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February 15, 2008

By e-filing

Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

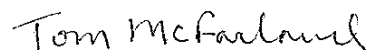
Attention: Phillis Johnson-Ball
Environmental Filing

Re: Finance Docket No. 35087, *Canadian National Railway Company and Grand
Trunk Corporation -- Control -- EJ&E West Company*

Dear Ms. Johnson-Ball:

Hereby transmitted is the Comments On Draft Scope Of Environmental Impact Statement
on behalf of the City of West Chicago, Illinois, for filing with the Board in the above referenced
matter.

Very truly yours,



Thomas F. McFarland
Attorney for Commenter

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BEFORE THE
SURFACE TRANSPORTATION

CANADIAN NATIONAL RAILWAY	)	
COMPANY AND GRAND TRUNK	)	FINANCE DOCKET
CORPORATION – CONTROL – EJ&E	)	NO. 35087
WEST COMPANY	)	

COMMENTS ON DRAFT SCOPE OF
ENVIRONMENTAL IMPACT STATEMENT

CITY OF WEST CHICAGO, ILLINOIS
HON. MICHAEL B. KWASMAN, Mayor
475 Main Street
West Chicago, IL 60185

Commenter

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Due Date: February 15, 2008

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BEFORE THE
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CORPORATION – CONTROL – EJ&E	)	NO. 35087
WEST COMPANY	)	

**COMMENTS ON DRAFT SCOPE OF
ENVIRONMENTAL IMPACT STATEMENT**

Pursuant to the decision of the Board, Victoria Rutson, Chief, Section of Environmental Analysis (SEA), served December 21, 2007, the CITY OF WEST CHICAGO, ILLINOIS (the City) hereby submits comments on the Draft Scope of Environmental Impact Statement (Scope of EIS) that is attached to that decision as Appendix A.

The proposed control of EJ&E West Company (EJE) by Canadian National Railway Company (CN) would have enormous adverse environmental effects on the City of West Chicago. The City of West Chicago has the unenviable distinction of having the greatest increase in freight tonnage of any point in the EJE system!

In the northern part of West Chicago, where an average of 4.4 trains per day currently move over EJE's tracks, there would be 24.4 trains per day after CN control, an increase of 455 percent. (Application at 247). Currently, an average of 14,397 tons of freight per day move in EJE trains in that part of West Chicago; after control, that would increase to 184,969 tons per day, an increase of 1,185 percent, the greatest increase in the EJE system! In the southern part of West Chicago, the increases would be from the current 10.7 trains and 87,162 tons per day on

EJE to 34.5 trains and 245,049 tons per day, increases of 222 percent and 181 percent respectively! (*Id.*).

Moreover, the proposed control would result in huge increases in dangerous hazardous materials traffic. From the current 21 carloads of hazardous materials per year over EJE in the north part of West Chicago, and 31 carloads per year in the south part of West Chicago, the number of hazardous materials carloads would increase to 265 per year in the north section and 301 per year in the south section, increases of 1,162 percent and 871 percent, respectively!

CN has acknowledged average train length of approximately 8,800 feet on EJE, and that its trains to and from Port Rupert, British Columbia, Canada, will be approximately 10,000 feet long as they pass through West Chicago. That corresponds to approximately 160 railcars stretching over a distance of nearly two miles! At current permissible train speed on EJE, a train of that length would take approximately four minutes just to clear a grade crossing under ideal train conditions. The actual time to clear a crossing would be even more inasmuch as train conditions are seldom ideal.

These huge increases in number and length of trains dictate careful scrutiny of adverse environmental effects of CN control of EJE in West Chicago.

In light of those potentially serious adverse environmental impacts, West Chicago hereby respectfully requests the following additions to the Draft Scope of EIS:

1. In the section dealing with Safety, numbered 1, add a Paragraph G, reading substantially as follows:

Address potential effects of increased freight traffic on the safety of pedestrians and bicyclists, especially near schools and other common gathering areas in communities.

This area of inquiry is particularly relevant in West Chicago, where West Chicago Community High School, having a current student population of 2,160, is located only one block from the EJE grade crossing at Ann Street. A tunnel under EJE trackage at or near that location may be essential for the safety of students and other pedestrians and bicyclists who must frequent the area of the school.

2. In the section dealing with Safety (numbered 1), add a Paragraph H, reading substantially as follows:

Consider the need for signs at streets and walkways approaching EJE grade crossings, warning motorists, pedestrians and bicyclists of the substantial increase in number and length of trains on EJE tracks through West Chicago.

This inquiry is essential because the public in West Chicago has become accustomed to relatively light train traffic on EJE. Concern for public safety may require signs warning the public, as they approach EJE grade crossings, of the substantially increased EJE train traffic through West Chicago.

3. In the section dealing with Safety (numbered 1), add a Paragraph I, reading substantially as follows:

Consider the need to hire additional safety-enforcement personnel in communities where increased freight traffic has the potential to adversely affect the safety of motorists, pedestrians and bicyclists, and address allocation of the cost of such additional personnel.

Additional safety-enforcement personnel may be required to deal with the adverse effects on safety of motorists, pedestrians and bicyclists in suburban areas resulting from radically increased rail freight traffic. The EIS should address the issue of who should bear the cost of such additional personnel. This inquiry also relates to the socioeconomic effects of CN control

of EJE (section 3) inasmuch as the added cost of increased safety personnel would pose an unwarranted additional burden on municipal taxpayers unless Applicants were to bear that cost.

4. In the section dealing with Safety (numbered 1), add a Paragraph J, reading substantially as follows:

Address potential adverse impacts on local emergency response vehicle dispatching resulting from increased rail freight traffic, and evaluate potential responses, such as installation and maintenance of real-time train location monitoring systems and interconnections of grade crossing warning devices and nearby traffic signals.

The continued efficiency of emergency response in West Chicago is a high priority. This also relates to socioeconomic effects on the citizens of West Chicago.

5. In the section dealing with Safety (numbered 1), add a Paragraph K, reading substantially as follows:

Address the need for vehicular traffic studies in West Chicago and responsibility for the cost of such studies.

This provision is needed because vehicular traffic will begin to maneuver through residential areas in order to bypass EJE grade crossings at which there will be substantially more freight train traffic. That will result in increased vehicular traffic on residential streets and increased vehicular traffic at intersections that do not have traffic-controlling signals. For example, traffic signals may be necessary to control exit onto Illinois Route 38 from the south. Traffic studies will be required to address these factors. Consideration should be given to a requirement that Applicant rail carriers pay the cost of such studies.

6. In the section dealing with Safety (numbered 1), add a Paragraph L, reading substantially as follows:

~ Address the need for additional training for West Chicago fire and police officials in light of the huge increase in hazardous materials traffic on EJE as a result of acquisition by CN, and responsibility for the cost of such training.

This added training is essential for the safety of West Chicago citizens in light of the huge increase in hazardous materials traffic on EJE as a result of CN control of EJE. Consideration should be given to a requirement that Applicant rail carriers take responsibility for the cost of such training inasmuch as CN's control of EJE would trigger the increased hazardous materials traffic.

7. In the section dealing with Safety (numbered 1), add a Paragraph M, reading substantially as follows:

Propose mitigative measures to eliminate or to substantially minimize potential adverse impacts of existing increased freight traffic on inadequate existing grade crossing warning devices.

This area of inquiry is essential to provide effective relief by means of conditions to upgrade existing grade crossing warning devices, as appropriate.

8. In the section dealing with Transportation Systems (numbered 2), add a Paragraph G, reading substantially as follows:

Propose mitigative measures to eliminate or to substantially minimize potential adverse impacts of increased freight traffic on commuter rail service in the area of West Chicago.

This inquiry is essential to provide effective relief by means of conditions to prevent increased freight traffic from unduly delaying commuter rail service. An example of a potential condition on this subject that might be required is that control of the EJE-Union Pacific interlocker at West Chicago be transferred from EJE to Union Pacific or to Metra, which is the operator of commuter rail service in the area.

9. In the section dealing with Land Use and Socioeconomics (numbered 3), add a Paragraph F, reading substantially as follows:

Consider the adverse effect on socioeconomics in the West Chicago area if increased freight traffic on EJE were to result in substantial delay for commuter trains.

This area of inquiry would consider the impacts on West Chicago commuters if they were to be late to or from work as a result of delays to commuter trains caused by increased freight traffic.

10. In the section dealing with Noise and Vibration (numbered 6), add a Paragraph E, reading substantially as follows:

Address the role to be played by Applicant in the establishment of needed Quiet Zones (Quiet Corridors), including payment for all or a share of the cost of improvements to qualify for quiet-zone status.

The proposed CN control of EJE will result in intolerable increases in noise levels from locomotive whistles and horns. A Quiet Zone (or Zones) will be required in order to protect West Chicago citizens from such noise. Although the community may be responsible for applying to the FRA for quiet-zone status, CN should contribute to achieve that status inasmuch as the increased freight traffic resulting from the proposed rail acquisition would be the cause of the need for quiet zones. CN's contribution may be payment of the cost of improvements required to achieve quiet-zone status.

11. In the section dealing with Noise and Vibration (numbered 6), add a Paragraph F, reading substantially as follows:

Propose mitigative measures to eliminate or to substantially minimize potential adverse impacts of increased freight traffic on the level of noise and on vibration in West Chicago.

This inquiry is essential to provide effective relief by means of conditions to deal with massive increases in noise levels and vibration in West Chicago.

12. In the section dealing with Environmental Justice (numbered 9), add a Paragraph D, reading substantially as follows:

Propose mitigative measures to eliminate or to substantially minimize disproportionate potential adverse impacts of increased freight traffic on minorities and low-income groups in West Chicago.

The increase in freight traffic on EJE, along with the current heavy rail traffic on Union Pacific, would have the effect of “walling off” the Southwest portion of West Chicago from the remainder of the City. There are a large number of minority and low-income households in that Southwest section who do not have vehicles, and who would be effectively cut-off from public safety and other services. As a matter of environmental justice, consideration should be given to a requirement that CN pay for the cost of additional police patrol time that would be needed to maintain public safety in that area of West Chicago, which would be adversely affected by the increased freight traffic on EJE disproportionately compared to the other areas of the City.

Respectfully submitted,

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