

*Steven E. Knoop
32 Otis Road
Barrington Hills, IL 60010*

September 11, 2008

Phillis Johnson-Ball
STB Finance Docket no. 35087
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-001

Dear Surface Transportation Board:

The economic justification and draft report of the environmental analysis of the proposed acquisition of the EJ&E by the Canadian National railway is misleading on the one hand and factually incomplete and inaccurate on the other.

The effects of this transaction and the economic benefits for the foreign owned railroad company, Canadian National, clearly *do not* outweigh the best interest of the United States public. In fact, Canadian National has admitted to a loss of jobs and economic benefit to the Chicago area region. That is because the primary economic purpose for CN, a Canadian owned company, to buy the EJ&E is to be able to ship Asian made goods shipped to Canada, redistributed in Memphis and forwarded to Latin America via Canadian National's ownership of the old Illinois Central freight line which runs from Chicago to New Orleans. As such, this transaction will also give CN a rail monopoly on the central U.S. transportation rail corridor with little to no economic benefit to the U.S. economy.

Regarding the Draft Environmental Impact Study (EIS), this report applies boiler plate logic and parameters to a complex and unique situation which can be demonstrated by the following selected flawed analysis and misrepresentations:

- **Analysis Misrepresentation #1:**

Pages 6-17 in the EIS states that certain communities already face traffic congestion at rail crossings and thus it would be **inappropriate** to hold the Applicants responsible for the traffic at these at grade crossings.

This is ridiculous as it purports that these communities which developed around this low volume short line rail system since 1891 (117 years ago) should have predicted a global economy and known in advance that a major international class 1 railroad was about to stream roll through its community with international freight headed to Latin America on a rail road built 117 years ago.

Such assertions are analogous to someone with who gets a wet basement floor after a rain and then is subjected to a planned redirection of a river causing a massive flood that implodes their house. Then upon investigation of fault, the entity causing such redirection (similar to the CN) takes no responsibility because they claim the house's basement was moist to begin with.

Also, to suggest that school traffic, such as the crossing at Lake-Cook road, only needs to be mitigated with fences and signs with 800 emergency numbers implies the STB's preference to a foreign multinational and its stock holders over that of America's youth and their safety.

To apply "historical" measures of accountability to a unique situation is irresponsible.

- **Analysis Misrepresentation #2:**

Pages ES-18 states that "...vibrations by even the heaviest trains rarely cause structural damage or even minor cosmetic damage..." Sweeping statements of this type concerning vibration are false and inaccurate. To use the SEA's analysis on vibration on a dam 1,500 feet from the track is not only flawed but ignores two material facts as follows:

First, the EJ&E was built in 1891 and was not designed nor does it have the road bed to be a Class 1 railroad. Thus, such vibration conclusions as stated in the EIS draft are irrelevant.

Second, it is apparent that the STB has not done its homework concerning the Hawthorne Lake / Otis Road Bridge in Barrington Hills. Specifically, in 2003 the Village of Barrington Hills discovered that the bridge was so damaged by the low volume EJ&E's vibration that the entire EJ&E rail line had to be shut down until repairs could be made. It is further disturbing to note that the repairs were made by EJ&E by dumping bags of un-cured concrete in the vicinity of the structural damage thereby plugging a leak that was draining Hawthorne Lake and eroding the structural underpinnings of the bridge itself. No remediation or structural repairs have since been done to the bridge itself, thus making it a prime candidate for failure and thereby severely increasing the chances of an environmental disaster infecting Flint Creek and the surrounding ground water used for individual wells.

- **Analysis Misrepresentation #3:**

Pages ES-16 states that while individual property values within 250 feet may decrease, overall property values within the study area will not be affected.

Totally absurd. If the STB understood the arterial layout of the community, the dangers of cutting off emergency services coupled with the potential nightmarish traffic conditions along with extreme environmental hazards effecting our dependence on ground water and the like – would make any new comer to the area (such as transferee's) pause before buying in the Barrington area. If this CN merger is approved – the STB will have signed a death warrant on this community and should be held accountable for the destruction and deterioration of the all of the property values. Again, such statements confirm the total lack of understanding on how the community interacts with its infrastructure and demonstrates that this draft report is applying boiler plate logic and parameters to a complex and unique situation.

Finally I am concerned about the biasness of U.S. Representative Lipinski.

- U.S. Representative Lipinski who is the only Chicago Representative who sits on the Transportation Committee that oversees the STB.
- Mr. Lipinski's second largest campaign contributors are the class one railroads – making him and indirectly the STB biased parties.

- Mr. Lipinski openly has solicited such municipalities such as Buffalo Grove to shove its already present and already mitigated train traffic to a neighboring village thereby encouraging town vs. town; neighbor verses neighbor for the benefit of a foreign multinational. Further, Canadian National has given no written guarantees to these municipalities as to actual train traffic reduction.
- Mr. Lipinski ignores the fact that when the Wisconsin Central owned the tracks in Buffalo Grove that its Chicago rail traffic ran efficiently only to be put in shambles by the CN when they bought it.
- It is evident that Mr. Lipinski does not understand municipalities' comprehensive plans and the development of communities which co-existed with a 117 year old lightly used rail line since 1891.

Mr. Lipinski and the STB – the Barrington Communities are not for sale.

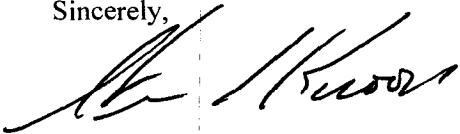
We are not for sale to enhance foreign stock holders

We are not for sale for the benefit of Canada and Latin America to receive Asian freight

The STB should reanalyze the true facts and to turn down this transaction.

The STB should also request Mr. Lipinski resign from the Transportation Committee for his overt and shameless bought biasness.

Sincerely,



Steven E. Knoop
Trustee of Barrington Hills

cc: Melissa Bean – U.S. Congress
Donald Manzullo – U.S. Congress