

County of Kane

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Chairman

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January 29, 2008

Attention: Phillis Johnson-Ball
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423

Re: STB Docket No. FD 35087 – Scope of Study Comments – Proposed Canadian National Railway Company Acquisition of the Elgin, Joliet and Eastern Railway Company

Dear Ms. Johnson-Ball:

On behalf of Kane County, thank you for the opportunity to comment on the draft Scope of Study for the Environmental Impact Statement (EIS) for the proposed Canadian National (CN) Railway Company's acquisition of the Elgin, Joliet and Eastern (EJ&E) Railway Company. Having experienced a population increase of 22% from the 2000 Census to the 2006 Census population estimates, Kane County is considered one of the fastest growing counties nationally. As a result of continued growth, Kane County remains dedicated to improving and expanding transportation options for our residents.

Currently, Kane County is embarking on the largest roadway construction project in the history of the County – the Stearns Road Bridge Corridor, which has an estimated total project cost of \$165 million. The Corridor will serve as a critical east-west strategic regional arterial and provide a much needed crossing over the Fox River. Just beyond the eastern limits of the planned roadway improvement, the existing Stearns Road traverses the EJ&E railway at an at-grade crossing. This at-grade crossing is within DuPage County's jurisdiction, and Kane County is concerned that the potential increase in CN rail traffic will impact the overall efficiency of the Stearns Road Bridge Corridor.

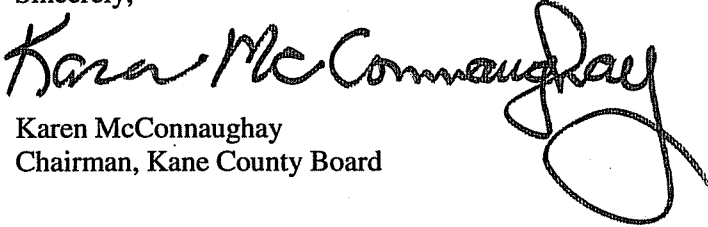
Additionally, Kane County is committed to giving motorists an alternative to driving, and as such, the County has supported Metra's plans to construct the Suburban Transit Access Route (STAR Line) – a first-of-its-kind, suburb-to-suburb commuter rail service between the City of Joliet and O'Hare International Airport. The proposed STAR Line calls for the use of two dedicated transportation corridors, one of which is known as the Outer Circumferential Corridor and runs approximately 36 miles along the EJ&E railway corridor. We are interested in learning more about the impact of the proposed CN acquisition to the potential STAR Line commuter rail service.

As illustrated with the Stearns Road Bridge Corridor and STAR Line, more data and analysis are needed on the potential short-term and long-term benefits and impacts of the CN proposal, and we support the Surface Transportation Board's (STB) decision to require a full EIS and postpone their final decision pending the outcome of this process.

In order for the EIS to achieve its intended purpose, we feel that the Scope of Study should be modified as follows. First, we request that the STB increase the timeframe of the "foreseeable future" of the study. We feel that an expanded time horizon will allow for more effective analysis, evaluation, and mitigation of impacts. Secondly, STB oversight needs to be maintained for any arrangement of tiered mitigation. It is critical that any commitments made by CN in the EIS process should be required conditions when the STB decides whether to approve the acquisition. Third, certain data needs to be available to local governments and other agencies prior to the draft EIS publication in order to ensure sufficient time for analysis and feedback. If data cannot be available until after the draft EIS is published, then the 45-day comment period needs to be extended. Lastly, several thresholds identified for the EIS review need modification, particularly the 2,500 vehicles per day for average daily traffic (ADTs) of roadway crossings threshold should be changed to the 2030 projected ADTs.

Kane County believes that freight and passenger networks are critical to the economy and overall transportation system that serves northeastern Illinois. We appreciate the opportunity to provide comments on the Scope of Study and anticipate receiving more detailed data analysis as the EIS process moves forward.

Sincerely,



Karen McConnaughay
Chairman, Kane County Board