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February 15, 2008

Phillis Johnson- Ball
Surface Transportation Board
395 E. Street Southwest
Washington, D.C. 20423

Surface Transportation Board
CN-EJ&E EIS - FD-35087
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HDR

RE: Warrenville Park District Comments on the Draft EIS – Docket #35087

Dear Ms. Johnson – Ball;

The Warrenville Park District appreciates the opportunity to comment and appreciates that the process allows every comment and concern to be heard and receive full consideration. The Warrenville Park District has recently learned of the plans for the expansion of the railway system by CN and I have been in contact with Jennifer McMahon of the City of Warrenville regarding information she has gathered on the project. Below are the Park District Staff comments for consideration:

1. Section 1 D discusses the potential environmental impacts of the proposed transaction on public health and safety with respect to the transportation of hazardous materials. The railway is immediately adjacent to a 27 acre park owned by the Warrenville Park District that is home to baseball fields, tennis courts, soccer fields, a playground, a picnic shelter and a trail system through the park. We are very concerned with the effects of a spill on the safety and quality of life for our participants. While the EIS reviews the applicant safety practices and history on hazardous spills and accidents due to the large increase in hazardous material that will be hauled along this line, the CN safety record would need to be much better than the EJ&E's for this to result in a break even scenario.

2. With respect to item 1 D, there is no investigation into the adjacent community's ability to respond to a hazardous material spill. What types of training and resources do the area governmental agencies need in order to properly respond to these spills and who will fund these necessary resources.
3. Also in respect to item 1 D, In the case of a hazardous spill, the CN should be responsible to pay the landowner for the clean up of the neighboring properties if they are contaminated by a hazardous spill.
4. Section 3B discusses the environmental impacts of improved rail connections, siding extensions and the installation of second track. We request that the environmental impacts include wetlands as defined by the DuPage County Department of Economic Development and Planning along with floodplain storage and storm water storage. All impacts to wetlands, floodplain and storm water storage need to be mitigated as part of any improvements. We further request that the adjacent municipalities be included in the engineering review and approval process.
5. Section 6A discusses noise and vibration and states that "impacts will be quantified for those areas that exceed the Board's environmental thresholds identified in Section 5A of the air quality discussion." Why is the noise and vibration threshold tied to the air quality threshold? We believe the noise and air should be studied regardless of whether or not it exceeds the air quality thresholds. We are concerned with the impact of the increased noise vibrations on the recreational amenities within our parks.
6. Sections 6B and 6C require the identification of the transaction related increases in noise for various receptors. However, there is no discussion on warrants for noise mitigation or what types of mitigation will be considered. Will these questions be answered as part of the EIS?
7. Section 6D requires the assessment of potential vibration effects. How vibration mitigated and can the mitigation of vibration is made a contingency of the acquisition?
8. Section 7A discusses the potential environmental impacts on federal endangered or threatened species or designated critical habitats. We are aware of several linear wetlands that run adjacent to and inside of the EJ&E right-of-way. We request that the applicant consult with the DuPage County Department of Economic Development and Planning relative to the wetland habitats in this area.

9. Section 7B requires the applicant to discuss the effects of railroad improvements on wildlife sanctuaries or refuges, and national or state parks or forests. We request that this scope be expanded to include local park district properties. Why would it be limited to national or state parks? We believe it is very important to include local park districts since the local and state tax dollars funded the acquisition and development of these properties. Local taxes also pay for the upkeep of these properties.
10. Section 8A requires the applicant to discuss whether any of the proposed construction will have impacts on federal or state water quality standards. We would like the scope to be expanded to include not only construction but also expansion of operations. We question if the brake lining particulates that are expelled during braking operations will impair water quality.
11. Section 8B requires the applicant to discuss the potential of any construction to encroach upon any designated wetlands or 100-year floodplains. We request that the scope be expanded to include the concurrence of the DuPage County Department of Economic Development and Planning.
12. Section 9C requires the applicant to "evaluate whether such activities potentially have a disproportionately high and adverse health effect or environmental impact on any minority or low-income group." Why is this being limited to minority and low-income groups? We request that the effects be expanded to apply to all groups.
13. CN should be responsible for any safety fencing or other changes to public property that would be impacted by the increase in rail traffic.

Thank you for your time and consideration.

Please contact me if you have any questions regarding this letter of comment. I can be reached at 630- 393- 7279 extension 304 or dianed@warrenvilleparks.org.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diane Dillow".

Diane Dillow
Executive Director