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THE CONSERVATION FOUNDATION

We save land. We save rivers.

10147

August 14, 2008

Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423
Attention: Phillis Johnson-Ball
Environmental Filing; STB Finance Docket No. 35087

Dear Ms. Johnson-Ball:

The Conservation Foundation is a private (TCF), 501c3 not-for-profit organization working in Northeastern Illinois on land and water conservation issues since 1972. We are one of the most respected conservation voices in the region and are supported by 5,000 members, most of them in DuPage County.

TCF would like to go on the record supporting the concerns and issues of the Forest Preserve District of DuPage County (FPD) as stated in their February 14, 2008 letter regarding the proposed purchase and development of the EJ&E railroad by Canadian National Railroad Company (applicant).

Our biggest concern is the applicant's proposal to purchase or take through other means a portion of the FPD's property in Wayne, Illinois known as Pratt's Wayne Woods Forest Preserve. This protected open space belongs to the people of DuPage County and there is nothing in Illinois law that permits the applicant to take this, or any other, public property through eminent domain.

In addition, as outlined in the FPD's letter, there are numerous other concerns on air and water quality, and wildlife habitat in Pratt's Wayne Woods, West Chicago Prairie, Blackwell and Night Heron Marsh preserves. The latter three adjoin the rail line in other locations.

TCF would caution the granting of this proposal and will continue to support the concerns and actions of the FPD. Thank you for your consideration of our concerns and position.

Sincerely,

Brook McDonald
President/CEO

c.c. D. "Dewey" Pierotti, President, FPD of DuPage County; U.S. Senator Peter Roskam; Robert Schillerstrom, DuPage County Board Chairman

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