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

4

5 PUBLIC HEARING

6 August 27, 2008

7 6:00 P.M.

8

9 Conducted by:

10 Tina-Marie Adams, 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 BARRINGTON HIGH SCHOOL
17 616 WEST MAIN STREET
18 BARRINGTON, ILLINOIS

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21 REPORTED BY: TINA ALFARO, SHARON STUCKLY, CHERYL
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23 BROGAN, JAMIE FRIEL, LAURA RENKE
24

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1 MS. ADAMS: We're now going to begin
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2 the public meeting portion of tonight's
3 meeting. If everyone would please take
4 your seats.

5 Good evening, ladies and
6 gentlemen. Thank you for attending
7 tonight's meeting. We are here tonight to
8 hear your comments on the Draft
9 Environmental Impact Statement that was
10 released July 25 regarding Canadian
11 National Railway's proposed acquisition of
12 the EJ&E railroad.

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

20 Before we get started I'd like to
21 take this opportunity to review some
22 protocol for tonight's meeting. For
23 starters, I would ask that everyone please
24 turn off your cell phones and please

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1 refrain from interrupting any speakers or
2 commenters. In a moment I will introduce
3 those presiding over the meeting and there
4 will be a short presentation on the

5 findings from the Draft Environmental
6 Impact Statement.

7 Immediately following this we
8 will hear your comments. Each commenter
9 will be given up to three minutes to speak.
10 There will be a time clock displayed on the
11 screens to my right and left, and the time
12 clock will display 3 minutes and count
13 down. A yellow card will be shown at 2
14 minutes and 30 seconds and a red card will
15 be shown at 3 minutes. A list of speakers
16 in order will be displayed on the screen.
17 Also, I will call forward the next two
18 speakers in line after each speaker so we
19 can be as efficient as possible.

20 There is one microphone set up at
21 the head of each aisle here on the floor.
22 Though many of you have signed up to speak
23 tonight, due to our time constraints and
24 the number of people who have signed up we

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1 may not be able to list all commenters.
2 However, we want to ensure you that all
3 methods of comment received by September
4 30th will be taken into consideration and
5 weighed equally.

6 Included in the programming you
7 received tonight there's a toll free
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8 number, web site, and mailing address to
9 submit comments to the Surface
10 Transportation Board. There are also
11 comment forms and drop boxes located at the
12 far end of the gym and court reporters
13 located throughout the venue. You may
14 record your comments with them throughout
15 the meeting.

16 Tonight we are here to listen to
17 your comments on the draft EIS. This is
18 not a question and answer session, but we
19 invite you to return to the open house area
20 at the far end if you have questions or
21 comments that you would like to provide.
22 Also, you can provide comments in a more
23 private setting with a court reporter
24 located there. The meeting will conclude

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1 at 9:00 p.m.
2 We appreciate your courtesy as
3 we work to create an environment where
4 everyone can be heard. If you disagree
5 with the speaker, we ask that you not
6 express your disagreement out loud.
7 Likewise, please note that applause for a
8 speaker during his or her comments gives
9 that person less time to speak and
10 ultimately limits the time for everyone

11 else to speak.

12 In the event that anyone needs a
13 Spanish translator, Beatrice is here to
14 assist. Beatrice will be here.

15 If you have any questions, we
16 have a number of staff available to assist
17 you. Staff are identified with nametags
18 like the one I'm wearing and are located
19 throughout the venue.

20 One quick housekeeping matter,
21 there are four emergency exits, two located
22 at the front of the gymnasium where we are
23 standing to my right and left as well as at
24 the far end of the gym.

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

10 With that, Victoria Rutson will
11 now make some comments about the draft EIS.

12 MS. RUTSON: Thank you, Tina-Marie.
13 Can everyone hear me? If you have trouble
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14 understanding what I'm saying, please just
15 raise your hand, and I'll try to move to
16 the other mic or speak more slowly or make
17 a little bit more sense even for an
18 attorney.

19 My name is Vicky Rutson. I'm the
20 chief of the section of environmental
21 analysis at the Surface Transportation
22 Board. I'm very pleased to be with you
23 here tonight.

24 I understand and everyone on our

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1 team understands how many questions this
2 proposed acquisition has raised in the
3 communities around Chicagoland. The
4 purpose of the meeting here is to listen to
5 your comments on the Draft Environmental
6 Impact Statement. I want to remind you
7 that there are many ways to submit
8 comments, and each way of submitting a
9 comment counts equally.

10 Sometimes people don't feel
11 comfortable speaking in public. For those
12 people please feel free to submit letters.
13 They must be postmarked by September 30th,
14 and the information about where to send
15 your letters is in the information booklet
16 that you've been provided with tonight.

17 You may also E-file using the board's web
18 site. You may also call our toll free
19 environmental hotline and leave a recorded
20 message.

21 Again, as Tina-Marie said, you
22 may go back to the far end of the gym and
23 speak privately to one of the court
24 reporters who will carefully record your

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1 comments, and the tables will continue to
2 be set up in the back with the comment
3 sheets that you can fill out, leave here,
4 or take home to mail in. Again, each means
5 of submitting a comment are treated
6 equally.

7 Now, what are we going to do with
8 all these comments? When the comment
9 period closes on September 30th, the team
10 will carefully read, review, consider, and
11 respond to the comments in a document known
12 as a Final Environmental Impact Statement.
13 That Final Environmental Impact Statement
14 should be coming out sometime between
15 December 1st and January 31st.

16 That document will set forth my
17 team's recommendations to the decision
18 maker in this case. The decision maker is
19 the Surface Transportation Board. Let me

20 speak for just a couple minutes about who
21 is the Surface Transportation Board.

22 The board is an agency in
23 Washington D.C. charged with Congress to
24 ensure a strong rail freight transportation

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1 system in the United States. The board is
2 composed of three members. They're
3 appointed by the president and confirmed by
4 the senate. The names of the three board
5 members are in your materials. They will
6 be making a decision on whether to approve,
7 deny, or approve with conditions the
8 proposal by Canadian National to acquire
9 the E&E railroad.

10 The board complies with its own
11 government statute, the Interstate Commerce
12 Act, but it must also comply with another
13 statute called the National Environmental
14 Policy Act, and it's under that law that
15 we're all here tonight. That law requires
16 all federal agencies to take a hard look at
17 environmental impacts of their decisions
18 before making a final decision. Therefore,
19 the board must take a hard look at the
20 environmental impacts both beneficial and
21 adverse of CN's proposed acquisition before
22 rendering a final decision.

23 If we put the final EIS out
24 sometime between December and the end of

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1 January, then the board cannot act with a
2 final decision until after that final EIS
3 is out.

4 The board is a neutral party. It
5 is neither a proponent nor an opponent of
6 the file that it is considering. It must
7 neutrally and carefully consider the full
8 record before making a decision.

9 Again, that full record includes
10 all the comments that we'll be gathering
11 from members of the public. We're going to
12 be listening very carefully to everything
13 you say tonight. We're going to be looking
14 very carefully at everything you submit
15 orally and in writing.

16 I thank you so much for being
17 here, and I thank you in advance for
18 treating each speaker with courtesy and
19 respect. It's difficult to get up in front
20 of a crowd and speak, and it's very
21 difficult to do that when you know your
22 position may not be going over well. So
23 please, even though you may not agree at
24 all with what someone may be saying, I do

1 ask that you treat them with the courtesy
2 and respect that I know that you have shown
3 me and my team throughout this very
4 difficult process.

5 Thank you so much for being here
6 tonight, and now I'm turning the microphone
7 over to John Morton.

8 MR. MORTON: Thank you, Vicky.

9 For those over in the
10 entranceway, please feel free to come on
11 in. There are seats available up in the
12 bleachers on both sides. You know, I know
13 we have a venue where you're going to have
14 some commotion over there. Just kind of
15 bear with that.

16 What I'd like to do is speak a
17 little bit about what the EIS found.
18 First, CN is a class 1 railroad, a major
19 shipper of domestic and foreign freight.
20 It operates five rail lines converging into
21 Chicago. They're shown in the dark on the
22 maps up there. I know that the people in
23 back may not be able to see them too well,
24 but they converge on Chicago and they

1 operate about 150 miles in Chicago.

2 The EJ&E is a regional railroad
3 that operates in an arch around the City of
4 Chicago. It starts in the dark part in
5 Waukegan. That's at the far upper corner
6 of the map up there. EJ&E is shown in the
7 orange color. I know it's a little light.
8 It comes pretty much due south to the
9 Joliet and then straight east across
10 Illinois and into Indiana and then up to
11 Gary, Indiana. EJ&E operates two major
12 rail yards, one the Joliet yard in Joliet,
13 Illinois and Kirk yard in Gary, Indiana.

14 According to the applicant,
15 Canadian National, the purpose for
16 acquiring the EJ&E rail line is, one, to
17 increase CN's operational flexibility by
18 combining their five rail lines in one
19 continuous group around Chicago; the second
20 one is to make Kirk yard available to the
21 CN; and the third is to allow CN to provide
22 a more -- develop more extensive
23 relationships with the shippers on the EJ&E
24 rail line.

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1 The draft EIS, which I notice a
2 number of you have, is a very voluminous

3 document and it covers a number of
4 subjects, and I've listed the subjects up
5 there. I just want to briefly go through
6 just a few of the findings so that we
7 provide enough time for everybody to
8 provide comments. If you have
9 questions -- and I know you will -- the
10 open house session is still open and
11 there's staff back there. Feel free to go
12 back at any time and ask your questions of
13 the staff and they can explain what the EIS
14 is covering in a little bit more detail
15 than I'm going to go through tonight.

16 First, the proposal results in
17 some operational changes which I'm going to
18 talk about in a few minutes. It also
19 includes the construction of six
20 connections, and that is a connection
21 between the EJ&E and another rail line.
22 Those are listed and we have a map in the
23 back that shows where each one of those
24 connections are proposed.

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1 we also operate 19 miles -- or
2 they also propose to construct 19 miles of
3 new parallel rail line, and those are the
4 locations that they're proposing and, once
5 again, we have a map in the back if you

6 want to see specifically where
7 those -- that new parallel main line would
8 be constructed.

9 This is a density chart that
10 comes out of the analysis. I know it's a
11 little bit confusing, but it basically
12 attempts to show the changes in trains and
13 that's trains per day is the way it's
14 represented. The light blue lines -- the
15 light blue color is the existing number of
16 trains per day. The dark color is the
17 proposed number of trains per day. So you
18 can see where the traffic is proposed to be
19 shifted. Generally speaking, what happens
20 is the CN rail lines on the inside of the
21 arch will show a reduction in rail traffic.
22 The line on the EJ&E arch itself will show
23 an increase in rail traffic.

24 One of the conclusions that the

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1 EIS reaches from that is that as a result
2 of traffic changes EJ&E would be near or at
3 its practical traffic volume capacity. As
4 a result, the EIS concludes that it's
5 unlikely that the track levels on the EJ&E
6 would be higher than those estimated by CN
7 in their operations plan. In addition, the
8 other conclusion is that Metra's on-time

9 performance can be maintained with
10 effective cooperation between CN and Metra.

11 There's a number of -- the draft
12 EIS evaluates training and roadway safety
13 issues, and there's a number of
14 conclusions. In general on the EJ&E arch
15 itself there's a -- because of the
16 increased amount of freight trains, there
17 will be an increase in the probability of a
18 train accident and also an increase in the
19 probability of highway/rail accidents. By
20 the same token, on the CN rail lines
21 because of the reduction in the number of
22 trains there will be a corresponding
23 decrease in the probability of a rail
24 accident on those CN rail lines and a

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1 reduction in the probability of highway
2 accident.

3 The EIS has identified three at-grade
4 crossings that would experience substantial
5 increase in accident risk, and that is Woodruff
6 Road in Joliet, Illinois and Lake and Miller
7 Streets in Griffith, Indiana.

8 Passenger rail line and hazmat --
9 you know, transportation were also
10 evaluated in the EIS. There is no
11 passenger rail operated on the EJ&E. So

12 therefore there would not be a change or
13 effect on passenger safety on the EJ&E rail
14 line. There is passenger rail operated on
15 the CN rail line segments, and therefore
16 taking the traffic off would have a
17 corresponding benefit or improved passenger
18 rail safety.

19 There will be a substantial
20 increase in the amount of hazardous
21 material shipped on the EJ&E rail line and
22 a corresponding decrease on the CN line
23 segments inside the arch.

24 On transportation system -- and

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1 this is basically talking about traffic
2 delay -- there are 155 highway at-grade
3 crossings evaluated on the CN rail
4 line -- I'm sorry -- 155 of which 125 would
5 show a reduced delay improvement because of
6 reduced traffic. Of the 112 highway/rail
7 at-grade crossings on the EJ&E there would
8 be 87 of them that met the board's
9 threshold for analysis, and of those 87
10 there would be 15 that without mitigation
11 wouldn't have a substantial adverse effect.
12 And those are listed, once again -- they're
13 shown in the blue diamonds on the graphic
14 up there, and we have the listing of them

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15 and specifically the locations back on the
16 tables back in the open house section if
17 you want to take a look at those.

18 From an air quality standpoint
19 the EJ&E is a longer route. Therefore,
20 there would be an increase in fuel and an
21 increase in air emissions, but there also
22 would be a corresponding increase in
23 efficiency and the net result is that the
24 air emission changes in 2015 would not

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1 exceed any current regulations or impact
2 the region's air quality compliance.

3 The EIS evaluated all the
4 emergency service providers along the arch
5 and concluded that without mitigation 11
6 emergency service providers, that's nine
7 fire stations and two medical facilities,
8 would experience substantial effects, and
9 those, once again, are shown on the graphic
10 up there and they're listed specifically
11 and located on the maps back in the back.

12 Noise, there would be about 3,000
13 residences that would now be within the 65
14 DB contour on the EJ&E arch. There would
15 be about 2,700 on the CN rail lines that
16 would see a reduction in noise. One of the
17 conclusions specifically applicable to this

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18 area is that the Barrington quiet
19 zone -- and I believe that's a quiet zone
20 that starts at Huff Street and goes to the
21 southwest -- would lose its status because
22 of the increased train activity.
23 The EIS also identified a number
24 of mitigation measures or proposed

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1 mitigation measures. CN provided a set of
2 voluntary mitigation measures, 76 of which,
3 and they're listed in the various
4 categories showing the areas that they
5 would mitigate. In addition to that the
6 EIS has 72 additional mitigation. That's
7 above and beyond the 76, and, once again,
8 the categories are there.

9 The executive summary of the EIS
10 lists all 76 and all 72, if you happen to
11 have that, and we have lists back in the
12 back or you can find people back there if
13 you have specific questions on what's
14 recommended in the draft EIS.

15 With that I'd like to turn it
16 back over to Tina-Marie.

17 MS. ADAMS: We will now begin the
18 comment portion of our meeting, and we'll
19 begin with Congresswoman Melissa Bean and
20 Congressman Don Manzullo.

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1 REPRESENTATIVE BEAN: I'm going to
2 turn myself to the group while I am
3 addressing the STB.
4 Good evening. I'm
5 Melissa Bean, and I have the honor of
6 representing the Illinois 8th District in
7 the U.S. Congress and many of you that are
8 here tonight. I'm speaking to you not just
9 on behalf of those that I serve in this
10 district, but as a mom in the community.
11 In fact, I just missed both of my
12 daughters. So like many of you I have to
13 cross the EJ&E tracks to go to the grocery
14 store, to go to school, to get to the
15 hospital, and it effects us on a personal
16 level as well.

17 But this just isn't a
18 Barrington area issue as some have tried to
19 portray. There are well over 40
20 communities along the EJ&E not just in my
21 district like Mundelein, Hawthorn Woods,
22 Lake Zurich, but also outside of this
23 district, Bartlett, Naperville, Aurora,

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24 Plainfield, West Chicago, Frankfort,

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1 Northwest Indiana. These communities will
2 experience a 400 to 900 percent increase in
3 freight traffic if you include the lengths
4 of the trains. That's why there's
5 bipartisan opposition to this deal in our
6 Illinois delegation in Indiana including
7 our Senators Durbin and Obama, Reps.
8 Manzullo, Roskam, Foster, Biggert, and
9 Visclosky.

10 Last November I
11 requested the Environmental Impact
12 Statement and the STB did prepare it and I
13 appreciate that. Unlike the standard
14 review performed by the STB, the EIS
15 process made this forum possible so many of
16 you here today could raise your concerns.
17 Over the last several months thousands of
18 residents have brought out unprecedented
19 levels of opposition, and I appreciate your
20 involvement.

21 The intent of the EIS
22 should be to balance priorities between the
23 issues of commerce and transportation
24 concerns with the safety, quality of life

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1 and the economies of our communities, and I
2 know that my constituents here tonight are
3 counting on you, the STB, a federal agency
4 paid for by their tax dollars, to serve
5 their interests.

6 Regrettably the recent
7 Draft Environmental Impact Statement seems
8 to endorse allowing a private company to
9 destroy local communities' quality of life,
10 safety, and economies while expecting those
11 same communities to pick up the tab.
12 Specifically, it fails in scope and
13 solutions. It fails the public by placing
14 an egregious tax burden on local
15 communities by expecting them to fund the
16 vast majority of mitigation costs for a
17 project they don't want and won't benefit
18 from. CN's 40 million towards mitigation
19 is laughable considering the projected
20 costs just for 15 to 20 grade crossings
21 would be over a billion dollars. It fails
22 to provide other options or even review
23 existing alternatives, whether that is
24 create or a band rail system. They're not

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1 even being considered.
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2 what we're essentially
3 doing here is talking about moving a
4 problem and adding additional problems, not
5 solving a problem. It identifies 15
6 at-grade crossings where there are many
7 more, over 133 that need improvements. It
8 identifies 11 communities that would be cut
9 off from their police, their fire, and
10 their EMS providers who serve them while
11 offering no solutions or recommendations to
12 ensure the safety of our communities.

13 On safety -- I've been hearing
14 from so many parents on this issue. Safety
15 is our number one concern, as you can
16 imagine. Highway rail accident rates are
17 predicted to increase by 28 percent on the
18 EJ&E, and that's assuming that CN even
19 adheres to their very nebulous projections
20 of what those actual increases in traffic
21 would be.

22 It refuses to evaluate
23 the impact this transaction would have on
24 the Metra Star line, which has wide

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1 bipartisan support because in addition to
2 providing a commuter rail, it also would
3 reduce utilization and costs of our
4 highways in decreasing emissions.

5 Phil Pagano from Metra
6 testified at our Chicago hearing and
7 specifically rejected CN's claim that they
8 would make this plan work on the Star line
9 because it would essentially require the
10 same rail, and CN has refused to give Metra
11 any firm commitments in that regard
12 It disregards the severe impact
13 of 400 to 900 percent increase that freight
14 traffic would have on the quality of life
15 in our neighborhoods due to deadlock
16 traffic, increased emissions and pollution,
17 noise levels, safety casualties, thousands
18 of children standing in the freezing
19 winters of Chicago while waiting for 2-mile
20 trains to go by so they can cross the
21 tracks to get to school, lost businesses,
22 lost property value, lost tax revenue.
23 Specifically, the municipality's revenues
24 will decrease while their tax burden

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1 increases.
2 At a field hearing that I held
3 earlier this month local planning
4 organizations commented that this is a
5 backwards process. Randy Blankenham
6 specifically challenged the unsupported
7 assumptions about likely freight traffic
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8 increases given the high fuel costs that
9 are likely to go much higher than what's
10 being projected as well as misstatements
11 about Amtrak and Star line services.
12 worse, the so-called
13 benefits to other communities are not
14 certain as the draft EIS only suggests a
15 3-year enforcement period, which means CN
16 is not accountable to maintain any
17 reductions in freight traffic in other
18 communities or prohibited from increasing
19 traffic in all of our communities. That's
20 no firm commitments from CN.
21 I urge the STB to reject this
22 proposed acquisition outright. If,
23 however, you choose to allow it to move
24 forward, you should require CN to fund and

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1 complete all needed mitigation as
2 identified by our communities before any
3 increase in freight traffic is allowed. As
4 this transaction has been initiated by and
5 for the benefit of a private foreign
6 entity, their shareholder upside should not
7 be paid for by American taxpayers.

8 The current process puts the
9 interests of industries over those of
10 American families and taxpayers. In

11 September I'll be working to improve
12 legislation to change this process in order
13 to better reflect the American values by
14 protecting the rights of our constituents
15 and our communities. The STB has an
16 opportunity to show America, the federal
17 agency they pay for, can and will put the
18 American taxpayer first. Please do.

19 Before my colleague Congressman
20 Manzullo speaks, I just want to add one
21 final comment. I've heard from many people
22 tonight that they came here to speak, and
23 because of the time constraints some will
24 not be able to speak. I know they're

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1 having requests for additional hearings,
2 and I want to make that request again
3 tonight that I hope you'll consider their
4 opportunity to speak.

5 Thanks so much.

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2 MR. MANZULLO: I'm Congressman Don
3 Manzullo representing most of McHenry
4 County with the exception of the northeast
5 corner which is represented by Mrs. Bean.
6 And I cannot tell you how disappointed I am
7 with the poor scholarship by the STB on the
8 environmental impact statement. And I say
9 that -- I say that -- I say that because as
10 I read this, you do not show the impact on
11 the people.

12 The people I represent in
13 McHenry County, tens of thousands of them,
14 each day come through the areas that are
15 impacted, but I want to show you what you
16 concentrated on. On page 3-11-30, on the
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17 horned bladderwort, you took that into
18 consideration. And on page 3-11-10, the
19 yellow-bellied sapsucker.

20 Now these are legitimate issues
21 that should be determined by environmental
22 impact, but because you never insisted on
23 knowing the length of the trains or the
24 number of trains, your statement, your

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1 conclusions are faulty because you don't
2 have the evidence because the CN never
3 squared with you. They never squared with
4 us. That's the problem.

5 And I do not see how you can
6 make this conclusion. In fact the
7 introduction, the 25 minutes that you took
8 should be given back to the people to give
9 them the opportunity. And I would ask
10 unanimous consent that 25 minutes be added
11 to the clock to end at 9:30.

12 Do we have that? Do we have
13 that from you? would you add 25 minutes
14 back to the clock for the people to be
15 heard because the people have never been
16 heard on this.

17 Three weeks ago, four members of
18 congress held a hearing in downtown Chicago
19 and the president of CN Railroad personally

20 told Senator Durbin he would appear
21 anywhere, anyplace anytime. And when he
22 refused to show up the next day, we got a
23 press release threatening to sue. We
24 introduced the legislation. A week later

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1 he puts out a press release asking you to
2 expedite the process so you can bypass what
3 could possibly happen in congress.

4 Now why are these people upset?
5 why are they upset? They've never been
6 treated fairly. And what's at stake? 400
7 crossings of school busses on those tracks.
8 what's at stake is what you never analyzed.
9 what's not in here is the impact on the
10 back up of traffic. You never took a look
11 at that. You never did your job.

12 And my question to you is did
13 you prepare this report or did CN? Who
14 prepared the report? I want to know.
15 would you like to know who prepared it?
16 who prepared the report? Can you answer
17 me? Did you prepare this report or did CN
18 prepare it?

19 MS. ADAMS: I want to remind you
20 this is a public comment period.

21 MR. MANZULLO: I'm a member of
22 congress and I want answers from you. We

23 have been blown off by CN Railroad. We
24 want a simple answer. Who paid and who

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1 prepared this report?

2 MS. ADAMS: We would invite you and
3 any other member of the public --

4 MR. MANZULLO: Answer the question.
5 Answer the question. I'm not going to sit
6 down until you answer the question, Ma'am.

7 I can tell -- I can tell the
8 poor had nothing to do with this report.
9 Absolutely nothing. It goes to show -- it
10 goes to show -- it gives new meaning to the
11 word railroad when you were trying to force
12 down the throats of the people who are
13 impacted and you yourselves probably had
14 nothing to do with this report because you
15 made a blatant statement that the safety of
16 the people would not be impaired when you
17 don't even know the number of trains or the
18 length of the trains.

19 I'm going to ask you again, did
20 you prepare this report or did CN prepare
21 the report?

22 MS. ADAMS: I'm going to remind you
23 again this is a public comment --

24 MR. MANZULLO: You don't have to

1 remind me of anything. I want an answer.

2 MS. ADAMS: If you have any
3 questions, we invite you to --

4 MR. MANZULLO: You don't understand.
5 You don't blow off these people. You
6 don't -- you prepared it? Did you have
7 anything to do with it personally?.

8 MS. RUTSON: Yes.

9 MR. MANZULLO: Did you ask any of
10 the people out here about the impact?

11 MS. RUTSON: During scoping.

12 MR. MANZULLO: Did you?

13 MS. RUTSON: That's what we --

14 MR. MANZULLO: Did you ask the
15 people? Did you ask the people for input
16 on this report?

17 MS. RUTSON: We tried, but we want
18 more now.

19 MR. MANZULLO: You tried? You
20 should have gotten it before you prepared
21 this report. I was told this report cost
22 10 million dollars. Is that correct? Is
23 that correct?

24 MS. RUTSON: We don't know.

1 MR. MANZULLO: You don't know what
2 it costs. You should. So what you do is
3 you come up with this hurried report. It's
4 faulty preparation, it's faulty conclusion,
5 and you are telling these people you want
6 input on the report that's already printed.
7 That doesn't make sense. And that's why
8 we're here. And that's why we're upset.
9 You could cut off the opposition to the
10 people. You can come into this area and
11 say they know (inaudible). You could never
12 quiet the voice of American people and they
13 will not go away.

14 MS. ADAMS: We're going to continue
15 with the public comment portion. Let me
16 remind you that we're going to adhere to a
17 three-minute rule which begins as soon as
18 you start speaking.

19 If three minutes is not enough
20 time for you, please feel free to speak
21 with the reporter in the open house area to
22 the back of the room to complete your
23 remarks.

24 We also advise you to submit

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1 your full written remarks to the court
2 reporters located here at the front of the

3 room.

4 We have Mayor Karen Darch who
5 will be speaking first, then Maggie Bosley
6 and James Wallace will be next.

7 Again we invite you to the
8 microphone that's closest to where you are
9 sitting.

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1 MS. DARCH: Thank you. Good
2 evening. I'm Karen Darch, president of the
3 village of Barrington. And I thank you for
4 returning to Barrington to again hear from
5 a community which will be forever changed

6 if CN is allowed to acquire the EJ&E and
7 turn it into an international freight
8 superhighway.

9 You will hear from other village
10 officials tonight and we will submit more
11 extensive written comments by
12 September 30th, but for tonight, I want to
13 focus on the disconnect between what is
14 reality and some of what is or is not in
15 the DEIS.

16 Here's what's real. CN has a
17 route through Chicago and a way to get its
18 goods where they need to go. CN says it
19 wants to purchase EJ&E to gain efficiency.
20 It is not about getting from the Port of
21 Prince Rupert to CN's Memphis distribution
22 center. It's about getting there faster
23 with what reliable forecasters predict will
24 be exponentially growing freight traffic.

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1 what price efficiency? Also real is the
2 CREATE program, the agreed to, approved,
3 partly-funded plan for freight decongestion
4 through Chicago helping all 6 Class 1
5 railroads and the communities with existing
6 rail lines.

7 The DEIS accepts CN's contention
8 of long delays through Chicago with no

9 analysis. It accepts that there is an
10 overall regional benefit in getting CN's
11 goods to market faster with no real
12 analysis. It will not look beyond 2015 for
13 what this deal will really bring to
14 communities along the EJ&E and along what
15 will be the backfilled tracks where CN
16 currently runs. And there is no review of
17 CREATE or even CN's, Central Corridor, part
18 of the CREATE or any other alternative.
19 Because they do not exactly fit CN's overly
20 narrow purpose and need statement which the
21 DEIS accepted wholesale. Reality is that
22 SEA can under NEPA review alternatives even
23 if they are outside of SEA's jurisdiction.

24 The DEIS suggests mitigation

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1 possibilities and working out deals with
2 CN. The reality is CN is offering no real
3 money to solve the problems it creates and
4 is banking on the STB to hold to precedent
5 which has railroads pay virtually nothing
6 for mitigation. And the reality is the
7 communities and state and federal
8 governments do not have the money to fix
9 the problems even if they wanted to fix
10 these CN-created problems. Talk is cheap.
11 solutions along the J are not.

12 The reality is approval of this
13 deal will be a huge victory for CN's bottom
14 line, a potential death sentence for
15 Barrington and a nightmare for the entire
16 region's taxpayers and commuters.

17 MS. ADAMS: Maggie Bosley, James
18 Wallace and Steven Miller.

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1 MS. BOSLEY: Hello. My name is
2 Maggie Bosley and I am the director of
3 community and financial services for the
4 village of Barrington.

5 As the chief financial person on
6 staff for the village of Barrington, my top
7 priority is the physical health of our
8 community.

9 I am very concerned with the
10 misrepresentations and omissions in the
11 draft environmental impact study regarding
12 the negative financial impacts to
13 Barrington if the CN acquisition is
14 approved.

15 First the DEIS said that there
16 are 15 grade crossings in the region that
17 will be affected due to the effects of this
18 possible CN acquisition and only one of
19 them was a Barrington. We are confident
20 that there are actually three grade
21 crossings that will be -- will be
22 substantially impacted in Barrington if
23 this acquisition is approved.
24 Providing grade separation at

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1 each of these crossings is estimated to
2 cost upwards of \$80 million each which
3 means that Barrington would have to have
4 \$240 million in funding for grade
5 separations.

6 The DEIS reports state that CN
7 would be obligated to pay between 5 and 50
8 percent of those costs. In our case, where
9 would the other 120 to \$228 million come
10 from? The DEIS did not investigate whether
11 there will be federal, state or local
12 funding to contribute towards the
13 shortfall.

14 The State of Illinois agencies
15 have clearly stated after this DEIS report
16 was issued that Illinois is not in a
17 position to fund any grade crossings that

082708 Public Meeting.txt
18 would result out of this transaction.

19 As for local funding, I am here
20 to let you know that the village simply
21 does not have this funding available. By
22 state statute, we have a legal debt limit
23 and the maximum amount we can lawfully
24 borrow is only a minute fraction of that

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1 120 to \$228 million that we would need.

2 Furthermore why should the
3 taxpayers of Barrington be responsible to
4 cover the costs that are incurred due to
5 private railroad pursuing profit.

6 The draft statement included
7 only the possibility of federal, state or
8 local funding without taking government
9 fiscal realities into account is nothing
10 more than an empty promise to the
11 communities that will be impacted.

12 Second, the sales tax base will
13 be negatively impacted if the CN
14 transaction is approved. And this affect
15 was not addressed in the draft statement.

16 If the transaction is approved,
17 the congestion caused by the rail traffic
18 increases consumers will be unable to get
19 to their local establishments which will
20 erode the business activity in Barrington

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21 and all along the EJ&E. This impact will
22 be significant to Barrington in that 30 to
23 40 percent of the general fund relies on
24 sales tax revenues.

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1 Third, the DEIS did not
2 adequately address the negative impact to
3 the property values if the transaction is
4 approved. I implore you to not approve
5 this transaction.

6 MS. ADAMS: James Wallace followed
7 by Steven Miller and Kathleen Leitner.

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1 MR. WALLACE: Good evening. Thank
2 you for giving those of us who will be
3 affected by this proposed acquisition the
4 opportunity to share with you our concerns
5 over the draft environmental impact
6 statement.

7 My name is Jim Wallace. I'm the
8 deputy village manager for the village of
9 Barrington. And as someone who has
10 reviewed many developmental proposals over
11 the years, I respectfully request that the
12 STB review the impacts of this proposal
13 from what I consider to be a fair and
14 balanced perspective.

15 when the village reviews
16 proposed developments of existing
17 facilities, we attempt to anticipate the
18 problems that will arise and the adverse
19 impacts that will occur as a result of
20 that. We simply either do not allow the
21 development to occur or we require
22 appropriate mitigation.

23 Mitigation by a developer is
24 required when they have to counteract

1 direct affects of their development or when
2 their development will result based on
3 accumulative affects over time in the
4 reaching of certain milestones that will
5 require additional offsite work.

6 For example, often is the case
7 that developers are required to add roadway
8 turns and provide capital improvements, pay
9 for intersection improvements and the like
10 and dedicate land for public use.

11 when developers are unable or
12 unwilling to mitigate their adverse
13 affects, we don't approve their
14 developments.

15 One thing that everyone agrees
16 on in this matter is if this acquisition is
17 approved there will be significant impacts
18 on the vehicular traffic.

19 The village of Barrington is
20 undertaking studies on three of the four
21 places where CN intersects major roadways
22 in our village. That's US Highway 14,
23 State Route 59 and Lake Cook Road.

24 We expect to find and will be

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1 submitting documentation of this that the
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2 impacts of the increased freight traffic
3 will result in significant affect and
4 substantial affect on these three
5 intersections.

6 we believe it's only fair that
7 CN will be required to bear the cost of
8 mitigation for these affects. It is only
9 their development that is causing the need
10 for grade separation therefore they should
11 be required to bear the responsibility for
12 it.

13 we believe -- we believe that
14 the environmental impact study should duly
15 recognize these three substantially
16 affected intersections as well as the other
17 negative impacts that will occur in the
18 village of Barrington and up and down the
19 line. we respectfully request you do not
20 approve this acquisition. Thank you.

21 MS. ADAMS: We have Steven Miller
22 and Kathleen Leitner and Tom Leonard.

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1 MR. MILLER: Good evening. The DEIS
2 states the threat of additional trains past
3 the 2015 estimates seem unlikely, yet all
4 the information we received from the US
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5 Department of Transportation have estimates
6 that exceed 75 percent growth of projected
7 rail traffic. With that additional
8 pressure and demand, if approved, I feel
9 the DEIS should take this into
10 consideration along the whole line an
11 accurate estimate of the impact on our
12 communities and others.

13 Also a community that depends
14 100 percent on water from shallow aquifers,
15 it would seem that the environmental impact
16 study would have extensively looked at the
17 effect of the hazmat spill and its effects
18 on the water supplies of communities that
19 depend upon this water source and have no
20 other infrastructure to deliver drinking
21 water.

22 Not only that, concern is
23 layered with the poor safety record that CN
24 has exhibited in Canada and also in the US.

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1 I don't understand ignoring of
2 this safety record. It is to me like
3 saying ignore the man behind the curtain.
4 I feel we need analysis and knowledge of
5 ground water and aquifer vulnerability.

6 I would ask that the
7 environmental impact study be much more
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8 extensive and study hazardous materials.

9 Thirdly our community is most
10 concerned about safety reaction time to
11 life and death situations. While we have a
12 response system on both sides of the
13 tracks, our hospital is located on one
14 side. Assuming our paramedic, fire and
15 police equipment are not caught, and that's
16 a big assumption, in a gridlock, the other
17 hospitals are at minimum of five to seven
18 additional minutes to get critical care.

19 As a trustee, I have the
20 privilege, believe it or not, of exercising
21 public safety. And any statistical
22 analysis doesn't speak to reality when it
23 comes to public safety. I can attest to
24 the fact that an hour can go by without a

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1 single emergency, followed by two or three
2 in a 15-minute period of time.

3 When this occurs, we need
4 personnel from both sides of the tracks to
5 get to one side or the other as quick as
6 possible.

7 As a trustee, I am asked to make
8 decisions that affect commerce and personal
9 lives. So are you. I appreciate very much
10 the conflict you are dealing with, but I

11 must ask that what we ask of our business
12 partners and that is for a win-win.

13 At this time, all we see is
14 pulling trains from areas that have
15 substantial infrastructure and placing them
16 through communities that have little or
17 none so one company can benefit.

18 Thank you for your
19 consideration.

20 MS. ADAMS: Kathleen Leitner,
21 followed by Tom Leonard and Greg Summers.

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1 MS. LEITNER: Good evening. Good
2 evening. My name is Kathleen Leitner. I
3 am the village president for Village of
4 Tower Lakes, a small village six miles to the north of
5 Barrington.

6 Tower Lakes children attend
7 Barrington schools including the two middle
8 schools and the high school all of which
9 are located in the village of Barrington.
10 In addition, most of our residents travel
11 through Barrington utilizing Route 59,
12 Route 14 and Lake Cook Road on their
13 commute to work. We share these roads with
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14 residents from communities as far away as
15 Algonquin, Crystal Lake, McHenry, and the
16 Fox Lake region. All of us funnel into
17 Barrington making our way to the interstate
18 highways and the Chicago area.

19 My comments this evening are
20 directed to the three factors employed in
21 the DEIS delay calculation and how those
22 calculations need to be corrected as
23 applied to Route 59, Route 14 and the Lake
24 Cook Road at grade crossings.

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1 First, the basic variable
2 employed by SEA in determining potential
3 vehicular delays at grade crossings is the
4 projected average daily traffic or ADT
5 count. It appears that the ADT count used
6 by the SEA are vastly underrepresentative
7 since the SEA projected 2015 figures are
8 far below the current numbers counted by
9 Barrington itself.

10 If the 2015 projections for
11 increased traffic are today's counts,
12 clearly the ADT calculation demands further
13 scrutiny. Such scrutiny would indicate
14 greater traffic counts at Route 14 and Lake
15 Cook EJ&J crossings, clarifying that Route
16 59 is not the only EJ&E crossing in
Page 44

17 Barrington bearing heavy traffic and in
18 need for mitigation.

19 Second, trains lengths used by
20 the SEA in its delayed calculations
21 incorporate figures provided by CN but do
22 not reflect statements made by CN regarding
23 length of trains they hope to run of up to
24 12,000 feet, and that's from the June 4,

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1 2008, Terrace Standard. The DEIS delay
2 calculation of train length needs to
3 incorporate CN's stated train length.
4 Considering these longer lengths will show
5 that in the Barrington area more than one
6 major intersection will be blocked at a
7 time, often these three major intersections
8 at once.

9 Third, trains speeds provided by
10 CN for use in the delay calculation do not
11 reflect current actual speeds which are
12 substantially slower than speeds used in
13 the DEIS calculation. It is highly
14 questionable that the higher speeds
15 projected by CN can be achieved when
16 freight trains on this line will have to be
17 integrated with commuter train traffic,
18 other freight traffic and highway traffic.
19 Using current speeds, projected delay times

20 will easily double at each grade crossing.
21 with undercounted ADT's,
22 artificially short trains length and
23 unrealistic trains speeds used in its delay
24 calculations, we in this area cannot accept

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1 the DEIS conclusions which result in an
2 undercounting of the number of grade
3 crossings in need of mitigation in the
4 Barrington area.

5 We respectfully request the SEA
6 to conclude that far more mitigation is
7 required of CN in the Barrington area or
8 the transaction cannot be approved.

9 MS. ADAMS: Tom Leonard followed by
10 Greg Summers.

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1 MR. LEONARD: Hello. My name is Tom
2 Leonard and I am the superintendent of
3 Barrington School District 220. I'm here
4 to speak on behalf of the children in this
5 area.

6 We are a school district of over
7 9,200 students and 1,000 employees. Our
8 district covers 72 square miles
9 encompassing all or parts of 12 villages.
10 The EJ&E tracks cut through the heart of
11 Barrington 220 School District. We are
12 deeply concerned about adding freight
13 traffic on this line for three main
14 reasons. Safety, efficiency and cost.

15 First safety. Many of our
16 children walk to their neighborhood
17 schools. This high school of over 3,000
18 students is 600 feet from the EJ&E tracks.
19 The main walking route for this high school
20 must pass over the EJ&E lines causing
21 hundreds of students to cross the tracks
22 twice daily. Statistically this will
23 undoubtedly increase the risk of accidents.
24 Emergency response times to our school will

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1 compromise our ability to meet the medical
2 and security needs of the children.

3 Second, efficiency. Our bus
4 transportation complex is located in the
5 center of this village to provide the most
6 efficient and economical transportation
7 routes. Since the EJ&E lines cut through
8 the heart of the district, we are also
9 right on those train lines.

10 Our busses cross EJ&E lines over
11 840 times per day. An additional 5.3
12 minute delay every time a train comes
13 through this area will have a ripple
14 effect, resulting in delays to the start of
15 school and added travel times. Decreased
16 efficiency will compound throughout our
17 daily schedule to create situations no
18 amount of mitigation will make acceptable.

19 Costs. My third point. Added
20 busses along the routes increase
21 transportation costs will all need to be
22 borne by the school district. If that is
23 the choice, then the residents of this
24 school district will need to make hard

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1 decisions about investing in and
2 maintaining quality of education versus the
3 amount of gas we pour into fuel tanks as we
4 reconfigure bus routes or the idle time at
5 railroad crossings.

6 Requiring taxpayers to favor
7 freight trains and fuel costs over
8 classroom needs or to chose between
9 locomotive and learning is not fair to them
10 or to the nearly 10,000 children in our
11 community.

12 My conclusion. The EJ&E
13 acquisition by Canadian National, if it
14 becomes a reality, will adversely affect
15 the welfare of students, staff and
16 residents in the Barrington 220 community,
17 particularly in safety, efficiency and
18 cost.

19 We appreciate your consideration
20 of these concerns. And I thank you for
21 your time.

22 MS. ADAMS: We next have Greg
23 Summers followed by Eugene Dawson and James
24 Daluga. I remind everyone please state

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1 your name and who you represent or the town
2 that you are from.

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1 MR. SUMMERS: Greg Summers, and I am
2 the director of engineering and building
3 for the Village of Barrington.

4 In the few brief minutes I have
5 available, I would just like to point out a

6 few material flaws in the draft DEIS and
7 some additional details not contained in
8 the document.

9 The DEIS, as drafted, fails to
10 properly review the alternatives to the
11 proposed EJ&J. At a minimum, the analysis
12 should have addressed CREATE as a viable
13 alternative to the ultimate goal of moving
14 freight through the region. The DEIS
15 excludes consideration of exploring
16 possibility of utilizing routes through
17 less populated areas.

18 The CN proposal, if approved,
19 can have a detrimental impact on the EJ&E
20 Quiet Zone, which was long pursued by the
21 village and zoning communities in the
22 region, especially including the crossing
23 at Route 59 that is not currently included
24 in the EJ&J Quiet Zone.

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1 while the DEIS recommends that
2 the CN bear the costs associated with
3 maintaining the Quiet Zone throughout
4 Barrington in the present day, it does
5 nothing to address other communities nor
6 does it address effect. These zones are
7 reviewed every three years.

8 volume of traffic is one of the

9 many considerations taken into that
10 process. Increased trains would inevitably
11 lead to increased traffic and pedestrian
12 conflicts, which will increase the safety
13 demands, ultimately result in a loss of
14 Quiet Zone status or prevent quiet zones
15 such as the Route 59 crossing.

16 I recently had an opportunity to
17 meet with representatives of the Canadian
18 National here in the community and view the
19 areas that would be currently. Proposals
20 by the CN for mitigation were minimal at
21 best and wholly inadequate for addressing
22 the impacts of their proposal. These
23 proposals consisted of sound walls, which
24 are both impractical and unsightly. And

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1 representatives went so far as to point out
2 in installing the sound walls, they would
3 remove all the existing green growing on
4 their right-of-way. So actually residents
5 can gain an unsightly wall and lose the
6 trees that buffer the existing rail track.

7 Several other questions proposed
8 to the CN at this meeting and were met with
9 a lack of appropriate answers. When asked
10 about the noise level of the CN trains and
11 the ambient level of EJ&J trains, they

12 stated that they weren't sure, but their
13 trains were newer and probably quieter than
14 EJ&J trains.

15 when asked how that compared
16 with a proposal doubling the speed from 22
17 to 45 miles an hour would they still be
18 quieter, they were completely unable to
19 answer the question.

20 when asked about public
21 vibration levels from a faster, longer
22 train with double stacked cargo would
23 compare, they changed the subject.

24 In conclusion, CN has proven it

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1 does not have a handle on the real burdens
2 imposed on the communities that it intends
3 to pressure its way through.

4 while the STB document does not
5 go far enough to identify all of the
6 consequences and externalities of the
7 picture, it does go far enough to reveal
8 that this solution is wholly inadequate and
9 should be denied in its entirety.

10 MS. ADAMS: James Daluga, David F.
11 Nelson, Denise Pieroni.

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1 MR. DAWSON: I am Eugene Dawson. I
2 am the supervisor of Barrington Township.
3 I would like to address three points. The
4 first of which are medical emergencies.
5 Let me begin by stating that we service the
6 area of five hospitals, Advocate Good
7 Shepherd in Barrington, Sherman Hospital in
8 Elgin, St. Joe's in Elgin, St. Alexis in
9 Hoffman Estates and Northwest Community
10 Hospital in Arlington Heights.

11 With the projected length of
12 trains from 6,000 feet to 10,000 feet that
13 be passing through Barrington, the
14 potential of shutting off the ability to
15 cross the tracks will negate three
16 hospitals, three. Which means that during
17 the golden hour, that time which a person

18 needs to have the time to get to the proper
19 care and proper substance to keep them
20 going, it will not be there because of the
21 distance, that the folks will have to go to
22 St. Alexis in Hoffman Estates and also
23 Northwest Community in Arlington Heights.
24 Keep in mind, however, that when

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1 we talk about these hospitals, those are
2 the ones that can care for the folks
3 immediately.

4 In that golden hour, if you do
5 not get there on time, it's not the
6 Canadian National that's out of luck, it's
7 you that's out of luck, the patient.

8 The safety record, public
9 safety, the safety record of Canadian
10 National leaves a lot to be desired. In
11 their country, Canadian National remains
12 under scrutiny and heavy pressure. In
13 2005, the government of Canada found
14 54 percent of locomotives, 50 percent of
15 train brakes and 26 percent of crossings
16 defective.

17 A 2007 report by the Canadian
18 Parliament found a disconnect on safety
19 issues on management and front-line
20 workers. That report also highlighted what

21 company employees call a culture of fear
22 when it comes to reporting safety-related
23 problems.

24 There are approximately 800 bus

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1 crossings a day. You heard superintendents
2 speak about that. But let me make mention
3 to that study of rail accidents back to
4 2001. It is apparent that some of these
5 trains were carrying hazardous materials
6 either in liquid or powder form that can
7 lead to an exposure that does not have to
8 exist. A train crossing at Geschulte and
9 Main -- I might say Geschulte and Main are
10 right over here. So if you had a tanker
11 car go bad, all of us, including you folks,
12 would be at risk.

13 National security, since 9/11,
14 the United States has been on high alert to
15 protect this country and its people at all
16 costs. Keep in mind Canadian National is
17 an \$8 billion profit company. They are
18 offering \$40 million for 133 crossings.

19 I would like to conclude by
20 saying when reviewing this information,
21 please keep in mind that this could happen
22 to you, your family, your neighbors and
23 friends. This is not a not-my-backyard

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24 situation, but another imposition of big

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1 business on the backs of the little guys.
2 Thank you.
3 MS. ADAMS: James Daluga and David
4 Nelson and Denise Pieroni.
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1 MR. DALUGA: I am Jim Daluga. I am
2 a trustee in the village and chair and
3 finance committees for the village of
4 Barrington. I would like to address two
5 major flaws in the draft DEIS. The first
6 is regarding the local tax base. For the
7 village of Barrington, our fiscal health is
8 dependent on revenues derived from property
9 and sales tax. That revenue is used to
10 support school districts and obtain first
11 responder capabilities. The failure of the
12 DEIS to calculate the ripple effect harms
13 from a reduction in local business activity
14 and property values and then assess how
15 that will affect the tax base for the
16 village of Barrington makes the DEIS wholly
17 inadequate in this regard.

18 There is also a total failure to
19 assess the ability of taxpayers to invest
20 in mitigation and an incorrect assumption
21 that communities have any negotiating power
22 with Canadian National. The DEIS states
23 there are 15 grade crossings in the study
24 area that require mitigation and provides a

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1 range of mitigation options for
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2 consideration. Even if we accept the point
3 of these 15 required mitigation, grade
4 separations are the only realistic option.
5 All the Quiet Zone will do is to assure a
6 patient lying in the back of an ambulance
7 that, while the 12,000-foot CN train is
8 passing, they might die in some relative
9 piece and quiet.

10 You heard from Maggie Bosley how
11 much it is going to cost to mitigate the
12 problems that CN is going to cause. You
13 also heard from Mr. Wallace about what the
14 Village of Barrington does when it comes to
15 private entities that promote a project in
16 the Village of Barrington. I can assure
17 you any project that is done in the Village
18 of Barrington will cause many adverse
19 effects.

20 We require the party presenting
21 the project to pay 100 percent of the
22 mitigation costs. They said they won't pay
23 the mitigating costs created by the
24 project. Why isn't CN required to do the

1 same thing? The CN has suggested a
2 possible reason. The CN has stated the
3 municipalities should bear the brunt of
4 mitigation cost because a grade separation

5 would benefit the municipalities, not CN.
6 That's like saying to me, Jim, we are going
7 to allow CN to beat you about the head with
8 a baseball bat 24 times a day, we know it
9 will hurt and probably cause permanent
10 damage, so you should probably get a
11 helmet, but we expect to you pay for the
12 helmet because it benefits you, not CN.
13 That is the most ridiculous thing I have
14 ever heard.

15 All I am asking is that if you
16 do approve this transaction, you do it
17 right then and make Canadian National, a
18 multi-billion dollar corporation and the
19 only one that will truly benefit from this
20 action, pay for the infrastructure needed
21 to keep them from destroying our town.

22 MS. ADAMS: Dave Nelson, Denise
23 Pieroni, Peggy Blanchard.

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1 MR. NELSON: My name is David
2 Nelson. I am presently the Cuba Township
3 Supervisor, having served in that capacity
4 for years. I formerly served on the board
5 of trustees of the Village of Barrington
6 for 12 years, the last four of which I was
7 village president.

8 I work on Main Street in
9 downtown Barrington. Most importantly, I
10 am a 35-year resident of Barrington. I
11 know how important safety and quality of
12 life mean to our citizens.

13 First thanks to the great
14 turnout, Barrington. We really appreciate
15 it.

16 In Barrington we are concerned
17 with many aspects of the purchase of the
18 EJ&J by Canadian National. In our township
19 alone there are four grade crossings where
20 traffic will stop for an additional 15 to
21 20 trains each day. One revised grade
22 crossing at Route 59 will not be enough to
23 allow traffic to flow through our
24 community. And who is going to pay for the

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1 changes to the crossings?

2 It is my mind-boggling to
3 contemplate the costs to recreate those
4 intersections, not to mention the loss of
5 time and business during the construction
6 process.

7 The draft environmental impact
8 statement does not adequately address this
9 issue. Where will we get these hundreds of
10 millions of dollars through taxes? What is
Page 61

11 a realistic answer for this?

12 Barrington is the community that
13 sees the big picture. We are a train
14 community. The Village of Barrington was
15 settled along the train lines. It is
16 ridiculous for anyone to suggest we don't
17 want trains in our backyard. We have 65
18 Metra trains and a number of EJ&J trains
19 coming through our backyards every single
20 day, with the possibility of 11 more Metra
21 trains promised in the near future. And we
22 have lived in cooperation with trains since
23 the village was founded.

24 we have no problems with trains.

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1 But we do, however, have a problem with an
2 unrealistic number of trains that will
3 breathe life as we know it to, say, a
4 screeching halt. Many of the DEIS
5 arguments are flawed and confusing. If the
6 report can't keep its own facts straight,
7 how are we to be confident that the
8 information is anything near the truth?

9 By increasing the number of
10 trains dramatically and all side effects of
11 that change, most families largest
12 investment, their homes, will be negatively
13 impacted in a huge way, affecting safety,

14 schools, the environment and the day-to-day
15 result of life.

16 The environmental impact
17 statement view that only homes within 250
18 feet of the tracks will be adversely
19 affected is unsubstantiated and
20 unrealistic.

21 In Barrington we are not
22 unreasonable people. We do not think we
23 are special. But we do know right from
24 wrong and fair from unjust. We do know a

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1 bad idea when we see it. We do know with
2 the price of a gallon of gasoline, more
3 commuter trains would serve us better than
4 more congestion and more idling cars
5 burning gas while waiting for trains to
6 pass. And we do know that family and homes
7 are more important than the profits of a
8 Canadian corporation.

9 Here is what keeps us awake at
10 nights, the vision of the ambulances not
11 being able to get to the hospital, toxic
12 spills, detained fire equipment,
13 derailments.

14 Homeland Security issues that
15 are not addressed in overland transit,
16 worsening air quality, noise pollution, all
Page 63

17 in order to move freight a day faster.
18 Please don't throw this wonderful American
19 community under the train.

20 MS. ADAMS: Denise Pieroni, Peggy
21 Blanchard.

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1 MS. PIERONI: I would like to thank
2 you for providing me this opportunity to
3 address you. My name is Denise Pieroni and
4 I am the village manager for the village of
5 Barrington.

6 Barrington has and continues to
7 stay true to its principles of controlled
8 growth, quality development and providing
9 quality services to its residences and
10 businesses to ensure that Barrington
11 remains a great place to live or play.

12 During a meeting awhile back
13 with representatives of the CN, a comment
14 was made by one of the representatives that
15 the CN should not be held responsible for
16 correcting the problems created by the
17 development policies of the village. I can
18 assure you that if he had taken even the
19 time to briefly research the village and

20 its development policies, he would have
21 come to realize that Barrington takes its
22 planning function seriously and is
23 proactive in its approach to mitigation of
24 possible negative impacts of any

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1 development proposed within our corporate
2 limits.

3 The village expects those
4 wishing to develop a project in our
5 community to accept responsibility for
6 addressing the challenges that may be
7 created by that development. Likewise, if
8 the challenges cannot be addressed, then
9 other alternatives such as developing
10 elsewhere need to be pursued. Why should
11 the CN be held to a different standard?

12 Even though the DEIS is flawed
13 and deficient in its analysis impacts, it
14 has been and will continue to be apparent
15 by the information presented tonight and
16 which will be presented throughout the
17 comments period. Impacts on emergency
18 medical response, on traffic, on air
19 quality, on noise vibration and on the
20 economy have been identified.

21 In Barrington these impacts meet
22 the but-for test. But for the CN and their
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23 proposal to increase freight traffic
24 throughout our community, Barrington would

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1 not be facing these challenges. As such,
2 if CN through its own financial resources
3 cannot mitigate these impacts, then CN
4 should be not allowed to increase freight
5 traffic through our community.

6 Unfortunately, with Barrington
7 and the other communities along the EJ&J,
8 CN is not willing to accept its
9 responsibility to mitigate impacts of its
10 proposed transaction, and just as this
11 \$8 billion Canadian corporation chooses not
12 to accept its responsibility for safety as
13 evidenced in recent articles regarding its
14 safety record in Canada and which the DEIS
15 neglected to take into consideration.

16 As for the claims that
17 congestion across the region will be
18 reduced, even CN admits when pressed that
19 any such decrease in congestion will be
20 temporary.

21 For argument sake let us assume
22 congestion will improve in certain areas.
23 These benefitting communities have
24 indicated that these aren't concerns if we

1 know the problems and we have the ability
2 to address them in advance. Shouldn't it
3 be the STB's obligation to the impacted
4 communities and their residents to ensure
5 that these issues are addressed before any
6 further freight traffic is allowed on this
7 line?

8 In closing, I implore you to
9 hold CN accountable for the impact of its
10 business decisions. They should not be
11 allowed to benefit financially from the
12 definition of our communities.

13 MS. ADAMS: Peggy Blanchard, Colleen
14 Meg. I would invite you to submit your
15 remarks to the court reporter.

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1 MS. BLANCHARD: Good evening. My
2 name is Peggy Blanchard. I am director of
3 economic and community development with the
4 Village of Barrington. I am here to voice
5 concerns with the DEIS preliminary impact
6 analysis and comment on the economic and
7 quality of life issues that would arise
8 through the CN acquisition of the EJ&J.

9 Barrington center of commerce is
10 located in the heart of the community
11 surrounded by the EJ&J Railroad, the Union
12 Pacific Railroad and three major road
13 networks. This unique set of circumstances
14 creates both opportunities and challenges
15 for economic growth. Specifically, the
16 major road networks and continued rail
17 system provides opportunities for
18 increasing exposure for businesses and
19 transportation alternatives for our
20 customers and employees.

21 But the rail and its competing
22 use with the road system, however, creates
23 challenges in terms of traffic congestion
24 within our community. The EJ&J crosses

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1 each of its major road networks.
2 Increasing freight traffic from three to

3 five trains a day to 20-plus trains will
4 create significant gridlock, thus impacting
5 our local and regional economy resulting
6 in, one, loss of corporate investment.
7 Because of time delays and reduced
8 productivity of its workforce, corporations
9 will seek to relocate out of the community,
10 which will result in loss of real estate
11 tax revenue, decline in property tax
12 revenues and increase in vacancies and
13 increase in sales tax and overall burden on
14 the local economy.

15 Loss of jobs, a family with jobs
16 in a service and retail sector would be
17 dramatically reduced as businesses seek to
18 open in other areas due to consumers
19 changing shopping patterns as a result of
20 increased traffic congestion.

21 will 20 trains rumbling through
22 town everyday and tying up traffic on the
23 major arterials that service our town be
24 convenient for our customers and employees

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1 to get into Barrington? The answer is no.
2 while grade separation on
3 Route 59 along with Route 14 and Lake-Cook
4 Road is an absolute improved necessity if
5 this transaction is approved, the grade

6 separation on Route 59 presents significant
7 challenges for the village. It would
8 negatively impact access to existing
9 commercial centers and identified
10 redevelopment sites, making it difficult,
11 if not impossible, to lease existing space
12 and dooming any possibility of retail
13 development in the area.

14 These impacts have not been
15 thoroughly addressed in the DEIS. If it
16 were effectively analyzed from my
17 perspective, data would have supported the
18 position of no further train traffic on the
19 EJ&J through Barrington.

20 Based on the negative economic
21 impacts to Barrington and the neighboring
22 communities, along with an entire EJ&J
23 line, this acquisition should not be
24 allowed to go forward.

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1 MS. ADAMS: Colleen Meg, Jim Arie,
2 Dennis Burmeister. If no Colleen Meg, Jim
3 Arie.
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1 MR. ARIE: Good evening, my name is
2 Jim Arie. I am the fire chief of the
3 Barrington Fire Department. Throughout our
4 jurisdiction, residents and commuters
5 depend upon major arterial state highways
6 and county roadways that are intersected by
7 the EJ&E Rail Line. We rely on the same
8 highways and roadways for prompt response
9 to emergency calls and expedient transport
10 of emergency medical patients to hospitals.
11 In 2007 a response time averaged

12 for emergency rooms throughout our area was
13 4 minutes, 16 seconds. Response time
14 average for the same period for emergencies
15 in the Village of Barrington was 3 minutes,
16 21 seconds. The response time, a vital
17 component of emergency services, is far
18 superior to the national standard of four
19 to six minutes.

20 The proposed increase in EJ&J
21 will drastically impede our ability to
22 maintain the superior level of response
23 service for the community at large.

24 Time, special response time has

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1 a great deal to do with our ability to
2 provide critically important emergency
3 services in life and death situations.
4 My focus is on the second part
5 of our emergency medical response, which is
6 after we've reached the patient and before
7 the patient arrives at the hospital.
8 Eighty-six percent of our patients are
9 taken to Advocate Good Shepherd Hospital,
10 our closest trauma center and cardiac cath
11 lab, which is located less than two miles
12 from the corporate limits of the Village of
13 Barrington. At least a third of those
14 patients would be potentially reverted to

15 hospitals in other communities due to
16 increased freight train traffic or stopped
17 freight trains, blocking access to Good
18 Shepherd Hospital.

19 As an example, a patient
20 transporter from the Garlands of
21 Barrington, a continuing care center, to
22 Good Shepherd Hospital with no train
23 blockage at the Route 14 EJ&E crossing will
24 arrive in seven and a half minutes. A

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1 patient being transported from the Garlands
2 crossing at 14 if blocked by a train would
3 not be taken to the closest hospital.

4 Instead, that patient will be
5 transported to a hospital at Hoffman
6 Estates in 12 minutes or to Arlington
7 Heights in 13 minutes or to a hospital in
8 Elgin in 18 minutes.

9 For patients with
10 life-threatening trauma emergencies, we
11 need to get our patients quickly to the
12 hospital. If we can, then we give the
13 patients the best chance of survival. We
14 take patients to hospitals that are further
15 away and encounter a domino effect of much
16 longer response times and more coverage
17 areas not protected by the emergency

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resources.
Given the direct impact of
increased rail traffic on essential local
services, blocked rail crossings,
especially those crossings on Route 14 and
Lake-Cook Road, Route 59, bring about
serious life-threatening issues that no

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1 doubt have an adverse impact of the life we
2 protect and serve.

3 Even if there will be a proposed
4 single grade separation at Route 59, this
5 will not solve the safety problems.

6 I implore the Surface
7 Transportation Board to require grade
8 separations at three crossings, right 14,
9 Lake-Cook and Hough Street. That
10 intersects eight highways within our
11 community. I request any increase in
12 freight traffic not be allowed until such
13 grade separation is accomplished. Thank
14 you.

15 MS. ADAMS: Dennis Burmeister, Janet
16 Agnoletti, Steve Roberts.

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1 MR. BURMEISTER: Dennis Burmeister.

2 I am director of public works for the
3 Village of Barrington. I would like to
4 expound on Trustee Miller's comments and
5 those previously commented on and as well
6 as impact comment on public works and our
7 concern relative to response time often in
8 support of public police and fire
9 emergencies.

10 Our public works department
11 provides typical public works services to
12 over 10,000 residents of Barrington and,
13 through intergovernmental agreements,
14 provides services to residents of both the
15 villages of Inverness and Barrington Hills.
16 One of the most critical services we
17 provide is potable drinking water.

18 The Village of Barrington, like
19 many other communities along the EJ&J
20 corridor, does not obtain its water from
21 Lake Michigan, but rather draws its potable
22 drinking water from wells located in either
23 the shallow sand and gravel aquifer or from

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24 the shallow limestone aquifer. The Village

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1 of Barrington has wells located in both
2 aquifers.

3 The DEIS examined the potential
4 effects of the increased freight traffic on
5 water resources, including the effects on
6 groundwater aquifers. DEIS identifies
7 several areas along the EJ&J whether the
8 shallow groundwater aquifers have a high
9 susceptibility of being affected by a
10 hazardous spill.

11 A risk to the groundwater exists
12 today, albeit small in comparison to the
13 ten-fold increase in the length and numbers
14 of the trains if the sale is allowed to
15 happen.

16 The DEIS failed to adequately
17 address increased risk of groundwater posed
18 by the increase in the number of trains per
19 day and the increased potential for
20 accidents involving other trains.
21 Increased risk does not take into account
22 the potential increase in the types and
23 amounts of hazardous materials being
24 transported nor in my opinion does it take

1 into account the potential concern
2 regarding CN's commitment to safety.

3 An article in the July '08 issue
4 of the Canadian Magazine, Canadian National
5 said just a little over a year ago Paul
6 Miller was CN's first chief safety officer.
7 The article also states that this month
8 July transportation minister Lawrence
9 Cannon issued an emergency directive
10 ordering CN to replace faulty wheels which
11 have been linked to several derailments.
12 There are other issues in this and other
13 publications alleging issues of safety.

14 However, in my opinion these two
15 examples underscore that potential safety
16 concern. If CN had not recently gotten a
17 chief safety officer, how seriously have
18 they been taking the issue of safety? And
19 if there were defective wheels, why did it
20 take an emergency directive ordering CN to
21 replace those wheels?

22 I point to these two examples
23 under the ten-fold increase in freight
24 traffic as well as the unknown increase in

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1 the types and amounts of hazardous material
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2 transported to highlight an increased
3 safety risk to our water resources that
4 this acquisition will have, and more
5 specifically the risk to groundwater
6 resources as reason enough to deny the sale
7 of EJ&J to the CN. Thank you.

8 MS. ADAMS: Janet Agnoletti, Tim
9 Roberts and Nancy Schumm.

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1 MS. AGNOLETTI: Janet Agnoletti,
2 Executive director of the Barrington Area
3 Council of Governments or BACOG. BACOG is
4 a regional planning organization. It's
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5 members are nine local governments. In
6 fact, the Barrington region covers over
7 80 square miles and represents over 35,000
8 people.

9 BACOG opposes the proposed CN
10 transaction. BACOG has submitted a
11 variety, a myriad of comments on this
12 proposal which have received very little
13 consideration in the EIS. The EIS ignores
14 impacts on groundwater. And this is the
15 topic of my comments tonight.

16 BACOG has conducted extensive
17 research on the shallow aquifers over the
18 past several years. Because BACOG
19 recognizes that groundwater is the only
20 source of water supply to this area, the
21 village of Barrington has a public supply,
22 but all the other BACOG towns and the BACOG
23 town residents have private wells in their
24 backyards or in their neighbors. All these

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1 wells are getting their water from the same
2 interconnected aquifer system. This is the
3 same water source, the shallow aquifer
4 system.

5 In addition to Barrington's
6 public wells, there is about 800 existing
7 and planned backyard wells within about a

8 mile of the railroad within just the BACOG
9 boundaries. And in the entire 80 square
10 miles of BACOG, we have about 6 to 8,000
11 more individual wells sharing the same
12 groundwater, the same source.

13 Hazardous materials train spills
14 occur with regularity and frequency. The
15 draft EIS acknowledges the potential
16 increase in hazmat spills but states the
17 likelihood of release would be remote, less
18 than once every year, especially for
19 groundwater. One is too many. That's a
20 quote from someone else. One is too many.

21 The EIS does not consider the
22 Canadian safety record. The Canadian
23 safety record is significantly worse than
24 the U.S. record, and this would elevate

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1 that spill potential quite a bit. That
2 Canadian safety record needs to be used in
3 the final EIS.

4 The wells here are shallow. Our
5 wells are in the range of 50 feet below
6 ground surface to a couple hundred feet
7 below ground surface, most making them
8 particularly vulnerable to contamination.
9 we are concerned with the hazmat spills
10 dropping contaminants which may seep

11 directly down into the aquifer. We are
12 concerned that storm water carrying
13 contaminants to recharge areas where they
14 can seep into the aquifers.

15 We are also concerned there is
16 contamination in one part of the aquifer
17 and it can move to other parts of the
18 aquifer because of groundwater flow. If
19 anything happens to our water supply, there
20 is no Lake Michigan water, no river water,
21 no other water. And in our region there is
22 little in the way of infrastructure to
23 distribute water from any other source.

24 We have submitted in February

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1 and May data and maps about groundwater
2 from our research. We -- your consultants
3 say that the risk is low. Number one, we
4 don't believe that. We don't accept that.
5 And, number two, the consequences are so
6 high to the people of this community that
7 we think it is warranted to do a more
8 comprehensive study of groundwater than has
9 been requested. Thank you.

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1 MR. ROBERTS: My name is Tim
2 Roberts, Village Trustee here in
3 Barrington.

4 I have four points about the
5 DEIS.

6 First, there's been no review of
7 the alternatives. There are alternative
8 solutions available to us. It's appalling
9 that we're not going to look into them. In
10 fact, the DEIS completely eliminated grade
11 as a reasonable alternative to this
12 acquisition. why?

13 Second, good decisions come from
14 good information. Yet, the DEIS is filled
15 with unsubstantiated claims based on
16 unsourced data. For example, noise and
Page 82

17 hazardous materials. The DEIS uses
18 "analysis" and "mitigation thresholds" that
19 are not only unsubstantiated but that have
20 actually been criticized by the
21 Environmental Protection Agency and the
22 Department of Transportation.

23 why intentionally use bad
24 information? why rely on unsubstantiated

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1 and unsourced data?

2 Third, along the same vein. The
3 DEIS uses contradicted data. Take for
4 example the operational air emissions
5 methodology. The DEIS uses two sets of
6 fuel use estimates. It seems the first set
7 of numbers revealed that the pollution
8 could pose a threat to Chicago's federally
9 required air quality standards. Those
10 numbers were 374 tons per year. That
11 number was too high. So Canadian National
12 gave the STB some new numbers, 95 tons per
13 year. How does Canadian National explain
14 this? Not very well.

15 Four, the DEIS fails to look
16 broadly at indirect and cumulative effects.
17 This sort of tunnel vision is simply
18 inexcusable, especially in the context and
19 times we live in.

20 The DEIS dismisses any arguments
21 that prove consequences not immediately
22 adjacent to the EJ&E rail tracks. It says
23 it isn't in their purview but environmental
24 regulations require it. I'm talking about

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1 air quality, I'm talking about Homeland
2 Security. Why does the DEIS refuse to deal
3 with these issues?

4 Here's the bottom line:
5 Canadian National is all stick and no
6 carrot.

7 Canadian National is spending
8 money on PR claiming that they will work
9 with communities. Yet, we have been
10 dismissed and put off. We've tried to find
11 solutions and they've shut us down at every
12 turn, and now we're being bullied. Yes,
13 bullied.

14 Canadian National is a huge
15 profitable foreign company. It has bullied
16 the village of Barrington and they've
17 clearly bullied the STB, an agency of the
18 United States Congress.

19 For one, I don't care much for
20 bullies.

21 Lyndon B. Johnson once remarked
22 that, If you let a bully come in the front
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23 yard, the next day he'll be on your porch.

24 I say, Enough is enough.

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1 Canadian National is already on our front
2 porch filled with empty promises and
3 fulsome threats. They have demonstrated
4 that their promises mean nothing.

5 We, the people of Barrington,
6 are not unreasonable people, but there is
7 nothing reasonable about the way Canadian
8 National has bullied us. It is time to
9 knock the bully down. Please do not
10 approve this transaction.

11 Thank you.

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1 MS. SCHUMM-BURGESS: My name is
2 Nancy Schumm-Burgess. I'm the Executive
3 Director of the Barrington Area
4 Conservation Trust.

5 Our vision is to preserve the
6 open space rural character and scenic
7 historical, recreational, and national
8 resources of the Barrington area. As a
9 not-for-profit with environmental concerns,
10 we have several reservations and concerns
11 about this EIS.

12 By its very nature, the EIS is
13 required to address environmental concerns
14 and at the very least comment upon them,
15 but this statement does not and omitted
16 several important material information.

17 The SEA identified that it
18 received its biological data from several
19 agencies; however, they did not list the
20 Forest Preserve District of Lake County,
21 Illinois as one of their resources or the
22 Flint Creek Water Plant published earlier
23 this year. There's significant data
24 missing for our region with this omission.

1 The SEA does confirm that the Chicago
2 wilderness area offers refuge to native
3 wildlife that this network of wild spaces
4 contains globally significant natural
5 communities. However, no protection
6 strategy or estimate of the impact to these
7 communities has been clearly identified.

8 For instance, they recognize
9 that de-fragmentation is one of the largest
10 contributing factors to the habitat
11 degradation for a large number of species.
12 It does not identify the recommended
13 resource protection areas recognized by
14 both the Chicago wilderness and the Chicago
15 Metropolitan Planning Agency. If they had
16 included this data, they would know that
17 this area is one of seven remaining largest
18 continuous regions of non-fragmented
19 national resources, and, in fact, the only
20 thing that bisects many of these natural
21 resources in this area is the EJ&E line.
22 The increase of rail traffic along these
23 lines will absolutely affect the migration,
24 diversity, population, density, and quality

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1 of life of these natural resources as well
2 as the humans that inhabit them.

3 The EIS acknowledges that
4 certain wildlife is killed by railcars
5 regularly, but they don't keep any records
6 of animal kills on any of the lines.

7 The EIS confirms that the
8 condition of these present habitats ranges
9 from low quality to high quality and that
10 certain high quality areas can be
11 negatively impacted by land use changes,
12 and, yet, they do not address the negative
13 impact to these areas that will occur
14 because of our own increase of traffic,
15 vibration, and leaching of materials.

16 The EIS claims to have confirmed
17 the quality of these areas by limited field
18 investigation, railroad right-of-ways, and
19 a rail trip. Where is the field data for
20 these investigations? How can natural
21 areas be investigated from public roadways?
22 They acknowledge the Illinois Natural Area
23 Inventory areas, including Cuba Marsh
24 Forest Preserve, Crabtree Nature Center,

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1 and Spring Creek do exist in this area, but
2 they never address what measure could be
3 taken to protect them from increased CN
4 Railway use and what impact that increased
5 traffic will have on those areas.

6 They admit that Barrington had
7 vibrational measures well above the normal,
8 but at the same time they claimed to have
9 equipment malfunctions at all of these
10 sites. Were these actual measured? We
11 would like to know some answers.

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1 MS. BRADFORD-WHITE: I'm Mary
2 Bradford-White. I'm the President of the
3 Barrington Area Conservation Trust. I'll
4 finish up with the comments on this report.
5 EIS identifies Barrington as
6 having unacceptable mobility because of the
7 combinations of a roadway operating at LOS
8 E through F and two rail lines crossing

9 adjacent to downtown Barrington but offers
10 no solutions.

11 EIS confirms that groundwater
12 protection is an important issue for
13 consideration. Given that, there's no data
14 that studies the vibrational affects of
15 increased rail traffic or increased haz-mat
16 risks along areas of thin "highly permeable
17 materials" such as important groundwater
18 recharge areas. These areas have been
19 identified in recent studies that are
20 omitted from the report, including but not
21 limited to Flint Creek Watershed Plan of
22 2008.

23 How does CN plan on identifying
24 and addressing the impact to these systems?

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1 The EIS identifies surrounding
2 roadways as alternatives during times of
3 high traffic. Do they consider these true
4 alternatives? Have they addressed these
5 issues with individual or metropolitan plan
6 commissions? Have they identified the
7 impact to the communities affected? How do
8 they plan on addressing the impact of
9 increased traffic to smaller roadways
10 designed for lighter traffic?

11 The EIS claims that it will

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12 address global warming issues like fuel
13 usage or climate change but never really
14 addresses this directly. What will the
15 actual proposed impact be on the local
16 communities, including, but not limited to,
17 increase in traffic wait times at rail
18 crossings, increased heat island profile
19 based on figure 3.9-3?

20 In conclusion, while this report
21 claims to be an environmental study,
22 there's very little real environmental data
23 that identifies potential problems and
24 potential solutions to those problems.

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1 Increasing rail traffic to semi-rural areas
2 will have real impacts to the local flora,
3 fauna, and quality of life of the
4 residents, both human and animals. This
5 report sorely lacks the information to
6 determine what those impacts may be and how
7 they may be resolved.

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1 MR. LAWLER: Good evening. My name
2 is Jeff Lawler, and I serve as the police
3 chief for the village of Barrington.
4 I have spoken with and written
5 to you previously about my concerns
6 regarding the acquisition of the EJ&E
7 Railroad by the Canadian National Railway.
8 Those initial concerns have not been abated
9 in the Draft Environmental Impact
10 Statement.
11 My village residents, employees,
12 and our local businesses and visitors will
13 be inaccessible to police services with
14 each passing freight train in the
15 bifurcated community that is being
16 considered. If you call police and need
17 emergency help, a one-minute, two-minute,

18 or a three-minute delay can be a lifetime,
19 literally. Ask our victims of domestic
20 violence if they have concerns regarding
21 police response time.

22 when the EJ&E is blocked by a
23 moving train or a stationary train, I have
24 no access to the wrong side of town. My

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1 closest access to grade separation is in
2 the next community to the south to the
3 overpass on Algonquin Road in Barrington
4 Hills. From the center of Barrington to
5 the high school where we're meeting tonight
6 is an 8.6-mile trip on busy, winding, hilly
7 roads. My next closest access to grade
8 separation is via drive through Deer Park,
9 the next community east of Barrington; then
10 Lake Zurich, the next community to the
11 north of Deer Park to an underpass on Grand
12 Road. A trip from the center of town to
13 where we're meeting tonight would be
14 12 miles.

15 This is excessive and literally
16 risks lives. The lives of the public the
17 police are responding to help, the lives of
18 the motorists that we endanger on the way
19 to the emergency, and the lives of the
20 first responders driving to or who are

21 waiting for help themselves involved in
22 situations.

23 This should be cause enough to
24 deny this acquisition.

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1 But I have additional concerns.
2 Through twisted logic, the
3 report indicates that there will be a small
4 potential decrease in accidents between
5 CN's current line traffic being moved to
6 the EJ&E. I'm not impressed with the
7 potential increase of main track accidents
8 increasing in my area of responsibility in
9 the order of magnitude of greater than
10 20 percent.

11 Statistics can be made to show
12 anything. While citing the potential
13 increase in hazardous material releases on
14 the EJ&E line when managed by CN, the
15 report goes on to say that a release is a
16 remote event and that currently used CN
17 lines will have a substantial decrease in
18 the risk of hazardous material release.
19 That judgment provides me with little
20 comfort when the carloads of hazardous
21 materials through my town increase tenfold
22 in number.

23 The primary beneficiary of this

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24 acquisition relocating freight traffic from

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1 its current line to EJ&E line is Canadian
2 National Railroad. The public interest is
3 not served by this acquisition, just the
4 interest of the Canadian National Railroad.

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1 MR. ANDERSON: My name is Jeff
2 Anderson and I'm a Village Trustee for the
3 village of Barrington.

4 Before I make my remarks, I
5 would just like to thank the residents from
6 this village and community for making their
7 remarks tonight.

8 I read the executive summary,
9 and I was asking myself this question:
10 After hearing a lot from CN regarding the
11 benefits of what they call the winner
12 communities and the loser communities,
13 those winners being on the yard and the
14 losers being on the inside line, your
15 executive summary has three interesting
16 facts, more noise, more grade crossings,
17 and more fuel. How does that make us
18 winners and -- or us winners and them
19 losers? It's just incredible to think that
20 more noise on this line, more grade
21 crossings on this line, and there's more
22 fuel that's going to be used by the trains
23 on this line to maintain the status quo.

24 I would also like to make a

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1 comment about the absolute stop. Lake
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2 Zurich Road is at the point where the train
3 potentially would stop if there was a UP
4 line train going through. You mentioned in
5 your executive -- Appendix D of your report
6 that 6,829-foot train could take upwards of
7 eight to nine minutes to clear the village
8 of Barrington. What happens if it's a
9 8,000-foot train or a 12,000 foot train?
10 Much has been made about 40 miles an hour
11 speed limit through town of the CN line.
12 How do you explain at a minimum eight to
13 nine minutes on a 7,000-foot train coming
14 through town and listening to all the
15 things that our public safety and school
16 district officials have made tonight?

17 Thank you.

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1 MS. LAMBERT: Good evening. I'm
2 Karen Lambert, president of this
3 community's medical center, Advocate Good
4 Shepherd Hospital. In the Draft

5 Environment Impact Statement, the Canadian
6 National contends that the EJ&E acquisition
7 has unquestioned benefits for the public
8 interest, and I'm here tonight to question
9 these benefits.

10 The draft impact fails to
11 acknowledge the impact that the increased
12 train traffic will have on the
13 accessibility to lifesaving medical care.
14 In fact, in the medical facilities section
15 for the Barrington communities, it devotes
16 just one sentence, No public at-grade
17 crossings are within two miles of the
18 emergency medical facility, Advocate Good
19 Shepherd Hospital. As a result, it didn't
20 study whether the community's of acute care
21 hospital would be accessible or not.

22 The stated rationale for this
23 two-mile metric is that typically beyond
24 two miles from the tracks, it tends to

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1 diminish the probability that Canadian
2 National train traffic would interfere with
3 emergency medical responders. The two-mile
4 metric is not feasible given Barrington's
5 unique geographic and road configuration.
6 In addition, the inaccessibility to
7 alternate hospitals during critical

8 life-threatening conditions makes the
9 two-mile metric inappropriate.

10 Across the five miles of
11 railroad that cuts through Barrington lies
12 five westbound roads to reach the hospital.
13 Five roads in five miles with five at-grade
14 crossings that separate ambulances from
15 delivering patients to our emergency
16 department.

17 DEIS did analyze our EMS's
18 ability to respond to a patient's call for
19 help, but it ignored the question of the
20 other critical half of the first responder
21 equation: will emergency services be able
22 to transport and deliver their patients to
23 the community's critical care facility? In
24 our evaluation, the answer is a resounding,

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1 no.

2 This proposal offers no sound
3 answers to critical public health and
4 safety issues. These are issues that must
5 be urgently and effectively addressed. The
6 proposed action in its current state will
7 cost lives. Patients are transported by
8 ambulance because it's an emergency.
9 Emergencies demand urgency, not delaying
10 treatment for critical patients.

11 Mortality rates for our
12 communities will increase. Only an acute
13 care hospital can deliver certain
14 life-saving procedures and time measured in
15 minutes is always the enemy of a critical
16 patient.

17 Overall, this proposed action
18 will negatively impact patient outcomes and
19 overall patient care for thousands of area
20 residents, and that, by any definition, is
21 certainly not in the public interest.

22 Thank you.
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1 DR. GIANGRASSO: I'm Dr. Joseph
2 Giangrasso, medical director for the
3 emergency department at Good Shepherd
4 Hospital.

5 I'm here to say if this
6 acquisition goes through, the health and
7 safety of our community would be greatly
8 jeopardized. As I mentioned before at the
9 public hearing the first time, patients
10 lives will be lost. Very simple, if you
11 cannot get the patient to the hospital to
12 get the help and treatment, the patient
13 would suffer. In emergency medicine, that

14 usually means they die.
15 Now, when we mentioned this
16 before, CN representative was saying, Take
17 them to another hospital. I'm sorry.
18 That's very critically fought. What's even
19 more disturbing is that DEIS contention and
20 I quote, "The response to the actual scene
21 of an emergency is the most critical
22 action, not the transport to the emergency
23 medical facility."
24 I'm an emergency medicine

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1 specialist. Yes, emergency medicine is a
2 speciality that now knows that paramedics
3 do a great job. In our community, they do
4 a wonderful job. However, they cannot give
5 indefinite treatment.

6 I'll give you definite examples
7 why people will die. Take heart attacks,
8 the number one killer in our area. When a
9 person has a heart attack, the blood vessel
10 is blocked and no oxygen can get to their
11 heart. The treatment for that is to take a
12 wire from the leg and go into the heart and
13 open that vessel. That's called a
14 catheter. I'm sorry, the paramedics do not
15 have a cath. Lab in the back of their rig.

16 Take your trauma patient. If
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17 they're internally bleeding, they need to
18 go to the operating room to find that
19 bleeder and stop it. Again, paramedics are
20 good, but they don't have the operating
21 room on the back of their rig.

22 If you have a stroke, again, we
23 now have medicine that could stop a stroke;
24 however, certain testing can be done, one

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1 of which is a CAT scan. Again, CAT scans
2 are not in the back of an ambulance.

3 These patients need to get to
4 the closest hospital, and to say they can
5 go to any hospital is defectively flawed.
6 I'm very disappointed that there was no
7 study done showing that all hospitals are
8 not equal. Our hospital has a cardiac
9 cath. Lab. I don't think all of our
10 hospitals in our area do. So if you
11 need -- not all hospitals have open heart
12 surgery. I'm sorry, if you need open heart
13 surgery and you go to the hospital that
14 does not have it, they're just going to
15 airlift you back to us. All you do is lose
16 time and probably suffer consequences
17 because of it.

18 All three of the problems I
19 mentioned before, heart attack, strokes,

20 trauma, they are all time sensitive. What
21 that means is that, as we say in emergency
22 medicine, for a heart attack, time is
23 muscle. The longer it takes to stop the
24 heart attack, the more muscle will die and

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1 the more chance the patient will die. In a
2 stroke, the same thing, time is brain. The
3 longer it takes to stop the stroke, more
4 brain cells die. Again, the more they die,
5 the person will become totally disabled or
6 even die. You personally only have so much
7 blood in your body, so when you bleed
8 internally, when you're out of blood,
9 obviously, you're dead.

10 So, please, take very careful
11 consideration before you make this
12 acquisition go through. If you do allow
13 this acquisition to go through, make sure
14 that this mitigation is done and overpasses
15 are done before the trains go through or
16 people will die before then.

17 Thank you.

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1 MS. RASEMAN: Good evening. My name
2 is Beth Raseman. I'm a Trustee with the
3 Village of Barrington. I'm going to focus
4 on some of the issues with the conflict
5 with Metra tonight and the economic value
6 on this transaction.

7 Unlike many of the towns that
8 the EJ&E intersects, we have a very heavily
9 traveled commuter line. Commuter ridership
10 is up dramatically due to the cost of fuel
11 and road congestion. At the same time that
12 CN's planning to add freight capacity to
13 its lines, Metra is also planning to
14 increase its capacity and expand further to
15 the northwest. Barrington has been asked
16 for support to increase the number of
17 trains from the current 62 passenger trains
18 a day to 73 trains a day. These numbers do
19 not include the freight that is also
20 handled every day on the Metra line.

21 There are many conflicts in the
22 DEIS because the recommendations in the
23 executive summary, the body of the report,
24 and the appendices regarding the issue of

1 the ability to coordinate these two
2 intersecting lines. There are also many
3 omissions.
4 In the Bottleneck Analysis that
5 were run to model, the actual coordination
6 of the capacity and the conflict scenarios
7 along the track that included factoring in
8 the longer trains that CN was to use,
9 insight was given into the reality of the
10 conflicts that will exist on the rails.
11 This is to say nothing of the conflicts
12 that will be generated along our roadways.
13 In the report it states that the CN average
14 train length would be 7,623 feet, an
15 increase from the current average length of
16 2,509 feet. However, the average is not
17 necessarily indicative of the maximum train
18 length, which is moving towards 8- to
19 10,000 feet. Those are trains that are
20 two miles in length. One of these trains
21 would effectively block every major
22 thoroughfare in Barrington, since the
23 distance from Lake Zurich Road to Lake Cook
24 Road is 1.1 miles long.

1 In the appendices, Rail
2 Operations Analysis states, These scenarios
3 indicate that under some conditions 8- to
4 10,000 foot trains can operate on the EJ&E
5 track without serious effects on the
6 at-grade crossing for either the
7 highway/rail or the rail/rail conflicts.
8 However, these scenarios are not
9 necessarily indicative of train operations
10 as they would actually occur. The report
11 also states that a train of this length has
12 come to a hard stop at Lake Zurich Road
13 would be 10 to 11 minutes to weave through
14 the morning or afternoon rush hour.

15 We already know about how bad
16 the traffic congestion will be here for our
17 residents and the commuters who pass
18 through our area. We were disappointed
19 that the report analyzed the net economic
20 impact on the region but said nothing of
21 the impact on the towns along the EJ&E or
22 the people who have to commute to jobs
23 through these towns.

24 This transaction will have

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1 devastating effects on our quality of life
2 but will also directly affect our sales tax

3 base that supports our infrastructure,
4 roads, sewer, and water. You'll
5 effectively be allowing us to destroy our
6 economy, our neighborhoods, our community.

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1 MS. REINHARD: Good evening. My
2 name is Linda Reinhard. I help represent
3 the 1400 residents of Fox Point in
4 Barrington.

5 I lead a business in China and I

6 travel there monthly. These goods to be
7 transported on the CN line are exported
8 from the newest, largest, deepest port in
9 the world in China. It has enough output
10 to support all of CN's phase two capacity
11 of 2 million containers plus 28 million
12 more. The impact study cannot stop at 2015
13 when CN has touted this link as their
14 connection from the Port of Prince Rupert
15 to the Memphis distribution centers.

16 This so-called Midwest express
17 does not belong in Barrington, it doesn't
18 belong in Chicago. The CN and STB must
19 find a solution for the industrial
20 thoroughfare that does not impose
21 unacceptable safety threats to our
22 children.

23 The current analysis
24 significantly underestimates the impact to

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1 our communities. A meaningful study
2 requires accurate answers to these two
3 questions, One: What is the maximum
4 potential freight over the next 20 years
5 and how will it be carried? CN projects
6 400 percent growth by 2010. That equates
7 to 82-mile trains. What happens ten years
8 from now? The STB must require that CN

9 provide a realistic long-term plan which
10 then serves as their freight limit.

11 what are the true delays? Based
12 on the freight volume plan, an adequate
13 projection must consider how the crossing
14 of the 73 Metra trains and the 20 to 80
15 freight trains be scheduled. what are the
16 resulting delays if the freight trains have
17 to start from a full stop? will the car
18 traffic ever flow? A schedule must be
19 created, traffic must be simulated in order
20 to calculated the real delays.

21 Fox Point residents feel these
22 trains jeopardize the safety of our
23 children. CN's safety record is horrendous
24 with 50 percent defects in their brakes and

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1 26 percent defects in their railroad
2 crossings.

3 Mark my words: With Barrington
4 school buses crossing 840 times a day,
5 accidents will happen and, yet, this is not
6 even analyzed in your report.

7 Furthermore, hazardous material
8 accidents cannot be deferred when they've
9 already had a haz-mat accident in Canada
10 and we're on a shallow water supply system.

11 The impact statement needs to

12 inform STB, Canadian National, and everyone
13 else who supports this, including Mayor
14 Daley, exactly what the real risk is to our
15 children and our community.

16 Please take the time to do an
17 accurate analysis. You owe it to our
18 children.

19 Thank you.

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1 MR. MANGANO: My name is Jeff
2 Mangano. I'm a resident of Lake Zurich,
3 Illinois. I represent approximately 200
4 residents that abut to the EJ&E.
5 My issue is loss of home value.
6 If the STB approves this sale, overnight
7 home values of 100,000 homeowners along the
8 EJ&E will plummet; overnight homeowners
9 will lose tens of thousands if not hundreds
10 of thousands of dollars in lost value;
11 overnight your decision will erase decades
12 of appreciation, equity, and home value;
13 overnight your decision will turn tens of
14 thousands, if not hundreds of thousands of

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15 homeowners upside down in their mortgages.
16 Hard working, fiscally responsible
17 homeowners and taxpayers will immediately
18 owe more than what their homes are worth.
19 Put yourself in our shoes for a moment.

20 The implication of this is
21 catastrophic for many people, especially in
22 a time when the real estate market is
23 currently in shambles and foreclosures are
24 at record levels.

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1 We understand your roles are to
2 promote fair and competitive trade in the
3 real world industry, but you as Americans
4 also have a fiduciary duty to your fellow
5 citizens to make decisions that are not
6 negligent. Approving this purchase can be
7 construed as an act of negligence and most
8 definitely an act of fleecing the American
9 taxpayer.

10 Thank you.

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1 MS. KEMP: I thank you for this
2 opportunity. The railroad is not in my
3 backyard, but it is -- the railroad is not
4 in my backyard but it is in my community,
5 in my village, in my state, and my country.

6 As a citizen, I felt obliged to
7 come here and to learn all that I could
8 about the CN proposal, and I can tell you
9 my conclusion is over months of looking at
10 this, the more I learn, the more I say this
11 can't be allowed. We cannot allow CN to
12 come through our villages.

13 The proposed trains are not
14 helping our country to grow stronger as
15 much as they help foreign interests. We
16 need our trains and our rails to get people
17 moving, not freight.

18 From personal experience, I
19 worked downtown for several years. I had a
20 3 1/2 hour a day round trip commute. I was

21 grateful for the train because it would
22 have been much worse. That was without all
23 of the congestion just trying to get to the
24 train station. That was before this

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1 proposal.

2 I can't even imagine wanting to
3 take myself, my grandchildren, and my
4 family down there to go to the theater or
5 to enjoy the beautiful City of Chicago.

6 People from all over, Wisconsin
7 and Indiana, Chicago and all of our
8 Illinois suburbs meet every day in Chicago.
9 We make this a vibrant Midwest. We're not
10 a rest stop. We're a very vibrant
11 community that contributes to the viability
12 of our economy.

13 We really need investment in
14 light rail that's faster, smoother, and
15 cleaner for people. We do not need CN's
16 trains competing for the routes around our
17 suburbs.

18 I believe train laws are really
19 outdated, especially reading through your
20 material. If you don't have the criteria
21 of whether this is a competitive situation
22 or not in the United States, that is no
23 criteria for judgment impact in the United

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24 States for a foreign train to come in here

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1 and compete for our railroads.

2 The initial arguments in this
3 country to support trains had to do with
4 helping people and the country's prosper
5 and expand, not helping foreign companies
6 use our rails and roads for international
7 transport.

8 We cannot be fooled by the
9 rhetoric about reducing local truck traffic
10 or let one community get pitted against
11 another. Chicago loses and we lose if
12 people cannot get to work in Chicago. And,
13 yes, we live in a global economy, but we do
14 not have to destroy ourselves and get down
15 to this potential level of pollution and
16 probable hazardous material spills in our
17 beautiful suburbs to even out the pain of
18 the beautiful big cities that are train
19 transportation hubs. We do not need the
20 never-ending construction of towns along
21 the EJ&E Railroad Lines, and we're not
22 going to have our children be killed
23 because of this.

24 what do we have to do? Stop

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1 them now.
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1 MS. OLIVER: I'm Sam Oliver. I'm a
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2 resident of North Barrington. I'm a member
3 of the Barrington 220 School District. I
4 certainly echo what Doctor Leonard
5 presented earlier regarding our school
6 district. I'm also a member of the
7 environmental community in this area, and I
8 want to address four situations that really
9 are potential environmental impacts of the
10 proposed acquisition.

11 The first is so important that
12 I'm going to repeat it. It's been
13 mentioned, but all residents of the
14 Barrington area depend upon a shallow
15 aquifer system to supply 100 percent of our
16 drinking water. The possibility of a
17 hazardous material spill is of great
18 concern. We have no existing
19 infrastructure to deliver water from an
20 alternate source and no access to Lake
21 Michigan water. I want to say a little
22 bit more about that.

23 In this area we have very
24 environmentally sensitive areas that would

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1 make a hazardous material spill difficult
2 to clean up. The EJ&E line here is
3 surrounded by wetlands, lakes and Cuba
4 Marsh, which would make it difficult for

5 cleanup crews to access and operate in much
6 of the area that could potentially be
7 impacted in the event of a spill.

8 The second point another
9 concern, and we've heard this but it's
10 important, is that the increase in rail
11 freight will result in degradation of our
12 air quality through significant increase of
13 backed up vehicles at crossings as our
14 drivers wait and wait and wait for the
15 trains to pass through.

16 Point three, the natural and
17 open spaces in the Barrington area are
18 unique features of our lives here. We have
19 an amazing variety of plant and wildlife
20 species in our area. Those species and
21 their habitats have been recognized,
22 valued, protected, celebrated and
23 painstakingly restored here over many
24 years, beginning as far back as 1970,

1 through the work of hundreds and hundreds
2 of our citizens. There are concerns about
3 disruptions in these habitats that would be
4 caused by increased emissions, vibrations,
5 wind effects and potential contamination.

6 And finally there is certainly
7 concern that even more nonnative invasive

8 species could be introduced here through
9 the freight traffic from around the world.
10 As it is, so much of our time, energy and
11 money is spent battling nonnative invasive
12 species here such as buckthorn, garlic
13 mustard, purple loosestrife, Asian
14 longhorned beetles, gypsy moths, and on and
15 on. The potential consequences to
16 sensitive sites that we value such as
17 parks, wetlands, nature preserves and
18 forest preserves, as well as our individual
19 properties must be seriously considered.

20 MS. QUIGG: I'm Catherine Quigg,
21 and I have lived in Barrington for 42
22 years. Canadian National presents the most
23 environmentally destructive situation that
24 has ever faced our community.

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1 Barrington depends on shallow
2 groundwater aquifers for drinking water,
3 unlike Chicago and some suburbs which get
4 Lake Michigan water. Any contamination of
5 water in our aquifers would threaten the
6 public health, safety, welfare and ability
7 of families and businesses to survive.
8 There is a life and death difference
9 between a rail spill accident in Chicago
10 and one in our village. No amount of

11 mitigation will pay for contamination of
12 Barrington's groundwater. No over or
13 underpasses will solve this problem. We
14 have no alternative water supply and
15 virtually no possibility of obtaining water
16 from Lake Michigan. Other northeastern
17 Illinois communities already use the
18 maximum allocation governed by Supreme
19 Court ruling and international treaty.

20 Liquid hazardous material
21 released from a CN train accident in
22 Barrington could quickly enter our aquifers
23 and permanently destroy our drinking water.
24 Without drinking water Barrington will die.

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1 However, the DEIS does not discuss the
2 issue of precarious drinking water. But it
3 does admit that increases in freight
4 traffic on the EJ&E rail would have a
5 corresponding increase in the risk of
6 hazmat spills which could affect ground
7 water sources.

8 A CN rail derailment in Canada
9 spilled 194,000 gallons of heavy bunker C
10 fuel oil across five miles of Wabamun Lake.
11 Not until four days later did CN reveal
12 that 185,000 gallons of hazardous, highly
13 toxic chemicals suspected of being

14 carcinogens had also spilled into the lake.
15 Residents were only belatedly told to stop
16 drinking lake and well water. The
17 provincial government issued an
18 environmental protection order for CN to
19 clean up the spill, and this is only one of
20 numerous CN serious spillage accidents in
21 the U.S. and Canada.

22 It is not surprising to learn
23 the Canadian rail safety committee gave CN
24 the lowest evaluation possible for safety

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1 systems to offset accidents, noting that
2 safety has not been a high enough priority.
3 Look down the railroad tracks running
4 through Cuba Marsh and our town and imagine
5 the destruction of our drinking water if an
6 accident occurs. Barrington shallow
7 aquifers cannot withstand the same
8 contamination voiced by CN on Wabamun Lake
9 and its residents.

10 Even the most generous
11 mitigation measures will not offset or
12 balance the public safety. Please deny
13 CN's appeal to take over the EJ&E railroad,
14 for the health and safety of the Barrington
15 area, its drinking water and its people.
16 Thank you.

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1 MR. MASTANDREA: My name is
2 Terry Mastandrea. I'm the director/fire
3 chief of the Lake Zurich Fire Rescue
4 Department that provides emergency services
5 within Lake Zurich, Hawthorne Woods, North
6 Barrington, Lake Barrington, Deer Park,
7 Kildeer and unincorporated Lake County.

8 The acquisition of the EJ&E by
9 the CN will diminish our long-standing
10 tradition of preserving and protecting the
11 health, safety and welfare of our
12 residents. The purchase provides no
13 benefit and in fact will results in
14 significant negative environmental impact
15 for public safety.

16 The SEA accurately indicates the
17 CN acquisition will have a significant
18 negative impact on our ability to
19 effectively respond to emergency calls but

20 does not address, or is flawed, in the
21 following points: Train accidents on the
22 EJ&E rail line are likely to increase by 28
23 percent but does not address the type, risk
24 factor or local resource impact and

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1 capacity. An increase from 5.3 to 20.3
2 trains per day with an increased 9.4
3 hazardous materials cars per train, which
4 equals 141 per day, presents high risk
5 challenges first responders will be
6 mandated to respond to with little to no
7 additional resources.

8 The SEA is silent and CN has
9 been unresponsive after multiple meetings,
10 emails and phone calls requesting
11 information on proposed types and
12 quantities of hazardous materials that will
13 be transported.

14 The SEA does not address
15 chemical release as far as spill, plume
16 information for public protection for
17 evacuation planning. Fifteen crossings are
18 defined as being substantially affected.
19 Two of them are within our response area,
20 yet the SAE does not address the delays
21 will have on public safety response times.

22 Without mitigation 11 fire
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23 emergency medical service providers would
24 potentially experience substantial effects.

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1 The SEA is flawed in only listing Lake
2 Zurich station 3 since the impact at all
3 other stations and departments that respond
4 for and provide support to that station
5 will equally be affected.

6 Lives may be saved if advanced
7 life support is initiated within four to
8 six minutes. The SEA does not address the
9 impact delayed response will have on the
10 preservation of life.

11 Fire typically increases in size
12 every minute. The SEA does not address the
13 impact delayed response will have on
14 firefighter safety and property loss to the
15 residents or community tax base.

16 Major changes on rail lines that
17 require major mitigation to address the
18 significant environmental impact issues
19 must be thoroughly reviewed.

20 Emergency responders must be
21 unimpeded access across rail lines to
22 ensure effective emergency services can be
23 delivered during life-threatening events.
24 Delays in our business are unacceptable and

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1 mission critical to sustaining life and
2 property and should not be worsened to
3 appease the private sector's mission of
4 simply generating more profit. The STB and
5 applicant must be responsive to the basic
6 public safety needs of a community and must
7 be responsible for all actions, funding and
8 infrastructure, to preserve those services.
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1 MS. MEYER: Good evening. My
2 name is Janet Meyer, president of
3 Barrington Chamber of Commerce. Our office
4 is located in the heart of Barrington. We
5 do represent the villages of Barrington
6 which accounts for 15,000 employees, which
7 5,000 work in the heart of the village that
8 are severely impacted by this.

9 Since we've heard of this
10 proposed acquisition we have worked behind
11 the scenes to educate a vast number of
12 publics which definitely include the
13 residents as well as the business
14 community. In doing so we have solicited a
15 number of letter-writing campaigns, and we
16 have many members and residents that
17 attempted to speak to you; and
18 unfortunately I do not believe that their
19 concerns have reached you because I have
20 not seen that response in your report. So
21 this evening I'd like to just brush tip on
22 a few of the very significant economic
23 downfalls of this proposal.

24 Let us remind you again, and I

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1 know you have heard this from just about
2 every speaker here this evening, yes, we

3 have traffic in Barrington already; but we
4 cannot address and certainly live with an
5 increase in -- fourfold increase in traffic
6 of trains. That is not going to work.
7 This increase would cause significant
8 delays already on congested or arterial
9 roads. Emergency responders, and we've
10 heard from all the experts here this
11 evening, cannot reach those with
12 emergencies. So obviously as a Chamber of
13 Commerce, we are very concerned. Here at a
14 time we're trying to plan for disaster
15 preparedness we have to be concerned about
16 this as well. So yes, we cannot deal with
17 a community divided by trains that can be
18 nearly two miles long.

19 I would like to urge you in
20 behalf of this membership to really once
21 again think here before you take the next
22 step. As I said, almost 5,000 employees
23 right here in the heart that are severely
24 impacted by this decision. Examine the

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1 impacts of this transaction in depth,
2 particularly the effect it will have on the
3 livelihood of those already struggling
4 businesses in the area during these
5 economic times. Open up any paper. You

6 know in the community that you live in as
7 well as Barrington, these are not pleasant
8 times for any business owner.

9 This chamber represents over 750
10 members, 85 percent of them have fewer than
11 five employees. They are barely making it
12 in these times. You have added to that
13 complexity and the problem has already
14 begun. Since we have made the announcement
15 businesses have stopped expanding. They
16 are looking for new homes. This is not a
17 good thing.

18 So, yes, again I will make my
19 comments briefly because you are cutting me
20 off, but at this point you can see this
21 purchase causes real problems for our
22 community. Without your protection we have
23 no way of protecting ourselves so we are
24 depending on you to thoroughly consider

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1 this impact. Stop the addition of trains.
2 I don't believe in my heart that you can
3 look in the mirror, make the decision to
4 let this go forward with CN rails and live
5 with that fact. So again thank you again
6 for your time.

7 MR. LEE: My name is Bob Lee,
8 and I have had the honor and privilege of

9 being part of this community and raising
10 our family here for the last 29 years, but
11 I'm horrified to think of the future if you
12 allow this transaction to go forward. In
13 your draft CN National railroad contends
14 that their proposal has a substantial and
15 unquestionable benefits to the public
16 interest. I'm here to question those
17 benefits. In light of the facts that you
18 have heard our town will be devastated if
19 you allow this to happen.

20 what benefit is greater than
21 human life? within 600 feet of where we're
22 standing now thousands of children go to
23 school every day by bus, by car, walking,
24 with their I-Pods on, their heads down,

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1 they're chatting and they're oblivious of
2 what's happening on those railroad tracks.
3 Not to have the grade crossing there, it's
4 unconscionable; and it's unbelievable that
5 you wouldn't have one on Route 14. It just
6 does not make any sense.

7 And I will guarantee, I'll bet
8 any one of you, that if you do not mandate
9 that those train crossings are --
10 separations are done and completed before
11 this transaction is finalized and treated

082708 Public Meeting.txt
12 and trains can run, I'll guarantee you in
13 five years they're not done because there's
14 no money to do them. It doesn't make any
15 sense. How can you come up with a program
16 and do this study and have no fiscal
17 responsibility to make it possible? It
18 doesn't make sense.

19 And I'm not sure if you will
20 hear -- have really read this study, but
21 your impact study is completely amiss this
22 draft about housing and the impact on us as
23 homeowners. Your draft admits that some
24 homes within 250 feet of the rail line with

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1 20 additional trains could experience
2 decrease in property values. This
3 concludes that there would have only minor
4 negligible effect.

5 I live two and a half miles from
6 these trains, and I will guarantee you that
7 my property value and my neighbors will go
8 down 15 percent right off the bat if this
9 happens, and that increase to \$36 million
10 in just one subdivision. I don't see where
11 you're rolling these numbers up and tying
12 in and making a financial decision. The
13 benefits, the costs, the loss of our home.
14 we have a mortgage crisis. Don't create

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15 another one, please. Thank you.

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1 MR. FINLON: Hello, my name is a
2 Patrick Finlon. I'm a deputy of chief of
3 police with the Village of Lake Zurich. I
4 would like to address in my statement the
5 issues that directly affect law enforcement
6 in the village. My statement will address
7 safety, noise and vibration and emergency
8 vehicle response.

9 The increased number of trains
10 traveling through Lake Zurich would
11 exponentially increase the incidence of
12 conflict between vehicle, pedestrian and
13 bicycle traffic and rail traffic.
14 Currently 5.3 trains travel through Lake
15 Zurich daily, and it is reported that 20.3
16 trains will travel through the village.
17 within the corporate limits of the village

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18 of Lake Zurich there are five grade level
19 crossings. Multiplying the crossings by
20 the numbers of trains, currently there are
21 26.3 incidence of possible conflict with
22 rail traffic and projecting the future
23 amount of train traffic there would be
24 101.5 incidence of train/traffic conflict.

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1 This is a 300 percent increase. With this
2 increase in conflicts there will be an
3 increase in possible vehicle collisions.

4 Additionally Lions Park adjacent
5 to the railway is used for a community
6 festival, the Alpinefest. Many individuals
7 attending the event will be parking south
8 of the railway and walking north hopefully
9 at grade crossings. This would increase
10 the number of possible train/pedestrian
11 conflicts. What wasn't addressed in the
12 report was the average time required to
13 investigate a train versus vehicle,
14 pedestrian or bicycle collision and the
15 traffic obstruction that would be
16 encountered. Typically a serious traffic
17 accident requires approximately three hours
18 of investigative time by a team of trained
19 accident investigators.

20 Traffic queing is also a problem

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21 at the grade level crossings. The
22 crossings on Ela Road has a traffic volume
23 of 16,100 vehicles per day. When a train
24 traverses this crossing, often southbound

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1 traffic backs up to U.S. Route 12. Traffic
2 on U.S. Route 12 is stopped in the
3 eastbound right turn lane and westbound
4 left turn lane. The intersection of U.S.
5 Route 12 and Ela Road has a traffic volume
6 of 43,000 cars per day. The speed limit is
7 45 miles an hour. With the increased
8 incidence of rail/vehicle conflict, traffic
9 will back up more often and rear-end
10 collisions are likely to occur. The
11 mechanics of such a crash include all
12 vehicles stopped in traffic struck in the
13 rear by a vehicle traveling 45 miles an
14 hour.

15 I'd like to address noise and
16 vibration in that the Lake Zurich Police
17 Department responded to a complaint April
18 22nd at 5:32 p.m. The complaint involved a
19 rail work crew performing track
20 maintenance; and engine and crew stayed in
21 the area for 24 hours, and the engine was
22 left running. The officer that responded
23 indicated that there was a strong smell of

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24 fuel exhaust and loud noise in the area.

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1 In summary, given the number of
2 factors affecting law enforcement, it is
3 imperative that mitigation of the traffic
4 impact by the CN railway include the
5 strategic improvement of grade crossing
6 allowing for the separation of rail and
7 vehicle traffic to improve traffic safety.

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1 MR. STETSON: Hello. My name is
2 Brad Stetson. I'm a Barrington resident.
3 I'm chairman and CEO of Barrington Bank &
4 Trust, and I'm also an executive director
5 of the Barrington Area Chamber of Commerce.

6 Exactly eight years ago tomorrow
7 at 43 years old I awoke with chest pains.
8 I was having a heart attack. Thankfully
9 due to the response of the Barrington Fire
10 And Rescue Team, Doctor Horcher and the
11 emergency room staff at Good Shepherd
12 Hospital I survived. However, would that
13 have been the case that the ambulance
14 rounded the corner of Route 14 and
15 Northwest Highway only to find a freight
16 train blocking the route for 10, 15, maybe
17 20 minutes, I don't think I'd care to
18 speculate on that. The fact is a
19 significant number of Barrington area
20 residents south and southeast of Good
21 Shepherd Hospital will have to speculate
22 that each and every time an emergency
23 response is required.

24 I've prepared several other

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1 comments. However, they've been more than
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2 adequately addressed by the many village
3 and public officials before me; and I think
4 they have been credible, logical and
5 well-organized, and I think they were to
6 the point and well addressed.

7 The fact of the matter is as a
8 local community banker, the economic impact
9 of this proposed transaction will be
10 detriment to the businesses, both retail
11 and commercial. They are already fighting
12 an economic environment that is working
13 against them. This type of transaction
14 will only exacerbate the problem that they
15 currently seek today.

16 I'm sure that any well-educated
17 individual can come up with a study to
18 illustrate what they would like people to
19 think, and it certainly appears is that the
20 CN Railway has certainly accomplished that
21 with this board. The fact is the business
22 epicenter of Barrington is Route 59 and
23 Main Street, which is Lake-Cook. There are
24 over 200 businesses located within a

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1 quarter of a mile of that intersection, and
2 the retail businesses and restaurants
3 survive on people coming from Lake
4 Barrington, North Barrington, Barrington

5 Hills, Tower Lakes, Deer Park. How are
6 they going to survive when all of a sudden
7 this traffic issue arises that only
8 congests this particular center of town?

9 As a local businessman I clearly
10 understand the economics and the business
11 model behind the acquisition by the
12 Canadian National Railway, and it appears
13 to be a solid one. However, the economics
14 and the dynamics of the model are clearly
15 one-sided favoring the CN. Today, today is
16 neither practical nor realistic to expect
17 the county, the state or the federal
18 government to assist in the mitigation.
19 They are for all intents and purposes
20 bankrupt. Oh, of course they can raise our
21 taxes.

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1 MR. HEYDEN: Good evening. My name
2 is David Heyden. I'm director of Public Works
3 for Lake Zurich. I would like to take this
4 opportunity to bring to your attention a number
5 of inconsistencies present in the DEIS findings
6 that should be clarified.

7 First the study consistently
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8 refers to -- the study consistently refers
9 to resultant decrease in CN operations
10 along the existing inner arc. Currently it
11 is understood that the existing rail lines
12 on the inner arc are at capacity thereby
13 restricting any further use of these
14 existing lines.

15 Once the CN has decreased its
16 use on these existing rail lines, which is
17 not guaranteed, this provides the
18 opportunity for other carriers to increase
19 their use on these lines, thereby
20 misrepresenting the reductions on the
21 existing lines as stated in the draft EIS.

22 Second, on page ES-13 the draft
23 EIS states that the Barrington area
24 currently qualifies as a quiet zone. This

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1 quiet zone is actually in effect from North
2 Chicago to Bartlett. The entire quiet zone
3 corridor should be referenced with proper
4 mitigation included.

5 Third, page ES-15 under land
6 use, the report states that the
7 construction of connections and double
8 tracks would not affect the current lane
9 use patterns. While this may be true in
10 the areas of expansion Lake Zurich was

11 informed by the CN that it does not have
12 any intention of preserving existing local
13 rail service to the corridor. Ceasing of
14 this service will likely have a detrimental
15 effect on the land use due to the loss of
16 rail service to the existing users. These
17 cumulative impacts should also be discussed
18 in the study.

19 Fourth, under water resources.
20 The EIS does mention the potential increase
21 in groundwater contamination, particularly
22 in shallow wells, but does not give and
23 should include specific data regarding the
24 potential impacts of the number of wells

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1 that would be affected as compared to the
2 inner arc areas. The inner arc has lower
3 chance of water supply contamination in the
4 event of a hazardous spill due to being
5 served by Lake Michigan. The inclusion of
6 this data is necessary to understand the
7 full potential of effects of the
8 groundwater.

9 Fifth, the report also mentions
10 decreases in water quality due to
11 construction runoff but does not address
12 impacts to common storm water runoff. With
13 the passage of the new NPDES Phase II

14 regulations, the local municipalities are
15 now responsible for the quality of storm
16 water runoff entering their storm sewers
17 and other bodies of water under their
18 jurisdiction.

19 Contaminated storm water is
20 common from rail corridors or due to trace
21 elements being deposited along the corridor
22 from leaking cars, diesel fuel, grease and
23 heavy metals. Existing storm water quality
24 measurements should be taken as well as the

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1 potential impacts included in this study.
2 The additional number of freight trains and
3 cargo will undoubtedly result in an
4 increase in the amount of these trace
5 contaminants along the railroad corridor
6 further reducing storm water quality.

7 Storm water quality devices
8 should be included in the mitigation
9 efforts at the points of discharge into
10 sensitive areas such as wetlands and prior
11 to being released into local municipal
12 sewers. It should be required that the
13 applicant perform this mitigation measure
14 as most of the discharge points are located
15 on the railroad property which is under
16 their sole jurisdiction. The final EIS

17 should address these issues prior to making
18 a final decision. Thank you.

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1 MR. BATTLE: Good evening. My
2 name is Brian Battle. I'm a Barrington
3 resident, and I currently serve our
4 community as the president of our school
5 board. This evening my comments will
6 address some concerns identified certainly
7 about our board, our students, our parents,
8 our staff and all the residents of the
9 community in School District 220. We have
10 been disappointed in our previous
11 identification these issues were not
12 included in the DEIS, but we certainly hope
13 that they will be reflected in the final
14 group.

15 First in fact, we are unit
16 district providing services prekindergarten
17 through 12. We serve over 9,200 students.
18 We employ over 1,100 staff members making
19 us the largest employer in the Barrington

20 area. We cover 72 square miles for our
21 residents. We operate 14 buildings; and as
22 you know, the EJ&E crosses intersection
23 within our boundary seven times.

24 You have heard several people

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1 comment that our school buses cross EJ&E
2 lines on average 840 times a day. That's
3 not including extracurricular activity.
4 That is a staggering number. That causes
5 our board to be very concerned about safety
6 and traffic issues.

7 we have neighborhood schools
8 that are essentially kindergarten through
9 5. All of them are neighborhood schools,
10 because very few of our students are in a
11 position to walk within the Illinois
12 guidelines of 1.5 mile walking radius.
13 There are still several traffic safety
14 issues that cause about 90 percent of our
15 students to take buses or drive. So during
16 the morning and the afternoon rush hour
17 there is a lot of traffic that is
18 attributed to our students. We have
19 prekindergarten federally-mandated program.
20 It is a central program that causes people
21 from all over the 72 square miles to have
22 to drive to one location.

23 we have two middle schools that
24 serve our grades 6 through 8. They are

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1 located on the east side of the EJ&E
2 tracks. We have one high school located on
3 the west side of the EJ&E tracks. As our
4 students work their way through our school
5 system, every one of our students and
6 families are forced to cross those EJ&E
7 lines at some point, oftentimes, many times
8 (inaudible).

9 The board in our previously
10 approved resolution has indicated our
11 concern on increased traffic that would
12 limit the ability of the police and fire
13 departments and ambulances to reach our
14 schools and our children in emergency
15 situations. In addition increased traffic
16 would add critical minutes to the time it
17 takes an ambulance to transport an injured
18 student or staff member to the nearest
19 hospital; and we have also experienced
20 several recently tragic deaths around train
21 tracks, which is a huge concern to our
22 board and our community. Increased rail
23 traffic would add to that risk.

24 so our board has asked that the

1 Surface Transportation Board say no to the
2 proposed acquisition; and if so, we've
3 requested remediation, and the draft EIS
4 only identifies the Hough Street
5 intersection requiring remediation. This
6 board feels very, very strongly that the
7 Route 14 and Lake-Cook intersections also
8 require remediation. Thank you.
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1 MR. TRAFTON: My name is Gordon
2 Trafton. I am Senior Vice President,
3 Southern Region, for CN. From our
4 headquarters in Homewood, I oversee all of
5 CN's operations in the U.S., which spans 16
6 states and has roughly 6,600 employees.
7 I'm an American, reside in the western
8 suburbs, and live not far from the Elgin,
9 Joliet and Eastern Railway Company,
10 otherwise known as EJ&E.

11 Chicago is essential to rail
12 operations, but it presents major
13 operational challenges for us. This
14 transaction would improve rail operations
15 on the CN system and the rest of the
16 Chicago rail network by moving CN trains
17 out of the urban core to the underutilized
18 EJ&E line on the outskirts of the Chicago
19 metropolitan area. As a result, it would
20 significantly improve the fluidity of CN's
21 and other rail operations in the region
22 resulting in faster transit times and more
23 reliable service for rail customers and
24 enhancing the competitiveness of businesses

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1 in the region that utilize rail service.

2 The Board recognized the

3 transportation benefits of this transaction
4 and the absence of serious competitive
5 and/or transportation issues when it
6 characterized this transaction as minor in
7 November 2007.

8 However, CN also fully
9 understands the importance of a thorough
10 review of the transaction's environmental
11 impacts. We object, however, to the
12 efforts of some to use the environmental
13 review process to defeat the transaction.
14 CN has been and remains committed to
15 working with the communities to develop
16 comprehensive voluntary mitigation
17 agreements addressing reasonable
18 environmental concerns. I have personally
19 met twice with Barrington officials to
20 discuss this transaction and its impacts.

21 It's important to recognize that
22 the significant congestion relief the
23 transaction will bring to the Chicago
24 region is reciprocal. For every community

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1 along the EJ&E line that would see
2 increased train traffic, nearly double that
3 number along CN lines would experience a
4 traffic decrease. In terms of the number
5 of residents affected, roughly one million

6 individuals would have additional trains
7 operating through their communities, but
8 more than two and a half million would have
9 fewer trains.

10 CN is disappointed that the
11 Draft EIS did not fully identify these
12 benefits or balance them against the
13 effects of increased train traffic along
14 the EJ&E line. It also fails to take into
15 account what would happen -- what would
16 likely happen in Chicago if the transaction
17 not proceed. Absent a quick and massive
18 infusion of government funding for CREATE
19 or some other congestion-reducing
20 initiative, one can expect increased rail
21 congestion in downtown Chicago, increased
22 delays for motorists, increased train
23 idling, and continued high levels of rail
24 operations in more densely-populated

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1 communities and less efficient rail
2 operations to the detriment of users of
3 rail shippers and ultimately consumers.

4 CN has been active in the
5 environmental review process and, as
6 evidenced by our agreement this week with
7 Joliet, in our ongoing voluntary mitigation
8 efforts with communities. We will continue

9 our efforts to bring the environmental
10 mitigation process to a successful
11 conclusion with appropriate mitigation for
12 adverse environmental impacts related to
13 train traffic increases. We hope the
14 communities will work with us in this same
15 spirit of cooperation and problem solving.

16 Thank you for the opportunity to
17 present CN's views to you this evening.

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1 MR. KELLER: Good morning. My
2 name is Kris Keller. I own National Realty
3 Network. We do commercial real estate
4 brokerage. I have four offices located
5 around Chicago, but my headquarters is in
6 downtown Barrington. I employ over 20
7 agents in my Barrington office. We
8 probably have half of all the commercial
9 listings in town. I am also Chairman of
10 the Board for the North Shore Barrington
11 Association of Realtors and I will also be

12 a director on two other commercial real
13 estate professional boards, the Illinois
14 Chapter of CCIM and the Northern Illinois
15 Commercial Association of Realtors.

16 I would like to make clear that
17 no one has asked me to be here or to speak
18 on any particular subject. As a matter of
19 fact, I worked for two different railroads
20 in my career and have a soft place in my
21 heart for them. I am here because I
22 believe that the acquisition of the EJ&E by
23 the Canadian National and the resultant
24 additional train traffic would negatively

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1 change Barrington forever.

2 I will limit my comments to an
3 area of my expertise: Barrington
4 commercial real estate. The village of
5 Barrington by itself does not have the
6 demographics to support a vibrant downtown
7 retail environment. Barrington relies upon
8 the surrounding communities, Barrington
9 Hills, South Barrington, North Barrington,
10 Lake Barrington, and others who also think
11 of this as their downtown.

12 The current train traffic that
13 goes through Barrington is considered to be
14 a nuisance when trying to get into town,

15 but it is considered to be a manageable
16 nuisance. I can tell you with certainty
17 that with the addition of anywhere near the
18 amount of train traffic that is currently
19 being considered, shoppers from the
20 surrounding communities will no longer come
21 to Barrington's downtown. The incremental
22 train traffic added by the Canadian
23 National will devastate the community
24 businesses.

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1 The initial environmental study
2 does not take into consideration: One, the
3 effect on business owners who have worked a
4 lifetime to develop their business; two,
5 the loss of jobs; three, the loss of
6 property values in the commercial
7 properties in town when they are having
8 difficulty renting them out; four, the
9 subsequent loss of sales tax to this town;
10 five, the change to this community that
11 will no longer have many of the
12 walk-to-town amenities currently enjoyed.

13 There is no question in my mind
14 that if you approve this acquisition --
15 there's no question in my mind that if you
16 approve this acquisition, you will be
17 destroying the business community and

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18 forever changing the landscape of
19 Barrington, a change from which its
20 business community will not recover.
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1 MR. PANSCH: My name is Detlev
2 Pansch. I'm the Executive Director of the
3 Barrington Public Library District. As the
4 Public Library District serving the greater
5 Barrington community, the Barrington Area
6 Library draws its patrons from all or part
7 of the 14 communities coming -- covering 72
8 square miles. The library's entrance drive
9 is approximately 850 feet south of the
10 crossing of the EJ&E line and Route 14.

11 Last year we had 319,000
12 visitors making the Barrington Area Library
13 one of the most trafficked public buildings
14 in the Village of Barrington. In addition
15 to those arriving by motor vehicle, many
16 patrons arrive as pedestrians or ride
17 bicycles to our facility.

18 Part of the library's
19 improvement plan is to expand the building
20 in the near future. Following

21 construction, the children's wing will be
22 less than 1,000 feet from the rail line.
23 Each summer the library hopes to bring
24 outdoor story times at Citizens Park and

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1 Langendorf Park in the Village of
2 Barrington, both of which are adjacent to
3 the railway. The library is concerned that
4 traffic backup caused by frequent freight
5 trains will prevent patrons from reaching
6 the library's property safely and
7 conveniently.

8 We are also concerned about the
9 increased pollution that will be generated
10 as a result of increased freight train
11 traffic and that will snarl automobile
12 traffic throughout Barrington. The
13 increase in noise from train whistles and
14 locomotives will adversely affect the
15 library and the use of our facility. The
16 DEIS does not adequately address these
17 concerns which threaten the library's
18 mission and the quality of life for the
19 people of the Barrington community.

20 Furthermore, the DEIS recommends
21 recommendations for limiting the number of
22 freight trains during rush hour and
23 averting them to other times does not aid

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24 the library. We are open to the public

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1 until 9:00 p.m. Monday through Friday. The
2 library holds numerous programs in the
3 evening after rush hour has ended.

4 Finally, because our facility
5 draws a large amount of visitors of all
6 ages, medical emergencies do occur. A
7 patron that becomes ill at the library will
8 have the benefit of a quick paramedic
9 response. However, there will be no way to
10 quickly transport a patient from our
11 facility to Good Shepherd Hospital when the
12 train has blocked every intersection in the
13 village. A detour to a hospital much
14 farther south of our community could have
15 deadly consequences and is simply
16 unacceptable.

17 The library requests the Surface
18 Transportation Board to reconsider the
19 impact of the proposed sale on the
20 Barrington Area Library and the Barrington
21 area as a whole and to amend the
22 environmental impact report to address
23 these concerns and to suggest means for
24 resolving them.

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1 MR. BRAITHWAITE: Good evening.
2 My name is Bill Braithwaite. I'm a 52-year
3 resident of Barrington. I think one of
4 the -- There is a lot of people I know.

5 One of the serious flaws in the
6 draft statement is related to public safety
7 issues. To put that into context, I would
8 like to have you just hold -- have a jump
9 forward with me for say two years. And I
10 am in this particular auditorium watching a
11 basketball game, and I have the unfortunate
12 event of having a heart attack or a stroke.

13 I know that ordinarily within
14 three minutes -- approximately three
15 minutes I am going to get some help from
16 our wonderful emergency services. Unless
17 this facility -- The CN proposal has been
18 approved, and as I am waiting there, the
19 emergency vehicle comes to railroad
20 crossings just a few hundred feet from
21 here. And one of those almost two-mile
22 trains comes through. As a result, I am
23 waiting, waiting, waiting. How long am I
24 waiting? Four minutes? Five minutes? How

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1 long? I'm just waiting. Tell me. I'm
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2 waiting longer and waiting and still
3 waiting, waiting for help. why can't they
4 come? why can't it come? waiting,
5 waiting, still waiting. And the time that
6 I have had here today is only a part of the
7 time that I'm waiting and wondering when
8 will help come, when will help come.
9 And at the end of this short
10 time I would still be waiting for another
11 two to four minutes. And let's suppose
12 that I expire. That's the polite word for
13 die. who's responsible for that? who is
14 responsible?
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1 MS. FINLEY: Hello. My name is
2 Rita Finley, and I live -- I have lived in
3 Deer Park for the past 11 years raising a
4 family with three children not far from the
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5 EJ&E. We moved to this area for more open
6 space and less congestion but had to give
7 up the closer access to Lake Michigan,
8 O'Hare, and other amenities that are more
9 accessible to people living east of us.

10 I have four concerns to talk
11 about now. One is the quantity of rail
12 operations. In your executive summary you
13 state that it is unlikely that the number
14 of trains using the EJ&E would be higher
15 than that estimated by CN's Operating Plan.
16 If you are basing your EIS solely on CN's
17 proposed Operating Plan, then I ask you to
18 mandate the maximum number and length of
19 trains that could ever be allowed to run on
20 the EJ&E. Alternatively, please fully
21 explore the carrying capacity of the
22 line and that impact before making a
23 decision.

24 Two, the risk of contamination

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1 of water resources is very real, is the
2 very difference on the EJ&E versus where
3 the CN's current lines are. You even
4 stated concerns in your summary; and that
5 included domestic wells, which I have on my
6 property. We need you to protect our water
7 quality that is at risk from contamination.

8 why? Simply, we have no other viable water
9 source. Train lines that run along the
10 area behind Lake Michigan don't have these
11 risks.

12 Air quality. Would residents
13 with respiratory problems such as asthma
14 and chronic heart disease or babies and
15 children with respiratory systems
16 developing now have to take extra
17 precaution with increased freight and
18 idling cars? We need assurance from you
19 that this poses no risk. How can we ignore
20 this segment of the population?

21 Traffic delay mitigation.
22 Please examine traffic patterns of
23 communities of Barrington Metra. I think
24 most need to pass an EJ&E intersection,

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1 such as Lake Zurich Road, just to get to
2 the train station. Commuters would have to
3 allow significantly greater time added to
4 an already long commute downtown. It would
5 be unpredictable.

6 Another traffic issue is without
7 mitigation, cars, trucks will seek a bypass
8 while waiting for the train. This will
9 result in excess wear and tear on
10 subsequent roads for -- Skip some of this.

11 Finally, I understand new Hazmat
12 regulations are underway. Please examine
13 if this would slow down the allowed train
14 speeds and, therefore, causing longer
15 blocked intersections. Thank you for
16 listening, and I ask you to weigh heavily
17 the unique sensitive environment.

18 Finally, every silver lining has
19 a cloud. CN's portrayal of the EJ&E being
20 the silver lining to solve freight problems
21 in Chicago creates many new clouds to be
22 well-examined before any decision is made.
23 Thank you.

24

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1 MR. KELSCH: My name is Joe
2 Kelsch, Sr. I am the Director of the
3 Barrington Area Development Council known
4 as BADC and its immediate past president
5 and a 37-year resident of the community.

6 The BADC was founded 40 years
7 ago with a mission to foster the
8 development of the civic and service
9 organizations necessary to the quality of
10 life we now enjoy in the greater Barrington
11 community. We played a significant role in
12 establishing BACOG in the late '60s, that
13 being the school district, Good Shepherd

14 Hospital, and many of the other
15 organizations represented here this
16 evening.

17 We continue to advocate for
18 those issues that improve the quality of
19 life our residents expect, a quality now
20 threatened by the pending CN acquisition.

21 We appreciate the role that a
22 railroad plays in the development of
23 Barrington. Without the Northwestern, now
24 Metra, we would not be among the most

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1 desired communities in which to live.
2 However, the CN acquisition would overwhelm
3 our community with increased freight
4 traffic, a condition that if preexisting
5 would have prevented the community from
6 attaining the quality of life we now enjoy,
7 one that is reflected in our home values
8 and the tax base to support our excellent
9 school system.

10 That is the reality we must give
11 priority to. The Barrington area is in
12 large part what it is today because of its
13 relative freedom from rail congestion.

14 Although our area contains a
15 number of municipalities, we have developed
16 into a cohesive community in terms of

17 infrastructures, unit school district,
18 regional government, shared police and
19 fire, area hospital, the civic and service
20 organizations, and church congregations
21 that reach across the entire area.

22 This cohesiveness would have
23 been impossible without a reasonably
24 efficient road system that connects our

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1 villages and ties them into the village of
2 Barrington as the commercial and civic hub
3 of the area.
4 All major area roads converge at
5 the village center and all intersect with
6 EJ&E. Any major increase in freight
7 traffic would not only tie up traffic far
8 beyond what this already heavily burdened
9 road is facing, it would greatly disrupt
10 the cohesiveness and quality of life issues
11 I have just cited.

12 STB must give primary
13 consideration to the concerns of our
14 residents regarding these quality of life
15 issues. While there may be economic
16 benefits to the greater Chicago area from
17 the proposed acquisition, they would
18 largely accrue to CN at the expense of
19 those communities along the EJ&E.

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20 STB has an ethical and moral
21 responsibility to base its decision on what
22 best serves the public interest, meaning we
23 the people. You face a challenging task.
24 You must be mindful of your responsibility

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1 to the citizens of this community. In
2 doing so, your decision could be fair to
3 all, but only if you require the CN and the
4 Federal government to assume full
5 responsibility for the cost of mitigating
6 the entire...

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1 MR. BEAUBIEN: Thank you for the
2 opportunity to be heard. I will add a
3 different perspective than you heard on the
4 testimony of the report and quality of the
5 report and things that need to be
6 addressed.

7 As a Representative from the
8 State of Illinois for this district, I
9 wanted you to know that I'm very much
10 opposed to the process of bringing the
11 trains through here, but a couple of
12 additional points.

13 One, saving the trains is a
14 process called CREATE, which has not been
15 funded yet, partially because CN wouldn't
16 help fund it; but I think we ought to take
17 that into consideration when we are looking
18 to this process because what it does is it
19 addresses the entire region, not just this
20 particular area. We should wait until we
21 have had an opportunity to see what the
22 CREATE report would do.

23 Secondly, the report infers that
24 somehow or another the State of Illinois is

1 going to be able to help mitigate some of
2 these crossings and problems that these
3 various villages are going to have. As the
4 budget negotiator and a House Republican
5 for the last six years, I can tell you
6 that's not going to happen. This state is
7 broke. We're \$3 million in debt as I'm
8 standing here. They say it's two. Believe
9 me, it's three. We have severe financial
10 problems.

11 In the event -- and I hope it
12 does happen -- we have a capitol bill, the
13 money is really being spoken for by higher
14 ed, K-12, the roads, highways,
15 infrastructure, bridges, and so forth. So
16 there will be very little money. So if
17 anyone thinks that this report can hint or
18 suggest that the state is going to be able
19 to help you, it will not.

20 Along with all the other things
21 that were talked about here tonight, I just
22 wanted to give that particular perspective.
23 Thank you very much.

24

1 MR. MEISER: I'm Joe Meiser.
2 I'm a member of the Village of Barrington
3 Plan Commission and a resident. There's 21
4 major areas in this Draft Environmental
5 Impact Statement that's flawed, and I'm
6 only going to focus on three of those
7 areas. There are actually over 21 areas.

8 But No. 1, the vehicle gridlock
9 analysis is flawed. The DEIS utilizes a
10 flawed average daily traffic count. Many
11 of the communities have conducted their own
12 ADT counts and are a much higher count than
13 those in the DEIS where the train links and
14 speeds of the DEIS are flat out wrong. The
15 reality is it's a high ADT. Longer and
16 slower trains are going to cause gridlock
17 at a much worse grade than is projected in
18 the DEIS.

19 The mitigation promises in the
20 DEIS are empty. The DEIS states that only
21 15 crossings in this project area are going
22 to require mitigation. That's absolutely
23 an understatement. Anybody that knows the
24 situation here with the crossings can tell

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1 you that every single one of them would
2 need -- in this area would need -- in at

3 least the Village of Barrington, Barrington
4 will need mitigation.

5 But even if that were true, even
6 if it was just 15, based on an estimate of
7 \$35 million per crossing, you're talking
8 about \$525 million to mitigate the
9 crossings, those 15 crossings that need
10 mitigation in this study area. And that
11 would mean that \$525 million was necessary.
12 But in the draft statement, CN would only
13 be responsible for a small fraction of the
14 cost of that leaving up to \$500 million
15 unaccounted for.

16 we've heard it over and over.
17 We just heard from a state legislator.
18 There is no money to pay for this. There
19 is no state money, no Federal money, no
20 local money. It's obviously an empty
21 promise. It's not going to happen. We're
22 not going to get the mitigation. So why
23 even pretend it's even going to happen?
24 why even talk about it? There's nothing to

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1 talk about.

2 The life and death first
3 responder analysis is a joke. The DEIS
4 rejects as quote "will not substantially
5 impact communities with EMS facilities on

6 both sides of the tracks." That's
7 ridiculous. Those facilities were never
8 designed or staffed with contemplation of
9 any significant traffic on the EJ&E; but
10 worse, the DEIS states -- and I quote --
11 "response to the actual scene of an
12 emergency is the most critical action, not
13 the transport to the emergency medical
14 facility."
15 How callous is that? Since when
16 has the Surface Transportation Board become
17 an expert on emergency care? I'm sure that
18 whoever wrote that would be speaking a
19 different story if they were sitting in the
20 back of an ambulance after having a heart
21 attack or a stroke idling at a railroad
22 crossing.
23 Let's have an accurate
24 environmental impact statement. If we do,

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1 this deal is not going forward. Thank you.
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1 MR. KNOOP: My name is Steve
2 Knoop, Trustee of Barrington Hills.
3 Frankly, I take great insult to your map in
4 the STB. The problem with this map is that
5 you fail to show the entire system map of
6 CN and its process through the United
7 States. Many people don't know that CN
8 bought the old IC lines. This train isn't
9 going to Memphis. This train isn't going
10 to New Orleans.

11 Essentially, let's be clear on

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12 the economic impact of what this
13 transaction is all about. We have a
14 Canadian-owned company transporting Asian
15 goods to Latin America using the EJ&E
16 tracks and the old IC tracks. There is no
17 economic benefit here to Chicago. That
18 analysis is -- There is no economic benefit
19 to the United States. Your draft applies
20 boilerplate logic and parameters to a
21 complex and unique situation which can only
22 be demonstrated by the following
23 misrepresentation of facts, which I'll
24 summarize.

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1 On Page 6-17, which is talked
2 about a lot, certain communities already
3 face traffic congestion at rail crossings
4 and, thus, it would be inappropriate to
5 hold CN responsible for traffic at these
6 grade crossings. This purports that
7 Barrington and the Barrington area
8 communities should have predicted a global
9 economy and known in advance that a major
10 international Class I railroad was about to
11 steamroll through its community with
12 international freight headed to Latin
13 America on a railroad built in 1891.

14 Going on, Page ES-18 states --

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15 and I quote -- "vibrations by even the
16 heaviest trains rarely cause structural
17 damage or even minor cosmetic damage." My
18 first-grader knows better than that. EJ&E
19 was never meant to be a Class I railroad.
20 You have not done your study of the threat
21 of the EJ&E. It is not appropriate and
22 will not -- And EJ&E does cause vibration,
23 and I have proof.
24 If you had done your analysis

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1 correctly, which you haven't, you would
2 have gone to the bridge -- the railroad
3 bridge at Hawthorne Lake and Otis Road.
4 This bridge is actually shut down by
5 vibration and is still subject to
6 structuring.
7 In summary, if the CN merger is
8 approved, the STB and U.S. Rep Lipinski
9 should be held accountable for the
10 destruction and deterioration of property
11 values. I take great issue with
12 Mr. Lipinski as the only Chicago area
13 member of the House Transportation
14 Committee which oversees the STB.
15 Mr. Lipinski and STB, the
16 Barrington area communities are not for
17 sale. We are not for sale for

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18 stockholders. We are not for sale to Latin
19 America and Asian freight. Thank you.
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1 MS. MAZURKIEWICZ: Hello. My
2 name is Donna Mazurkiewicz, and I'm the
3 President of the Concord Village Condo
4 Association. There are about 250 houses,
5 townhomes, and villas in this four to five
6 block square area. My unit and several
7 others in Concord Village who are in the
8 back, we face the railroad only 50 feet
9 away. How am I to protect myself when
10 these trains derail? We all know that CN
11 does not have a great safety record, and
12 I'm scared of that. Finally, I'm scared to
13 death if anything should happen.

14 Congestion -- and I'm going to
15 repeat a lot of what some of the other
16 people have said, which it still needs to
17 be said again and again. Congestion is
18 already a problem on Route 12 to get
19 around. We don't have a lot of alternative
20 streets to use. So, therefore, we run late

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21 to work. We run late to get the kids to
22 school. Mainly, it is going to really
23 interfere with our emergency services
24 trying to get to all of our people.

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1 we rely on Barrington and the
2 train station to get the people downtown.
3 As it stands now, Route 12 is also very
4 busy. When you hit Route 12 to Ela Road,
5 to turn left on Ela, the train would be
6 crossing that track. Traffic will also
7 back up onto Route 12, which makes it worse
8 than it is now.

9 Economics. Mr. Lipinski of the
10 Third District says the economy is going to
11 help us. Who is this going to help? Not
12 us. It's not ours, but big business will.
13 Not in America, though, but Canada and
14 China and other Asian countries who will be
15 transporting major goods on containers and
16 double containers, hazardous materials, et
17 cetera.

18 CN said that 60 percent of the
19 people are going to get relief from this
20 and the other 40 are going to have to live
21 with this quadruple congestion. Who?
22 We're all equal. I don't see how you can
23 determine that this person is better than

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24 the next person.

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1 Also, when those tracks become
2 available again, if CN is approved here,
3 the tracks to Chicago will certainly be
4 eaten up by another train company. So,
5 therefore, nobody wins.

6 we the people want to have
7 emergency protection to get to us as soon
8 as possible to save lives of our family,
9 friends, neighbors, and myself. The way
10 the roads are now, this cannot be done.

11 we the people, for those of us
12 who still have a job and has not lost
13 theirs, like to get to work on time. This
14 is only going to get worse. We have
15 problems now.

16 Economics again. CN is not
17 going to give us enough money to take care
18 of the infrastructure to make this work. I
19 know counties would pay. I'm already
20 paying enough for taxes. The counties get
21 money for transportation from the state and
22 the State of Illinois. The State of
23 Illinois does not have enough money to take
24 care of all the major problems they have.

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1 Police, regional commuter transportation,
2 the poor, and those who are mentally
3 challenged who are in state homes, which
4 some are facing major problems now getting
5 funding from the state to keep them open.

6 Help us little people. Don't
7 let business get in the way again and again
8 for their prosperity and not think about
9 the majority of people who make up this
10 country. This is not good economics for
11 Illinois.

12 MS. ADAMS: Douglas Rees, James
13 Perille, Kurt Marquardt.

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2 Rees. I'm the president of American.

3 I'd like to remind the STB that
4 the Fifth Amendment of the United States
5 Constitution reads: No person shall be
6 deprived of life, liberty, or property
7 without the due process of law.

8 I'd also like to note that the
9 Fourteenth Amendment states that no state
10 shall deprive any person of life, liberty,
11 or property without, once again, the due
12 process of law.

13 To me, liberty and property also
14 equates to the right to a safe and
15 productive life. Prior speakers clearly
16 demonstrated the shortfalls of your study
17 and the resulting safety issues.

18 It seems to me your shortsighted
19 study and upcoming capitulation to Canadian
20 National is clearly a violation of the due
21 process protection afforded to the hundreds
22 of thousands of people who work and live
23 along this line.

24 That being said, what's the

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1 answer? Stop hiding behind this flawed
2 study and do it live. Pick a date in
3 October and pick a date in November -- not
4 when schools are out, not when people

5 aren't working, but a full day -- and
6 without notice close those crossings all
7 the way up and down the line, reflecting 20
8 trains a day.

9 Then let's sit back and see how
10 those results compare to the results that
11 you've put out with a questionable
12 (applause) --

13 And then once you do that, then
14 you will be able to say, all right. Let's
15 have an honest and true discussion about
16 what this means to that area and stack that
17 up to the benefit that's going to come out
18 in effecting benefits under North American
19 Trade Agreement, et cetera.

20 That's the only way that you can
21 clearly say that under the oath that you
22 take, and all the politicians behind this,
23 about when they protect and serve the
24 Constitution of the United States. That's

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1 the only way to be consistent.

2 Thank you.

3 MS. ADAMS: James Perille, Kurt
4 Marquardt, Richard McDonald.

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1 MR. PERILLE: I'm James Perille.
2 I'm a 38-year resident of Fox Point
3 Barrington formerly and now a two-year
4 resident of Lake Barrington Shores. I was
5 the former secretary-chairman of Fox Point.
6 I was also vice president of land use for
7 the North Barrington Area Association, and
8 more recently I was the president of the
9 Barrington Enlightened Taxpayers
10 Association, known as BETA.

11 The Surface Transportation
12 Board's Draft Environmental Impact
13 Statement fails to give a realistic picture
14 of the damage that the proposed CN purchase
15 of the EJ&E would bring to the outer ring
16 communities on the EJ&E line.

17 The greater train length and the
18 number of trains per day would increase the
19 train miles per day or traffic impact on
20 the EJ&E by more than ninefold -- that's
21 ninefold -- or 835 percent at each of the
22 eight Barrington area crossings. This is
23 based on the study assumption that the
24 number of trains per day would increase

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1 from 5.3 to 20.3 or by 15 trains. Also the
2 assumption is made that the average train
3 length will increase from 2,590 feet to
4 6,321 feet.

5 It is likely that the number of
6 trains per day will eventually increase by
7 20 rather than 15. Also, over time, the
8 average length of trains could reach
9 10,000 feet rather than 6,321 feet as now
10 expected. This would mean the
11 implementation of the proposal would result
12 in an 18-fold -- that is 18-fold -- or
13 1,700 percent increase in EJ&E train miles

14 per day impacting each of our crossings.

15 Such horrendous increases are
16 difficult to comprehend in terms of health,
17 safety, welfare of the citizens of the
18 Barrington area.

19 Barrington is the hub of the
20 total BACOG area and is the center of
21 banking, shopping, commuting, church,
22 library, medical, cultural, and educational
23 activities. Police, fire, and emergency
24 paramedic access would be compromised by

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1 traffic gridlock. Commuters and school
2 buses would experience intolerable delays.
3 The quality of life for our entire
4 community would suffer.

5 The study only recognizes that
6 the proposal will result in a loss of
7 property value for homes within 250 feet of
8 the rail. I estimate the total value of
9 all property in the BACOG area is at least
10 \$15 billion. A loss in value of only
11 10 percent or 20 percent for the entire
12 BACOG area would represent a conservative
13 estimate and amount to 1.5 billion to
14 3 billion loss in property value. Contrast
15 this to the CN investment of \$300 million
16 for the purchase of the EJ&E.

17 The CN proposal should be
18 denied.

19 MS. ADAMS: Kurt Marquardt,
20 Richard McDonald, Rob Sherman.

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1 MR. MARQUARDT: My name is Kurt
2 Marquardt, president of Marquardt Buick,
3 Pontiac, GMC, a business that's been active
4 in the Barrington community for almost
5 60 years.

6 This year I've been honored to
7 represent the Barrington area businesses as
8 chairman of the Barrington Area Chamber of
9 Commerce, an organization whose purpose is
10 to serve as an advocate for the greater
11 Barrington businesses in ways that enhance
12 the vibrancy of the business environment
13 and quality of life of our 800 members.

14 Never before have we as a
15 community been faced with a bigger threat
16 to the viability of our local economy than
17 the proposed acquisition by Canadian
18 National. Many real concerns have been
19 brought up this evening regarding safety,

20 noise, property values, to name a few.
21 However, the economic impact of
22 this transaction as proposed would be
23 devastating, forever changing the landscape
24 of our downtown and surrounding areas.

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1 In preparation for this evening,
2 the Chamber of Commerce conducted a survey
3 of our area businesses to measure the
4 forecasted impact of the CN acquisition.
5 Overall, respondents represented almost
6 1.5 billion in 2007 revenues to our local
7 economy.

8 Among these Barrington
9 businesses, when forecasting what impact an
10 increase of only five or ten freight trains
11 per day would have on their business
12 revenues, with all economic and
13 environmental conditions remaining the
14 same, the forecasted reduction was over
15 \$114 million, an amount, again, that would
16 be devastating to our local economy.

17 Furthermore, a full 74 percent
18 of respondents expect a decrease in future
19 revenues as a result of this acquisition.

20 This survey also addressed the
21 likelihood of each of the businesses as to
22 whether they would consider relocating

23 their place of business. Almost 46 percent
24 of the respondents indicated that they

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1 would strongly consider relocating, while
2 nearly 20 percent indicated that they
3 would, indeed, relocate their place of
4 business. Added together, this means that
5 two-thirds, or 66 percent, of our area
6 businesses will move or strongly consider a
7 move out of town.

8 If you take this one step
9 further, if the remaining businesses
10 experience that 7½ percent reduction in
11 their revenues, and say only 50 percent of
12 the existing businesses seek relocation,
13 the resulting situation would leave
14 Barrington, as one respondent put it, a
15 ghost town.

16 I urge the Surface
17 Transportation Board to take the needed
18 actions to prevent this crushing blow to
19 our local economy.

20 Thank you.

21 MS. ADAMS: Richard McDonald,
22 Rob Sherman, Brian Deja.

23

24

1 MR. McDONALD: My name is
2 Richard McDonald. I'm a retired North
3 Western Railroad --

4 MS. ADAMS: Could you move
5 closer to the microphone.

6 MR. McDONALD: I'm Richard
7 McDonald. I'm a retired North Western
8 Railroad transportation officer and a
9 Barrington resident.

10 Seven years ago, the board
11 approved CN's purchase of the Wisconsin
12 Central Railroad. This extended CN's reach
13 from Canada to the Gulf of Mexico.
14 Apparently it was close to a rubber-stamp
15 deal with very little fanfare. There
16 certainly wasn't much examination of CN's
17 proposed operation, particularly in
18 Chicago, which turned into a nightmare from
19 the start.

20 Customers began complaining
21 about service. The people in Chicago
22 started complaining about traffic
23 congestion. The other railroads started
24 complaining about rail congestion. Indeed,

1 it was taking CN cars longer to get through
2 the Chicago terminal than it took them to
3 get from Winnipeg to Chicago.

4 The likes of River Forest,
5 Forest Park, Riverside, Cicero, Riverdale,
6 and the City of Chicago itself complained
7 bitterly. They'd never seen such long
8 trains of Canadian traffic creeping through
9 their residential areas.

10 So what brought this all about?
11 When CN's predecessor railroad brought its
12 traffic from the Duluth Gateway, these
13 communities weren't complaining. They
14 didn't because they never even saw them.
15 WC's customers weren't complaining about
16 service either. So what did change?

17 In a nutshell, WC kept the cars
18 sorted by destination, and before they
19 arrived in Chicago. Then, after refining
20 its blocks at Schiller Park Yard, WC
21 delivered its transfer trains directly to
22 the receiving carriers in pre-blocked
23 run-through mode, so their traffic moved
24 swiftly through the terminal.

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1 Less than 10 percent of WC's
2 traffic operated through the St. Charles

3 Air Line and the City of Chicago. There
4 were relatively short -- these were
5 relatively short interchange moves to and
6 from the ICG. The other 90 percent was
7 delivered to connections with other
8 carriers via trackage rights on the IHB.
9 None of it moved through the aforementioned
10 inner suburbs.

11 Canadian National took over the
12 Wisconsin Central. Instead of pre-blocking
13 and maintaining those blocks upon arrival,
14 it literally dumped its mixed trains into
15 the terminal. First CN maneuvered its
16 lengthy trains through the aforementioned
17 inner suburbs to reach its Glenn Yard.
18 Then it switched and reswitched and then
19 made up other trains to get through the St.
20 Charles Air Line and dragged it down
21 through the City of Chicago.

22 Now, if the CN-WC merger of 2001
23 didn't negatively affect rail
24 transportation, what would? CN changed

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1 everything WC was doing to provide good
2 service. Or, as the pundits would say, CN
3 did nothing to benefit our national
4 economy.

5 MS. ADAMS: Rob Sherman --

6 MR. MCDONALD: So what makes you
7 think --
8 MS. ADAMS: -- Brian Deja,
9 Maureen Roberts.
10 MR. MCDONALD: -- they're going
11 to do it now?
12 MS. ADAMS: Rob Sherman, Brian
13 Deja, Maureen Roberts.
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1 MS. ROBERTS: Thank you. Good
2 evening. My name is Maureen Roberts.
3 MS. ADAMS: Could you move
4 closer.
5 MS. ROBERTS: My name is Maureen
6 Roberts, and I live in Barrington.
7 A few months ago, Harrison
8 Hunter, CEO of CN, said that the folks here

9 in Barrington are selfish. Well, tonight I
10 want to talk about myself and my family,
11 and tonight I am going to be selfish.

12 My home is on the crossroads of
13 Route 59, Route 14, Cuba Road, and Lake
14 Zurich Road. If and when a 1- or
15 2-mile-long freight train comes through
16 Barrington 20 times a day, traffic will
17 stop and back up to my doorstep and beyond.

18 I will not be able to leave my
19 home to get to my office, to get to my
20 clients, to get to my post office, to get
21 to my library, to get to my grocery store.
22 I will not be able to get to the Metra
23 station here in the village.

24 My daughter, who is a high

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1 schooler here, has to cross the EJ&E tracks
2 not once, but twice, to get to the school.
3 In addition to that, she also crosses the
4 Metra line. Three railroad crossings that
5 she has to go over to get to school.
6 And in addition to my not being
7 able to get to destinations which are all
8 in walking distance to me -- the library,
9 the grocery store, my place of business --
10 the police department, the fire department,
11 and ambulances services will not be able to

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12 get to me if I need them.

13 A couple of weeks back at the
14 Lake Zurich meeting, I had an opportunity
15 to speak with a CN representative who told
16 me that opponents to this acquisition are
17 afraid of change. And I am here to tell
18 you tonight that I am not afraid of change,
19 but I am afraid of what is coming down
20 those tracks, and I am afraid of the damage
21 that is going to be left in its wake.

22 Right now the STB holds in its
23 hands all that is vital to myself and my
24 family: My livelihood, my well-being, my

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1 safety, my pursuit of happiness.

2 I hope that you all on the board
3 keep that in mind when the time comes to
4 decide whether or not 8,000 tons of metal
5 and steel should come rumbling through our
6 small town 20 times a day. Please consider
7 not allowing this purchase that would cause
8 such a hardship on my family.

9 Thank you.

10 MS. ADAMS: Paul Hunt, Roger
11 Owens, and Dan Strahan.

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1 MR. HUNT: Good evening. Paul
2 Hunt, trustee of Village of Barrington and
3 also chairman of public safety for the
4 village.
5 Imagine the audacity of the good
6 people of Barrington to question that the
7 word "benefit" be used in the transferring
8 of their operation from their existing
9 tracks to the EJ&E tracks.
10 Imagine the audacity of the good
11 people of Barrington, West Chicago, Aurora,
12 and Griffith, Indiana, well-known railroad
13 towns, that their sole existence started
14 with the railroad, be merely dismissed as
15 not-in-my-backyard opponents.
16 This, as the testimony has been
17 brought out, is something that doesn't

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18 belong anywhere near an urban populated
19 area. Some testimony has suggested that
20 this is a major railroad interfare. This
21 isn't something out west, west of Route 39,
22 perhaps the Mississippi River belt. This
23 is not something that should remotely come
24 close to either our community or any

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1 community in this Northeast Chicago area.
2 I'm also a recipient of being
3 served by the Barrington police and the
4 fire district when I needed medical help.
5 I'm a graduate of Good Shepherd cardiac
6 open-heart unit, a group of professionals
7 from the beginning to the end that not only
8 preserved my life, but also gave me great
9 comfort in knowing that my community is
10 being served by the best.

11 The three crossings that have
12 been pointed out in the Village of
13 Barrington, along with the Elia Road
14 crossing at Lake Zurich, are major, major
15 roads, routes to Good Shepherd Hospital.

16 Despite still having the
17 environmental impact, the noise, just
18 damage to the environment, we need to
19 maintain public safety. That is something
20 we all have the right to, and we as a

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21 community have developed a very capable
22 system.
23 I implore this board, the staff,
24 to take into account these considerations.

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1 It is not worth \$300 million. It's not
2 worth a billion dollars. This is something
3 that must be considered, and CN and its
4 operations should go to a more appropriate
5 location.
6 Thank you.
7 MS. ADAMS: It is now 9:22.
8 We're going to take a ten-minute break.
9 we'll return at 9:32 according to the
10 gymnasium clock. Thank you.
11 (Recess taken.)
12 MS. ADAMS: Roger Owens. Roger
13 Owens, Dan Strahan.
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1 MR. STRAHAN: My name is Dan
2 Strahan, assistant village engineer for the
3 Village of Barrington Hills.

4 while the Draft Environmental
5 Impact Statement identifies several areas
6 in which the proposed transaction would
7 negatively impact the region as a whole,
8 such as air quality, noise, and fuel, the
9 focus of my comments will be three areas of
10 local concern identified in correspondence
11 to the STB during the scoping period, but
12 they were not addressed by the Draft
13 Environmental Impact Statement.

14 The Village of Barrington Hills
15 provided comments on the draft scope of the
16 EIS in February of this year. This letter
17 identified a key drainage structure located
18 under the current EJ&E tracks that
19 regulates the water level in Hawthorne
20 Lake. This outlet structure was
21 constructed in 1910, and documentation was
22 submitted to illustrate recent structural
23 deficiencies that had begun to surface.

24 The village requested that this

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1 structure be examined to confirm that the
2 increased frequency and magnitude of
3 loading that would result from the proposed
4 transaction would not result in failure of
5 this outlet structure. Such a failure
6 would result in the unrestricted release of
7 a 30-acre impoundment of Flint Creek,
8 similar to the Lake Delton failure in
9 Wisconsin in June of this year.

10 while the Draft EIS states on
11 page 4.10-15 that vibration by even the
12 heaviest freight trains rarely causes
13 structural damage, in the same section of
14 the report a detailed vibration analysis
15 was, in fact, conducted on the Prestwick
16 Dam in Frankfort, Illinois, an earthen dam
17 more than 1,500 feet away from the EJ&E
18 tracks, for the potential for vibration
19 damage, yet the report failed to consider
20 the impacts to a failing 100-year-old
21 concrete structure located less than
22 50 feet from the center line of the tracks.

23 Another area of concern to the
24 village is the intersection of Penny Road

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1 and Illinois Route 59. The EJ&E tracks
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2 cross Penny Road approximately 200 feet
3 west of the intersection. As a result,
4 there is a limited amount of vehicle
5 storage between the tracks and the
6 intersection.

7 This limited storage is of
8 particular concern, as Rose Elementary
9 School is located a short distance east of
10 the intersection, meaning school buses
11 frequently cross this intersection,
12 generally during peak hours.

13 The nearly 300 percent increase
14 in trains that is projected along with this
15 bus traffic creates a potentially dangerous
16 situation, tragically one that was made
17 very familiar to the Barrington area in
18 October of 1995 when seven students were
19 killed when a Metra train hit a school bus
20 in Fox River Grove.

21 This illustrates the need to
22 complete detailed studies on at-grade
23 crossings near major intersections.

24 Thank you.

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1 MS. ADAMS: Richard Kuhn, Kathy
2 Pinkus, Jamie Maravich. Richard Kuhn,
3 Kathy Pinkus.

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1 MS. PINKUS: Thank you. My name is
2 Kathy Pinkus, and I speak to you as the
3 past chairman of the North Shore-Barrington
4 Association of Realtors and also as an
5 active Realtor in Barrington and on behalf
6 of the over 400 active Realtors in
7 Barrington, approximately 100 of which have
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8 attended tonight's meeting. And I thank
9 them so very much for attending.

10 I've spoken to the majority of
11 these agents, and I speak for them. Let me
12 address the following points. We estimate
13 the property values in all of the
14 Barrington area will decrease by
15 approximately 15 percent for those homes
16 that are directly just in the vicinity in
17 the Barrington area, but those homes that
18 are directly in the vicinity of the train
19 will go down in value 20 to 30 percent, and
20 that's going to immediately decrease in
21 value. This will put so many people that
22 were in an appreciation track to immediate
23 decline in their finances.

24 This reduction of property

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1 values will also decrease far below the tax
2 base, which supports our schools, the
3 infrastructure, and area improvements.

4 we can't even afford to build a
5 middle school that didn't pass a referendum
6 several years ago, and now we have to --
7 and we need more elementary schools that
8 are already overcrowded, and now we have to
9 pay for the impact that the CN train will
10 come with us.

11 This will radiate to so many
12 other aspects of our community, and it
13 will -- and as of right now, possible
14 newcomers to the area, they've chosen other
15 communities because of the possibility of
16 the train. This will kill a town that we
17 know today as the town of open spaces, a
18 little slow moving, yes, but a town that
19 has worked hard to keep its low profile.
20 The train will absolutely ruin that.

21 Thank you.

22 MS. ADAMS: Jamie Maravich, Neil
23 Morgan, Valerie Glimp.

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1 MS. MARAVICH: Good evening. My
2 name is Jamie Maravich. I'm a Lake Zurich
3 resident.

4 Thank you for your time here
5 this evening. I'm going to focus my
6 statements on the Transportation Systems
7 portion of the Executive Summary. I'm one
8 of the multitude of unfortunate people who
9 have been deemed in your study to be
10 substantially impacted by the proposal, not
11 by one of the 15 at-grade crossings that
12 have been identified to be substantially
13 impacted and require mitigation, but by two

14 of those 15 crossings, along with the -- I
15 will suffer the conflicts on the Metra line
16 which runs in and out of the Barrington
17 train station.

18 Please don't misunderstand.
19 This is not by any stretch solely a
20 Barrington problem. The Barrington train
21 station serves as a vital transportation
22 hub for hardworking professionals from
23 several surrounding villages, including
24 Lake Zurich and Wauconda.

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1 From just about anywhere in
2 those villages, it is impossible to even
3 reach the train station without crossing at
4 least one EJ&E line. Not only will the
5 commuters have a much more difficult time
6 getting to the train station, but once
7 there, there is a strong likelihood that
8 they will experience delays getting to
9 their next destination because of conflicts
10 that Metra will have with CN trains.

11 And again, these delays won't be
12 confined to Barrington area residents.
13 They will impact thousands of other
14 commuters along the line with their
15 families. These commuters spend an average
16 of 3 hours a day presently commuting so

17 that they can support their families and
18 preserve their quality of life that this
19 proposed acquisition so gravely
20 jeopardizes.

21 The time the families get to
22 spend together before and after work is a
23 most precious and valued commodity. Please
24 don't stand for this proposal that will

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1 take untold hours away.

2 The communities that currently
3 have to deal with CN have infrastructure to
4 handle that burden. The communities on the
5 EJ&E line do not.

6 Furthermore, I most respectfully
7 disagree with the board's finding that any
8 mitigation towards the devastating effects
9 resulting from the traffic delays caused by
10 the proposed action should be jointly
11 funded by the applicant and the taxpayers,
12 who will already be paying in many other
13 ways, including increased pollution,
14 increased noise, loss of sales tax revenue,
15 lower property values, increased property
16 taxes, substantially increased danger of
17 health hazards from train accidents,
18 dangers to those who fall prey to the newly
19 tremendous temptation to beat the train,

20 and, yes, paying with that priceless and
21 precious commodity of time.

22 In the spirit of compromise, I
23 ask the board to reverse this assessment
24 and require the applicants to fully fund

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1 the design and construction of a minimum of
2 15 grade-separated highway-rail crossings
3 that this acquisition would require
4 throughout the study area.

5 In the spirit of the greatest
6 good, I ask that the board reject this
7 acquisition outright.

8 Thank you.

9 MS. ADAMS: Neil Morgan, Valerie
10 Glimp, Zina Jacque. Neil Morgan, Valerie
11 Glimp. Valerie Glimp, Zina Jacque. Zina
12 Jacque, Bruce Sauer. Bruce Sauer.

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1 MR. SAUER: Bruce Sauer. Good
2 evening. My name is Bruce Sauer. I'm the
3 village president of North Barrington.

4 I would like you, if you would,
5 to imagine the EIS report in your hands,
6 and I would like you to imagine writing on
7 the EIS report all of the questions that
8 have been asked by the people tonight, of
9 all the questions that will be asked by the
10 people of all the communities that you're
11 going to review this with over the next few
12 weeks.

13 I would ask that you write those
14 questions in red ink because I think when
15 you see the amount of red ink on that
16 paper -- and I think it's appropriate that
17 we're in a school. That amount of red
18 ink -- because you failed to answer those
19 questions in anticipation of the needs of
20 the citizens.

21 I ask not that you make a
22 judgment based on the information you have
23 today, but rather that you extend the
24 amount of information that you're

1 gathering, that you answer these questions
2 specifically per community, that you answer
3 the questions of real estate value, that
4 you answer the question of business value,
5 that you answer the questions of safety.

6 Trains have been running in the
7 Chicagoland area for 140 years. The
8 decision that you make today will be
9 probably institute trains running for
10 another 100 years.

11 I think it would be wise and I
12 think it is appropriate that you take
13 additional months or time of unlimited
14 amount to answer the questions for each of
15 the communities before you make a final
16 decision.

17 Thank you.

18 MS. ADAMS: Mike Joyce, Scott
19 Gifford, Terry Jennings.

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1 MR. JOYCE: Hi, I'm Mike Joyce. I
2 had a prepared speech, but something was
3 brought to my attention in the other room
4 when I was talking to some of the folks
5 with white badges in back. I was in the
6 back room talking to some people with the
7 white badges and something came to my
8 attention. I had prepared an exactly
9 3-minute presentation, but I'm going to
10 change it.

11 A couple days ago I did some
12 internet research on CN's railway, the big
13 T that cuts across Canada with the bar that
14 goes down to Mexico that runs right through
15 Chicago, and I wanted to look at it from
16 the big picture what they were planning in
17 the future. I ran across -- again, this is
18 on the CN.CA web site plus some articles
19 written in the industry news publications
20 that were interviews with CN executives.

21 Their strategy, corporate
22 objective is to capture the growing Asian
23 market. We heard about that a little bit
24 tonight. The West Coast of the U.S. ports

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1 are fairly taxed right now with the amount
2 of commodities coming in. The Prince

3 Rupert Sound is the project that I'm sure
4 you're aware of. It went on-line in 2007
5 with phase 1. Phase 1 have a yield of
6 500,000 TEUs which is -- I just learned
7 this recently. You put about two to four
8 TEUs on an REU, which is basically a rail
9 car.

10 Their stated plan, their
11 corporate objective called phase 2, which
12 is due in 2010, increases that yield from a
13 capacity of 500,000 TEUs to 2 million TEUs.
14 Nobody over there knew about this, and your
15 paper, your analysis seems to not include
16 this growth, 400 percent growth in phase 2
17 from the Prince Rupert Sound.

18 In a video provided by
19 CN.CA available on the internet, on U-Tube,
20 as well as on CN's web site is a very proud
21 video which talks about the Asian tiger
22 waking up and all these commodities coming
23 over to North America, and their Prince
24 Rupert terminal intends to capture that

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1 market.

2 So I would hope that you
3 guys would consider phase 2, which falls
4 within your study which increases the
5 through-put by 400 percent. The 500,000

6 TEUs, when you do the math, you get to the
7 27 trains per day. So if you look at the
8 increase of 400 percent, we're exceeding a
9 hundred trains per day through Barrington.
10 That's one-way trains. The return trains
11 add up to 200 per day.

12 Thank you.

13 MS. ADAMS: Scott Gifford, Terry
14 Jennings, Mary Margaret Olson.

15 Scott Gifford.

16 Terry Jennings.

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1 MS. JENNINGS: Good evening. I'm
2 Terry Jennings, the executive director of
3 the Barrington Park District, and next to
4 me is Christine Carrie.

5 MS. ADAMS: Just one of you is able
6 to speak tonight, and that's you Terry
7 because you're registered.

8 MS. JENNINGS: Can we share?

9

MS. ADAMS: No.

10

MS. JENNINGS: They told us we

11

could.

12

MS. ADAMS: No, you can't.

13

MS. JENNINGS: On February 18, 2008

14

the Barrington Park District Board of

15

Commissioners unanimously passed resolution

16

2008-1 opposing the Canadian Railroad

17

acquisition of the EJ&E railroad trackage.

18

Here are some of the reasons why.

19

Fact, the CN remains

20

under fire in Canada. A 2007 report by the

21

Canadian Parliament found a quote saying

22

"Disconnect on safety issues between

23

management and front line workers." That

24

report also highlighted what company

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1

employees called a culture of fear when it

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comes to reporting safety-related problems.

3

Again, fact, a disconnect on safety issues.

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Again, fact, a culture of fear by CN

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employees.

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Here we are at Langendorf

7

Park, Barrington's main recreational

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facility located adjacent to the north

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boundary of the EJ&E and west of the EJ&E

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crossing on Northwest Highway, potentially

11

cutting us off from police and fire access

12 in the event a train comes through blocking
13 both Northwest Highway and Route 59.

14 Please tell us what
15 happens to the young child who has had a
16 tragic accident in our swimming pool? what
17 do we tell the parents when on-site
18 resuscitation efforts failed and essential
19 transport of this child to the hospital
20 couldn't happen because the ambulance was
21 unable to get through? whose fault is
22 that?

23 Then what happens on Monday,
24 every Monday, every month, all year long

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1 when the seniors are at the park, when that
2 senior has a stroke? what do we tell that
3 senior's family when the ambulance can't
4 get to Langendorf Park to administer that
5 time- critical care for that life-changing
6 event?

7 And what about all the summer
8 long with the hundreds and hundreds of
9 children and adults in our camps, on
10 programs, playgrounds, softball leagues,
11 picnics, skate boarding, just to name a
12 few, when programming is at its height.
13 The line drive that hits a player in the
14 head, the skateboarder who falls off the

15 ramp, or a child who slips off the top of
16 the playground, timing is of the essence to
17 get them care and our paramedics can't get
18 through.

19 We can tell you the Park
20 District will make every effort to take
21 care of the injured, we will call 191, and
22 our emergency vehicles can't get through
23 due to a train and it will not be the Park
24 District's fault. CN has to take

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1 responsibility for those issues. CN must
2 be responsible for the people of Barrington
3 and the users of our park.

4 Please reconsider those
5 real critical safety issues for all of us
6 involved. Thank you.

7 MS. ADAMS: Mary Margaret Olson,
8 Joyce Palmquist, Karen McCarthy.

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1 MS. PALMQUIST: My name is Joyce
2 Palmquist. I'm the executive director of
3 Barrington Area Council on Aging. We're
4 the primary organization serving senior
5 citizens and their family caregivers in the
6 Barrington area.

7 My primary concern would
8 be to some extent to those expressed by the
9 hospital and by the police and the fire
10 department. It's really around the ability
11 of emergency responders to be able to help
12 older adults who are in crisis.

13 You are probably not aware
14 that within a 4-mile radius of downtown
15 Barrington there are six facilities that
16 serve senior citizens or individuals that
17 are disabled. One of them is Alden Estates
18 of Barrington. That's a nursing home that
19 has 110 residents. We have Barrington
20 Horizons, which is a residential facility

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21 which has 59 residents. We have Green
22 Castle of Barrington. It's a subsidized
23 building. It has 103 residents.
24 We have the Garlands of

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1 Barrington. That's a continuing care
2 retirement community. It has 220 residents
3 and it's expanding. We have a new facility
4 called Sunrise Senior Living. It has a
5 capacity of 59 and currently has about 35
6 residents. We have Lake Barrington Woods.
7 It's a residential retirement assisted
8 living facility that has 220 residents.
9 we also have three areas
10 in the village where seniors tend to reside
11 in condos, Shorley Woods on Northwest
12 Highway, the Ela Street Apartments, the
13 Outlooks of Barrington.
14 when you look at these
15 facilities and where people reside, that's
16 at least 800 individuals who are at high
17 risk of needing some kind of emergency
18 medical care. In addition, 12 percent of
19 the population -- in the Village of
20 Barrington, the population here is about
21 12,000 people. 12 percent are people that
22 are 65 and over. So some of them are in
23 addition to these individuals. Plus, there

082708 Public Meeting.txt
24 are other people with chronic illness

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1 conditions that cannot get out and about.

2 For older adults one of the
3 biggest concerns for them is access to
4 medical care, and having the EJ&E and the
5 concern about the ability of emergency
6 responders to be able to assist older
7 adults puts an unnecessary burden on them
8 as they already are anxious about their
9 health concerns.

10 Terry was talking about the
11 Park District. We have a meal program
12 there, again, with older adults every
13 Monday who are having a meal and may need
14 to have an emergency responder. We deliver
15 Meals on wheels, which sometimes you will
16 find a person who actually is lying on the
17 floor waiting to get a meal, and if there's
18 an emergency, we may not be able to get to
19 them. When we find them, the responders
20 won't be able to get to them. Plus, the
21 whole delivery is interfered with when we
22 have 3 point rail transportation.

23 Thank you for listening.

24 Thank you.

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1 MS. ADAMS: Karen McCarthy, Ed
2 Guntin, Bob Crowther.
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1 MS. MCCARTHY: Good evening.
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2 First I'd like to thank the Surface
3 Transportation Board for this opportunity
4 to speak and hopefully be heard on the
5 proposed purchase of the EJ&E railroad by
6 the Canadian National.

7 With a 3-minute limit I
8 will not repeat the numerous and obvious
9 detrimental effects your approval of this
10 deal would cause the Barrington area and
11 the entire Chicago regional area. Instead
12 I will ask you to consider why Canadian
13 National's right to purchase the EJ&E
14 should take precedence over the structure
15 of American communities.

16 why does Chicago need to be
17 one of the major transportation hubs in
18 this country? Do the interests of the
19 Chicago area residents benefit more from
20 this deal than the interests of CN? I say
21 no. If the Chicago area rail lines are so
22 congested it is because they have met their
23 saturation point. Trying to force more
24 train traffic and congestion into this area

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1 solely serves only one interest, that of
2 the railroad industry.

3 As an agency of the federal
4 government paid by the American taxpayers
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5 you have a duty to perform and evaluate a
6 fair and complete environmental impact
7 report. Your evaluation of this report
8 will be grossly incomplete and negligent if
9 it does not include real mitigation
10 solutions and guarantee funding sources to
11 pay for the mitigation solutions before
12 this deal is approved.

13 My analogy to this deal
14 is a developer going out and buying a large
15 parcel of land with grand ideas what he's
16 going to do with it only to find out after
17 the purchase that it was a really bad idea
18 because the big ideas required improvements
19 that are physically or economically
20 feasible.

21 However, in this analogy the
22 only people hurt are the developers. In
23 the proposed Canadian National deal
24 Canadian National seems to think they have

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1 the right to demand whatever they want to
2 increase their profits and then pass the
3 destruction and cost onto the taxpayers.

4 You cannot approve this
5 deal without with real engineered and
6 finance mitigation solutions in place. Our
7 communities cannot survive through the

8 years the planning and funding process will
9 take, if they occur at all. Where do you,
10 the Surface Transportation Board, and
11 Canadian National think the funding is
12 going to come from?

13 On August 1, 2007
14 Interstate 35-W collapsed in Minneapolis.
15 If you will please remember the issues that
16 arose after this incident. We the people
17 of the United States, we the taxpayers
18 don't have the funding to repair and
19 replace our existing crumbling
20 infrastructure. So please explain how you
21 can justify approving this deal on the
22 backs of the American taxpayers.

23 Please do not insult my
24 intelligence by stating the overall benefit

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1 to the Chicago area will be greater than
2 the harm done to a few communities, because
3 anyone who believes that train traffic on
4 existing CN rail lines will be reduced in
5 the future must believe in Santa Clause,
6 the Easter Bunny, and the Tooth Fairy.
7 Unless it is in writing in a legal
8 document, it is a worthless rework.

9 This deal is bad for the
10 Barrington area, the entire Chicago
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11 regional area, and the American taxpayer.
12 Let the freight train traffic move outside
13 of the Chicago metro area where mitigation
14 solutions will be feasible and cost
15 effective and where future appropriate
16 development can occur around them because
17 overpasses and underpasses were designed
18 into the master plan from the beginning.

19 MS. ADAMS: Ed Guntin, Bob
20 Crowther, Peter Yates.
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1 MR. GUNTIN: Good evening. My name
2 is Ed Guntin, a resident of the Jewel Park
3 community in Barrington. I have three
4 young children who attend Barrington
5 schools. As such, what I can say about the
6 proposed CN transaction would fill volumes.
7 In the short time I have been allotted,
8 however, I will focus on one exclusive
9 topic.

10 CN and its supporters
11 have argued that those who choose to live
12 near or in any community with freight train
13 traffic should have expected that some

14 things might change. The essence of the
15 argument is that individuals who come to
16 the nuisance have no rights. For obvious
17 reasons this form of reasoning is
18 ridiculous, and I would expect that you
19 would see the same.

20 It is one thing for a person
21 to choose to live near the EJ&E tracks with
22 no freight traffic whose presently is three
23 to five trains a day. It's another for CN
24 to propose a 400 percent increase in

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1 freight traffic with no end in sight.
2 I submit to you that it
3 is CN who is proposing to bring this
4 outrageous business level to Barrington,
5 neighboring communities, and the United
6 States collectively. I implore you to
7 consider the health and welfare of tax-
8 paying U.S. citizens above all you should
9 keep in minds.

10 The facts summarized by
11 many speakers this evening are clear. As
12 our representatives you must oppose CN's
13 proposed acquisition. There is no other
14 reasonable option. Do not support a
15 foreign national like CN who cares
16 exclusively about their bottom line and not

17 the welfare of American citizens.

18 Thank you very much.

19 MS. ADAMS: Bob Crowther, Peter
20 Yates, Ed Springer. Bob Crowther, Peter
21 Yates, Ed Springer. Bill Palmer, Terry
22 O'Connor. Terry O'Connor, Robert Abboud.
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1 MR. ABBOUD: Good evening. My name
2 is Robert Abboud. I'm the president of the
3 Village of Barrington Hills.
4 The Village of
5 Barrington Hills has about 6 miles of EJ&E
6 track running essentially north to south
7 from Lake Cook Road to Route 72. The
8 village of Barrington Hills of course
9 opposes this deal. We believe that the
10 deal is bad for the community. We believe
11 it's bad for the region. We believe it
12 will essentially institute a
13 2-billion-plus-dollar new cost to the
14 taxpayers of the State of Illinois just to
15 mitigate the initial impacts. In addition,
16 there will be another \$1 billion in
17 long-term mitigation costs that we'll have
18 to deal with.

19 I should point out that
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20 within the middle of that 6-mile section
21 which is in the village of Barrington Hills
22 it's a single track. Now, your EIS already
23 describes that you're going to have an
24 increase in accident frequency, you're

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1 going to have an increase in the severity
2 of accidents, and you indicated that you
3 would have a substantial increase in the
4 amount of hazardous materials which would
5 be carried along that track. That track is
6 a single track right there. If you walk
7 it, you'll see that in many cases you're
8 more than 50 feet off the natural grade.
9 So that the ballast, the part that holds
10 the track is more than 50 feet high at that
11 point.

12 You make the claim in the EIS
13 that the CN and its operating affiliates
14 will be able to properly and safely operate
15 the line and it should be able to respond
16 to any kind of hazardous material accident.
17 I'm an engineer. We do this kind of stuff
18 for a living. When I read the quality of
19 the analysis that was done in the EIS, I
20 was absolutely shocked, in particular
21 because it failed to do a comprehensive
22 analysis that was based on consequence.

23 You talk about accident
24 frequency. You only need one tank car of

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1 TCE to roll off that track. Based on the
2 accident frequency that you propose, we
3 should expect one of those tank cars to
4 roll off the track in the Village of
5 Barrington Hills every 28 months. We need
6 one event to permanently damage the water
7 supply not just of Barrington Hills, but of
8 the entire Barrington region, which is some
9 50-square miles. Only one event will do
10 it, because there is no mechanism that you
11 have demonstrated -- that CN has
12 demonstrated, rather, to be able to process
13 and handle that kind of accident.

14 The last thing I want to
15 mention is all of the data that I saw in
16 the EIS appears to be provided by CN. It
17 doesn't appear that the STB did any of its
18 own independent analysis in terms of
19 getting the data, the underlying data to do
20 the analysis properly. I caution you about
21 that because the President appointed
22 you -- the President of the country
23 appointed you as a fiduciary responsibility
24 to protect the citizens of the United

1 States. You need your data, not the data
2 from the CN.

3 Thank you.

4 MS. ADAMS: Keith Hunt, Richard
5 Burkhart.

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1 MR. BURKHART: Good evening. My
2 name is Richard Burkhart. I'm a retired
3 vice president for Oracle Corporation and a
4 past member of the planning commission for
5 Deer Park and president of the area for
6 about 40 years.

7 I submitted on the 28th
8 of January a 26-page document that outlined
9 a number of issue that have not been
10 addressed by the STB or the DEIS, nor the
11 HDR people who are paid directly by CN
12 through the STB. So there's a direct
13 conflict of interest by having a consulting
14 company taking data as Bob just mentioned
15 and putting it into the record and then
16 making a decision.

17 Case in point is if you
18 triangulate the data from Costco, which is
19 the chinese shipping organization who
20 serves the port of Prince Rupert
21 exclusively, it's just recently launched
22 Costco America, that holds 12,500 TEUs and
23 you triangulate the data from Prince Rupert
24 Sound, which is exclusively served by CN,

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1 we determine from the CN.CA Web site that
2 there is a seasonality factor that probably

3 a hundred percent of the people in this
4 room have experienced that the rush of
5 finished consumer goods occurs in the
6 period as defined by the CN Web site as
7 week 33. There are six days per week out
8 of 53 that they represent.

9 The traffic in week 1
10 represents 19 million tons. If you
11 triangulate the data back to the other two
12 sources I mentioned, you can determine
13 easily where that freight is coming from.
14 It shows the class of freight, it shows the
15 intermodal, et cetera.

16 The net result is that
17 we are at four to five times the number of
18 trains equaling 82 that would be coming
19 through Barrington in the period of August
20 for a period of 16 weeks for that
21 seasonality rush.

22 The DEIS represents
23 there's a 3-year buildout construction
24 period and traffic would be running at

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1 lower speed and will have to go through the
2 city. So for Mr. Harrison to represent the
3 haves and have nots in this situation,
4 downtown Chicago will continue to have the
5 freight.

6 what I would like to
7 respectfully request is that the nine-page
8 document that I'm putting into the record
9 tonight will have some standing and it be
10 addressed by the STB, not handed off to
11 HDR. I spoke to six of the HDR
12 representatives. None had read the
13 document that I had presented earlier.

14 There are social issues
15 that are represented by President Clinton's
16 order of 1994 that represent 211 Latinos
17 that are in four cities, and this is a key
18 part of the under-representation of the
19 social injustice issue.

20 MS. ADAMS: Bob Vitas, John
21 Tolomei, Bill Medcalf.

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1 MR. VITAS: My name is Bob Vitas,
2 and I'm the administrator for the Village
3 of Lake Zurich. I spoke yesterday. I'm
4 speaking again this evening.
5 In the Draft
6 Environmental Impact Statement the section
7 on socioeconomics fails to clearly identify
8 the physical impacts in each of the

9 affected communities. If approved by the
10 STB, the acquisition will have devastating
11 impacts on all properties located within
12 500 feet of the rail line, not to mention
13 beyond. In Lake Zurich alone there are 364
14 residential properties within 500 feet of
15 the rail line. The total fair market value
16 of the affected residential properties is
17 slightly over \$110 million and the
18 equalized assessed value for tax purposes
19 it's about 37 million.

20 Based on table 4.6-3 in
21 the Environmental Impact Study, we can
22 fully expect to suffer significant negative
23 adjustments to all property values within
24 500 feet of the rail line. The loss in

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1 taxable values can range from a low of 5.3
2 percent to as much as 15 percent depending
3 on the proximity of the property to the
4 rail line.

5 Using these percentages
6 and applying them to existing known
7 property values at 5 percent of the market
8 value we'd see a reduction down to \$105
9 million or a loss of about 5.5 million.
10 The corresponding equalized value at 5
11 percent would then be reduced by about \$35

12 million which would result in a loss of
13 about \$1.8 million. This would result in a
14 direct minimum loss of revenue to the
15 taxing bodies of Lake Zurich of a quarter
16 million dollars.

17 On the high side at 15
18 percent the fair market value would have to
19 be reduced to 93 or 94 million, which would
20 be a loss of about 16.5 million. The
21 corresponding equalized value at 15 percent
22 would then be further reduced by 32
23 million, which would result in a loss of
24 about 5.3 million. The end result is for

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1 the 15 percent loss scenario an annual loss
2 of close to \$680,000.

3 Today's dollars, not future
4 dollars. The village cannot and will not
5 pass these losses on to the taxpayers in
6 the community.

7 As for the total 40
8 million suggested by the Canadian National
9 as fair compensation to mitigate the impact
10 of their operations, this figure is both
11 ridiculous and offensive. In Lake Zurich
12 along a total of six at-grade crossing may
13 require grade separation. Only two were
14 identified. The Environmental Impact

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15 Statement specifically calls out that only
16 two of the six should require grade
17 separation.

18 At an average cost of 50 million
19 the CN would need to invest anywhere from a
20 minimum of 100 million up to 300 million
21 just in Lake Zurich alone and adjoining
22 Hawthorn Woods.

23 All the adjoining
24 residential areas in the communities and

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1 the School District No. 95 property will
2 require some form of noise barriers and
3 vibration protection measures. Add these
4 costs to grade separation costs just in
5 Lake Zurich alone and there is no question
6 in my mind or anyone else's for that matter
7 that the Canadian National's offer of 40
8 million is nothing less than an insult to
9 the intelligence of all those affected by
10 these hearings.

11 who is going to replace
12 the valuable and needed tax dollars? Will
13 the Canadian National Railroad Company or
14 the U.S. government step up to the plate
15 and make Lake Zurich whole? Highly
16 unlikely. Let me assure you here today,
17 the property owners and local taxpayers of

082708 Public Meeting.txt
18 Lake Zurich will not and cannot afford to
19 bear these losses at the expense of the
20 Canadian National.

21 MS. ADAMS: John Tolomei, Bill
22 Medcalf, Daniel Peterson.
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1 MR. TOLOMEI: I'm John Tolomei,
2 president of the Village of Lake Zurich.
3 Thank you for the opportunity to speak
4 again.
5 I don't envy the members
6 of the STB, who stated their three choices:
7 Approve, deny, or approve with required
8 conditions. To approve without conditions
9 or deny presents the dilemma of either
10 denying what many believe to be a needed
11 expansion of freight capacity and a vital
12 reason or significant diminishing the
13 quality of life in many communities over
14 200 miles of railroad line. There's no
15 point in denying that the acquisition will
16 change life for all communities along the
17 EJ&E. The only question is how bad will it
18 get.
19 Your agency must decide
20 the complex proposition that creates

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21 winners and looses with high stakes for any
22 parties. Although not in a decision I
23 would welcome, an approval with conditions
24 offers the only way to accommodate both

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1 needs. The question then becomes what
2 conditions and who pays for them.
3 We know that roads and
4 airports can no longer expand in
5 communities without providing significant
6 mitigation to abate noise and maintain
7 community connectivity. 2-mile-long trains
8 of large containers intrude no less
9 dramatically than cars, trucks, and
10 airplanes. Railroads must be brought into
11 the current age so that the public gets the
12 same protection from new traffic
13 that -- new train traffic that it now gets
14 from other expansion to transportation
15 facilities. Please condition any approval
16 and giving us as much protection as
17 neighborhoods now get with widening
18 expressways or enlarging airports.

19 Requiring such measures
20 for the CN acquisition will impose high
21 costs. However, we all know that the real
22 solution to Chicago's regional rail needs
23 carry a high price tag. That's why CREATE

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24 requires a 1.5-billion-dollar investment.

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1 Rather than wait for the government to come
2 to a comprehensive solution, the CN wants
3 to approve a quick fix shortcut to CREATE.
4 The problem is CN's solution is it fails to
5 fix reasonable problems with the needed
6 steel and concrete, but instead profits the
7 CN by putting a Band-aid on regional rail
8 problems at the cost of or quality of life.

9 If you choose to approve
10 this acquisition, at least add all the real
11 costs that deal with requiring extensive
12 mitigation that includes sound barriers,
13 underpasses, and other needed facilities.
14 Sure it may delay the acquisition, but in
15 the long run it will generate a true
16 solution that establishes the policies
17 needed to deal with an expanding railroad
18 industry.

19 If rail truly carries
20 the freight it touts, then it can pay the
21 full cost for the burdens it imposes, and
22 if CN can't do it on its own, such action
23 will provide time for creative solutions
24 such as freight surcharges or other means

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1 to provide the funds for full modern-day
2 mitigation as a condition to the expansion
3 of the operations along the EJ&E.

4 Thank you.

5 MS. ADAMS: Bill Medcalf, Daniel
6 Peterson, Vijay Gadde. Daniel Peterson.

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1 MR. PETERSON: Good evening. Daniel
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2 Peterson, Village of Lake Zurich, Director
3 of Building and Zoning.

4 Last night I spoke to
5 you about land use and the flaws in the
6 Draft Environmental Impact Study and how it
7 did not truly address the socioeconomic
8 impacts that each community along the EJ&E
9 will absorb and face if this transaction
10 goes through.

11 I spoke last night to the
12 fact that you will limit the municipality's
13 ability to control land use along the EJ&E
14 corridor. I highlighted a loss of a
15 22-million-dollar construction project, a
16 loss of 45 full-time jobs related to that
17 project, and the loss of business in our
18 downtown.

19 Subsequently going
20 through notes of a discussion we had with
21 CN earlier this year, with the increase in
22 freight traffic there is no guarantee that
23 our industrial park will get the same level
24 of service that passes currently on the E

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1 related to goods and services being brought
2 in. One such company could in effect lose
3 176 employees from our community should
4 they leave town if they lose service there.

5 So the 280 potential direct or indirectly
6 reduced job losses highlighted in the draft
7 EIS is false. (Inaudible) are calculating
8 216 potential job losses related to this
9 transaction. Where is that going to be
10 made up? How is that going to affect our
11 community and the jobs.

12 Again to land use, we will
13 have to readdress our master plan, our
14 comprehensive plan, and our downtown
15 redevelopment at a potential cost estimate
16 right now of over a quarter million
17 dollars. Again, not being addressed
18 through the Environmental Impact Statement.

19 Now, that's just one
20 community. Multiply that by 36 communities
21 along the EJ&E and that is a substantial
22 impact that has been ignored.

23 Thank you.

24

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1 MR. GADDE: This is a further
2 expansion on my comments regarding noise
3 and vibration presented on August 27 at the
4 public meeting in Mundelein, Illinois.

5 The EJ&E tracks primarily about
6 quiet residential neighborhoods and
7 school properties that will be impacted

8 negatively by increased sound, noise, and
9 vibrations caused by the increase in
10 train traffic. These areas include:
11 Concord Village, Wicklow Village,
12 Braemar, Carolyn Court, Hillman's, Bruce,
13 Mionske, Prospect Park, and Hefler's
14 subdivisions, The Landings, and Terrace
15 Lane Apartments, School District 95 (Lake
16 Zurich High School, May Whitney), and the
17 entire downtown Lake Zurich redevelopment
18 area.

19 In the DEIS, the SEA stated
20 that: SEA concludes that requiring
21 mitigation for all of the noise sensitive
22 receptors predicted to experience a Ldn of
23 70 dBA or greater may unreasonably burden
24 the applicants. The Ldn of 70 dBA is an

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1 unsubstantiated threshold for the
2 consideration of mitigation for noise
3 impacts that has no technical basis, which
4 no other agency uses, and that has been
5 roundly criticized by the U.S.
6 Environmental Protection Agency.

7 The DEIS uses a methodology for
8 generating noise contours and accounting
9 for building shielding that is outdated and
10 was used prior to the advent of high speed

11 personal computers. This methodology is
12 too generalized and could result in
13 inaccurate inclusion or exclusion of
14 impacted homes that could require
15 mitigation for noise impacts. This
16 threshold is higher than the widely
17 accepted threshold at which impacts are
18 deemed significant. For example, IDOT uses
19 66 dBA as a base threshold for
20 consideration mitigating measures. Other
21 flaws in the assessment methods include the
22 following: while the DEIS acknowledges
23 that this can be intrusive and annoying to
24 the occupants, the report focused only on

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1 the potential perceptions of vibrations and
2 interference with vibration sensitive
3 equipment.

4 The DEIS included a Lake Zurich
5 monitoring location, 437 Elm Place. We do
6 not have such an address in Lake Zurich.

7 we question the location and
8 validity of the vibration test performed in
9 the backyard of a residence in Carolyn
10 Court, where the equipment malfunctioned
11 after the first two trains because of
12 sub-zero temperatures.

13 In its environmental justice
Page 233

14 analysis, the DEIS fails to include a map
15 showing low income and minority homes that
16 would be impacted by noise.

17 while the DEIS concludes that a
18 noise wall in the propagation path could
19 potentially abate the predicted noise
20 level, the DEIS does not identify any
21 mitigation measures at all.

22 The public perception of
23 validity for this DEIS must be based on an
24 acceptable level of data validity and

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1 transparency. In this document, these
2 characteristics are spotty at best and the
3 region cannot accept the DEIS conclusions.

4 The SEA should perform a more
5 detailed noise and vibration analysis as
6 part of their final environmental study and
7 should contact every property owner
8 residing in the subdivisions and adjoining
9 areas noted below, all located within
10 500 feet of EJ&E tracks to discuss noise
11 walls and additional landscape buffers.

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1 MR. TARBET: My name is Jim
2 Tarbet. I'm a resident of Lake Zurich.
3 On a professional basis, I dealt
4 with computer systems from all technical
5 aspects. In the field repairing them
6 amounted to friction with laws of
7 engineering. Analytical, yes.
8 Most last night after the
9 meeting and all day today I sat trying to
10 analyze the comments and information and
11 that was after my questions based upon what
12 I had read in this document.
13 There are no less than eight
14 areas where real circumstances seem to
15 deviate extremely from the analytical
16 engineering data that you have, which, at
17 best, demonstrates the computers are
18 garbage in, garbage out. Everything from
19 public health safety, welfare, quality of

20 life, economics, social life regarding our
21 community.

22 I looked at the circumstances of
23 the track and all of the safety issues
24 related to it, and, quite frankly, I think

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1 that the mayor of Barrington Hills is
2 underestimating things when he said
3 28 months between major accidents.

4 U.S. Agency has direct authority
5 over this, yet according to your brochure,
6 you're advocating most of the
7 responsibility that you have to the public.
8 You are responsible for the public health,
9 safety, welfare.

10 when we get to the point of each
11 of these communities having facilities and
12 having school facilities so close to the
13 railroad tracks and everything else, I
14 wonder what the price of a life is. And I
15 guarantee that Hunter Harrison does not
16 have the desire to go putting things in to
17 protect the public health, safety, welfare,
18 which is your primary responsibility, not
19 the corporate.

20 I hope you look at your
21 brochure, look at the consequences on that.
22 I hope that you look at your methodology

23 and the consequences associated with that.
24 Throw out most of what you have, get back

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1 into the real world with real measurements
2 and stop dealing with a computer. Your
3 computer system has failed just as badly as
4 the FAA failed last time.

5 Thank you, and good evening.

6 MS. ADAMS: This concludes the
7 public comment portion of our meeting
8 tonight.

9 We want to thank everyone for
10 their comments.

11 The next public meeting is
12 tomorrow evening in Bartlett with 4:00 to
13 6:00 p.m. open house followed by public
14 comment. Thank you.

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