

10253

District Office:

24 South Des Plaines River Road
Suite 400
Des Plaines, Illinois 60016
847-257-0450
847-257-0452 FAX
enekritz@repnekritz.org



Elaine Nekritz

State Representative • 57th District

Springfield Office:

248-W Stratton Building
Springfield, Illinois 62706
217-558-1004
217-557-7204 FAX
www.repnekritz.org

Committees:

Appropriations-Higher
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Reform (Chair)
Environment & Energy
Environmental Health
Judiciary I - Civil Law
Railroad Safety (Chair)
Renewable Energy
Commission on Government
Forecasting & Accountability

August 22, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

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

Dear Secretary Quinlan:

I am writing the Board in connection with the August 18, 2008 response I received to my August 5, 2008 letter to Ms. Johnson-Ball of the Board's Section of Environmental Analysis (SEA), copies of which are attached. In my letter, I requested that the SEA schedule additional meetings for comments on its Draft EIS issued on July 25, 2008 in the northwest suburbs of Chicago which will benefit from the re-routing of CN trains as a result of its acquisition of the EJ&E. Ms. Johnson-Ball explained to me in a telephone call on Tuesday August 19 that no additional meetings will be added because the existing locations are adequate and the public is able to submit comments by other means. The written response confirms that statement. I hereby request that the Board reconsider this decision.

As Chair of the Illinois House Rail Safety Committee, I convened a hearing on the proposed acquisition of the EJ&E, and at a subsequent meeting the Committee considered and ultimately rejected a resolution authored by opponents of the transaction. My position now and at all of those prior sessions is and has been that the transportation merits and the environmental impacts of this transaction should be reviewed from a regional perspective and not simply from a local perspective.

However, the SEA has scheduled seven of its eight public sessions in communities that will experience an increase in traffic when in fact the number of communities in the Chicago region that will experience reduced traffic far exceeds those that will experience an increase.

Secretary Quinlan
August 22, 2008
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Based on 2000 census data of all the people residing in communities impacted either positively or negatively by reductions or increases in trains, more than 70% will experience reductions in train traffic. The public hearing process is presently skewed to give greater weight to those living along the EJ&E.

Furthermore, the Board currently is considering CN's petition filed on August 14, 2008 to bifurcate the decision on transportation merits from that which will determine the level of environmental mitigation. As it deliberates over that petition, the Board should also consider whether granting that petition would alleviate time pressures so that additional hearings could be conducted in the communities along the existing CN line.

Therefore, I renew my request for one or more additional public hearings on the draft EIS in suburban communities that will experience reduced train traffic.

Sincerely,

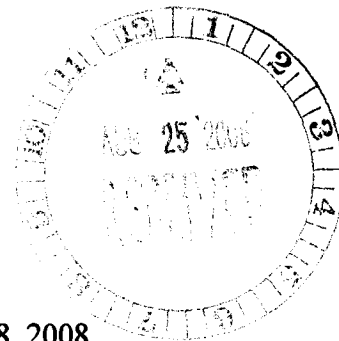
A handwritten signature in black ink, appearing to read 'Elaine', with a long, sweeping horizontal stroke extending to the right.

Elaine Nekritz
State Representative – 57th District

cc: Chairman Charles D. Nottingham
Vice Chairman Francis P. Mulvey
Board Member W. Douglas Buttrey
Parties of Record



SURFACE TRANSPORTATION BOARD
Washington, DC 20423



Office of Economics, Environmental Analysis and Administration

August 18, 2008

The Honorable Elaine Nekritz
Illinois State Representative – 57th District
24 South Des Plaines River Road
Suite 400
Des Plaines, Illinois 60016

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

Dear Representative Nekritz:

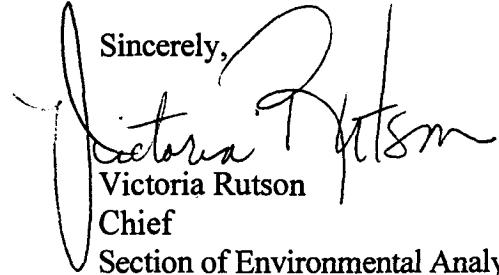
Thank you for your August 5, 2008 letter requesting that the Surface Transportation Board schedule additional public meeting(s) in northwest suburban Chicago near one of the existing Canadian National (CN) rail lines that would see a decrease in train traffic should the Board approve CN's application to acquire the EJ&E. You explain that you represent several communities in this area and have heard that many of your constituents would like to attend a meeting located closer to this CN rail line.

Currently, the Board's Section of Environmental Analysis (SEA) is hosting eight public meetings in the project area to receive comments on the Draft Environmental Impact Statement (EIS), including one meeting at Loyola University in downtown Chicago. In addition to the public meetings, members of the public may submit comments by letter, by calling the project hotline (1-800-347-0689), or by submitting a comment electronically via the E-Filing button on the Board's website (www.stb.dot.gov). Every comment will be treated equally, no matter the means by which the comment is submitted.

CN's proposal would decrease train traffic on five CN lines that feed into Chicago. Much as we would like to, it would be very difficult for SEA to host meetings in communities on all five CN lines in addition to the EJ&E line. We chose the eight meeting locations to provide the opportunity for as many members of the public to attend as possible. But even if some interested citizens cannot attend a meeting, I believe that we have offered a number of ways in which the public may still submit comments. We are hoping that everyone interested in submitting comments on the Draft EIS will be able to do so easily and comfortably. Finally, all materials available at the public meetings will be posted on the project website, www.stbfinancedocket35087.com.

I have entered your letter into the public record for this proceeding. We welcome your participation and that of your constituents. Again, thank you for your correspondence. If I may be of further assistance, please do not hesitate to contact me at (202) 245-0295.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson", is written over the printed name and title.

Victoria Rutson

Chief

Section of Environmental Analysis

District Office:

24 South Des Plaines River Road
Suite 400
Des Plaines, Illinois 60016
847-257-0450
847-257-0452 FAX
enekritz@repnekritz.org

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248-W Stratton Building
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Railroad Safety (Chair)
Renewable Energy
Commission on Government
Forecasting & Accountability

August 5, 2008

Ms. Phillis Johnson-Ball
Deputy Chief, Section of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423

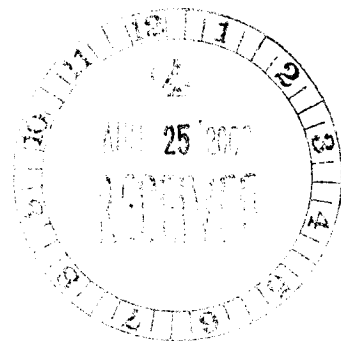
Re: Finance Docket No. 35087

Dear Ms. Johnson-Ball:

I recently received the Draft Environmental Impact Statement (EIS) issued by the Surface Transportation Board (STB) for the Proposed Canadian National Railway Acquisition of the Elgin, Joliet & Eastern Railway Company.

I represent several communities along the existing CN line in suburban Chicago that will see a reduction in freight train traffic as a result of the proposed transaction. I hear from many constituents, both individuals and organizations, who support the transaction and are interested in having their voices heard. However, none of the Public Meetings are scheduled to be held anywhere close to the affected line. These residents will be required to travel long distances in the heart of rush hour in order to attend an Open House and Public Meeting as detailed in the draft EIS.

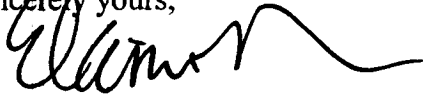
I ask that the STB schedule at least one additional hearing in northwest suburban Chicago somewhere near the existing CN line. This will provide impacted residents a realistic opportunity to get additional information on the proposed transaction and have the same opportunity to voice their opinion as those who live along the EJ&E. In addition, I am happy to provide assistance in arranging such meetings.



Ms. Johnson-Ball
Surface Transportation Board
Page 2
August 5, 2008

Thank you in advance for your consideration of this request. I look forward to hearing from you on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Elaine', with a long, sweeping horizontal line extending to the right.

Elaine Nekritz
State Representative – 57th District

cc: Chairman Nottingham
Vice Chairman Mulvey
Board Member Buttery
Hon. Anne K. Quinlan