9 that bring us here today. Businesses in
10 the U.S. are pretty much responsible for
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11 its own performance and wellbeing.
12 Occasionally the government comes to the
13 aid of corporations. If American Honda, a
14 highly profitable corporation, were to come
15 to the government and ask permission to
16 block 120 intersections for up to 10 hours
17 a day, every government body would reply
18 with a resounding no and Honda would have
19 no alternative, they would be required to
20 spend the money out of their own pockets to
21 build the bridges and build the under
22 passes.

23 So I ask you now why is it you
24 are asking the American people to pay for

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1 the bridges and underpasses to maximize the
2 profits of a foreign corporation, a foreign
3 corporation that is already highly
4 profitable, a foreign corporation that
5 showed a 2-billion- dollar profit in 2007.

6 I don't oppose CN acquiring EJ&E.
7 I do oppose asking the American people to
8 bear the burden of creating the profit for
9 CN by not requiring them to pay for this
10 same things that every other corporation in
11 the United States would be required to pay.
12 we cannot often see what the future will
13 hold, but I'll tell you what the wrong

14 decision here will hold for the American
15 people. America is about to get hit by a
16 train.

17 Thank you.

18 MS. TARCZAN: Marty Moylan, Robert
19 Sherman, Bogdan Vitas.

20 Last call for Marty Moylan.

21 Robert Sherman, Bogdan Vitas,
22 Vijay Gadde.

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1 MR. SHERMAN: Good evening, Heather,
2 vicky, John. I can tell from watching you
3 that you're taking everybody's comments
4 very seriously, and I thank you for that.

5 I'm Rob Sherman, S-H-E-R-M-A-N,
6 the green party candidate for state rep for
7 the Buffalo Grove area.

8 This fabulous proposal should be
9 approved because success for our region
10 depends on us fully utilizing all of our
11 transportation resources rather than
12 overburdening one set of resources and
13 underutilizing another.

14 I've heard the objectors raise
15 their hysteria about safety and emergency
16 services. Hey, that, as my people like to
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17 say, is why God prevented mutual aid. I'm
18 sure the mutual aid arrangements already
19 exist because we already have train service
20 on the EJ&E line and on the other train
21 lines in the area.

22 I hear a lot of hysteria about
23 traffic and traffic interference. I'm in
24 Buffalo Grove and I travel into wheeling

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1 where the CN line is located. In two or
2 three minutes the train is gone and you go
3 on through. It's just like a long traffic
4 light.

5 The reality is that -- ladies and
6 gentlemen, the reality is that the
7 objectors are hypocrites. If the trains
8 were so unsafe, then they would want it
9 banned everywhere and not just in their
10 community. If mitigation is so important,
11 they would be asking for mitigation
12 everywhere where the line is now instead of
13 just in their community. So the only time
14 that mitigation and safety is a problem is
15 when they are inconvenienced.

16 The people in the arch
17 communities, the EJ&E arch communities,
18 they enjoy all the benefits that rail
19 brings. They enjoy the TVs and the air

20 conditioners and the refrigerators that are
21 brought in. They just don't want the
22 burden of the freight rails that bring
23 those things to the community. They want
24 somebody else stuck with the burden while

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1 they get the benefit.
2 If more trains are burdensome,
3 then we could always reduce the number of
4 Metra trains that are in their communities
5 now and then the number of trains would
6 remain the same.
7 So in conclusion, this proposal
8 should be approved because it better
9 utilizes our limited transportation
10 resources and balances the load while
11 providing a proper balance of the burden
12 Thank you for your time.
13 MS. TARCZAN: Bogdan Vitas, Vijay
14 Gadde, Bill Medcalf.
15 Bogdan Vitas.

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1 MR. VITAS: My name is Bob Vitas,
2 V-I-T-A-S, and I'm the village
3 administrator of the Village of Lake
4 Zurich, Illinois.

5 First of all, thank you for
6 allowing me the opportunity to speak on the
7 issue of Canadian National Railway Company
8 acquisition of the EJ&E rail line that
9 traverses through the exact center of our
10 community.

11 In other testimony the Village
12 President, John Tolomei, and Village
13 Trustee, James Johnson, along with the
14 Village department heads, will address
15 various shortcomings of the Draft
16 Environmental Impact Statement. The focus
17 of my testimony will relate to the negative
18 financial impacts the Village of Lake
19 Zurich can expect to sustain should the
20 Surface Transportation Board approve the
21 acquisition over the outpouring of local
22 objections.

23 In the Draft Environmental
24 Impact Statement the section on

1 socioeconomics fails to clearly identify
2 the fiscal impacts in each of the affected
3 communities. Why? Because the breadth of
4 the analysis has been limited from the
5 beginning when the STB predetermined that
6 the acquisition was a minor transaction and
7 did not require a full blown Economic
8 Impact Analysis. In my professional
9 opinion, that is entirely flawed from the
10 outset. You cannot separate the economics
11 of a transaction of this magnitude from the
12 environmental impacts and vice versa.

13 This being said, let me now turn
14 my attention to the direct economic impact
15 that this acquisition and dramatic increase
16 in proposed operations the Canadian
17 National will have on Lake Zurich.

18 As I stated a moment ago, the
19 EJ&E rail line divides Lake Zurich in half
20 and the community is fully developed along
21 both sides of the rail line. This includes
22 adjoining the residential, commercial,
23 industrial, and institutional properties
24 planned and developed on the basis that the

1 EJ&E has historically been and is a local
2 industry servicing single- track short-line
3 operation and not a rail superhighway the
4 likes of which the CN is planning to
5 operate.

6 If approved by the STB, the
7 acquisition will have devastating impacts
8 on all properties located within 250 to 500
9 feet of the rail line. The de-valuation of
10 these properties in a community that is
11 fully developed will have grave
12 consequences for all the local taxing
13 bodies. We will be forced to either reduce
14 services and employees or increase the
15 property tax burden, all for a private
16 foreign company with no direct or indirect
17 benefit for Lake Zurich. Simply put, this
18 is not equitable for anyone.

19 As part of my presentation I
20 would like to enter into my testimony
21 Exhibit 1, which was prepared by the
22 Engineering Department of Lake Zurich. The
23 aerial map depicted in the exhibit clearly
24 identifies the impact zone referred to in

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1 the Draft Environmental Impact Statement.
2 Altogether there are 364 residential

3 properties within 500 feet of the rail line
4 depicted by the white dashed line, of which
5 114 residential properties are located
6 within the village's tax increment finance
7 district as depicted in the map insert.
8 For purposes of this analysis, I am not
9 calling out the number of commercial and
10 industrial properties or the institutional
11 properties owned by Community Unit School
12 District No. 95.

13 The total fair market value of
14 the affected residential properties is
15 \$110 million and the equalized assessed
16 value for tax purposes is about \$37
17 million. A detailed report of these
18 figures was prepared by the village finance
19 department and is on the table in front of
20 you.

21 Based on the Environmental
22 Impact Study Table 4.6-3, Property Value
23 Effects From Increased Trains On A Nearby
24 Existing Rail Line, we can fully expect to

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1 suffer significant negative adjustments to
2 all property values within 500 feet of the
3 rail line. In accordance with published
4 documentation by the STB and data from
5 other sources, the loss in taxable values

6 can range anywhere from 5 percent to 15
7 percent depending on the proximity.

8 That being said, let me just
9 close because this is going to go on longer
10 than I thought, there's only one correct
11 decision for the STB, and that is to reject
12 the acquisition now or be held accountable
13 and responsible for the worst
14 transportation decision in the history of
15 the United States.

16 Thank you.

17 MS. TARCZAN: Vijay Gadde, Bill
18 Medcalf, Susan Rein.

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1 MR. GADDE: Vijay Gadde, G-A-D-D-E,
2 Village of Lake Zurich.

3 This is in response to the STB's
4 release of the draft EIS regarding the
5 expected environmental effects on the
6 proposed CN acquisition of the EJ&E line
7 which bisects the entire community of Lake
8 Zurich and specifically its downtown

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redevelopment area, which has been
struggling to revitalize.

My comments are focused on
noise, vibration, and quiet zones. EJ&E
tracks about quiet residential neighborhoods
and school properties that will be impacted
negatively by the increased sound, noise,
and vibrations caused by the increase in
train traffic. While the DEIS acknowledges
that this can be intrusive and annoying to
the occupants, the report focused only on
the potential perception of vibrations and
interference with vibration-sensitive
equipment.

The DEIS provides a broad range
of mitigation measures without clearly

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indicating which measures the STB would
like to impose on CN for specific levels of
impact. The LDN of 70 DBA is an
unsubstantiated threshold for mitigation
for noise impacts. This methodology is too
generalized and could result in an
inaccurate inclusion or exclusion of
impacted homes that could require
mitigation for noise impacts.

The DEIS also identified a Lake
Zurich monitoring location, 437 Elm Place.

12 we do not have such an address in Lake
13 Zurich. We also have questions about the
14 location and validity of the vibration test
15 performed in the Carolyn Court subdivision
16 where the equipment malfunctioned after two
17 trains because of subzero temperatures.

18 The mitigation measures
19 identified -- the DEIS concludes that the
20 noise wall in the propagation path could
21 potentially help with the noise level, but
22 it does not identify the mitigation
23 measures at all.

24 Also, the DEIS abdicates its

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1 responsibility to address for noise impacts
2 by encouraging CN to negotiate with
3 affected municipalities rather than taking
4 a hard look at the mitigation itself. The
5 DEIS mentions noise walls and suggests the
6 CN determine their feasibility.

7 with undercounted ADTs, short
8 train lengths, and the overly optimistic
9 data regarding train speeds, the region
10 cannot accept the DEIS conclusions on delay
11 calculations that led to an undercounting
12 of the number of grade crossings that are
13 in need of mitigation.

14 Once again, the affected

15 communities are left to their own devices
16 to negotiate with CN without any indication
17 of what specific mitigation the STB could
18 impose on CN. Without this specific
19 information, how can these communities even
20 begin to negotiate with CN?

21 while the DEIS acknowledges both
22 existed and planned quiet zones, at a
23 meeting with the village on March 5, 2008
24 CN officials made a commitment to help

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1 maintain the quiet zones.

2 so in conclusion we ask the STB
3 to disapprove the proposed transaction in
4 whole or approve it with the conditions
5 that we submitted earlier.

6 MS. TARCZAN: Bill Medcalf, Suzy
7 Rein, Daniel Peterson.

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1 MR. MEDCALF: Good evening. My name
2 is Bill Medcalf, M-E-D-C-A-L-F. I'm here
3 tonight to speak for myself and for the 52
4 members of the Whiteley Village Townhome
5 Condominium Association. At present those
6 two positions are not in full agreement.

7 Initially I had conditional
8 support for the concept of CN's purchase of
9 the EJ&E West. Routing rail traffic around
10 Chicago would, I thought, reduce start/stop
11 idle and acceleration/deceleration cycles
12 and reduce rail transit time with the
13 expected result of saving fuel and reducing
14 emissions to the Chicago air shed. My
15 concerns were primarily with grade crossing
16 effects on emergency service response time
17 and the noise and vibration affects on the
18 students at Lake Zurich High School. As
19 you've already heard, the EJ&E right-of-way
20 abuts the school property.

21 After reading through the DEIS
22 Executive Summary I now find that I'm
23 beginning to lean to opposition of the
24 sale. It seems that CN's acquisition of

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1 the EJ&E West property will benefit CN
2 greatly and some Chicago neighborhoods to a
3 lesser extent and that the communities
4 along the EJ&E will suffer.

5 To wit, the DEIS makes it clear
6 that those will be -- that there will be
7 adverse impact on the air quality and on
8 fuel consumption, both diesel and gasoline.
9 Furthermore, in several residential areas
10 near me, but not mine, emergency response
11 time can be severely affected unless there
12 is effective mitigation.

13 Finally, in the event of
14 hazardous material spills in some
15 locations, remote though that possibility
16 may be, certain municipal water supplies
17 can be very severely affected. The
18 Whiteley Village Townhome Condominium
19 Association, much of which is approximately
20 500 feet from the EJ&E right-of-way between
21 old McHenry and Oakwood, is opposed to the
22 proposed acquisition principally because of
23 the increased noise, the effects on vehicle

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24 traffic patterns, and emergency services

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1 response time that will result from the
2 increased rail traffic.

3 Thank you for the opportunity.

4 MS. TARCZAN: Susan Rein, Daniel
5 Peterson, Ken Grooms.

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1 MS. REIN: My name is Suzy Rein,
2 R-E-I-N. I'm speaking to you tonight as a
3 13-year resident of the Village of Hawthorn
4 Woods and as a former Village board trustee
5 and as the current chairperson of the Plan
6 Commission and Zoning Board of Appeals of
7 the Village of Hawthorn Woods.

8 I strongly oppose any action that
9 would allow Canadian National to control
10 the EJ&E railway for several reasons. I,
11 along with many others, moved to this
12 community and made time to shepherd its
13 development for the same reason, that it is
14 a unique in the Chicagoland area, a place
15 that is currently defined by many as a
16 quiet rural atmosphere. Many consider it a
17 kind of sanctuary to which residents can
18 retreat after a day of heavy traffic,
19 noise, and hassle experienced elsewhere.

20 Our peaceful rural and natural
21 environment would be significantly altered
22 if numerous long freight trains are
23 rerouted through our village on the EJ&E
24 tracks. Increases in noise, traffic,

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1 pollution, danger, and frustration would be
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2 our new normal. That's not what we came
3 here for.

4 Many of us have been working for
5 years towards the fulfillment of a
6 comprehensive plan which guides the
7 thoughtful and careful development of this
8 community. It has taken a long time to
9 arrange for the necessary infrastructure
10 and resources like sewer and water which
11 are essential to support nonresidential
12 development and an additional tax base.
13 These resources are finally in place or are
14 coming into being.

15 As a result, we are just getting
16 under way with attracting retail and other
17 business to our community, businesses which
18 would improve the quality of life for our
19 residents, while producing much needed tax
20 revenues for our village coffers. The EJ&E
21 tracks run right along this business
22 corridor, and I'm concerned that if you
23 approve the acquisition, the impacts will
24 significantly impede or derail many of our

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1 business development opportunities.

2 The negative impact on property
3 values has been addressed by some others
4 here this evening, as has the fact that
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5 this train track bisects our village and
6 that long Canadian National freight trains
7 would block two of our main roads at once
8 making it impossible for emergency services
9 to reach people or property in time when
10 minutes matter.

11 Finally, I want to add that if
12 after hearing all of the testimony against
13 the acquisition you decide to support it
14 anyway, I urge you to demand that Canadian
15 National use its own financial resources to
16 mitigate the negative public safety and
17 environmental impacts that will result.
18 Street and track rate changes, barrier
19 walls, and the like will all be needed, and
20 villages like ours do not have the money to
21 pay for these safeguards. I encourage you
22 to make a thoughtful, thorough decision
23 that weighs all the evidence and protects
24 the people, property, development

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1 opportunities, and the environment in the
2 place that we call home.

3 Thank you.

4 MS. TARCZAN: Daniel Peterson, Ken
5 Grooms, Chris Grooms.

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1 MR. PETERSON: Daniel Peterson,
2 P-E-T-E-R-S-O-N, director of building and
3 zoning for the village of Lake Zurich.
4 I'm here to tonight to talk about
5 land use, socioeconomics, and community
6 cohesion. The mythology used to evaluate
7 the effects of the proposed action are
8 flawed due to the lack of evaluation of the
9 impact of the increase in train traffic on
10 existing or future land use plans

11 specifically stated in the report. None of
12 the existing or future land use plans
13 reviewed assumes that the EJ&E rail
14 corridor would be removed. We're not
15 arguing that it would be removed. However,
16 in land use plans the Village of Lake
17 Zurich and the communities around us and on
18 the whole corridor plan for the usage that
19 has been for decades, a single-track
20 service rail. We did not plan for 400
21 percent additional freight traffic.

22 To show the impact on land use
23 I'd like to read a letter that we received.
24 We've been recruiting a senior living

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1 center to come in and build a property
2 adjacent to the E.
3 "I regret to inform you that
4 Pathway Senior Living has elected not to
5 pursue this project at the current
6 location. I appreciate the support the
7 project received at the Village's courtesy
8 review. As you know, the project would add
9 120 assisted living units at a total
10 development cost of approximately
11 \$22 million and operationally would employ
12 40 to 45 full-time employees.
13 Unfortunately the site backed up to the
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14 EJ&E railroad. We belatedly learned of the
15 potential sale to the CN and the
16 significant increase in rail traffic they
17 proposed. While the limited current use of
18 the line could be accommodated with
19 sufficient sound insulation, we believe the
20 increased use is incompatible with
21 residential use."

22 This specifically addresses and
23 it limits our use of land within the
24 corridor. The Environmental Impact

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1 Statement did not account for that.

2 Secondly, job loss. The
3 Environmental Impact Statement states that
4 280 jobs would be lost indirectly or
5 directly related to this transaction. We
6 lost 45 new jobs with this one transaction
7 alone. Now multiply that across 36
8 communities or across the corridor. I feel
9 the report failed to account for this job
10 loss and socioeconomics in the region.

11 Finally, we've been asked just to
12 accept this because it's always been there.
13 I think that's the wrong perception. The
14 villages and communities in the region need
15 to be heard and taken a look at all the
16 impacts that negatively affect us.

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17 In conclusion, I ask that the STB
18 take the time to thoroughly evaluate the
19 environmental impacts that the proposed
20 purchase would have on our community. I'd
21 also ask that the adverse economic burden
22 caused by this transaction and the loss of
23 property value, tax base for businesses,
24 job loss be fully mitigated prior to

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1 consideration.

2 Thank you.

3 MS. TARCZAN: Ken Grooms, Chris
4 Grooms, Vanessa Griffin.

5 MR. GROOMS: My name is Ken Grooms,
6 Jr., It's G-R-O-O-M-S, and I want to thank
7 you for allowing us to speak to you this
8 evening.

9 I have several concerns regarding
10 the EIS as submitted. The first of which
11 is the impact on the proposed Star line,
12 the Amtrak lines, and the Metra lines in
13 the area.

14 For example, with the proposed
15 Star line, while it is not currently an
16 operating commuter service, many of the
17 municipalities along this line have spent
18 millions of dollars in preparation for this
19 line. For example, the City of Naperville

20 has spent in excess of \$8 million in
21 acquiring 45 acres of land for the proposed
22 star line train stations.

23 we also believe that the EIS
24 scope needs to look at the additional costs

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1 local governments will incur in providing
2 future grade separations between the
3 railroad lines. We also believe that the
4 EIS scope needs to be expanded to look at
5 the economic and quality of life losses
6 that will result from not only the impact
7 of this increased train traffic, but also
8 the possible loss of the star line. If the
9 CN has projected that another -- an
10 additional line be put in alongside the
11 EJ&E line for the star line, that the CN be
12 responsible for the cost for that and not
13 pass it on to Metra, which is already
14 struggling.

15 Another thing is the CN has
16 stated that their trains will be traveling
17 at a higher rate of speed than the current
18 EJ&E trains. If that is so, that would
19 create an additional hazard for the people
20 trying to cross the tracks and for the
21 people, vehicles, and pedestrians trying to
22 cross the tracks.

23 In specific, a couple of the
24 sections of the report that I'd like to

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1 comment on, section 1-A states that
2 consideration for at-grade crossings be
3 given for all crossings of 2,500 or more.
4 I would propose that that be for all
5 proposed and future grade crossings that CN
6 have a financial commitment to.

7 One comment that was made as to
8 earlier in conclusion that the State of
9 Illinois is losing jobs. Well, part of the
10 reason we're losing jobs is the dysfunction
11 of our state legislature and not the
12 congestion in Chicago.

13 So I highly recommend that you
14 take a serious look at the mitigation
15 problems that this will create and that you
16 reject this.

17 Thank you.

18 MS. TARCZAN: Chris Grooms, Vanessa
19 Griffin, Gregory Schaeffer.

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1 MS. GROOMS: My name is Chris
2 Grooms, G-R-O-O-M-S, resident of Lake
3 Zurich.

4 I strongly oppose this purchase.
5 My main concern with this purchase is the
6 public and school safety issues. 14
7 locations on the EJ&E line will see an
8 increase between 15 to 26 trains per day.
9 According to local emergency room
10 officials, for every extra minute of delay
11 for a heart attack patient the chance of
12 survival is reduced by 10 percent. Freight
13 trains can take 4 to 6 minutes to pass a
14 crossing. A 6-minute delay leads to an
15 even greater reduced chance of survival.
16 Any delay in beginning fire suppression
17 will result in significantly greater damage
18 to the structure involved plus increases of
19 threat to the lives of occupants of that
20 structure. Also, each year in Illinois at
21 least 50 people are killed and another 50
22 are injured in rail crossing collisions.

23 I would ask that you reject this
24 proposal as these are real life statistics

1 and life and death time issues, and they
2 should always supersede the interests of a
3 for-profit organization.

4 Thank you for listening to all
5 our concerns.

6 MS. TARCZAN: Vanessa Griffin,
7 Gregory Schaefer, James Bateman.

8 Vanessa Griffin.

9 Gregory Schaeffer.

10 James Bateman please take your queue.

11 Michael Fisher please take your queue.

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1 Mr. SCHAEFFER: My name is Gregory
2 Schaefer, S-C-H-A-E-F-E-R. I'm one of

3 those hysterical people that Robert Sherman
4 talked about. Let me tell you why.

5 December 1999 a petroleum
6 products train that links an oil refinery
7 to the people in Montreal exploded when it
8 collided with a freight train. The train
9 derailed on a switch frog that broke under
10 the stress. According to many train crews,
11 this spot was known to be defective, but
12 even after repeated reports, management
13 refused to effect any repairs.

14 May 14, 2003 a trestle collapsed
15 under the weight of a freight train near
16 McBride killing both crew members. Both
17 men had been disciplined earlier for
18 refusing to take the train on the same
19 bridge claiming the bridge was unsafe.
20 Subsequent inquiry revealed as far back as
21 1999 the bridge components had been
22 reported as rotten, yet no repairs had been
23 ordered by management.

24 Residents of Wabamun Lake and

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1 Alberta staged a blockade of CN tracks in
2 August 2005 when they were unsatisfied with
3 CN's response to a fuel oil spill in the
4 lake from the derailed freight train.

5 On August 5, 2005 a CN train had

6 nine cars derail on a bridge over the
7 Cheakamus River causing 11,000 U.S. gallons
8 of caustic soda to spill into the river.
9 The CBC has stated that it could take the
10 river as long as 50 years to recover from
11 the toxic pollution.

12 Transport Canada has restricted
13 CN to trains not exceeding 80 cars in
14 length because of the multiple derailments
15 on the former BCR line. CN had allegedly
16 been running trains in excess of 150 cars.

17 A further derailment at Moran, 20
18 miles north of Lillooet, on June 30, 2006
19 has raised more concerns about CN's safety
20 policies. Two more derailments days apart
21 near Lytton in August 2006 have continued
22 criticism. In the first case 20 coal cars
23 of a train using the CN bridge derailed
24 dumping 12 cars of coal into the Thompson

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1 River.

2 Two CN trains collided on August
3 4, 2007 on the banks of the Fraser River.
4 Several cars carrying gasoline, diesel, and
5 lumber burst into flames. Water bombers
6 were needed to help put out the fire, but
7 the fuel still seeped into the Fraser
8 River.

9 On December 4, 2007 a CN train
10 derailed near Edmonton. Of the 28 cars
11 that derailed thank God most of them were
12 empty. The minister of Canadian Transport
13 talks about the safety program of the CN
14 and says "It seems to be blame and
15 punishment instead of educate and correct.
16 Frequently employees involved in accidents
17 are blamed for errors without follow-up or
18 root cause investigation. They are then
19 punished without any other corrective
20 action taking place on the part of the
21 railroad to prevent recurrences."
22 These guys can't get it right up
23 there. The Canadian government knows it.
24 They can't get it right down here.

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1 MS. TARCZAN: James Bateman, Michael
2 Fisher, Michelle Oehlerking (phonetic).
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1 MR. BATEMAN: My name is James
2 Bateman. I'm a resident of Barrington.
3 I've been a resident of
4 Barrington for the last three decades.
5 During that time on five separate occasions
6 members of my family have required
7 emergency medical treatment, and in three
8 of those cases they required transport by
9 the Barrington Fire Department to Good
10 Shepherd Hospital. In three of those cases
11 the ambulance route required crossing of
12 the EJ&E railroad tracks.
13 In at least one of those cases
14 timely intervention by doctors at Good

15 Shepherd Hospital Cardiac Center was
16 essential in order to prevent heart damage,
17 which would have certainly occurred had the
18 treatment been delayed. Northwest
19 Community Hospital, Sherman Hospital,
20 Northern Illinois Medical Center, St.
21 Alexis Hospital are not acceptable in terms
22 of an alternative for the timely cardiac
23 care.

24 It's bizarre to think that the

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1 requirements of a Canadian corporation
2 would dictate that an ambulance has to turn
3 around a mile or a mile and a half from
4 Good Shepherd Hospital and go to a hospital
5 seven or ten miles away in order to get
6 emergency medical care.

7 Building more fire or police
8 stations will never address the grid lock
9 that this proposal will create.
10 Duplicating hospitals is an insane
11 possibility that will never occur. This
12 proposal will rip apart the fabric of a
13 community that I've lived in for many, many
14 years. It will as a practical matter as
15 has already been discussed this evening
16 prevent timely access not only for
17 emergency medical care, but it will disrupt

18 the education of students due to delays
19 caused by increased freight train traffic
20 who may not arrive at school in a timely
21 manner, and it will cause massive
22 interference with the ability of residents
23 to just obtain the other essential services
24 required for their lives.

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1 The mitigation efforts required
2 by DEIS are woefully inadequate.
3 Recommended, that is, not required. The
4 environmental costs of CN's proposed
5 purchase vastly exceed the proposed
6 purchase price. In fact, just one line
7 item in that environmental cost, that being
8 a conservative estimate for the cost of
9 grade separations, will exceed by many
10 times the reported purchase price.

11 I believe that the draft EIS
12 terribly underestimates the substantially
13 affected grade crossings, particularly in
14 the Barrington area. To leave out Route 14
15 and Lake Cook Road crossings is absurd.
16 One freight train with a 10,000-foot length
17 will block all four crossings in the
18 village of Barrington.

19 I ask you to reject this
20 proposal and prevent the highest price

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21 being paid in that being the death or
22 injury to residents of the areas where
23 emergency services will be affected.
24 Thank you.

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1 MS. TARCZAN: Michael Fisher,
2 Michelle Oehlerking, Marshall Lau.
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1 MR. FISHER: My name is Michael
2 Fisher, F-I-S-H-E-R, and I have lived in
3 the Mundelein area for most of my life.

4 I do not believe that the
5 proposed expansion of Canadian National's
6 freight traffic through Illinois will
7 benefit anyone but Canadian National. They
8 have suggested that shifting rail traffic
9 will have benefits for some communities and
10 drawbacks for others, but I believe all of
11 Illinois will suffer.

12 Turning the EJ&E rail line into
13 a freight train superhighway will decimate
14 the dozens of cities it currently runs
15 through. Housing values will fall, tax
16 bases will decrease, businesses will close
17 or move, and traffic will increase.

18 At the same time there will still
19 be rail lines in these other, quote,
20 benefit communities, and I doubt that these
21 will remain idle. As freight increases,
22 these lines will surely be returned to
23 their current high level of utilization.

24 Canadian National is just a

1 business, a corporation, and, as such, it
2 has no mandate other than to increase
3 revenues. They have a deplorable record of
4 working with communities, of dealing with
5 the negative impact of their business. The
6 schools, private homes, and businesses that
7 currently reside alongside of the EJ&E will
8 quickly become hostages to the goodwill of
9 a corporation that has shown it has no
10 goodwill. When trains derail, when traffic
11 fatalities occur, when hazardous materials
12 are spilled Canadian National has shown
13 itself to be magnificently unhelpful to the
14 people, communities, and environments that
15 are affected.

16 Change takes time. I repeat,
17 change takes time. Our city have been
18 built around a certain level of rail
19 traffic. To change overnight from a few
20 trains a day to greater than 20 trains a
21 day is to blatantly disregard the rights of
22 people in favor of corporate profit. A
23 gradual increase in traffic is acceptable
24 and allows cities to gradually restructure

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1 themselves. An overnight increase of the
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2 magnitude that is being proposed here today
3 is a recipe for disaster. To permit that
4 much rail traffic before any system is in
5 place to handle it is unimaginable.

6 Canadian National would like
7 this process to be quick and dirty. Just
8 increase the trains and let the towns sort
9 out the problems later as best they can.
10 Remember that the communities Canadian
11 National currently runs trains through have
12 had many decades in which to adjust
13 themselves to their current level of rail
14 traffic. Houses, schools, and businesses
15 have been located with an eye to the
16 railroad tracks. Underpasses and
17 overpasses have been planned and gradually
18 constructed. And even with all this they
19 find the rail traffic intolerable. They
20 are overjoyed at the prospect of fewer
21 trains.

22 If the impact in our area will
23 be as minor as Canadian National claims,
24 then why are these other towns so desperate

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1 to see them leave?

2 Thank you.

3 MS. TARCZAN: Michelle Oehlerking,
4 Marshall Law, Richard walke.

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1 MR. WALKE: My name is Richard
2 walke, spelled W-A-L-K-E. I'm a resident
3 of Hawthorn Woods on the east side of the
4 tracks, and I'm speaking on behalf of
5 myself.

6 Like many others here tonight,
7 I'm adamantly opposed to the proposal for
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8 the expansion of the rail services on the
9 EJ&E tracks through the area. My
10 opposition is based on a number of reasons
11 that have already been expressed here
12 tonight. So there's probably no point in
13 me standing up here and saying me too. So
14 I'd like to speak to it from the
15 perspective of my expertise, that being
16 fire protection.

17 I'm a fire protection engineer
18 and right off the bat fire protection
19 engineers cringe when we hear the word
20 single family home or one or two family
21 homes. Typically these structures are
22 constructed of wood, obviously them being
23 combustible. Beyond that they lack the
24 modern active and passive fire protection

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1 features that are built into larger
2 structures built in accordance with the
3 International Building Code, items such as
4 fire sprinklers and the monitored fire
5 alarm systems, for example. As a result,
6 the National Fire Protection Association
7 estimates that approximately 83 percent of
8 all fire deaths in America occur in the
9 home. That's approximately 3,000 people
10 annually.

11 Now, why are these numbers so
12 staggering? well, even in a modern code-
13 compliant single or multifamily home escape
14 time is measured in minutes. I have a
15 chart here which I'll leave with the court
16 reporter from the National Fire Protection
17 Association which states after 3.5 minutes
18 without fire sprinklers odds of escaping
19 decrease significantly.

20 3.5 minutes is nothing. It's
21 just a very small segment in time. Even
22 under the best of circumstances in a fire
23 situation the fire services will be
24 arriving basically at the conclusion of

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1 that window of opportunity for escape. If
2 the route is obstructed by a freight train,
3 they will have no window of opportunity.
4 They won't be able to mount their search
5 and rescue operations for the residents of
6 the homes. The residents will be left on
7 their own accord to escape from that
8 structure.

9 Beyond that, if one family
10 member does escape, human nature being what
11 it is, another member doesn't escape,
12 they're going to run back into the building
13 to try to protect or save their spouse or

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14 kids. And I'm sure the two fire chiefs
15 that were here earlier would suggest that's
16 probably not what we should all be doing,
17 but that's what we will all do
18 unfortunately. If their crews are stuck
19 out on Old McHenry Road in a traffic jam as
20 a result of a freight train, the residents
21 will be left on their own accord and very
22 likely the result will be tragedy. That's
23 not what we want for the residents of the
24 village of Hawthorn Woods and the other

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1 surrounding communities.
2 So in summary, I strongly suggest
3 the STB oppose or reject this proposal.
4 Thank you.
5 MS. TARCZAN: Michael Talbett, Ken
6 Deja, Susan Branding.
7 MR. TALBETT: Good evening. My name
8 is Michael Talbett, that's spelled
9 T-A-L-B-E-T-T, and I am a resident of Lake
10 Zurich. I also serve as the vice chairman
11 of the Lake County board and I'm a member
12 of the Lake County Forest Preserve
13 District, and the district I represent has
14 approximately 22,000 people.
15 On their behalf I'm urging the
16 Surface Transportation Board to find simply
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17 that the costs of this merger far outweigh
18 the benefits. Some of those environmental
19 costs have already been identified here
20 tonight, but they're worth repeating.

21 The increase in particulate
22 matter that will come from the trains that
23 pass by, the increased pollution from the
24 cars that are idling is something that has

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1 to be considered. The disturbance of
2 sensitive green spaces in our community has
3 to be considered in the environmental
4 impact. Forest preserves in Lake County
5 will be disturbed and adversely affected by
6 this merger.

7 The exposure of many sensitive
8 residents in this district are adversely
9 impacted by this merger. We've heard the
10 school superintendent talk about the number
11 of children that are in proximity to the
12 railroad lines and will be present as
13 trains pass. Our library has an outdoor
14 children's area very close to the railroad
15 tracks. So these have to be considered as
16 well.

17 I think the various
18 representatives of the emergency responders
19 that were here tonight clearly made the

20 point that lives will be lost because of
21 increased response times. What price do we
22 put on those?

23 If the Surface Transportation
24 Board is to allow this, they have to

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1 provide and order the CN to do the
2 mitigation that's needed to ameliorate some
3 of these costs.

4 The point has already been made
5 that in the past preference has been given
6 the railroads at different times in our
7 history because the United States has a
8 policy of wanting to promote the opening of
9 the west. Well, those days are long gone
10 and railroad companies are not entitled to
11 such preferences and they should pay their
12 way.

13 Increased noise has a cost.
14 Increased pollution has a cost. Increased
15 environmental disturbance and degradation
16 has a cost. Increased response time has a
17 cost in human life. All these costs
18 outweigh the benefits, and the few benefits
19 that do -- that may be present don't occur
20 in this region. The net effect of this
21 merger is a loss to this area, and that is
22 not what this fact finding is about. The

23 costs outweigh the benefits by far.

24 MS. TARCZAN: Kenneth Deja, Suzanne

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1 Branding, Phillip LaGro.

2

3 MR. DEJA: My name is Kenneth Deja,
4 D-E-J-A.

5 I find it curious that
6 Mr. Gohmann came down from Minnesota on his
7 own dime to promote CN. I seriously doubt
8 Mr. Gohmann has toured the affected areas
9 and really is an expert to comment on what
10 is going to happen if and when we go
11 through this transaction.

12 It's reported that 1.5 million
13 people live among the EJ&E line. According
14 to the U.S. Census in 2007, that's the same
15 number of people equal to the sixth largest
16 state in the United States. This line does
17 not run through commercial corridors and is
18 mostly -- is not mostly in rural areas or
19 on the outskirts of town. It runs through
20 primarily residential areas.

21 I find it sad that
22 Representative Nekritz and Robert Marshall
23 are for the EJ&E purchase because it
24 removes trains from the communities and

1 shifts them to others. That's really not a
2 reason to be for it.

3 I hear about moving goods and
4 services in a cost effective manner. I
5 really don't think anyone is again rail
6 traffic or interstate commerce, but there a
7 smart way to move goods and irresponsibly
8 move goods. I believe this is an
9 irresponsible way to move goods.

10 There are other train lines that
11 are west of this area that are mostly in
12 rural areas. Doesn't mean people won't be
13 affected, but they affect very few people
14 in comparison to this proposed transaction.

15 Currently there are three to
16 five trains a day running along the EJ&E,
17 one around 11:00 p.m., one around 3:00 in
18 the morning, one around mid morning, and
19 one in the afternoon. Rarely do these
20 occur during rush-hour traffic. Our
21 highways are not equipped to handle this
22 increase in traffic.

23 Even this lack of current
24 traffic, someone 60 plus years ago had the

1 foresight to build an underpass under Route
2 12 in Lake Zurich so that car traffic,
3 truck traffic, and train traffic could all
4 coexist. Right now none of these
5 communities have the infrastructure to
6 coexist with a train. That infrastructure
7 will take years if not decades to put in
8 place.

9 Please do not approve this
10 transaction. Thank you.

11 MS. TARCZAN: Suzanne Branding,
12 Phillip LaGro.

13 SUZANNE BRANDING: We thank you for
14 the opportunity to be able to speak this
15 evening. My name is Suzanne Branding. I
16 am a village trustee of the Village of Lake
17 Zurich, and I came tonight without the
18 intention really of speaking, but I have to
19 say something.

20 We are all aware of the safety
21 issues that are involved; the ambulances,
22 the police cars not being able to get
23 through. We are concerned about the
24 environmental security, sound pollution,

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1 vibration, air pollution. I want to bring
2 up these safety and environmental issues on

3 a larger scale. We have dealt with them
4 locally, but let's deal with them
5 regionally and even nationally.

6 what we are considering doing
7 here is allowing a foreign company to buy
8 our infrastructure and allow any country,
9 company, entity who has the money to ship
10 things right in the heart of our country,
11 right through our country? what has
12 Homeland Security said about this? How is
13 Homeland Security going to be checking
14 these cars and this freight? And the
15 things that are coming in?

16 we have all been at airports. I
17 am sure some of you have flown to get here
18 today. You have been through security.
19 You know what it is like. Imagine
20 thousands of train cars coming through your
21 community. How is that going to be
22 checked? How can you assure us we are
23 going to be safe with what is coming
24 through our community? we have already had

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1 various things coming in from halfway
2 around the world. How can we be sure more
3 of this is not going to be happening with
4 the freight that is coming into our
5 country?

6 Let me just say something on a
7 very personal note. I have a daughter who
8 is a foreign service officer with the State
9 Department. I am very proud of her. She
10 has been with our Federal government for
11 six years. I am lucky to see her once or
12 twice a year. She happens to be home right
13 now. Part of her job is keeping us safe.
14 And what is happening with allowing these
15 trains to come through is to open a door, a
16 little bit at our airports to let people
17 come in and with the security on our
18 borders, but we are taking the walls down.
19 We don't know what is coming in here. How
20 are you going to keep us safe?
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1 PHIL LAGRO: Good evening, ladies
2 and gentlemen of the board and staff. I
3 thank you very much for letting all of us
4 have an opportunity to speak with you
5 tonight.
6 I am a long-time resident of
7 Hawthorn Woods, Illinois. I am a plan
8 commissioner on the Plan Commission Zoning

9 Board of Appeals, and I am also a member of
10 TRACK (phonetic), the coalition of
11 communities opposing the potential
12 acquisition of EJ&E by CN.

13 CN is a large, successful,
14 incredibly efficient company. They are
15 arguably already the Number 1 railroad in
16 the world. And my reading of the 2007
17 annual report to shareholders gives me
18 every indication that their aspirations
19 are, in fact, to become the Number 1
20 transportation company in the world. This
21 includes potentially ocean-going
22 involvement, certainly railroading, vast
23 scale and expanding, and also trucking.

24 Their may be trucking removed

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1 from the roadways as part of the proposed
2 transaction, but in the efficient flow of
3 goods by shipping, by rail, and then to the
4 end point customer for CN trucking provides
5 an essential final link in getting the
6 goods to the ultimate customer, whoever
7 that is.

8 In fact, semi tractor trailers
9 are featured photographically in the CN
10 annual report. I won't begin to try and
11 repeat all of the many eloquent, emotional

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12 comments that have come before me tonight.
13 I would just point out that the negative
14 impacts that you have heard so many people
15 talk about are not imagined. They are very
16 real. And they are impacts that
17 potentially will affect hundreds of
18 thousands of US Citizens, taxpayers,
19 families. People just like us. People
20 just like you. And I would say to the
21 board, please do not approve this
22 transaction.
23 As we tell our kids with respect
24 to drugs, just say no.

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1 TERRY BARNETT: My name is Terry
2 Barnett. I live at 4 Sandpiper Lane in
3 Hawthorn Woods. I am the president of the
4 Underground Contractors Association of
5 Illinois. I sit on the Board of Directors
6 of Illinois Road and Transportation
7 Authority. And I meet with Senator
8 Oberstar at least two, three, four times a
9 year. I know Senator Oberstar is kind of
10 Chairman of this whole thing. So I kind of
11 know your boss.
12 These are his numbers from the
13 last meeting that I had with the senator.
14 The transportation system in Lake County is

15 one of the worst in the state. It is
16 already burdened with poorly-constructed
17 roads. The arteries are already clogged.
18 53 hasn't been brought through, and we are
19 getting ready to burden it with additional
20 traffic through the railway system.

21 Senator Oberstar made the
22 comment at his last meeting with half a
23 dozen of us that when General Mills trucks
24 drive on our highways, for every mile per

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1 hour under the posted speed limit costs
2 that company a million dollars. For every
3 mile per hour under the posted speed limit
4 that UPS goes -- and UPS has a huge hub
5 around in here -- every mile per hour under
6 the posted speed limit costs that company
7 \$5,000. That is from the senator's mouth.

8 This transportation system in
9 Lake County is in disrepair. It is not
10 adequate and you are fixing to burden the
11 heck out of it. We will receive benefit
12 and take the brunt of the pain. So the
13 answer is unequivocally a no.

14 Thank you.

15 MS. TARCZAN: Thank you all for the
16 comments provided tonight. The next public
17 meeting is in Barrington tomorrow from 4:00

18 082608 Public Meeting.TXT
to 9:00 p.m.

19 The final environmental impact
20 statement will be available sometime
21 between December 1st and January 31st.

22 The court reporter will remain
23 in the venue tonight until 9:00 p.m. Feel
24 free, again, to make your comments with one

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1 of our court reporters, through our
2 website, by writing a letter, by calling
3 our toll free hotline. Thank you.

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