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20 CHIMNIAK REPORTING & VIDEO

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MS. ADAMS: We will begin the
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2 public comment portion of the meeting in
3 about half a minute if folks would like to
4 take their seats.

5 Good evening, ladies and
6 gentlemen. Thank you for being here
7 tonight. We are here tonight to hear
8 your comments on the Draft Environmental
9 Impact Statement that was released
10 July 25th regarding Canadian National
11 Railway's proposed acquisition of the
12 EJ&E Railroad.

13 My name is Tina Marie Adams, and
14 I'll be facilitating the meeting tonight.

15 Before we get started, I'll
16 review some protocol for tonight's meeting.
17 For starters, I would ask everyone to
18 please turn off their cell phones and
19 please refrain from interrupting any
20 speakers or commenters.

21 In a moment I'll introduce those
22 presiding, and there will be a short
23 presentation on the findings of the Draft
24 Environmental Impact Statement.

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1 Immediately following this, we'll hear your
2 comments. Each commenter will be given up
3 to three minutes to speak. The time clock
4 will be displayed on the screen here behind
Page 2

5 me and a yellow card will be shown at
6 two minutes and 30 seconds, as you see
7 right here; a red card will be shown at
8 three minutes. A list of speakers in order
9 will be displayed on the screen. Also, I
10 will call forth the next two speakers in
11 line after each speaker so we can be as
12 efficient as possible. As you can see,
13 there's one microphone set up in each
14 aisle, so you can choose whichever one is
15 closest to you.

16 If you're interested in speaking
17 and haven't registered yet, please proceed
18 to the registration table that's actually
19 located directly outside past the
20 auditorium past the exit signs and in the
21 hallway there.

22 Alternatively, included in the
23 programs that you received tonight, you may
24 submit comments to the surface

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1 Transportation Board through a toll free
2 number, website, or mailing address, all of
3 which are also in the programs that you've
4 received. There are also comment forms and
5 drop boxes and court reporters located in
6 the open house area. You may record your
7 comments with them throughout the night.

8 Please recognize that all
9 methods of comment will be -- received by
10 September 30th will be taken into
11 consideration and weighed equally.

12 Tonight we're here to listen to
13 your comments on the Draft EIS. This is
14 not a question-and-answer session, but we
15 invite you to return to the open house area
16 if you do have questions. You can also
17 provide your comments in a more private
18 setting there with a court reporter if
19 you'd like to do that.

20 We appreciate your courtesy as
21 we work to create an environment where
22 everyone can be heard. If you disagree
23 with a speaker, we ask that you not express
24 your disagreement out loud. Likewise,

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1 please note that applause for a speaker
2 during his or her remarks gives that person
3 less time to speak and ultimately will
4 limit the time for everyone else.

5 In the event that you need a
6 Spanish translator, please let a staff
7 person know. We have Beatrice here who can
8 translate. She'll be located toward the
9 back of the auditorium.

10 If you have questions about
Page 4

11 anything, a staff member can assist you.
12 We're identified with these name tags, as
13 you see on me here, and located throughout
14 the venue.

15 One other quick housekeeping
16 matter. We have ten exits here in the
17 auditorium, four to the back of the
18 auditorium and three each on either side.

19 With that, I'd now like to
20 introduce the people with me here on stage.
21 Phyllis Johnson-Ball, who is a deputy chief
22 of staff of the section of environmental
23 analysis for the Surface Transportation
24 Board, and John Morton, team leader

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1 supporting the Surface Transportation Board
2 section of environmental analysis.

3 Phyllis Johnson-Ball will now
4 make her remarks.

5 MS. JOHNSON-BALL: Good evening.
6 Thank you for coming to our public
7 meeting -- I'm a little shorter than she
8 is.

9 I'm Phyllis Johnson-Ball,
10 Surface Transportation Board, section of
11 environmental analysis. Many of you
12 probably recognize my name because we
13 received numerous comments and I have read

14 those comments and I understand what many
15 of your concerns are, and so tonight we're
16 here to give you an opportunity to -- I'm a
17 little too close -- to give you an
18 opportunity to learn a little bit about
19 exactly what is the Surface Transportation
20 Board, what we do. This is your
21 opportunity to talk to us so that we can
22 hear your voice, and it's very important
23 that you provide us with comments because
24 this is all a part of the environmental

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1 process and your participation is
2 definitely a critical part of it.
3 I'd like to begin by talking a
4 little bit about who is the Surface
5 Transportation Board and why there's a
6 Board involved in this process and give you
7 a brief overview of exactly what is the
8 process involved with this proposed
9 acquisition.

10 The Surface Transportation
11 Board's primary functions are to authorize
12 carrier actions, to resolve carrier
13 disputes, we conduct rule making on
14 proceedings, adjudicate reasonableness of
15 rail rates, we monitor carrier activities
16 and industry performance, we take

17 enforcement action on carriers, and we also
18 have an office for consumer assistance, and
19 I know many people as part of this process
20 has taken advantage of that particular
21 office by calling in and asking questions
22 and giving us comments.

23 The Surface Transportation Board
24 is made up of three decision makers, they

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1 are appointed by the President and
2 confirmed by the Senate. Our chairman is
3 Charles Nottingham, our vice-chairman is
4 Francis Mulvey, and our commissioner is
5 Douglas Buttrey.

6 The section of environmental
7 analysis is the environmental arm of the
8 Surface Transportation Board. We,
9 basically, direct the environment review,
10 we conduct independent analysis of all
11 environmental data, we provide technical
12 assistance to the Board and to the public
13 and make recommendations on environmental
14 matters, and we also ensure that our agency
15 complies with the National Environment
16 Policy Act.

17 The public participation
18 process, which we are engaging in tonight,
19 is one of the most critical components of
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20 NEPA of the environmental process. This is
21 your opportunity for your voice to be
22 heard. This is your opportunity to tell us
23 what we've done well as part of our
24 environmental analysis, what we have done

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1 not so well, and what we also need to
2 continue to do. So, please, give us
3 comments. Your comments are due to the
4 Board by September 30th. If you mail them,
5 they must be postmarked by September 30th.
6 If you provide comments tonight or if you
7 provide them in writing, they must be at
8 the Board by the close of business on
9 September 30th.

10 As we talked about earlier,
11 there's several ways in which you can
12 provide comments to the Board. We have a
13 1-800 number, which is 1-800-347-0689. You
14 can send us a letter; you can fill out the
15 comment form; you can email us; you can
16 speak tonight publicly, we'll record your
17 comments, we have court reporters here; and
18 you can also talk with one of the court
19 reporters we have out in the office --
20 excuse me -- out in the hall. All of the
21 comments that you make have equal weight,
22 so whether you do it in writing, whether

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23 you speak tonight, the Board considers all
24 of those comments equally.

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1 We've had questions about what
2 exactly is the acquisition process. The
3 process starts by an applicant, in this
4 case Canadian National, applying to the
5 Surface Transportation Board for authority
6 to acquire the EJ&E. The Board then sets a
7 procedural schedule to consider the merits
8 and the environmental issues. The merits
9 consist of economics, the transportation,
10 and competitive issues. The environmental
11 process consists of things such as air
12 quality, noise, community impacts,
13 environmental justice, historic
14 preservation, biological resources,
15 weapons, all of the physical impacts
16 associated with the proposed acquisition.
17 It also considers transportation, safety,
18 and delay issues, and issues we have heard
19 so much about, congestion.

20 The Board can take three avenues
21 in response to Canadian National's
22 requests. The Board can deny the
23 transaction, the Board can approve the
24 transaction, the Board can approve the

1 transaction with conditions, and that's
2 conditions on the merits and the Board can
3 impose environmental conditions.

4 I'd also like to mention a
5 little bit about the third-party process
6 and who is HDR. The Surface Transportation
7 Board is a very small agency. We have
8 approximately 150 people, nine of them are
9 on the environmental staff, so we often, as
10 other small agencies -- federal agencies
11 do, we engage third-party contractors or
12 outside consultants to assist us in the
13 preparation of our environmental
14 documentation. In this case, HDR is our
15 third-party contractor. So John Morton of
16 HDR is going to give you a brief overview
17 of the results of the Draft Environmental
18 Impact Statement.

19 Thank you.

20 MR. MORTON: Thank you, Phyllis.

21 I briefly want to go through the
22 Draft EIS and some of the conclusions. I
23 know that there's -- it's a very voluminous
24 document, a lot of information is in there.

1 I want to touch the surface. If you have
2 questions, if you want to explore anything
3 in more detail, we're leaving the open
4 house session open and manned. There's
5 maps back there. There's people that would
6 be more than happy to talk to you about any
7 specific resources or help you better
8 understand, you know, some of the issues
9 that are going to be talked about tonight.

10 First of all, the applicant, CN
11 is a Class One railroad, a major shipper of
12 domestic and foreign freight. They have
13 five rail lines that converge on Chicago.
14 Those rail lines are shown on the dark
15 color on the map. They operate about
16 150 miles of rail line in the Chicago area.
17 EJ&E is a regional rail line that operates
18 in an arc around the City of Chicago. They
19 have two main rail yards, and that is East
20 Joliet Yard in Joliet, Illinois and Kirk
21 Yard in Gary, Indiana.

22 CN indicated that they had three
23 primary purposes for acquiring the EJ&E.
24 First, it provides CN with operational

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1 flexibility by connecting their five lines
2 into a continuous route around the City.

3 Second, they want to make available the
4 Kirk Yard to the EJ&E -- the EJ&E's Kirk's
5 yard to the CN's operation, and it will
6 allow CN to develop a more extensive
7 relationship with the shippers on the EJ&E.

8 The Draft EIS covers a number of
9 resources listed here, and I'm only going
10 to touch on just a few. Once again, if I
11 don't mention it, if you have some
12 questions, feel free to talk to anybody
13 that's in the -- that's manning the open
14 house session and look at some of the maps
15 and information that we have there.

16 First thing is just actually the
17 changes that will take place. There will
18 be changes in train traffic and train
19 operations, which I'll talk about in a
20 second. In addition to that, CN proposes
21 to construct six new connections, and that
22 is a rail connection from one railroad to
23 another railroad and they propose to
24 construct 19 miles of new parallel track

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1 alongside the existing track, and those
2 locations are shown on the slide.

3 The -- this is a map, and I know
4 it's a little hard to understand, but it's
5 essentially a density diagram and an output

from some of the analysis that was done.

The light blue color is -- shows the trains today, the thickness is indicative of the number of trains; the dark blue color shows the proposed trains should the Surface Transportation Board approve the acquisition. So what you can see is that much of the traffic that currently operates inside the EJ&E yard will be shifted to the EJ&E yard. There will be a total change of about 15 to 24 trains.

As a result of those changes, the analysis indicates that the EJ&E rail line in some parts will be at or near existing capacity. As a result, it's unlikely, you know, that there will be more trains operated on the EJ&E than those that were estimated by CN in their application. In addition, one of the conclusions of the

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Draft EIS is that Metra's on-time performance can be maintained with effective coordination between Metra and CN.

The EIS looked at roadway and train safety information. On the EJ&E arc because of the proposed increase of the train activities, there will be an increase

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in probability of train accidents and also
an increased probability of a highway/rail
accident.

On the CN rail lines inside the
arc because of the reduced number of
freight trains, there will be a reduced
probability of a train accident and a
decreased probability of a highway/rail
accident. In addition, the EIS identified
three highway/rail at-grade crossings that,
you know, would see a substantial increase
in accident risk and those would be
Woodruff Road in Joliet, Illinois and Lake
and Miller Streets in Griffith, Indiana.

The EIS also evaluated passenger
rail safety and haz-mat safety. There's no

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passenger rail currently operating on the
EJ&E. There is passenger rail operating on
the CN Rail Line that will show a decrease
in freight accident -- or freight train
activities, and that's an improvement in
passenger rail safety. On the haz-mat
side, there would be a substantial increase
in the shipment of hazardous materials
shipping -- moving from the CN Rail Line
inside the arc to the EJ&E rail line.

Transportation findings. The

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EIS evaluated 155 highway at-grade
crossings on the CN rail line, 125 of those
would see a reduced, you know, amount of
freight traffic. On the EJ&E rail line,
the EIS looked at 112, 87 of which met the
Board's threshold for the environmental
analysis. Of those 87 without mitigation,
15 would be substantially affected by the
proposed acquisition. Those 15 are shown
up here, and we list them on the maps and
on -- and identify them on the boards that
were available in the open house session.
The EIS looked at air quality.

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The EJ&E route is a longer route,
therefore, there would be increased fuel
use. However, because of the efficiencies
and the more free-flowing operation, it
would be a more efficient operation and,
therefore, air emissions in the year 2015
would not exceed current regulations or
impact the region's air quality compliance.

The EIS also looked at emergency
response. Without mitigation, there would
be eleven fire and emergency medical
service providers that would be
substantially effected. The nine fire and
two hospitals are shown on the graphic,

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15 and, once again, they're identified on the
16 boards and shown on the maps in displays
17 there in the open house.

18 The EIS looked at noise.
19 There's about 3,000 residences that would
20 exceed the 65 dba noise on the EJ&E. About
21 2700 would show an improvement on the CN
22 Rail Line inside the arc, and one quiet
23 zone, Barrington area quiet zone, because
24 of the increased freight traffic would lose

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1 its quiet zone status.

2 The EIS also identified possible
3 mitigation or mitigation recommendations.
4 The CN provided or offered 76 voluntary
5 mitigation measures in these resource
6 categories. In addition to those 76, the
7 SEA also identified 72 additional
8 mitigation measures in these resources
9 categories. Once again, those are listed
10 in both the Executive Summary of the Draft
11 EIS and in Chapter 6 of the Draft EIS, and
12 we would have copies of both of those in
13 the open house session if you want to take
14 a look at the mitigation.

15 And with that, I'd like to turn
16 it back over to Tina Marie.

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MS. TINA-MARIE ADAMS: Okay. We'll
now begin the public comment portion of our
meeting. Let me remind you that we have
the three-minute rule, which begins as soon
as you begin speaking.

If three minutes is not enough
time, please feel free to speak with the
court reporter in the open house area to
complete your remarks.

We'd also invite you to submit
your full written remarks to the court
reporter, located here by the stage when
you're done as well.

To be fair and consistent, if
you speak beyond the three minutes we will
go ahead and announce the next speakers.

I would now like to ask for the
first commenter, Darlene Senger, followed
by Eric Gallt, and then Marcie Schatz.

When you come to the microphone

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22 if you would please state your name and who
23 you represent or the town you're from.
24

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1 MS. DARLENE SENDER: Good evening,
2 my name is Darlene Senger. I am a
3 councilman in the City of Naperville and
4 Naperville's track representative.

5 I'd like to give you a little
6 bit of background of how we got here
7 tonight. The cities of Aurora and
8 Naperville, Plainfield have been working
9 together to basically notify people of this
10 hearing tonight. And that population, we
11 represent over a third of a million people
12 in the area.

13 I'd like to thank West Chicago
14 High School for -- West Aurora High School
15 for hosting us tonight. I'd also like to
16 make the comment that it's a shame that we
17 couldn't have had this at Waubesa Valley
18 High School because it is closer to those
19 who are affected, and I know for a fact
20 there are citizens and the residents of
21 Naperville and some in Aurora that could
22 not make this meeting tonight because of
23 the fact it was so far away.

24

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I also wanted to say that we

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1 want to thank the STB for listening to our
2 comments and we also want to thank you for
3 the decision you made to -- the other day
4 or today about delaying or denying the
5 October 15th expedition of the Canadian
6 National's request to bifurcate.

7 We are very pleased you've done
8 that and we do ask you to continue to
9 listen to what we have to say and take all
10 the time you need in order to come up with
11 the right decision.

12 Tonight we're here to comment on
13 the Draft Environmental Impact Statement,
14 and the keyword in that term is "impact."
15 And you're going to hear a lot tonight
16 about how this impacts our communities and
17 it very much impacts our communities.

18 It impacts the air we breathe,
19 it impacts our traffic, and public safety,
20 it impacts our property values, it impacts
21 our pocket books.

22 I'm really concerned about that
23 because I know with the at-grade crossings
24 that need to be mitigated with either an

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1 underpass or overpass, we're talking about
2 possibly hundreds of millions of dollars.
3 And where is the money going to come from?

4 That concerns me as a
5 representative, it concerns me as a
6 possible state representative, and I would
7 speak on the federal level, too.

8 A lot of this is not about not
9 in our backyard, but it's not in our
10 pockets.

11 I'm also going to comment a
12 little bit about specifics with Naperville.
13 One of the things that the draft
14 environmental report fails to talk about is
15 how when an at-grade crossing is now
16 affected that traffic moves into a grade-
17 separated crossing.

18 Currently in our three
19 communities we have seventeen at-grade
20 crossings and twenty-three total, so those
21 sorts of traffic shifts need to be taken
22 into consideration.

23 I'd also like to comment on the
24 fact that looking at the amount of traffic

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1 that's calculated in this, IDOT looks out
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2 for twenty years, it is not looking out for
3 twenty years.

4 Our communities are still in the
5 growth mode. We need to look out longer
6 term to make sure that we take
7 consideration of total cost and total
8 impact on quality of life.

9 Again, I want to thank you for
10 having us tonight.

11 MS. TINA-MARIE ADAMS: Eric Gallt,
12 followed by Marcie Schatz and Tom Weisner.

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1 MR. ERIC GALLT: Good evening, I am
2 Eric Gallt with the city of Aurora, staff
3 member and city traffic engineer.

4 I was requested to speak on
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5 behalf of the city of Aurora with regards
6 to some of the impacts on the traffic and
7 some of the evaluations that were made
8 through the Environmental Impact Statement.

9 It was difficult in doing so in
10 that it was obvious that the EIS was rushed
11 as far as the time frame and the amount of
12 input that went into the Environmental
13 Impact Statement was lacking in some of the
14 depth of investigations.

15 Just in the city of Aurora I'd
16 like to point out that traffic counts are
17 off as much as 300 percent.

18 Hafenrichter is shown as a 2015
19 volume under the 2,050. However, in a
20 traffic count done in April of 2008 the
21 traffic volume of 6,250 was observed.

22 Hafenrichter was not even
23 evaluated in the EIS, which given the
24 existing volumes it should be have been

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1 evaluated, and having a 2015 volume
2 significantly above the threshold for
3 investigation.

4 In addition, Keating was
5 referenced at 2015. In 2015 of having
6 2,050 and is seen significantly higher on
7 existing traffic counts than are proposed

8 under the EIS.

9 Secondly, we have significant
10 concerns over the traffic delay methodology
11 and believe it is fundamentally flawed
12 assuming, in essence, the -- the formula
13 assumes a free-flow after the trains have
14 passed the crossing.

15 In situations like Ogden, we
16 have significant traffic signals, both
17 upstream and downstream. When the train is
18 gone, there is not a free-flow situation,
19 as assumed under the traffic -- under the
20 methodology; and therefore, the methodology
21 itself is way underestimating the delay
22 that is experienced by our community.

23 And lastly, we did some
24 investigations under the evaluation of what

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1 they're seeing on the EIS with regards to
2 closure times.

3 We sent several of our employees
4 out to crossings to investigate how long
5 crossings are actually closed.

6 Under a no-build situation the
7 EIS said that a crossing is actually closed
8 for 1.9 minutes. However, on September 4th
9 we observed three different crossings.

10 At 7:21 the crossing was closed
Page 23

11 for 3 minutes and 50 seconds. At 8:08 it
12 was closed for 4 minutes and 27 seconds.
13 And 10:54 for 4 minutes and 10 seconds.

14 This is well above the
15 1.9 minutes that was assumed during no
16 action. We believe it is grossly
17 underestimated and, therefore, the results
18 in EIS are not to be taken as truth. Thank
19 you.

20 MS. TINA-MARIE ADAMS: Marcie
21 Schatz, followed by Tom Weisner and Bill
22 Wiatt.
23
24

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1 MARCIE SCHATZ: Marcie Schatz, I'm
2 the director of transportation, engineering
3 and development with the city of
4 Naperville.

5 The STAR Line is the solution to
6 a problem that cannot be solved by merely
7 buildings roads. And this commuter rail
8 service would connect more than 100
9 communities and link more than 1.6 million
10 residents from northern, southern and
11 western suburbs.

12 My fear is with this acquisition
13 that the implementation of the STAR Line

14 becomes fiscally as well as logistically
15 impossible.

16 Without access to the EJ&E
17 tracks, the plan for the STAR Line is
18 derailed and millions of regional commuters
19 will have no option but to use their cars
20 to travel.

21 The CN has given us no real
22 assurances that they will accommodate the
23 planned STAR Line operation.

24 The only commitments made in the

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1 CN's mitigation proposal is a commitment to
2 continuing discussions.

3 Initial meetings with Canadian
4 National earlier this year when the cities
5 have asked for information about the Star
6 Line and any commitments to the Star Line,
7 the Canadian National's response was that
8 there was nothing in the EJ&E's files as
9 they did their research.

10 So given that and that sort of
11 comment, you can understand it appears that
12 the sentiment is not there towards working
13 toward a cooperative solution towards the
14 implementation.

15 With the price of gasoline at an
16 all-time high, the effective use of --

17 effective use of rail not only for freight
18 but for commuters is critical.

19 Taxpayers will also pay a high
20 price should the Star Line not be built.
21 Many communities, including Naperville and
22 Plainfield, have already purchased more
23 than 100 acres of land and invested tens of
24 millions of dollars in the Star Line. In

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1 addition, federal funds have been used for
2 STAR Line land.

3 Naperville and Plainfield have
4 revised zoning, business owners have made
5 business plans and residents have made
6 decisions based on the future of the Star
7 Line.

8 The implementation of the STAR
9 Line will be far more difficult, and we
10 request the STB to consider these comments
11 and impose some obligation on CN to
12 mitigate the increased costs that the
13 community, the state of Illinois and the
14 Metra will face for its implementation.

15 MS. TINA-MARIE ADAMS: Mayor Tom
16 Weisner, followed by Bill Wiatt, and Lynda
17 Elmore.

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1 MR. TOM WEISNER: Good evening. I'm
2 Tom Weisner, Mayor of the city of Aurora,
3 and I had wanted to start the evening by
4 thanking the STB for holding this hearing
5 in Aurora.

6 However, your decision to be
7 miles from the affected neighborhoods,
8 frankly, makes such comments disingenuous;
9 however, I do want to thank all of you who
10 are here tonight, and I recognize many of
11 you from the townhall meeting we had just a
12 few weeks ago at which we had 800 to 1,500
13 people.

14 And I assure our STB friends
15 that they would see that many people at
16 least tonight had they had the meeting in
17 the vicinity of the affected and impacted
18 area as opposed to seven miles away.

19 wading through the EIS it is
20 clear ACR, the firm who conducted the
21 study, failed to conduct research within
22 the communities this EIS covers.

23 Instead they took shortcuts,
24 accepting CN's estimates at face value and

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1 using data that in some cases is years old.

2 That may work in areas where the
3 population is stagnant, but Aurora
4 continues to experience rapid population
5 growth, which brings me to my next point.

6 The DEIS completely discounts
7 the impact on community cohesion because
8 the EJ&E rail line has been in operation
9 since 1891.

10 well, I hate to disappoint you,
11 but Aurora has been a community since 1837,
12 long before the railroad laid their first
13 track, and it has grown tremendously in the
14 area of concern over the last 30 years.

15 The DEIS is also rampant with
16 fuzzy math. On Ogden Avenue, for example,
17 the DEIS suggested although CN is doubling
18 the length of the trains, the average
19 vehicle delay will be only 1.5 minutes when
20 a train passes.

21 That is a really amazing feat
22 given the fact that right now the actual
23 delay is between 3 and 5 minutes per
24 crossing.

1 It will take pages to detail all
2 the issues we have encountered with the
3 data in the DEIS, so I want to spend the
4 remainder of my time focusing on the most
5 glaring omission of this study, the fact
6 that it fails to identify how to pay for
7 all the mitigation costs that would be
8 required.

9 In Aurora alone the DEIS
10 identified three grade crossings which
11 would be early candidates for grade
12 separation.

13 IDOT recently estimated the cost
14 of separation at between \$40 million and
15 \$60 million, which means the cost to Aurora
16 would be between \$120 million and
17 \$180 million to mitigate the traffic
18 impacts alone.

19 The section of the environmental
20 analysis would suggest that CN may be
21 mandated to pay from 5 to 50 percent of
22 these costs.

23 There is a big difference
24 between 5 and 50 percent, and by the way,

1 who will be paying the other 50 percent?

2 would it be STB, the federal
3 government?

4 IDOT has made it clear that the
5 state of Illinois is in no position to pay
6 these mitigated costs.

7 At the same time families are
8 hurting, Canadian National CO Hunter
9 Harrison has stated American taxpayers
10 should pay the bulk of mitigation costs.

11 We are not an anti-business.
12 This is not a not-in-my-backyard issue. It
13 is a not-in-our-back-pocket issue.

14 If they can't be a good neighbor
15 they shouldn't be a neighbor at all. Thank
16 you.

17 MS. TINA-MARIE ADAMS: Bill Wiatt,
18 followed by Lynda Elmore and Keith Leroy.
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1 MS. LYNDA ELMORE: Good evening, my
2 name is Bill Wiatt and the I'm chief of

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staff for the city of Aurora.

I would like to voice my
disappointment with the location of this
hearing.

We're not talking about a
suburban transit access route known as STAR
Line. STAR Line is a 55-mile low-impact
commuter rail line and will provide
connections between the Chicago suburbs and
Joliet to O'Hare Airport.

STAR Line is a part of the
federal government's New Starts program,
which is a primary financial resource for
supporting locally planned, implemented and
operated transit guideway capital
investments.

The computer rail line would run
along the EJ&E Railroad and connect to a
new rail line that would run along the
northwest corridor next to the Tollway
connecting with four existing Metra lines.

Nearly 100 communities would be

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served, providing a safe, reliable
transportation option to 1.6 million
residents.

The impact of the STAR Line is
not totally considered in this study; and

6 given the projections to be at capacity on
7 the EJ&E by 2015, it is unlikely the STAR
8 Line would be a priority.

9 There are zero assurances of
10 mitigation proposed to ensure that STAR
11 Line can move forward.

12 There have been hundreds of
13 thousands of dollars that have already been
14 spent by communities in anticipation of the
15 STAR Line.

16 The study ignores the cumulative
17 negative impact on public safety of the
18 STAR Line. By eliminating the STAR Line,
19 congestion will continue to increase, with
20 the corresponding increase in traffic
21 accidents and decrease in air quality, and
22 that was not acknowledged.

23 So when the study time for the
24 STAR Line takes several years, when the

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1 study time for any bridge reconstruction
2 project takes two years, when the study
3 time for any work along the Fox River or
4 any waterway is eighteen months, it is
5 difficult to believe that this study can be
6 concluded by the end of the year when you
7 have to consider scores of forest
8 preserves, rails and scenic corridors,

9 local parks, water conservation areas, fire
10 and emergency medical providers, and
11 fifteen grade crossings being substantially
12 affected.

13 There needs to be considerable
14 thought on how this impact is being weighed
15 in the EIS study. Thank you.

16 MS. TINA-MARIE ADAMS: Lynda Elmore,
17 followed by Keith Leroy and Rick Mervine.
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1 MS. LYNDAL ELMORE: Hi, I'm Lynda
2 Elmore. I'm an alderman with the City of
3 Aurora. I represent the far east side
4 where the EJ&E Railroad line runs through
5 or abuts the entire area.

6 Even before this became an
7 issue, one of the most critical issues that
8 we have on the far east side and that we
9 hear continually is quality of life and
10 traffic.

11 The EJ&E is going to impact both

12 of those in a most severe manner. The
13 draft EIS substantially fails to report on
14 the overall community impact of noise, on
15 the community's quality of life, property
16 values or how the impact varies across
17 communities or different types of land
18 uses.

19 The SEA concluded, and I quote,
20 "Without mitigation noise impact would be
21 high and adverse."

22 The city of Aurora has already
23 spent hundreds of thousands of dollars
24 making improvements to add a quiet zone

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1 along the EJ&E.

2 It is finally in the approval
3 stage and the draft EIS failed to
4 acknowledge or even preserve it.

5 The draft EIS also stated the
6 proposed changes in rail operations would
7 also increase vibrations in nearby
8 buildings which can be intrusive and
9 annoying to occupants.

10 Those occupants are our
11 families, are our children, are our
12 schools. And the real impact may be worse
13 than what has been stated.

14 The DEIS uses an analysis and

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15 mitigation thresholds for noise and
16 hazardous materials that are actually
17 unsubstantiated and have been sharply
18 criticized by the United States
19 Environmental Protection Agency and the
20 United States Department of Transportation
21 in the previous environmental impact
22 studies that have been prepared by the SEA.
23 And the Draft Environmental
24 Statement does not provide a time frame for

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1 when the increase in rail traffic would
2 begin as compared to when the necessary
3 mitigation measures can be implemented if
4 the acquisition is approved.

5 Lastly, I am concerned about the
6 time frame we have been given to actually
7 review the DEIS.

8 while the SEA has several months
9 to prepare the analysis with an unlimited
10 team of engineers paid for by Canadian
11 National, towns with far fewer resources
12 have only 60 days in which to respond.

13 The Illinois Commerce
14 Commission, IDOT and CMAP all have
15 indicated that this is not enough time to
16 do their review.

17 Thank you for your time. I am

18 090908 Public Meeting.txt
19 sorry that it's being held on this side of
20 town and not where the residents live.

21 MS. TINA-MARIE ADAMS: Keith Leroy,
22 followed by Rick Mervine and Rae Keasler.
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1 MR. KEITH LEROY: Good evening, my
2 name is Leroy Keith. I'm the 9th Ward
3 Alderman for the city of Aurora.

4 The EJ&E tracks go through my
5 ward and split approximately 18,000 people
6 on the east and west side of those tracks.

7 These are real people not just
8 numbers and certainly not just residents
9 who have homes near railroad tracks.
10 They're husbands wives and children, just
11 like yours, but more importantly they're
12 Americans.

13 I was originally going to speak
14 about the Canadian National's dismal safety
15 record and the lack of track and train
16 maintenance that has caused many
17 derailments resulting in extensive
18 property, environmental and biological
19 damage, but I didn't have the time to do
20 that justice.

21 Then I was going to speak about
22 the Canadian government's recent report on
23 CN's lack of a viable safety management
24 system, but again, too much information to

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1 cover in just three minutes.
2 So I decide to point out that
3 the Surface Transportation Board is
4 required by the National Protection Agency
5 to consider the cumulative effects that the
6 sale of the EJ&E will have on the residents
7 and that the section of environmental
8 analysis is required to provide the STB
9 with all the information that they need to
10 make a well-informed decision regarding
11 those cumulative effects.

12 The problem is the SEA didn't
13 obtain all the information considering the
14 factors related to the environmental impact
15 or the CN just refused to provide it to
16 them.

17 So I will use my last few
18 minutes to discuss one important factor
19 that seems to be missing in the draft EIS,
20 a factor that goes right to the core of
21 determining the cumulative environmental
22 impacts, that being number of trains that
23 will operate on the tracks.

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The Draft EIS only projects

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1 freight traffic on the EJ&E line for the
2 next three years. The CN ships out of the
3 Western Canadian Port of Prince Rupert.

4 According to that port's own
5 website, an expansion project is scheduled
6 to begin in 2009 and to be completed in
7 2013, a time period outside this draft
8 Environmental Impact statement, is to due
9 to be completed.

10 That expansion of Prince Rupert
11 would quadruple the port's capacity and
12 enable it to handle 96 billion pounds of
13 cargo a year.

14 There are also plans to expand
15 the cargo freight or the container
16 facility, increase its container capacity
17 by 300 percent, up to 240 billion pounds a
18 year.

19 with the surging Asian trade and
20 so-called "Best Port in North America,"
21 where do you think the increased amount of
22 cargo is going to go?

23 I'll tell you, right through the
24 9th ward and when track fills up, right

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1 through the city of Chicago.

2 How can the members of the STB
3 determine the long-term cumulative effect
4 that this sale will have on the residents
5 when they don't even have the basic data
6 needed to make those determinations?

7 It is not surprising that CN has
8 refused to provide the SEA with the
9 projected increase in freight traffic.
10 Does anyone believe for one moment that
11 they don't exactly know what the increased
12 freight is going to be?

13 You don't invest in a port
14 expansion not knowing what will happen.

15 What is surprising is that the
16 SEA did not demand the data and went as far
17 as to make excuses in the draft
18 Environmental Impact Study as to why it is
19 difficult to predict that data.

20 The draft EIS is flawed and must
21 be redone using the projected freight data
22 extending at least ten years past the year
23 2013. Thank you.

24 MS. TINA-MARIE ADAMS: Rick Mervine,

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1 followed by Rae Keasler and Carrie Anne
Page 39

2 Ergo.

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1 MR. RICK MERVINE: Good evening. My
2 name is Rick Mervine. I'm the 8th Ward
3 Alderman, the 8th ward of the city of
4 Aurora, and just for reference, that is in
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5 the DuPage portion of Aurora.

6 My 18,00 residents that I
7 represent are bordered up against the EJ&E
8 Railroad tracks and also have as part of
9 that the Ogden Avenue, Illinois Route 34
10 roadway that was mentioned in the DEIS.

11 Now, I know you've heard an
12 awful lot up to this point. You're going
13 to hear a lot more, and I could tell you
14 that my residents are very upset about this
15 and that would be exactly correct.

16 I mean, you should hear the
17 phone calls that I'm getting, the e-mails
18 I'm getting every day. I'm getting volumes
19 from that perspective.

20 Most of all they're most upset
21 about the fact that they don't believe
22 their federal government is listening to
23 them.

24 On top of that, a mile away from

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1 these railroad tracks right outside of my
2 ward is a major trauma hospital; and I
3 didn't see that in the DEIS report as well.

4 I think that needs to be taken
5 into consideration. We've got a road there
6 on Ogden that has 55,000 cars a day passing
7 through it, and it's a grade passing,

8 grade-level pass.

9 But on top of that, I want to
10 ask a basic business question here. I'm a
11 management consultant by trade. That's
12 what I do for a living.

13 And I looked at this and I say
14 that no viable business is going to leave a
15 valuable asset unchecked.

16 If they leave those rail lines
17 in Chicago, they're a valuable asset. They
18 have to be maintained because there are
19 some Amtrak and other tracks -- other
20 trains that need to take place on those
21 tracks.

22 So in order to keep up the
23 infrastructure you've got to be able to
24 make money on them. If you don't make

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1 money on them, then that's not a good
2 business decision.

3 Quite honestly, I think what's
4 going to happen here is that they'll move
5 trains out here and then the tracks will
6 fill up again in Chicago.

7 I might mention if you take a
8 good look at the satellite photos for those
9 tracks in Chicago, the vast majority of
10 those tracks are covered by infrastructure

11 that makes it able for the people to live
12 in those areas to be able to handle it,
13 infrastructure that we don't have,
14 infrastructure in the form of overpasses
15 and underpasses.

16 All you have to do is look at
17 the satellite photos. It's very, very
18 clear, all right.

19 I don't make -- it doesn't make
20 any sense to me, doesn't make any sense to
21 my residents to take trains from tracks
22 that have infrastructure and know how to
23 handle it, move it out here where we have a
24 lot of congestion already and no

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1 infrastructure, and not have to be able to
2 deal with that mitigation.

3 Thank you very much.

4 MS. TINA-MARIE ADAMS: Rae Keasler,
5 Carrie Anne Ergo and Duncan Russell.

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1 MS. RAE KEASLER: My name is Ray
2 Keasler and I'm a transportation planner
3 for the City of Aurora.

4 Thank you for providing me and
5 our residents the opportunity to speak on
6 the issues today.

7 The focus of my testimony is the
8 negative land use and environmental impacts
9 the city will experience should the STB
10 approve the acquisition, despite the
11 overwhelming objections voiced by the
12 affected community.

13 The DEIS fails to thoroughly
14 analyze how existing land uses will be
15 negatively impacted in the long-range by
16 significant train traffic.

17 Given the importance and recent
18 trends to approve long-range transportation
19 plans out 15, 20 or even 30 years, we
20 believe the train traffic projections
21 should also be modeled for similarly longer
22 periods of time.

23 We believe the methodology of
24 anticipating only a 2 percent annual

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1 increase in train traffic is faulty,
2 especially given the rising fuel prices.

3 In short, we believe this
4 assumption will significantly under-
5 estimate track usage and this in turn will
6 underreport the negative impacts to
7 residential, commercial and parkland.

8 As for impacts to land uses, it
9 should be noted that approximately
10 one-fifth of the land surrounding this
11 track is single-family residential and
12 one-fifth is zoned parks and open space.

13 These types of land uses are
14 very sensitive to traffic noise and
15 vibration, and we believe more weight
16 should be given to their impacts,
17 especially since the low train traffic
18 projections were used in the DEIS.

19 Similarly, we are also concerned
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20 that the effects on natural areas and parks
21 along the EJ&E rail line will be
22 significant.

23 Of the main impacts, the DEIS
24 indicates that the Rookery on the east side

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1 of the EJ&E will be highly disturbed, as
2 well as the Night Heron Marsh Forest
3 Preserve located on the west side of the
4 tracks and just north of Liberty Street.

5 The DEIS indicates that a total
6 of four state-listed species along the EJ&E
7 will experience habitat loss, including the
8 Sandhill Crane, the Least Bittern, Yellow
9 Headed Black Bird and Black Crown Night
10 Heron.

11 In addition, the DEIS indicates
12 that one reptile species, the Blinding
13 Turret, will experience habitat loss and
14 individual mortality in the construction
15 area.

16 The largest regional trail that
17 we have in Aurora will also be impacted.
18 It is the 62-mile long Illinois Prairie
19 Path, and ironically it lies on the former
20 right of way for the Old Chicago Aurora &
21 Elgin Electric Railroad.

22 It was the first U.S. rail-to-
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23 trail conversion in the nation in the
24 1960's.

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1 Thank you for your time and your
2 consideration.

3 MS. TINA-MARIE ADAMS: Carrie Anne
4 Ergo, followed by Duncan Russell and
5 Richard Furstenau.

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1 MS. ERGO: Hi, my name is Carie Anne
2 Ergo. I'm not only an employee at the city
3 of Aurora, I also have the distinction of
4 living across the street from a home that
5 backs the EJ&E line. So I'm affected both
6 as a resident as well as -- directly
7 affected as a resident as well as I've
8 gotten to learn a lot about this issue from
9 my work with the city, and one of the
10 things in looking at the DEIS that really
11 struck me is I've been in government for
12 over a decade, and there's nowhere in the
13 DEIS that provides a time frame for when
14 the increase in rail traffic would begin in
15 comparison to when the necessary mitigation
16 measurements would be implemented.

17 So this is obviously a huge
18 concern of mine considering the SEA
19 concluded that without mitigation the noise
20 impact would be highly adverse, and the
21 proposed changes in rail operations would
22 increase vibrations of nearby buildings
23 which can be intrusive and annoying to
24 occupants.

1 So knowing that I live just a
2 short while from the Ogden Avenue, which is
3 going to experience great traffic, I'm less
4 than a block from the rail line. I'm
5 trying to figure out how the overpass and
6 underpass is going to go up overnight, how
7 the noise is going to be mitigated because
8 everything that has been indicated is CN is
9 trying to push this through before the end
10 of the year. So that is one of my major
11 concerns.

12 Another concern I have is that
13 the DEIS says that some homes within 250
14 feet of the rail line with 20 additional
15 trains could experience a decrease in
16 property value. So I'm asking what will be
17 the decrease in my property value because
18 mine is going to be one of those homes, and
19 I couldn't find that anywhere. I couldn't
20 find it anywhere clearly stated in the DEIS
21 what that would look like.

22 And then I'm wondering, my
23 neighbor that's behind me the other way,
24 when my home value falls, what's their home

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1 value going to look like? I think those
2 things should be studied and looked at

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further.

So earlier we heard Mayor Weisner say there was between 120 and \$180 million to mitigate the impact in traffic alone here in Aurora, and he asked the question who should pay for it. Well, the state of Illinois through IDOT has made it clear that they're in no position to fund this. Earlier today in fact the congressional budget office estimated that the federal deficit budget will soar above \$400 billion before the end of this month.

Here in Aurora we have a hiring freeze because almost every revenue source is down, and just last week we learn unemployment has jumped to a five-year high. My point being is that CN has offered to chip in about \$40 million to fund mitigation in improvement in Joliet that also help to increase their profitability. So I kind of wonder how destitute this poor company is that they're

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asking for U.S. taxpayers to subsidize their expansion plans, and then found out that last year they posted a net profit in excess of \$2 billion.

MS. ADAMS: Duncan Russell,

090908 Public Meeting.txt
Richard Furstenau and Keith Creel.

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1 MR. RUSSELL: Good evening. My
2 name is Duncan Russell, and I'm an area
3 resident. I will pose a number of
4 questions. This is abbreviated, but I will
5 pose a number of questions and then suggest
6 answers as an area resident.

7 First, has CN made a good faith
8 effort to negotiate satisfactory solutions

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that mitigate the noise and interchange
transitions? The answer is no, they have
not. In fact one of the communities I
contacted laughed at me when I asked if any
negotiations were ongoing with the CN. The
CN has no intention of being a good
corporate citizen.

As I read your draft, the DEIS,
you state the board has not received any of
the negotiated agreements for the affected
communities. You're not going to. Well,
if the CN doesn't reach an agreement with
Aurora regarding the affected grade
crossings and the board approves this
acquisition without satisfactory agreements
being in place, what incentive does CN have

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to continue to talk to Aurora? None.
More, much more must be demanded of the CN
before anything is approved.

Third pertains to the quiet zone
opportunity. Some towns including Aurora
are pursuing a quiet zone status. My
question is what good is a quiet zone
status if the volume of rail freight
increases to the point where whistles
become necessary to protect the public?
The answer is none. A quiet zone status

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becomes redundant.

Last question. In your EIS you state that mitigation at 15 grade crossings would appropriately be funded by a combination of entities and not by the applicant alone. My question is why? Who benefits from this takeover? Is it the public, or is it a private Canadian enterprise? The answer is a private Canadian enterprise. Without mitigation the situation in Aurora with a 600 percent rail freight increase is going to be a nightmare.

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Since the CN is causing the nightmare, it's only fair that the CN pay the majority of mitigation expense. In fact the formula I suggest is one-seventh to the local communities and six-sevenths for the CN, and I arrived at that based on the proposed increase in the volume of rail freight over their current levels.

To state, as you have in your EIS, the railroad crossings in Aurora are a preexisting condition misrepresents the condition. Mitigation is not required under certain circumstances in Aurora. An occasional railroad inconvenience is

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15 something we live with. However, after
16 rail freight increases 600 percent,
17 mitigation will be necessary.

18 This proposed 300 million
19 acquisition by the CN is really not a \$300
20 million project. It's closer to a \$2
21 billion project when all the environmental
22 fixes are included. If the CN had to pay
23 their fair share of the mitigation
24 expenses, about 87 percent, this project

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1 will balloon from 300 million to 1.8
2 billion, and I submit to you the CN would
3 walk away from this acquisition if they had
4 to pay their fair share. Why should a
5 private enterprise realize a taxpayer
6 subsidy of 90 percent? Let the investment
7 stand on its own merit. Let the CN pay
8 their fair share.

9 MS. ADAMS: Richard Furstenau, Keith
10 Creel and Jared Ploger.

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1 MR. FURSTENAU: My name is Dick
2 Furstenau. I'm a councilman in the City of
3 Naperville. And let me just tell you as I
4 looked at the view graphs tonight, I was
5 really stunned by the arrogance that this
6 company has as you take a look at
7 especially the graph that showed the thin
8 line and the thick line. I'm telling you,
9 where we stand in this community is that
10 starts at the north part of Aurora and
11 Naperville, and the thickest line is
12 between north Naperville and Aurora and all
13 the way down to Plainfield, and it's not
14 three times. It's five times or six times
15 if you really look at that, scale it out,
16 which I couldn't do as you played it.

17 So the company has been very
18 arrogant to the community. They were going
19 to do this, and they thought it was going
20 to slide right through. Well, the citizens

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21 have risen up and said that's not the case.

22 Somebody wants to leave us to
23 our own problems to solve 400, 500, 600
24 million dollars. I've got news for you,

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1 fellows and folks, it's not going to
2 happen. We don't have that money, I can
3 assure you of that. We'll never have that
4 money. Ogden Avenue alone they say is
5 going to take somewhere between 50 to 55
6 million dollars to mitigate, so we don't
7 have it, Aurora doesn't have it, and nobody
8 else up and down the line has it; and
9 Naperville is touted to have more money
10 than they know what to do with, and quite
11 frankly we don't, okay.

12 The way I got this thing looked
13 at we're going to be closing down about 16
14 lanes of traffic up and down between our
15 communities, and there's going to be left
16 ten open. Four of -- eight of those -- I'm
17 sorry. Six of those ten will be in the
18 middle of that, and the north and the south
19 areas will have nothing, will be blocked
20 off, completely blocked.

21 And the other thing that I do as
22 a councilman over the last ten years every
23 time that there's something that comes

24 090908 Public Meeting.txt
before us that talks about something in the

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1 community that's on a piece of paper I like
2 to go look at it because I tell you
3 something, it's worth 10 million pages of
4 paper.

5 You folks cannot leave this
6 town, this area, until you go look at Ogden
7 Avenue; and if you think that you can build
8 this railroad and have the railroad go
9 through and not do anything to Ogden Avenue
10 beforehand, it's -- this thing will die
11 under it's own weight. It will not happen.
12 Traffic will be backed up everywhere that
13 you can imagine. It's not going to work.

14 The other thing is we've really
15 barricaded the communities. It's a very
16 poor and bad thing to do, but that's what
17 we've done. We're going to barricade the
18 communities. You might as well take the
19 Fox River, run it down that railroad track,
20 put a couple of bridges on it and say have
21 a nice day to the folks because that's
22 what's really going to go on when this
23 thing is done.

24 The other thing is we cannot let

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1 the railroad lease these tracks. We cannot
2 let them use the tracks and lease them and
3 get around this whole process because what
4 have we gained? Nothing, but that's what
5 they're going to do next. Make sure that
6 doesn't happen. Thank you. Have a nice
7 day. Thank you for your time.

8 MS. ADAMS: Keith Creel followed by
9 Jared Ploger and John Leick.

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1 MR. CREEL: Good evening. My
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2 name is Keith Creel. I'm the executive
3 vice president of operations for CN. Thank
4 you for the opportunity to discuss the
5 environmental benefits of CN's proposed
6 acquisition of the major portion of EJ&E
7 railway.

8 Numerous studies have
9 demonstrated that the current rail network
10 overall is insufficient to keep up with
11 freight demand. A 2007 study by Cambridge
12 Systematics prepared for the American
13 Association of Railroads found that if the
14 rail capacity needs are not addressed in
15 the coming years, roughly 16,000 miles of
16 the 52,000 miles of primary rail main lines
17 studied will be carrying traffic volumes
18 greater than the capacity of those lines,
19 resulting in unstable traffic flows and
20 service breakdown conditions.

21 Most recently the U.S. Chamber
22 of Commerce issued a sobering assessment of
23 the state of the U.S. transportation system
24 noting that, quote: "We are not adequately

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1 maintaining the transportation systems we
2 already have. We are not providing
3 sufficient capacity to meet today's demand,
4 and we're not planning and making
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5 improvements required to support a 21st
6 century economy.

7 Of course we are all well
8 acquainted with the infrastructures issues
9 and congestion in the Chicago region, which
10 is the nation's rail hub. Several years
11 ago various levels of government, freight
12 railroads, Amtrak and Metra, came together
13 to form a private-public partnership known
14 as CREATE, the goal of which is to increase
15 the efficiencies of the region's rail
16 infrastructure and the quality of life of
17 Chicago residents. CN is a founding member
18 of CREATE and remains supportive of the
19 program. Unfortunately, however, CREATE
20 has received only a small fraction of the
21 government funding required to make the
22 program a reality.

23 CN's proposed acquisition of the
24 J is intended to start to address the rail

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1 congestion problem in Chicago consistent
2 with the goals of CREATE. Diverting most
3 of our trains that currently operate
4 through downtown Chicago onto the
5 underutilized J line which streamline CN's
6 operations in the region while also
7 reducing regional rail and related

8 vehicular congestion. In fact more than 60
9 communities inside the J arc would benefit
10 from reduced train traffic as a result of
11 the transaction.

12 At the same time communities
13 along the J line will experience greater
14 train traffic as operations are diverted
15 from CN's existing lines to the J.
16 However, there are two important factors to
17 keep in mind. First, this train traffic is
18 moving traffic from one part of the Chicago
19 region to another. This is not an influx
20 of new train traffic in the region. Not
21 only have communities inside the J arc
22 coexisted for decades with this train
23 traffic, but there are numerous thriving
24 communities in the region that have far

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1 more rail traffic on lines of other freight
2 carriers and Metra than post-transaction
3 levels along the J line.

4 Second, CN is working with the
5 communities along the J line to develop
6 voluntary mitigation agreements to address
7 reasonable environmental concerns. We have
8 reached an agreement with one community,
9 the city of Joliet, and are optimistic that
10 we will be successful in reaching

11 agreements with others in the near future.

12 what we need is for all parties
13 to be willing to come together in good
14 faith to recognize the important of the
15 Chicago region of efficient commerce and
16 the important transportation and
17 environmental benefits this transaction
18 would bring to the region and to work
19 constructively to address legitimate
20 environmental concerns along the J line.

21 Thank you for the opportunity to
22 testify before you this evening.

23 MS. ADAMS: Jared Ploger
24 followed by John Leick and Michael Reilly.

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1 MEMBER OF THE AUDIENCE: What
2 town do you live in? Not around here.

3 MS. ADAMS: Jared Ploger. John
4 Leick. Michael Reilly.

5 MR. LEICK: John Leick.

6 MS. ADAMS: Oh, John. Okay,
7 John Leick.

8 MR. LEICK: Should I go ahead?

9 MS. ADAMS: Yes. Sorry about
10 that.

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1 MR. LEICK: John Leick, citizen
2 of Aurora. I have lived near the crossing
3 of Keating and the EJ&E tracks in Aurora
4 for approximately ten years. Aurora has
5 four crossings along the EJ&E tracks that
6 has substantial population growth over
7 those ten years, and now over 1,000
8 citizens are affected by the noise and
9 trains passing over these crossings.

10 Over those ten years I have
11 tried unsuccessfully to get a quiet zone
12 implemented. Over those ten years the
13 Federal Railroad Administration made empty
14 promises to develop reasonable rules to
15 implement quiet zones.

16 Finally in 2005 after many
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17 iterations the FRA finally issued quiet
18 zones that may allow -- quiet zone rules
19 that may allow us to have a quiet zone. We
20 are still waiting for the installation of
21 additional equipment before we can make a
22 final application.

23 This STB report is not realistic
24 in mitigating the potential harm and

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1 declining quality of life that this
2 Canadian National purchase will cost. To
3 expect that the Canadian National will work
4 with communities to implement fund
5 mitigation are ridiculous assumptions; and
6 if any effort is put forth, it can take
7 many years for any results.

8 The train horns are painfully
9 loud. They have awoken myself and my
10 family many, many, many, many nights. This
11 report states that the train traffic will
12 increase to about two trains every hour.
13 To help you understand the harm that you
14 will cause thousands of residents I want
15 you to imagine that you fall asleep at
16 about 10:30 in the evening, and then at
17 10:45 you'll hear (blowing horn), and then
18 at 11:15 (blowing horn), and then at 11:45
19 (blowing horn), and then at 12:15. Sorry.

20 I should have brought a bigger container.

21 AUDIENCE MEMBER: It's longer
22 than that out in Oswego with all those
23 train crossings.

24 MR. LEICK: well, this froze up

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1 on me, but I want you to remember this is
2 what you are going to do to my family every
3 night for as long as we live at this house
4 (blowing horn). Thank you.

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1 MR. REILLY: Good evening to all the
2 appointed elected officials who have taken
3 time to participate in this forum this
4 evening in an effort to make the best
5 decision on the proposed acquisition.

6 My name is Mike Reilly, a
7 resident of Naperville, Illinois, president
8 of the homeowners' association, which is in
9 both Naperville and Aurora. And I'm
10 director of the Naperville Homeowners'
11 Federation and umbrella organization of 148
12 homeowner associations in the area.

13 Thank you for the opportunity to
14 provide testimony on this issue, one that
15 I've been involved in and interested in
16 since it first became public.

17 Recently while reading an online
18 article on the CN/EJ&E acquisition in the
19 Daily Herald, I wanted to respond to it.

20 I was struck by one commentary
21 that had NIMBY, NIMBY, NIMBY as its
22 headline. Beyond the repetitive acronym of
23 the title, the commentary didn't dispute
24 the points in the article. He just

1 basically dismissed them.

2 And I'm quoting here. The term
3 NIMBY is an acronym for no in my backyard,
4 which was first in used in the Christian
5 Science Modern 1998.

6 It's usually a policy of
7 opponents of a development in flying that
8 they have narrow, selfish or myopic views.
9 Its use is often pejorative.

10 Essentially this means merely
11 applying the labels to a viewpoint
12 belittles it or even dismisses it outright.
13 The connotation is that if you're accused
14 of conducting a different position, you're
15 always wrong.

16 well, does that prejudgement or
17 prejudice, does that really apply here?
18 Certainly when a brand new development, say
19 a prisoner of a waste treatment plant is
20 looking for a site, if it's near your
21 property, you may very well take a not in
22 my backyard attitude.

23 Sometimes they'll even go
24 further and take a NIABY position, which is

1 not in anyone's backyard. A BANANA
2 position, which is build absolutely nothing
3 anywhere near anything. A NOTE position,
4 which is not over there either. Or even a
5 NOPE position, which is not on planet
6 earth.

7 But if the project is beneficial
8 to the general public, it has to go
9 somewhere. And the hope is that the
10 decision makers will get it to a location
11 to minimize disruption to the citizens.

12 With Canadian National's support
13 of the EJ&E line, we have a different
14 situation. The rail lines in the Chicago
15 area have been there for generations.
16 Therefore, commercial and residential
17 development have adjusted to the
18 environmental impact to the free market
19 system in building infrastructure I
20 referenced before.

21 This proposed acquisition would
22 not only just interrupt the quality of life
23 of hundreds of thousands of people in the
24 western suburbs from Lake County, Illinois

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1 to Lake County, Indiana, but also it
2 wouldn't eliminate the railways.

3 To the members of the STB, you
4 have a great responsibility to make this
5 decision. I understand the limitations
6 policed on you in the narrow scope of the
7 charter.

8 I ask that you step back and
9 view it in a broader context, limiting it
10 from just a business point of view, which
11 is just not a good deal for hundreds of
12 thousands of people.

13 When you commit yourself to a
14 career in public service, I'm sure one of
15 the reasons is that positive impact on the
16 way of life. I suggest you acknowledge the
17 impact of this decision in the broader
18 mission of the STB. So take it up to
19 Congress for denial or, please, just don't
20 approve it.

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1 MR. MILLER: Thank you. I'm Ken
2 Miller, counselman for the City of
3 Naperville and also live within a half mile
4 of EJ&E.

5 The draft EIS does not

adequately speak to the impacts of our community in critical areas such as noise and hazardous materials, traffic delays and safety risk, as well as impacts to emergency service providers, school districts and to our property values.

Prospects of rail traffic growing from 15 trains per day to more than 40 per day with 100 to 125-car trains. Immediately after the acquisition is an action that requires a much more in-depth look at the factors, as well, to some level of examination of what's going to incur in 10 to 20 years.

The CN estimated that CN will incur 337 additional car levels that will travel EJ&E each day if the proposed acquisition is approved. Imagine having that running past your backyard.

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How would it impact your daily life? A major attribute of the City of Naperville is its quality of life. The impacts of additional noise and traffic delays from increased trains will have a negative impact on our residents' quality of life, which is not acceptable as a counselor in the City of Naperville.

9 The noise associated with the
10 proposed increase in train traffic in an
11 area concerns the residents of Naperville.
12 The establishment of quiet zones is
13 important to the quality of life issue.
14 And the city has begun working with our
15 neighboring communities to establish these
16 quiet zones.

17 It is important then that the
18 city of Naperville and residents who live
19 adjacent to these tracks, that the process
20 to establish quiet zones is not hindered by
21 the CN acquisition of EJ&E.

22 In addition to the increased
23 noise, it would seem that the potential for
24 a serious public disaster would increase

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1 nearly 10-fold due to increased train
2 traffic.

3 Every community that touches the
4 EJ&E is concerned about the necessary
5 precautions to ensure safety of its
6 residents must be guaranteed if this
7 acquisition is approved.

8 while a proposed quiet zone is
9 important to address noise and safety along
10 the rail line, the draft must also address
11 potential mitigation and safety

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enhancements related to schools,
13 pedestrians and bicycle traffic.

14 A significant area of concern in
15 the draft EIS does not include structured
16 emergency response plans that detail how
17 the CN is going to respond to emergencies
18 and specific hazardous waste.

19 Even more importantly, the draft
20 EIS does not conform to the 2008 emergency
21 response guide, which recommends an
22 evacuation distance of one mile or more for
23 chemicals such as anhydrous ammonia.

24 The draft EIS fights that they

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1 only identify schools in one-half mile but
2 for around the EJ&E right of way. This
3 needs to be corrected in order to ensure
4 our community safety with this proposed
5 increase in hazardous materials traveling
6 through our community.

7 Thank you for your
8 consideration.

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1 MR. CHATT: Hello. I'm Charles
2 Chatt. I'm a private citizen in Aurora.
3 It's truly incumbent on this section to
4 release an independent analysis and study
5 without prejudice to one party or another.
6 However, the way in which the material is
7 presented in this study both implicitly and
8 explicitly seem to display a propensity
9 towards supporting the action, a
10 determination which rests with another
11 party. I'll provide some examples.

12 I'd like to draw your attention
13 to Figure ES-2. This is the map that's
14 shows the rerouting of traffic. Now, while
15 this map depicts where the traffic is being
16 reduced and where the traffic is being
17 added, but it's a fine print in the legend

18 that's easily ignored. And it shouldn't
19 be.

20 This map solely accounts for the
21 change in traffic based on the number of
22 trains. But it is ineffective at
23 representing this size of change.

24 For example, the section of

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1 track that we are closest to today sees an
2 average of 15.7 trains per day. But if the
3 purchase is approved, we'll see 39.5 trains
4 per day. Or an increase of 252 percent.

5 However, that is only half the
6 story. When we take into account the
7 length of these trains, increasing from
8 approximately 2,600 to 6,300 feet, the same
9 section of track will see an increase of
10 514 percent. But you'd never know it by
11 looking at the numbers on the map. Showing
12 only these numbers belittles the volume of
13 train traffic proposed by this plan.

14 Next, I'd like to draw your
15 attention to Section 8.2.3 within the
16 irreversible and irretrievable commitments
17 of resources titled "fuel usage." The
18 third paragraph begins with -- and I
19 quote -- in addition to the proposed
20 action -- in addition, the proposed action

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21 would use 84,239 gallons of gasoline and
22 8,179 gallons of diesel per year over the
23 nonaction alternative for increasing idle
24 times at highway and railway crossings.

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1 This is how much fuel we're
2 going to burn while we're sitting there
3 watching the trains go by. The study then
4 continues.

5 At the same time, however,
6 residents of the Chicago region and the
7 United States in general would benefit from
8 the improvement of rail operations in
9 Chicago. The first time that I read that I
10 had to reread it again.

11 There is no specificity, no data
12 presented to lend credibility to this
13 statement. It's simply conjecture. In a
14 section of the study, it's devoted solely
15 to presenting commitment of resources in
16 terms of fuel usage.

17 And as I reread it again, it
18 seems to be a biased conclusion statement,
19 rather than a statement of fact. I
20 certainly hope that when the final report
21 is issued, it presents a more complete,
22 more unbiased and more factual review of
23 the environmental impact of this purchase.

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1 MR. MASSA: Hello. My name is
2 Martin Massa. I happen to be a citizen of
3 District 9 down by EJ.

4 I am not a member of the NIMBY
5 society. And I'm going to become a very
6 unpopular right now. I support this
7 merger. I know I'm going to be unpopular
8 with this.

9 I do not have anything to gain
10 by my support except a clear conscience
11 that I did something. I apologize Mayor
12 Weisner and Alderman Keith.

13 You guys have done great things
14 for my neighborhood, Aurora and the area in
15 general. But I disagree with you on this
16 one. And I just have to say that.

17 My support is a guarded support,
18 because it will be an impact in increased
19 traffic on the railroads along the
20 Naperville border.

21 I currently work in Lisle. My
22 wife works in Naperville. We go to church
23 in Naperville. We split our shopping in
24 Oswego, Aurora and Naperville.

2 need upgrading now. That backs up all the
3 time. Has anybody ever been behind all the
4 buses that pull into the barn at 3:00 at
5 night. You sit there and get caught behind
6 those and you're forever, just because
7 there's a railing road crossing there now.
8 who cares about any trains running.

9 As to that claim, the Keating
10 crossing, the company of first suit, the
11 company experts, the bussing company for
12 Oswego districts 308, 203 and 204 have
13 specific rules in place that the public are
14 not allowed to cross at Keating, nor are
15 they allowed to cross Haftenrichter.

16 And Wolf's crossing because of
17 the state laws stating that a bus is not
18 supposed to cross unless if there's a
19 train -- unless a cop waves them across,
20 there's always a train sitting aside it.
21 Just light we do 80 in a 55 zone on the
22 interstate.

23 As I started mentioned with
24 NIMBY, just pure and simple, it is a case

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1 of NIMBY. The problem is that, in fact,
2 it's already in our backyard people. We're
3 already having the problems. We need work
4 now. Thank you.

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1 MR. DASCHNER: Good evening. I
2 feel privileged with all the speakers
3 before me. They have outstanding
4 arguments, outstanding things to say. My
5 name is Stephen Daschner. I'm
6 superintendent of Indian Prairie School
7 District 204, the residents of Aurora and
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8 the half mile from these tracks.

9 I stand before you to voice some
10 major concerns on behalf of kids and our
11 district. Our school district encompasses
12 more than 46 square miles.

13 And Prairie is the third largest
14 district in the State of Illinois, which
15 includes 31 schools and enrolls about --
16 not about, but 29,500 students and employs
17 a little over 3,000 people.

18 Our school district
19 transportation strategy is of critical
20 importance to the education of our
21 students, teachers and our entire
22 community.

23 We have 250 buses transporting
24 17,500 children to school every day. Our

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1 buses make more than 1,300 daily routes.
2 And they travel more than 2.6 million miles
3 each year, operating from 6:00 a.m. to 6:00
4 p.m.

5 With the expanded use and
6 increased traffic on the EJ&E rail line, we
7 anticipate substantial delays for many of
8 our students as the rail line stretches
9 more than eleven miles through the hearts
10 of our districts.

11 We have seven schools located
12 within a half mile of the tracks. And if
13 we expand to a full mile on the east and
14 west sides of the tracks, the number of
15 school grows to 15.

16 Our elementary schools, middle
17 schools and high schools have staggered
18 start times, which allows us to use a cost
19 effective three-tier bussing schedule for
20 our students.

21 This type of carefully-timed
22 schedule uses the same bus to run first day
23 of high school, then in middle school, and
24 finally an elementary route.

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1 Any delays caused by increased
2 traffic -- train traffic, however small,
3 greatly impacts students' arrival to school
4 on time, as well as their safe and timely
5 return to home.

6 There are two grade level
7 crossings, a particular concern to us. 164
8 school buses cross the Odgen Avenue tracks,
9 and 139 school buses cross Montgomery
10 Avenue each day.

11 There's also an expected
12 increase in train length, which will
13 increase gate closer times up to ten

14 minutes. But the volume of school buses
15 crossing the tracks is clear to see our
16 concerns over anticipated usage.

17 We have more than 60 percent of
18 our students riding buses. Therefore, it
19 is important that we voice these concerns
20 about this particular issue.

21 Thank you for your time.
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1 MS. HOLMES: Thank you very
2 much. I'm State Senator Linda Holmes. I
3 represent the 42nd District.

4 The 42nd District runs from
5 Aurora through Montgomery, Oswego, covers
6 all of Plainfield into Shorewood and parts
7 of Joliet. So, yes, this is an area that's
8 greatly impacted by this.

9 I'm speaking out today as so
10 many of you have spoken out on behalf of
11 Aurora. And it's great to have you out
12 here. And I want to say a big thank you to
13 everybody who did come out and is speaking
14 out and is taking part of this.

15 This is an issue that
16 Representative

17 Tom Cross and I were speaking on at the end
18 of 2007, because we knew this would impact
19 our communities to such a major, major
20 level.

21 What I want to speak about here
22 is Plainfield. Because you see, Plainfield
23 as much as we requested to have a meeting,
24 we don't get a meeting in Plainfield.

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1 Although Plainfield is impacted because
2 they have 17 crossings, 16 at grade.

3 I think everybody knows just how
4 rapidly Plainfield is growing. And to have
5 this amount of train traffic stopping the
6 traffic that is already busting at the
7 limits in Plainfield is an absolute
8 disaster.

9 It's going to be a major issue
10 when it comes to safety vehicles and just
11 people getting to and from school, works
12 and throughout their community.

13 So I want to speak on behalf of
14 Plainfield, because they are also going to
15 experience a devastating impact if this
16 happens.

17 I understand that this will
18 relieve traffic congestion and traffic --
19 train traffic in Chicago. That's very nice
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20 for Chicago. I don't think we should be
21 doing it on the backs of our outlying
22 communities.

23 The other major disappointment I
24 had when I spoke with CN in early June and

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1 they talked about doing this with the
2 Surface Transportation Board doing this
3 environmental impact study, I said the one
4 thing I want in data is the safety record.

5 I was told we would get the
6 safety record in this data. But that that
7 safety record would only reflect the safety
8 record in the U.S.

9 Canadian National has miles of
10 track and operates in Canada. I want to
11 see that safety data. Because if this is
12 going to impact our country, let's see what
13 it's doing in theirs.

14 Other than that, I just want to
15 say a huge thank you to everybody who came
16 out, who spoke, who has continued to be an
17 advocate for our communities.

18 I think it's imperative that we
19 continue to do that. So thank you very
20 much for attending tonight.

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1 MS. SMITH: Good evening, I'm
2 Kathleen Smith. I am an environmental
3 attorney. I've been an environmental
4 attorney since 1982 when I graduated from
5 Northern Illinois University. I've been a
6 resident of Aurora for five years. I got
7 my JD in 1991, and I later pursued a Master
8 of Law and environmental law, an LM, and I
9 got that from George Washington University
10 in Washington, D.C. in the year 2000. My
11 thesis dealt with global warming. I served
12 at the Pentagon for nine years. I was an
13 assistant general counselor for the United
14 States Air Force in the environmental
15 divisions from 1991 to 2000. As a matter
16 of fact, I was responsible in drafting the
17 air pollution section in approximately 25
18 Air Force documents, EIS's that were
19 prepared. I furthermore commented on air
20 pollution and global warming sections on
21 over -- in EIS's on over 50 to 60
22 documents. So I am very familiar with the
23 requirements of NEPA.

24 I have been personally impacted

1 by the current trains. I have been stopped
2 on Liberty traveling east or west between
3 Eola and Route 59. The closest overpass is
4 New York Street, and many cars do turn
5 around and head for that overpass. I've
6 also been impacted in traveling east or
7 west between Eola and Route 59 on
8 Montgomery, which is a residential area in
9 contrast to the first area I mentioned,
10 which is open fields and industrial. In
11 the Montgomery area, I'm not aware of any
12 convenient overpass.

13 I think that this EIS, and from
14 what I've heard tonight, I certainly
15 haven't heard any contradictory ideas,
16 fails completely to address air pollution
17 and global warming from the perspective of
18 idling cars.

19 Now, your gentleman up there
20 spoke about a reduction in train idling.
21 How about considering the impacts of the
22 pollution and global warming from all the
23 cars that are going to be there? I fail to
24 see that in your air quality section, and I

1 think that needs to be addressed.

2 Furthermore, I would also like
3 to note there's a very short amount of road
4 between Eola and Liberty. The cars will
5 back up there and cause traffic jams on
6 Liberty and on Eola. Liberty is the street
7 that commuters use going to and from the
8 Route 59 Metra station. It's very, very
9 heavily loaded right now when the commuters
10 are leaving to go to work and when they're
11 coming back.

12 I would like to see all of that
13 addressed. Thank you.

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1 MS. BARRY: Good evening. My
2 name is Clare Barry. I'm an alderman for

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the City of Warrenville. I'm here tonight
on behalf of hundreds of households that
border the EJ&E tracks through warrenville.
Many of those homes have the tracks
literally in their backyards.

In addition, one of
warrenville's two elementary schools is
within 1200 feet of the tracks and a key
park used for baseball and soccer games is
within only 300 feet. Hundreds of children
are at both of these locations throughout
the year. Their safety is of the utmost
concern.

Should this transaction be
approved, warrenville residents can expect
to experience an increase in train traffic
by over 70 percent. Because of the length
of track along the segment in warrenville
does not have an at-grade crossing, the
EJ&E often idles their trains in the
backyards of the border homes for over an
hour at a time as they wait for other train

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traffic to cross intersecting tracks. With
increases in train traffic, this will only
become more frequent.

Not only does this disrupt the
quality of life of local homeowners because

6 of noise and vibration, it increases the
7 diesel pollution in the air. More frequent
8 idling will certainly make these
9 homeowners' property values decrease as
10 well.

11 The Draft EIS references noise
12 and vibration only briefly talking about
13 potential sound barriers and noting that
14 vibration is only a perception and does not
15 really have any type of esthetic or
16 structural impact on households. I invite
17 the STB and CN to visit one of the hundreds
18 of households that border the tracks in
19 three of Warrenville's subdivisions when a
20 train is passing by or idling. Not only
21 does damage occur, but the quality of life
22 is also severely impacted. Conversations
23 have to stop, television and radios can't
24 be heard, and sleep is disrupted. These

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1 households belong to families with
2 children. There are well-established
3 consequences of sleep loss and sleep
4 disruption in children. These consequences
5 include daytime sleepiness and fatigue,
6 reduced alertness, and compromised
7 performance in specific neurobehavioral
8 functioning or other behavioral

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characteristics, including mood and
emotional regulation.

How does CN plan to mitigate
that.

The City of warrenville has
taken a position of formal opposition to
the proposed transaction because of its
severe negative impact on the property
values, safety, and quality of life for
thousands of residents who live along the
tracks.

Thank you for your time and
consideration.

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MR. THOMAS: Good evening. I'm
Greg Thomas, Chief of Police for the City
of Aurora. I appreciate the time given to
me to discuss the impact the sale of the
EJ&E Railway to Canadian National will have
on the Aurora Police Department.

There are a few points to
consider from the police department's point
of view. With more trains, higher
propensity for the vehicle/train
collisions, trains carrying hazardous

12 materials create the possibility of
13 hazardous material spills. Though these
14 are terrible issues to deal with, just as
15 important is the impact on everyday
16 operations.

17 The EJ&E Railroad tracks cross
18 several roadways in Aurora. These
19 crossings are all in what the Aurora Police
20 Department geographically call Area 3.

21 About a year ago, the Area 3
22 commander demonstrated to the rest of the
23 command staff that response times for
24 emergency calls for service was

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1 significantly higher in Area 3 than the
2 rest of the City due to traffic issues.
3 The command staff decided at that time to
4 assign six additional officers to Area 3.

5 The police department fears that
6 with the additional trains, we'll have
7 difficulty getting to where we are needing.
8 When we're responding to nonemergency
9 calls, waiting on trains is frustrating.
10 However, when we have to get to an
11 emergency call, it's much more than an
12 inconvenience, it's life-threatening.

13 It's clear there's going to be
14 additional trains. It's clear that trains

15 pass at grade. Additional trains are going
16 to impact vehicle traffic and it's going to
17 impact our response time. As much as we
18 try our best to locate patrol vehicles
19 strategically throughout the City, we would
20 have to rely on luck that we would be on
21 the correct side of the tracks when an
22 emergency call is dispatched to a squad
23 car.

24 Neither the police department

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1 nor the victims of these emergency
2 situations want emergency response by
3 police, fire, or ambulance based on luck.
4 These victims want and require emergency
5 personnel get to the scene as quickly as
6 possible. Waiting for trains at crossing
7 is going to impact first responder
8 operations.

9 officers merely cannot find an
10 alternative route. That's not an option.
11 A squad car, for example, patrolling in
12 white Eagle Subdivision would have to
13 travel north all the way to McCoy before
14 being able to proceed westbound passed the
15 tracks in order to proceed back southbound
16 in order to get to an emergency at Menard's
17 and the middle school. That trip would

18 take a considerable amount of time when
19 seconds are critical.

20 In some cases it may make more
21 sense to just wait for a train to clear the
22 roadway, a very difficult request of our
23 officers when we have to respond to maybe
24 an active assailant or a child choking or a

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1 heart attack victim.

2 It's obvious that if Canadian
3 National is allowed to purchase the EJ&E
4 Railroad, there would be a significant
5 negative impact on the Aurora Police
6 Department's response time and to the
7 citizens that we serve.

8 Thank you.

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1 MR. OELKER: Good evening. My
2 name is Tim Oelker, and I'm the fire chief
3 here in the City of Aurora. I will be
4 brief.

5 From a public safety
6 perspective, more specifically fire and
7 emergency medical response, the outcome of
8 an incident many times is directly related
9 to how quickly we can get to a scene and in
10 the case of a medical emergency, how
11 quickly we can deliver the patient to a
12 place of definitive care or the hospital.

13 Any interruption or delay in our
14 ability to get to an emergency scene or to
15 get the patient to the hospital could have
16 a devastating result. The proposed
17 increase in train traffic and the resulting
18 delays will have a negative impact on our
19 operations and the people we serve.
20 There's no way it can.

21 It's impossible to say to what
22 degree. We may be lucky for a while,
23 depending on the location of the call and

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24 the nature of the incident, but eventually

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1 some time in the future, someone's life
2 will be in the balance and the outcome will
3 be affected by the situation. It's not a
4 matter of if it will happen but when.

5 Thank you.

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1 MR. ASHEIM: Hello. My name is Paul
2 Asheim. I'm the president of Stonebridge
3 Community Association, which is on the east
4 side of Aurora. We have approximately
5 about a thousand homes and townhomes.

6 As president of Stonebridge, I'm
7 here to add our concern with the prospect
8 of an EJ&E sale and the increase in the
9 freight traffic it would bring to our
10 neighborhood. This concern is not just
11 from, as the CN puts it, Selfless Not In My
12 Backyard People, but, in fact, from
13 citizens that acknowledge the importance of
14 railroad traffic while at the same time
15 also acknowledging the potential problems
16 that may occur with the increased train
17 traffic, environmental impacts, and public
18 safety delays, including longer waits
19 at-grade rail crossings, which will in turn
20 hamper the movements of school buses and
21 emergency vehicles.

22 In addition, if the EJ&E
23 purchase sets a good economic deal for CN,
24 they should be willing to absorb more of

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1 the infrastructure cost that they've been
Page 96

2 willing to absorb until this point in time.
3 Local communities have already had their
4 budgets stretched to the limit and it's not
5 feasible to assume money's available to
6 fund the staggering cost of grade
7 separation that will be necessary.

8 Thank you.

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1 MR. HETZLER: I'm Richard
2 Hetzler, resident of the opposite side of
3 Aurora near the trains.

4 when the original public
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5 hearings were held in January, STB gave
6 this entire area no opportunity to express
7 our concerns. Thanks to our mayor, we were
8 made aware of this and many of those
9 adversely affected were able to become
10 involved.

11 Now the second meeting is being
12 held, and STB has been forced to have a
13 meeting in this area. Despite our mayor's
14 recommendation, it was scheduled here,
15 10 miles from the nearest affected rail
16 crossing, and in a different county. The
17 result is that many people who would like
18 to participate do not have the time or gas
19 money to come this far. This location
20 selection appears to prove the desire of
21 the STB to minimize public input.

22 I have come with the fear that
23 the STB has done whatever the railroad
24 asked. The Alaska Oil and Conservation

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1 Commission did whatever the oil companies
2 asked until about five years ago when Sarah
3 Palin became involved. We need another
4 Sarah Palin.

5 Press released from Canadian
6 National all pretend that the area will
7 exceed three to four times train traffic in
Page 98

8 the area. The flood Draft Environmental
9 Impact Study is clear that the train
10 numbers in our area will increase 2 1/2
11 times and the average length will increase
12 2 1/2 times. That means that over six
13 times the train cars will go through our
14 residential area as we presently
15 experience.

16 My main concern is the Ogden
17 at-rail crossing, US IDOT 250560X. The EIS
18 is clear that this at-grade crossing will
19 be -- will have double track constructed.
20 The impact statement is also clear that the
21 crossing will exceed Federal Highway
22 Administration exposure limits for safety.
23 The impact statement is also clear that the
24 exposure will exceed 40 hours of delay per

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1 day. This is obvious -- it is obvious that
2 an overpass must be constructed prior to
3 any train traffic increase, and no approval
4 should be granted until Canadian National
5 has constructed this overpass at their
6 expense.

7 We live in an area where most
8 train crossings are at grade. If the
9 proposed change is approved, we'll be over
10 six times the number of railcars moving

11 through the area, we'll have to cross twice
12 the number of tracks we now encounter, and
13 without grade separation prior to Canadian
14 National's start of their profitable
15 operation, local commerce will come to a
16 halt and Federal guidelines for safety will
17 no longer be met.

18 Thank you.

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1 MS. PIETRZAK: Good evening.

2 Thank you.

3 My name is Nancy Pietrzak. I am
4 the manager of the emergency department at
5 Rush-Copley Medical Center, which is
6 located on Ogden Avenue, and we are the
7 Community's Level II trauma center. I
8 would like to read a brief statement on
9 behalf of Rush-Copley.

10 Rush-Copley recognizes that the
11 sale of the EJ&E Railway to Canadian
12 National will significantly increase area
13 freight rail traffic posing transportation
Page 100

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18 executive summary on page 9. One of the
19 reasons was that it was too expensive.
20 Well, I didn't see any evidence that the
21 government or the study had done a
22 financial analysis of Canadian National
23 Railway.

24 when I looked at their

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1 financials for the last three fiscal years
2 they had \$8 billion in revenue, 3 billion
3 in operating income, and also their CEO had
4 \$12 million in compensation last year and
5 held \$75 million worth of stock options,
6 and they throw \$30 million, \$40 million in
7 mitigation measures on the table. That's
8 an outrage.

9 One of the purposes the CN
10 provides relative to its purpose in wanting
11 to do this is it wants to develop closer
12 relationships with chemical and
13 petrochemical industries and steel
14 companies and other utilities. Who are
15 those companies? What are those chemicals?
16 The EIS doesn't identify the quantities,
17 the identities of these companies. We need
18 to know their records. We need to know the
19 volumes. It needs to be done properly.
20 Please stop this.

21 090908 Public Meeting.txt
MS. ADAMS: Jim Morris, Richard
22 Mikel and Carl Bryant.

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1 MR. MORRIS: I'd like to speak to
2 everybody. My name is Jim Morris, and I'm
3 also from Wayne, as is Mike, and we are
4 here tonight to lend our support and our
5 information we can impart to you and
6 anything to assist in defeating this
7 horrific idea that's come down the pike.
8 Notice it wasn't the railroad.

9 I am nimble, only I don't want
10 it in anybody's back yard; and we are here
11 to, as I said, assist you because the draft
12 that we're talking about here tonight is
13 fundamentally flawed, as Mike just stated.
14 For example, the CN says that by 2015,
15 don't worry about the increase in traffic
16 over and above the plan. There won't be
17 any, because we only call for a 2 percent
18 increase per year in traffic. Well, the
19 U.S. Department of Transportation
20 forecasted that there's going to be a
21 doubling of the rail traffic in the next 20
22 years. So I think to find out where the
23 discrepancy is you've got to follow the

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24 money and find out who paid for this

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1 report, just like Mike stated.
2 The -- excuse me. I think the
3 key here is what we've got to do is for the
4 people who aren't here tonight, who
5 couldn't make the seven miles, this is your
6 home. These are your businesses. This is
7 your benefit. You're fighting for what you
8 want to maintain as your lifestyle; and if
9 you don't care enough, don't show up,
10 because these people over here are the only
11 gate we have against these people who sit
12 over here who want this railroad. So it's
13 up to you folks.

14 Now, we have put together in
15 Wayne a website. There's a HR bill No.
16 6077 that will stop this from happening in
17 the future. There's no reason why a
18 foreign company, a rich foreign company,
19 can walk into this country and dictate what
20 happens to our property and tells us how to
21 enjoy it. That's what we're here for
22 tonight, and you've got to get the word
23 out.

24 So in order to make that easier

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1 yet, Mike Anastasio and our group in Wayne
2 put together a website that all you have to
3 do is click on the website, and it will
4 walk you through contacting everybody to
5 tell them what you feel about this,
6 anything. Just tell them that you don't
7 want it. Now, if you have a piece of paper
8 and a pencil the website's name is
9 stopcnrail.com. It doesn't get easier, you
10 don't have to do anything. It will tell
11 you what to do. It will show you how to
12 send a message, but we have got to have the
13 people that aren't here tonight to get up
14 in arms enough to protect their own
15 interests. It's time.

16 I'm an American, and I don't
17 like these guys at all. I don't like them
18 coming in here trying to tell us what to
19 do, and we don't have much of a chance
20 because frankly legally they got all the
21 rights in the world because the laws are
22 antiquated and the rail system is
23 antiquated. Follow the money. It's a lot
24 cheaper to come around the western suburbs

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1 than it is to improve your infrastructure
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2 to go through Chicago. They're going to
3 take a stop from the western coast of
4 Canada, and they want to take it right to
5 the Gulf Coast of the United States. Stop
6 them.

7 MS. ADAMS: Richard Mikel
8 followed by Carl Bryant and Marilyn
9 Griffin.

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1 MR. MIKEL: Good evening. My name
2 is Richard Mikel. I'm representing the
3 Naperville Fire Department. I'm an
4 assistant fire chief for the city of
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5 Naperville. I thank the board for the
6 opportunity to be able to present to you
7 this evening.

8 My purpose here this evening is
9 to reaffirm the city of Naperville's
10 opposition to this proposed acquisition.
11 The safest method I have to voice this
12 opposition is to refer to the facts that
13 are contained in this study. According to
14 the information that we have been provided,
15 the CN is considered a major shipper of
16 freight to the rail industry.

17 One of the three main purposes
18 that's been identified for this proposed
19 acquisition is to develop a more extensive
20 relationship with the chemical shippers
21 along the EJ&E rail line. This brings
22 along with it a substantial increase in
23 hazardous materials that will be shipped
24 along the EJ&E line. Along with these

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1 increased trains with the increased amount
2 of hazardous materials being shipped comes
3 the increased probability of train
4 accidents, not only rail accidents
5 themselves but rail and highway collisions
6 as well.

7 Another fact identified in the
Page 136

8 study is that the Aurora crossings will be
9 substantially impacted by the trains that
10 will be now traveling on these tracks. The
11 environmental impact study further reveals
12 that an overall increase in the number of
13 residents that would be exposed to
14 pollution associated with these trains as
15 compared to those who are impacted today.

16 The concerns of the Naperville
17 Fire Department are simple, concise and
18 based on facts that we've received here.
19 The overall environmental impact to area
20 residents would be negative. The
21 probability not possibility of railroad
22 accidents involving hazardous materials
23 will be greatly increased.

24 The delay that Naperville

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1 ambulances could incur while transporting
2 patients to emergency medical facilities
3 located in Aurora could cost lives. Based
4 on these facts as presented in the study
5 the Naperville Fire Department on behalf of
6 the residents we serve and protect voices
7 its opposition to this proposed
8 acquisition. The negative impact to the
9 quality of life and the safety of our
10 citizens leaves us no alternative but to
Page 137

11 oppose this. Thank you very much.

12 MS. ADAMS: Carl Bryant followed
13 by Marilyn Griffin and Joan Solms.

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1 MR. BRYANT: My name is Carl
2 Bryant. I'm a lifelong resident of
3 Plainfield, and I am here to oppose this
4 acquisition. As stated by Representative
5 Solms, we have 16 grade crossings in
6 Plainfield. We have a school district that
7 encompasses 50 square miles and it's
8 probably the third or fourth largest in the
9 state.

10 In 1985 our community was 3,800
11 in population. Today it's 40,000. You can
12 imagine what our community is like with
13 that number of railroad crossings. It

14 bisects our community. We are stated to be
15 110,000 in the future, and the impact on
16 our quality of life and our ability to get
17 around in our community is incalculable;
18 and I think it's a travesty that this
19 proposition is even on the table.

20 It's been estimated that Chicago
21 derives a billion dollar benefit by having
22 the rail hub in Chicago. Let it stay
23 there.

24 MS. ADAMS: Marilyn Griffin followed

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1 by Joan Solms and Matt Cipolla.
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1 MS. GRIFFIN: Is this where I stand
2 here? We've heard all the figures, and
3 I'll skip that and talk about our village.

4 MS. ADAMS: Are you Marilyn
5 Griffin.

6 MS. GRIFFIN: Yes.

7 MS. ADAMS: Okay, good.

8 MS. GRIFFIN: The historic
9 center -- is this right? Okay. The
10 historic center of our village of Wayne is
11 a triangle. The homes are trapped by rails
12 tracks on every side, and we're talking
13 about grade crossings. We have eight in
14 this little, dinky place; EJ&E on the east
15 and north, the Union Pacific on the west,
16 the two close the triangle on the south.
17 You must cross one of these tracks to
18 escape.

19 we will have unbearable delays
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20 in our lives every day. In a worst case
21 there could be no way out, no way to get
22 rescuers in. When school is in session,
23 there are 600 more children. Our
24 elementary school is in the triangle. 150

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1 homes in the triangle are from 50 feet to a
2 half mile from the tracks, many of us
3 within a couple hundred feet.

4 If there is a spill, all of
5 Wayne is threatened the loss of fresh
6 water. We all have private wells. CN
7 claims they are safe. Look at their
8 Canadian record and reports from Canadian
9 residents.

10 Will the trains really be bigger
11 and longer? New ships being built are
12 bigger, bigger to carry up to five times
13 the freight car units. U.S. ports can't
14 handle them so they go to the Port of
15 Prince Rupert. CN plans to increase
16 freight car units, their freight car units,
17 from 500,000 to 3 million. They have
18 ordered 50 new locomotives and 2,000 new
19 rail cars. They expect to make billions
20 moving freight on EJ&E. They offer 40
21 million in mitigation, not enough for even
22 one overpass. They do not believe

23 overpasses are needed. I believe that's
24 been -- they stated that.

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1 CN maintains the property for
2 accident -- pardon me. CN maintains the
3 probability for accident is very low.
4 Where is the study for that with quadruple
5 traffic? What does it say in the documents
6 that CN will be held responsible for? What
7 are remedies required or structures built
8 to prevent accident? Where are these
9 required.

10 To bring up property values, we
11 are wondering if our homes will have any
12 value. We say to each other and we have to
13 say it, I wouldn't buy a house in Wayne.
14 Thank you.

15 MS. ADAMS: Joan Solms, Matt
16 Cipolla, Lawrence Ladner.

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1 MS. SOLMS: Thank you. I'm Joan
2 Solms, and I'm running for state
3 representative in the 83rd District, and
4 what I want to address is something about
5 the long-term impact this may have on our
6 country, not only what happens here,
7 because what we do and say here may have a
8 long-term impact on our country.

9 I worked for the railroad. I
10 love the railroad. I get my pension from
11 the railroad, but I have not -- I don't
12 think you can hear me. I have not been
13 shown what financial gains this sale would
14 bring to our taxpayers, to our homeowners
15 or to labor. I was told a few jobs would
16 be gained.

17 On the other hand, on the other
18 hand, rumor has it that in the future plan
19 by the industrialists, it is to bypass the
20 California ports and bring these ships and
21 their cargoes into Canada across Canada by
22 rail and down through the U.S. Now, we
23 already know that this is in the plans for
24 the southwest where they're building the

1 Super Highway or they hope to build it
2 where they will bypass our California
3 ports, bring the cargo into Mexico and then
4 up by truck through the United States, one
5 of the big terminals being Kansas City.

6 Now, we were second punched by
7 the industrialists who -- the world
8 industrialists, I should say, on and a
9 NAFTA. This could be a spitball right
10 between our eyes. If we lose California
11 we're going to lose thousands of jobs
12 through the California ports; and this is
13 at a time in our economy we need more jobs
14 not less, and I just wish there was some
15 labor representative here to address this
16 issue.

17 And all I could say is I cannot
18 support this sale at this time. We know so
19 little about it. Thank you.
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1 MR. CIPOLLA: Matt Cipolla. I'm a
2 resident and a commuter of Plainfield. And

3 like Linda Holmes mentioned, they each --
4 there's going to be 18 trains expanded to
5 42. And that's just by the tracks closest
6 to me.

7 I'm going to speak from the
8 transportation industry. I've worked with
9 heavy equipment for over five years. Like
10 the one speaker mentioned, that those
11 numbers that CN is proposing on the
12 increase of traffic, it is skewed. I'm
13 telling you right now.

14 Freight is down, because of the
15 high diesel prices. And that's the reason
16 why this is getting all proposed, is
17 because of increased freight traffic.

18 And all the shippers and
19 suppliers, that's where it's going to.
20 That's where they're cutting their costs
21 at. So all that -- all the freight trains
22 coming through, all these services everyone
23 is talking about -- and you're looking at
24 those numbers, I tell you what, double it.

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1 I'm telling you right now. And that's the
2 reason. And that's going to be increased
3 over the next ten years.

4 we have 16 at grade crossings at
5 Plainfield. Not five, not six. Seven,

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eight, nine, ten, eleven, twelve, thirteen,
fourteen, fifteen, sixteen. Plainfield
will suffer.

And the Board has to understand
and have compassion for the commuters and
homeowners like everybody else with all the
other cities and villages out here. Thank
you.

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MR. LADNER: I'm Lawrence
Ladner. I'm a ten-year resident of the
east side of Aurora. I'd like to thank the
Board for giving us the opportunity to
speak against this acquisition of the EJ&E
by CN.

I'm here to talk against the
acquisition for a variety of reasons.

9 Number one is cost. Not the purchase price
10 by CN, but by the cost that will be borne
11 by us, the tax payers and the voters and
12 citizens of the effected communities.

13 Now, the cost is going to be,
14 what,
15 \$300 million for CN to acquire the right of
16 way of the EJ&E.

17 It will cost the tax payers of
18 the effected communities, what,
19 approximately \$1.5 billion in order to
20 build the infrastructure just so we can
21 have overpasses.

22 I'm a business man. But if I
23 went to the city of Aurora and said I want
24 to spend some money on something, and I

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1 want you to spend five times as much money
2 to facilitate that improvement, they would
3 throw me out the door. And I wouldn't
4 blame them.

5 Now, even if we can never really
6 account for the amount of money that it's
7 going to cost us as tax payers, we will
8 notice the traffic delays. We can see
9 increased traffic on the rail lines and
10 will increase two and a half to three
11 times. Those trains are going to be twice

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as long as they are now.

Now, I live near Liberty Street.
And I cross that grade crossing sometimes
many times a day. I get struck by the
train; I live with it. That's just too
bad.

Now, I have to ask who is going
to benefit from this? The citizens and the
tax payers or a foreign corporation?

If they want to buy EJ&E, if
infrastructure upgrades have to be done,
they should pay for it. Not 50 percent,
but 100 percent.

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Now, for benefits, the Star Line
would never be built. The Star Line is a
rail commuter line that would be of genuine
benefit to the people of the effected area.

Me, I'm going to vote for
something that's actually going to be a
benefit to the people who are here in the
area.

And am I to understand that the
environmental impact studies have not yet
been completed? well, if they're not
substantially completed, read that 80
percent, 90 percent, they're not going to
be finished by the end of the year.

15 And if they're not finished by
16 the end of the year and they're not nearly
17 finished now, they won't be believable. I
18 ask the Board to reject the acquisition of
19 EJ&E by CN.

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1 MR. BOLWIN: My name is Charles
2 Bolwin. I work for the Illinois Department
3 of Transportation. And I feel that the
4 roads are being impacted, and I feel our
5 jobs are in trouble.

6 And we plow these roads in the
7 winter. Safety is a problem. And traffic
8 backup would be a big problem on these
9 roads, that this would hurt our school
10 system as far as time and our buses that
11 take our children back and forth to
12 schools.

13 How close are -- our stop-and-go
14 lights are very close and to these
15 railroads. How many blocks or miles can
16 traffic be backed up? I've got to do my
17 job. Firefighters have to do their job.

18 I plow snow in the winter.
19 Ambulances and hospitals are in Aurora,
20 Naperville, Plainfield area and all of
21 Illinois. What can we do or what do we
22 want as a citizen of the United States of
23 America?
24 I do not want this railroad in

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1 my backyard and not in the United States.
2 Stay in Canada and build your own railroad
3 there.
4 How many bridges and more roads
5 would we have to flip for the cost for CN
6 and EJ&E? And at 3:00 in the morning, I
7 hear the train whistle; the train sound go
8 off. And I live on Frontanac and Odgen.
9 I'm a committeeman. And a
10 certain area there's condos right on the
11 railroad. How many bridges otherwise --
12 excuse me -- we also have noise. And we
13 have to get some type of
14 soundproofing that are used in all
15 neighborhoods like Bensonville and other
16 areas. This has to do with the airports
17 and our states.
18 we just don't have the areas --
19 we do not want you in our backyard. So
20 it's not easy to talk up here to people

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21 that don't understand what we go through
22 living by the railroads.
23 Thank you.
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1 MR. SELK: Rick Selk. I'm here
2 representing my family. Please don't send
3 me back -- no. I'm
4 Rick Selk.

5 what benefits will we derive
6 from this sale and the increase in the
7 train traffic? We live approximately a
8 mile away from the train tracks.

9 The increased traffic -- closest
10 underpasses that we have are five miles to
11 the north and ten miles to the south. All
12 of our emergency and nonemergency medical
13 facilities are on the opposite side of the
14 railroad tracks.

15 We've been asking for some time
16 for quiet zones for the tracks. And that
17 is not going to be a reality now.

18 We are actually looking forward
19 to the Star Line so that I could take my
20 kids down to the lake or we could go to the
21 zoo or do something else instead of driving
22 all over the place, because that is a
23 problem in the metropolitan area.

24

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So basically we're moving from

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1 an estimated -- and I'm just going to
2 repeat that again -- an estimated
3 three-fold increase in the number of
4 trains.

5 And we're also -- you said six.
6 I looked at the figures. And the ones that
7 I looked at said three in my area anyway.
8 We're also looking at the length of the
9 trains to be two and a half times what they
10 currently are. And again, I'm going to
11 repeat estimated, so it could be more or
12 less.

13 And as I have heard, this report
14 was done by CN, so I'm going to leave it at
15 that.

16 If you've ever been stuck
17 waiting for a train at Odgen Avenue, you'd
18 understand the impact that this increased
19 train traffic is going to have.

20 There is a meridian that goes at
21 least a half mile to the west. There is no
22 way to turn around. You are stuck. The
23 longer that you sit -- the longer the
24 trains, the longer you're going to sit

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1 there.

2 And it's not acceptable in a
3 situation where somebody has a medical
4 emergency, and they have to get on the
5 other side.

6 This leads me into the emissions
7 concerns that I have. If you would,
8 please, look at the fastest growing
9 communities in Illinois.

10 Aurora and Naperville had had a
11 little friendly competition over the years
12 on who is second in the state. And it's
13 been going on for some time. And all I can
14 say is sorry, Naperville.

15 Chicagoland has been recognized
16 historically as having high levels of
17 emissions; otherwise, we wouldn't be using
18 reformulated gas.

19 Where I work, if you take a
20 vehicle, you cannot have it idle anywhere.
21 As a matter of fact, I believe state law
22 says that you can't idle outside of
23 business any longer either. So it seems to
24 me that that would be a problem for idling

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1 so many more cars.

And thank you for your time.

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1 MR. SANDSCHAER: My name is
2 Scott Sandschafer. Good evening. And I
3 apologize that I do not have a formal
4 statement, but would like to share some of
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5 my concerns and feelings.

6 I live in Pagoda Court,
7 Naperville, Illinois, which is only less
8 than 200 yards away from the railroad. I
9 live in between the 111th crossing and
10 119th. So I'm a neighbor of Plainfield,
11 Aurora, Naperville, Oswego.

12 And I've only lived in my home
13 for approximately twelve months. I have
14 not and was not aware because the merger
15 was announced, as far as I understand,
16 after I moved.

17 But, of course, it has a direct
18 impact of my American dream. One, my wife
19 and I had saved and saved for ten years
20 after we've lived in Chicago, built our
21 dream home, understanding that we were
22 going to be close to the railroad, but
23 knowing that it would only be 15 minutes
24 every two hours where we would have some

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1 inconvenience in regards to noise.

2 of course the quality of life of
3 my family, my children, my four year old,
4 my three year old and my one year old will
5 be directly impacted based on the noise, as
6 well as the concerns that have been
7 mentioned this evening.

8 Also my other concern is, one,
9 whereas part of a -- our home, there's a
10 new school Peterson, Peterson Grade School,
11 which is less than -- I would say less than
12 50 feet or extremely close to the railroad
13 where my children will be going to school.

14 Of course this increased rail
15 traffic, of course, provides an impact not
16 only to the quality of being outside, which
17 is what I enjoyed when I was a kid, but of
18 course the safety concerns that have been
19 mentioned numerous times tonight.

20 One last point, fortunately I've
21 been able to provide for my family and my
22 wife doesn't have to work now. Of course
23 with the taxes that I pay and I can justify
24 associated to schools, the infrastructure

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1 in regards to roads and the libraries,
2 et cetera, living in a great community that
3 we live in, based on the payment that I
4 might have to make based on the new taxes
5 that I will have to pay, we'll have to
6 reconsider how we approach our lifestyle
7 and raise our children.

8 The other point is, one, I've
9 lived in Chicago for over ten years. Of
10 course I wasn't even aware living in five
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11 different neighborhoods of the freight
12 traffic. So obviously the infrastructure
13 and how they approach the train traffic
14 there is a way that it's not effecting the
15 community.

16 So I would strongly oppose and I
17 urge -- I urge the people and I look into
18 the camera hoping that I will be heard, as
19 well as the people that are sitting up here
20 taking notes that I strongly oppose this
21 acquisition.

22 And, please, consider the
23 families and the dreams that people have
24 that will be impacted as part of this

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1 decision.

2 Thank you very much.

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1 MS. DECKER: Hello. My name is
2 Shirley Decker. I live on Frontanac
3 backing up to the berm and also right by
4 the Montgomery crossing and the Odgen
5 crossing.

6 I have a couple of concerns
7 tonight. And I'd like to tell you a little
8 bit about what happens to us now.

9 Currently when -- I work also at
10 a clinic, which is just three miles from
11 me. It now takes us 15 minutes to get just
12 to work, which is down Frontanac and Odgen.
13 And whenever -- that's just one of the
14 issues.

15 Another issue is where I work,
16 the patients that actually have to wait for

17 trains currently are delayed already
18 getting to their appointments, because I
19 work for a health facility. And I see that
20 every day in my job.

21 The other thing I'd like to talk
22 to you about is what happens to me now? I
23 only learned about this meeting today
24 because of a politician's thing that was

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1 mailed to me, one of their mailings. And I
2 did not hear about this meeting at all.

3 I live -- I'm directly affected;
4 yet I knew nothing about this meeting,
5 other than I got this in the mail. And it
6 wasn't from the Surface Transportation
7 Board. I don't know that that's your
8 obligation.

9 However, I think it would be
10 important that they do send us some kind of
11 mailing to let us know about these meetings
12 since it so directly effects us.

13 I'd also like to implore you to,
14 please, take a bus trip, if nothing else,
15 to the intersection of Odgen where that
16 crossing is and just sit there and look at
17 what happens on a daily basis in that area.

18 I was really involved in a
19 school district in my early years and have
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20 been in District 204. I've been in the
21 area since 1985. And I saw the growth
22 there.

23 And one of the things from being
24 part of that growth and on some of those

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1 committees is people would tell us how
2 terrible it is. But until we actually went
3 to those areas and we saw them for
4 ourselves and we saw what happens on a
5 daily basis, a picture and a piece of paper
6 doesn't really show you what that's like.

7 So if you could get mailings out
8 to us and you can visit these sites, it
9 would be greatly appreciated.

10 Currently also from a tax
11 standpoint, this is a personal note, I pay
12 over \$9,000 a year. That has a lot to do
13 with everything in the area. But if you
14 add on to me, as well, this tax burden that
15 this purchase could do to me, I would hope
16 that you would consider that in your
17 decision making.

18 Thank you very much.

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1 MR. SCHOEN: My name is Bob
2 Schoen. I'm a resident of Wayne, Illinois.
3 I'm here with my wife, Debbie, to address
4 the recent couple of issues that concern us
5 in the draft report.

6 The first one is the
7 environmental impact statement appears to
8 significantly understate the cost of
9 mitigation.

10 We have heard that there was a
11 study done by a DuPage County board that
12 said the mitigation costs could be as high
13 a \$700 million. Tonight I hear it could be
14 as high as \$1.5 billion.

15 And that's probably not the only
16 mitigation costs that have to be addressed.
17 Whose going to pay for these costs? Both
18 IDOT and the ICC have already said they're
19 not able to fund any mitigation costs.

20 The federal government doesn't
21 have funds to even finish the Sterns Road
22 project. And the amount that CN has
23 proposed to pay for is a joke.

24 To make things even worse, in

1 addition to the amount offered by CN being
2 a ridiculously low dollar amount,
3 apparently there's no law in place to force
4 CN to ever follow through on these
5 mitigations.

6 And when is it going to happen?
7 Is it going to happen before they start
8 running ten times the number of train cars
9 that they run now, or is it going to be ten
10 years from now.

11 of course based on other
12 comments we've heard, it may be decades
13 before they even consider spending any
14 money on it.

15 And then apparently even after
16 our home values are going to plummet, we as
17 homeowners are going to be expected to come
18 up with this \$700 million plus in
19 mitigation costs to attempt to mitigate the
20 significant health, safety and quality of
21 life issues that this transaction is going
22 to create.

23 Secondly, the study totally
24 discounts the significant and devastating

1 effects on home values. According to the
2 summary I read, some homes within 250 feet
3 of the railroad could experience a decrease
4 in value.

5 And by the way, the study goes
6 on to say the effects would be only minor
7 and negligible. The tone of that study
8 makes me sick.

9 we all know that our entire way
10 of life is going to change if the
11 transaction goes through. Our property
12 value is going to be drastically effected.

13 A significant factor in
14 determining the value of our homes is the
15 nature of the communities we live in. And
16 our quiet country-like communities will
17 essentially be turned into train yards.

18 And by the way, I live in the
19 wayne triangle of death that you heard
20 people talk about earlier. We could be
21 totally cut off with one train that could
22 block any exit or entrance to our home
23 area.

24 And by the way, I live within 45

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1 feet -- my lot line is 45 feet away from
2 the train crossing. So nobody can tell me

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this is not going to destroy my property
value.

Thank you.

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MR. DAVIS: My name is Jeff
Davis. I live in Naperville, Illinois. I
work for a company called Phoenix Closures.
I've been there for 14 years. And they're
a significant user of the railroad freight.

6 So we -- and that's critical to our
7 company.

8 Although this acquisition really
9 has no effect on Phoenix Closures, although
10 there's 250 people that work in
11 manufacturing. And one of the things we
12 haven't heard here tonight is really the
13 whole story.

14 A lot of what we've heard is
15 what affected us grossly. But on a
16 national basis, the national chamber of
17 commerce has supported this acquisition.

18 And why do they support the
19 acquisition? Because it's jobs and it's
20 commerce. And it's jobs and commerce on
21 manufacturing.

22 Manufacturing has lost a lot of
23 jobs. The state chamber of commerce has
24 supported this acquisition. So part of

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1 this story hasn't been completely told.
2 And a lot of people need to understand
3 that.

4 I'll give you another example.
5 The Burlington Northern presently runs
6 through and has for since -- the Burlington
7 Northern was built to the cities of Aurora
8 and Naperville.

9 They have a triple line main. I
10 don't know how many trains they run, but
11 it's way, way, way more than the Canadian
12 National. They have hazardous waste. They
13 block crossings. They do all that stuff.
14 We have a great quality of life here.

15 So do not paint this all the
16 doom and gloom. Before I got with Phoenix
17 Closures -- and again, I've been there for
18 14 years, I spent seven years from '81
19 through 1988 with the Chicago Northwestern
20 Railroad.

21 I was in the sales and marketing
22 department selling railroad freight. I was
23 in
24 Green Bay, Wisconsin; Pittsburgh,

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1 Pennsylvania; Atlanta, Georgia.
2 I left there in frustration and
3 disgust and I spent five years with the
4 Canadian National Railroad in Atlanta,
5 Georgia and then in Chicago. I'm a Chicago
6 boy, so I came back home.
7 But the reason I'm not in the
8 railroad business any more -- and again, I
9 spent 12 years there -- is jobs. The
10 manufacturing jobs left North America.
11 They went to Asia. And we don't need jobs

12 like what I had when I was a younger man.

13 So I applaud this public
14 meeting. And I know you will take those
15 other considerations. There's local
16 issues, too.

17 But what you don't hear tonight
18 is solutions. I know there's other cities
19 that have supported this acquisition.
20 villages such as Schiller Park, Des
21 Plaines, Vernon Hills, Buffalo Grove.

22 And there is a lot of things
23 here and not just a local issue. So don't
24 paint this as doom and gloom, because it's

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1 not. It's something that we need more
2 commerce and better commerce. And not
3 fewer. Thank you.

4 MS. ADAMS: I just want to remind
5 you again that all methods of comment
6 received by September 30th will be taken
7 into equal consideration, and that includes
8 the toll free number, the website, the
9 mailing address, the comment forms here in
10 the lobby and in the open house area as
11 well as the court reporters.

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1 MR. SIMMONS: My name is Rick
2 Simmons. I live over in East Aurora. I'm
3 a civil engineer. I live one mile from the
4 EJ&E track. I live a little over half a
5 mile from the Metra track and the switching
6 yard over in East Aurora.

7 Everybody has heard a thousand
8 times, right, buyer beware. We moved in,
9 we were quite a bit away from the railroad
10 track; we knew exactly where we were
11 relative to the railroad track. We moved
12 in, it was a nice night, we opened the
13 windows, all night long the trains were
14 blowing their horns, revving up their
15 motors. A mile away you could hear it just
16 like you're in their backyard. Let me
17 assure you, you can when the winds are

18 right and the atmospheric conditions are
19 right and even when they're wrong,
20 sometimes you can hear all of that. It's
21 very noisy.

22 Everybody says, buyer beware,
23 right? Okay. Does anybody now have the
24 right to come in here and put five times as

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1 many trains on the track, four times,
2 whatever it is, rev up the motors, blow the
3 horn, diesel smoke blowing. You can smell
4 the stuff three-quarters of a mile, half a
5 mile, or a mile away, you actually can
6 smell the diesel smoke at times.

7 So I urge the authority, Stop
8 it. Block it. Block it tonight. Don't be
9 a chicken. Do it. Just do it. You heard
10 all of this, just do it.

11 Thank you.

12 And then last but not least, I
13 mention the Metra line. The Metra line,
14 EJ&E line is a grade crossing. What are
15 you going to do about that? Going to put
16 an elevated crossing there, a separated
17 crossing? You better, or you're going to
18 be sitting on the Metra line waiting on the
19 5-, 10-, 15-minute trains. That's got to
20 be done.

21 what do you really have to do if
22 the authority doesn't do the humanitarian
23 thing, the ethical thing to block this
24 thing, if you don't do that, you have to

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1 have separated crossings all the way from
2 Aurora to Plainfield and anywhere elsewhere
3 you're going to impact life the way it's
4 going to be impacted here. That's got to
5 be done. I strongly urge the authority to
6 take the appropriate action, and I
7 encourage the authority, Don't be chicken,
8 do the right thing.

9 And someone said earlier that
10 the trains can do what they want, they have
11 the legal authority. Well, they wouldn't
12 have the legal authority if the commission
13 blocks it, right, so I urge the commission
14 to block it.

15 Last but not least, if someone
16 wants to know how we feel when we're
17 sitting there in the traffic all the time,
18 break these trains up into short trains,
19 let them stop and wait on the traffic
20 during rush hour and stuff. Put a traffic
21 light there and let the trains wait on the
22 traffic, then you'll know how we feel.

23 And, finally -- I'm out of time,

24 090908 Public Meeting.txt
and I've ran out of stuff to say.

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1 Thank you.
2 THE AUDIENCE: You've got 30
3 seconds.
4 MR. SIMMONS: I forgot what I
5 was going to say.
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1 MR. KIESA: My name is David
2 Kiesa. I'm a West Chicago resident for
3 25 years, and my wife and I have lived
4 there, again, 25 years. I'm just a couple
5 blocks away from EJ&E and also a couple
6 blocks away from the UP tracks and there's
7 an interlocking, I guess is what's it's
8 called, between those two main lines three
9 blocks away from my house, so I get to see
10 the perfect storm that goes on when you got
11 main line trains going in one of the -- you
12 know, one direction waiting for main line
13 trains in the other direction, the impact
14 that that has on the neighborhoods just
15 from an aspect of getting from one side of
16 the town to the other.

17 And as I understand it right
18 now, a grade separation at Geneva Road,
19 which is where that interlocking that I'm
20 talking about is near, Geneva Road,
21 apparently, there's not a discussion about
22 a separation there, which is just as well
23 because I think if they put in a grade
24 separation there, it would destroy the

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1 fabric of the community there. We have a
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2 100-year-old community of residences, old
3 homes with children living in those homes,
4 which kind of gets to the next point.

5 That simple little rail line,
6 which is probably maxed out right now, is
7 suddenly going to be stressed out having
8 many, many more trains there, and I can't
9 imagine the safety of the children, what
10 that would be like with these additional
11 trains.

12 I'm sure you folks know that the
13 end of May of this year, a little
14 three-year-old girl was struck on the EJ&E
15 tracks, and I'm surprised more hasn't
16 happened in the years past.

17 I'm sorry I don't have more
18 official information like the other folks
19 do. All this is just purely antidotal from
20 living there 25 years.

21 I love trains. I grew up next
22 to the Burlington Northern in Downers
23 Grove. I love trains. To see what it does
24 to the train and the traffic in the town

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1 because of those two main lines right next
2 to each other, I can't imagine this getting
3 a hundred times worse.

4 Thank you very much.
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1 MS. SCHOEN: My name is Debra
2 Schoen. I'm a resident of Wayne.
3 I object to the proposed action
4 and the EIS. There are many problems with
5 the EIS. Let me describe one. The EIS
6 should illustrate disaster scenarios. In
7 other words, don't just tell us that it is
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8 unlikely that catastrophic train wrecks
9 will occur. Tell us how many people and
10 children in Wayne and any other community
11 will be injured and killed if there is a
12 train derailment and a hazardous chemical
13 release and fire and explosion results.

14 Of course, you have to account
15 for the fact that emergency services will
16 not be able to respond because, number one,
17 they will be unable to cross over the
18 tracks to help, and, number two, they will
19 not even be available because our community
20 does not have the infrastructure or
21 resources to support emergency services.
22 Don't think this doesn't happen, it does.
23 Just go to www.stopcnrail.com and you can
24 see what a Canadian Railway accident looks

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1 like, and also the destructive force of a
2 railcar explosion.

3 Finally, tell us who will be
4 responsible for the injury and deaths
5 resulting from accidents that will be
6 caused by this plan.

7 Thank you.

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1 MR. HEBREARD: My name is Dan
2 Hebreard. I'm a lifelong DuPage County
3 resident, current Aurora resident, and I'm
4 here to talk about Chicagoland, which is
5 approaching 10 million people.

6 This is going to affect at least
7 2, possibly up to \$3 million people along
8 the line. I'm going to read now from the
9 Public Meeting Guide, page 6, paragraph 3:
10 Because the Board determined that the CN
11 EJ&E acquisition is a minor transaction.

12 Hundreds of millions of dollars,
13 possibly billions of dollars, 2, maybe
Page 176

14 3 million people. The Board decided it's a
15 minor transaction.

16 You're here to serve the public.
17 You're here to serve the American people.
18 Do your job. Do the right thing.

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1 MR. CASSIOPPI: My name is Gerry
2 Cassioppi. I'm a candidate for DuPage
3 County Board, District Five, which includes
4 the railroad in question. I've also lived
5 in Naperville for 18 years and been a
6 member of the Naperville School District
7 203 School Board and also Naperville
8 Transportation Advisory Board.

9 I'm certainly very much aware of
10 the quality of life issues that this
11 proposal would effect in this area. I'm
12 also concerned about the safety and the
13 children issues that this proposal would
14 effect.

15 But I would look at -- having
16 been on your side and listened to people in
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17 these situations, I would, again, ask you
18 to do your job. These people have done
19 their job coming here tonight. I think you
20 have plenty of information to go back, and
21 I would look at it more not as a NIMBY
22 issue but as a bully issue, and it's time
23 for somebody to stand up to the CN
24 Railroad.

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1 Thank you.
2 MS. ADAMS: This concludes the
3 public comment portion of our meeting
4 tonight. We want to thank everyone for
5 your comments. The next public meeting is
6 tomorrow night in Gary, Indiana from 4:00
7 to 9:00 p.m.
8 Thank you.
9 THE AUDIENCE: I hope you've
10 listened.

11 (End of meeting.)
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14 delays for emergency vehicle responders.
15 Rush-Copley cautions those in support of
16 this project to carefully consider the
17 impact it will likely have on patients
18 seeking emergency medical care.

19 Thank you for your time.
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1 MS. CHURCH: Good evening. My
2 name is Robin Church. I am a resident of
3 Aurora. I also serve as president of the
4 Indian Prairie Parents' Council, an
5 umbrella organization of 31 PTA and PTSA
6 units in Indian Prairie School District
7 204, the largest school district in
8 Illinois encompassing 46 square miles,
9 including portions of Naperville, Aurora,
10 Bolingbrook, and Plainfield. The PTA
11 members we represent currently number about
12 19,300. At the heart of the PTA mission is
13 to be a strong advocate for the education
14 and well-being of every child.

15 On February 21, 2008, at the
16 direction of our council delegates, our

17 legislative committee sent a letter to the
18 Surface Transportation Board protesting the
19 acquisition of the EJ&E Railroad by
20 Canadian National Railway. In that letter
21 we stated our opposition to this
22 acquisition due to various concerns that
23 will threaten the well-being of our
24 children. Those concerns have not been

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1 abated.

2 Our primary concern continues to
3 be safety. Train traffic is inherently
4 dangerous to children. The EJ&E tracks run
5 through or immediately adjacent to the
6 borders of 17 of our schools. There are
7 eight at-grade crossings on this line
8 within our district. CN predicts an
9 increase from 15 to 42 trains a day and
10 plans to run them at near track speed, up
11 to 40 to 45 miles per hour. In the draft
12 EIS, the SEA calculated that the total
13 number of train accidents on the EJ&E line
14 is likely to increase by 28 percent. This
15 is unacceptable.

16 In addition, the proposed
17 increase in hazardous cargo to be
18 transported will put our children at risk
19 in case of an accident or derailment. This

20 is unacceptable.

21 Increased traffic over at-grade
22 crossing hinders the ability, as you have
23 heard, of emergency vehicles and personnel
24 to respond to emergency situations. Again,

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1 increasing risk to our children.

2 According to the Draft EIS, SEA
3 concluded that without mitigation, eleven
4 fire and emergency medical service
5 providers near this rail line would
6 potentially experience substantial effect
7 as a result of the proposed acquisition.
8 You have heard from our superintendent
9 regarding these issues. Traffic delays
10 will most definitely increase.

11 We respectfully request that you
12 deny this proposed acquisition. Thank you
13 for your time and consideration.
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MR. KNIGHTWRIGHT: Thank you.

2

I'm James Knightwright of Aurora, Illinois.

3

I'm chair of Southeast Villages

4

Neighborhood and vice-chair of the Aurora

5

Neighborhood Council.

6

Southeast Villages is triangular

7

shaped, mounted on the south by Keating

8

Road, on the northwest by Ogden, and on the

9

east by the EJ&E Railroad. We have three

10

at-grade crossings in our neighborhood. At

11

the far western corner is Copley Hospital.

12

We have four schools in our neighborhood

13

and some students attend a fifth school

14

just on the other side of the tracks. Of

15

those five schools, four of them draw

16

students across the tracks every day.

17

We've been working for years to insure the

18

safety of these crossings. However, on

19

Ogden Road there are a couple of crosses in

20

memory of Waubensee Valley High School

21

students who died there.

22

I live in a wonderfully diverse

23

neighborhood. In my children's grade

24

school, there is 48 different native

1 languages spoken. You cannot find a better
2 place to raise global citizens than there.
3 I'm concerned about losing that.

4 If the sale goes through and the
5 trains increase, I'm concerned of the
6 impact that mitigation will have on my
7 neighborhood. I've seen pocket
8 neighborhoods die while a highway bridge or
9 a bridge was being built. I am worried
10 about the impact that increased train
11 traffic will put my neighborhood into that
12 pocket waiting for mitigation.

13 As for the flaws in the study,
14 the DES refers to decreases in traffic on
15 lines in the east. Any transportation
16 planner worth their salt would know that if
17 the infrastructure exists, it will get
18 used. That goes for sewers and streets,
19 highways and railroads. Any promised
20 decrease will only be short-term. Any
21 suggestion that the decrease will be
22 long-term is a lie.

23 If there's a problem with the
24 rail system in the Chicago area, let's

1 build a real solution, not a temporary
2 short-term one. If Mr. Kriel from Canadian
3 National is interested in working toward a
4 solution, then why is Canadian National
5 trying to rush this process.

6 I do not believe that the study
7 has adequately looked at the impact on the
8 Route 59 business corridor nor, for that
9 matter, the technology corridor around
10 I-88. These are major -- this is a major
11 economic engine for the eastern part of
12 Aurora and also for most of Naperville.

13 I think we need -- the study
14 needs to be looked into deeper, and I'd
15 like to thank you for your time and
16 consideration.

17 MS. TINA-MARIE ADAMS: Michael
18 Grisek, followed by Mary McEntee and Jim
19 Davidson.

20 Michael Grisek.

21 Michael Grisek.

22 Mary McEntee.

23 Mary McEntee.

24 Jim Davidson.

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1 Jim Davidson.

2 Joe Harrington.

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1 MR. JOE HARRINGTON: Hello, I thank
2 you for allowing me to speak.

3 I'm a resident of Aurora, and
4 I'm going to talk a little bit about --
5 something a little bit different, and it

6 sort of compliments what Kathleen Smith
7 said.

8 She spoke about the pollution of
9 idling cars. I'm going to talk a little
10 bit about the fuel that gets wasted because
11 of these idling cars.

12 MS. TINA-MARIE ADAMS: I want to
13 make sure you're Joe Harrington.

14 MR. JOE HARRINGTON: Yes.

15 MS. TINA-MARIE ADAMS: Good.
16 Keep going. Sorry about that.

17 MR. JOE HARRINGTON: As a
18 resident of the area that's going to be
19 affected by the changes or increase in rail
20 traffic on rails currently owned and
21 operated by EJ&E Railroad, I'm going to
22 submit a statement on how the sale might
23 affect local transportation fuel usage.

24 As citizens of the United States

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1 we're all concerned about energy usage and
2 in particular energy waste.

3 I submit that the sale of the
4 EJ&E to the Canadian National Railroad will
5 lead to significant increases in the amount
6 of fuel wasted by residents and truckers in
7 our region.

8 A lot of issues have already

9 been raised regarding negative effects on
10 safety, effects on emergency response,
11 capability, noise, property values, lost
12 time commuting and so on.

13 what I submit is that there will
14 also be a large negative effect on energy
15 utilization due to forced diesel idling and
16 grade-level crossings.

17 what I've done is I've gotten
18 kind of technical on this, and I've made
19 some calculations on the amount of fuel
20 that gets wasted per car, per train at each
21 grade-level crossing.

22 The calculation relates fuel
23 consumed while vehicles wait for a train to
24 pass at a two-lane grade-level crossing.

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1 The Liberty crossing has been mentioned a
2 couple times, and that's one I use daily.

3 For this calculation I chose a
4 6-cylinder engine, and this will get a
5 little technical, and I referenced a
6 vehicle, that the gate-down time would be
7 five minutes, and I want to determine how
8 long the vehicle will idle. You know, this
9 wastes gas unless everybody shuts the car
10 off.

11 I've chosen the number of

12 waiting vehicles to be fifteen, which is
13 lower than what I normally encounter at
14 that crossing.

15 with such referenced conditions
16 I calculated the amount of fuel consumed
17 while idling at the crossing to be
18 0.31 gallons per vehicle per minute, and
19 this is for a vehicle that's actually
20 undersized relative to what one normally
21 uses. This is a small car, not an SUV.

22 For a two-lane grade-level
23 crossing with fifteen vehicles waiting for
24 five minutes, the amount of fuel wasted is

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1 5 gallons at that particular crossing.

2 We now consider that this event
3 will occur at each grade level crossing
4 along the EJ&E, which is -- I took, like,
5 120 crossings. That's, like, close to
6 600 gallons it wasted.

7 With this cost -- and this is
8 per train. If you multiply this cost by
9 the number of trains per day, you arrival
10 at a fairly large number of trains.

11 This is referencing only the
12 EJ&E, and this comes out to about \$2,100
13 worth of fuel wasted per day.

14 If you take into consideration

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15 the fact that the CN acquisition will
16 increase this by approximately fifteen
17 times, two to three times train length,
18 five times as many trains, you're going to
19 end up with pretty large numbers just in
20 wasted fuel.

21 I thank you for your attention.

22 MS. TINA-MARIE ADAMS: Dean
23 Johnson, followed by Steve Keca, Mike
24 Anastasio and Stan Mrizek.

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1 MS. DEAN JOHNSON: Hi, my name is
2 Dean Johnson. I'm chairman of the Big
3 Woods Marmion Neighborhood Association in
4 the city of Aurora.
5 We've heard some comments about
6 some fuzzy math being used. Some fuzzy
7 math that I found in the draft of the EIS
8 was that the CN would be operating at or
9 near full capacity, yet it also stated that
10 the STAR Line could also be implemented
11 along the same tracks.
12 This to me just doesn't add up.
13 I want to try for some unfuzzy
14 math. Increased road traffic plus
15 increased train traffic equals more
16 accidents. That's not fuzzy. That's life
17 and death.
18 It is time for a new standard in
19 safety requirements. It is time for a new
20 precedent in the financial participation

21 090908 Public Meeting.txt
22 from the railroads.

23 Currently EJ&E and CN have
24 recommended that there are two grade
separations that should be improved. The

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1 Draft EIS recommended fifteen additional
2 separations to be funded.

3 In looking at the math then,
4 looking at the counts, I think that
5 standard is too low. I think there are at
6 least ten other grades that need to be
7 separated, Diehl Road being one of them.

8 The only way to reduce the
9 number of accidents that are going to
10 happen with the increased cars and
11 increased trains intersecting each other is
12 to do these grade separations.

13 This is something that needs to
14 happen before the trains can be allowed to
15 be increased on those tracks.

16 The other way to mitigate
17 accidents is to increase the number of
18 quiet zones.

19 Unfortunately, right now quiet
20 zones are the exception rather than the
21 rule, and that needs to be reversed. Quiet
22 zones need to be the standard.

23 It's time that the technology

24

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for the safety of railroads be updated to

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1 this century.

2 The current technology that is
3 being used is so old and antiquated because
4 the railroads have not been required to
5 implement those changes at their expense.

6 We have made numerous
7 requirements for car safety over the years,
8 including seatbelts, mirrors and other
9 things, it is time that those things get
10 implemented.

11 One of the reasons that was used
12 for not requiring the railroads to pay more
13 to build is because it was a preexisting
14 condition.

15 I would put to you the four to
16 six times the amount of trains on the
17 existing tracks does not constitute an
18 existing condition.

19 We need to make the railroads
20 pay for these things ahead of time. The
21 costs should be known ahead of time and put
22 into an escrow fund so that CN should know
23 what their full financial obligation is
24 before the sale is allowed.

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1 Thank you.
2 MS. TINA-MARIE ADAMS: We're
3 actually going to pick up someone, Mary
4 McEntee from the back of the auditorium.
5 And then Mary will be followed by Steve
6 Keca and Stan Mrizek.
7 The audience, if you could turn
8 your attention to the back row there so we
9 can hear Mary McEntee.

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1 MS. MARY MCENTEE: I'm a resident of
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2 Centennial, a home for senior citizens, and
3 I have a concern about the emergency
4 transportation.

5 If the CN goes through the
6 emergency vehicles can't get through to the
7 hospitals or the, or the nursing homes or
8 the rehab.

9 And also I have concerns for --
10 we have rights for senior citizens, and
11 they will have a hard time to get through
12 because they have to wait, and sometimes
13 you don't know if it's going to be ten
14 minutes or fifteen minutes or if the train
15 has fifty cars on it and you might have to
16 sit there for a half and hour. And I have
17 a great concern about that.

18 And it scares me, the thought of
19 it because you can go in there any time,
20 you might see a freight train going and
21 going and you don't know how long you have
22 to sit there.

23 And somebody has to get to a
24 hospital as a fast as they can, or if they

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1 have to get to a clinic as fast as they
2 can, and it gets mighty frightening. So I
3 hope they do something about it.

4 MS. TINA-MARIE ADAMS: Steve
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5 Keca, followed by Stan Mrizek and Margaret
6 Daugherty.

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1 MR. STEVE KECA: Hi, thanks for the
2 opportunity. My name is Steve Keca and I
3 represent the Remington Crossing
4 neighborhood, which is on the east side of
5 Aurora in the affected area.

6 I wanted to speak because I was
7 disturbed about the seeming lack of
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8 consideration of CN's overall safety record
9 when the EIS was published.

10 And I think the bottom line is
11 that the CN regularly moves hazardous
12 materials across its lines and they do have
13 an extremely poor safety record, especially
14 if you look at Canada.

15 A couple of the speakers tonight
16 mentioned they didn't have time to go into
17 detail on some of that, but I actually have
18 some of the detail.

19 So CN received the lowest grade
20 level possible on implementing safety
21 management systems, also called SMS, that
22 are designed to offset accidents and other
23 safety hazards, according to a report
24 released by the Standing Committee on

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1 Transportation, Infrastructure and
2 Communities on Rail Safety in Canada, so
3 their own agency.

4 The Committee stressed it had
5 "serious concerns regarding both the delays
6 and the manner in which the SMS has been
7 implemented by the railway."

8 "On a scale of 1 to 5, with 5
9 being the optimum, CN was at Level 1 or 2.
10 This is not, in our view, acceptable
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11 progress," the report noted.

12 And I read this and I wondered
13 why exactly did they do the report to begin
14 with. And what I found were a couple
15 interesting news items.

16 The first one I'll talk about is
17 from August 23rd of this year, and the news
18 item read that, "The effects of the CN rail
19 derailment just over three years ago are
20 still being felt, as there is still
21 evidence of contamination at Lake Wabamun.
22 The oil spill into the lake occurred after
23 43 cars of a CN rail train derailed due to
24 a faulty track that had many fractures."

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1 "More than 700,000 liters of oil
2 and other chemicals were spilled into the
3 lake, just over 50 kilometers west of
4 Edmonton."

5 Another news item from
6 July 30th, a CN freight derailment, a
7 freight train derailed in Ontario.

8 Seven cars from the train went
9 off the tracks. It blocked all the tracks
10 in the area and no traffic could get in and
11 out of Toronto.

12 Another news item from
13 July 11th, "CN will go on trial in North
Page 119

14 Vancouver on April 6th, 2009 over a
15 derailment in 2005 north of Squamish that
16 spilled 40,000 liters of caustic soda."

17 Other derailments that were
18 listed July 20th, July 16th, July 12th,
19 June 13th, May 5th, March 5th.

20 It took me five minutes to get
21 this information on the internet, and I
22 only went back to March.

23 So what I'd like you to do when
24 you think about this and when the other

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1 people read this study is I live about
2 250 feet away from those tracks and I'm
3 just imagining my kids are playing out in
4 the backyard and one of these trains goes
5 off the tracks.

6 I mean, have you thought about
7 that?

8 MS. TINA-MARIE ADAMS: Stan
9 Mrizek, followed by Margaret Daugherty.

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1 MR. STAN MRIZEK: Hi. My name
2 is Stan Mrizek, just a resident in
3 Naperville, and I just wanted to share some
4 comments with the Board.

5 I want to start by thanking the
6 Board for rejecting Canadian National's
7 request to allow the sale before completion
8 of this study and despite their bullying
9 tactics.

10 And CN's attitude throughout the
11 process seems to me to be one of arrogance
12 and disregard for the impact of the
13 communities in proximity to the tracks they
14 want to purchase.

15 They somehow believe that
16 improving that profit is more important
17 than the affected people, and I'm one of
18 them.

19 Moreover they expect that one
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20 level of government or another, the people
21 of the United States should pay for or live
22 with the damage they intend to inflict.

23 This includes hundreds of
24 millions of dollars for grade separations

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1 in order to get reasonable traffic flow,
2 increased risk of crossing accidents,
3 increased risks of hazardous materials
4 spills, increased costs to ensure adequate
5 response time by emergency vehicles,
6 traffic jams, wasted fuel and pollution
7 created by construction of grade separation
8 projects in addition to the trains later
9 on, probably taking several years to
10 complete the grade separation projects.

11 Noise and vibration pollution,
12 Canadian National has stated that this
13 transaction would benefit the Chicago area.
14 However, when invited to by elected
15 legislatures to a meeting intended to give
16 CN an opportunity to substantiate these
17 benefits, they declined to attend.

18 I would question whether any
19 part of the Chicago area will benefit from
20 a reduction in rail traffic.

21 If demand for track time through
22 this area is so great, what studies have

23 been done to prove that any time
24 relinquished by CN on the existing tracks

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1 would not simply be reabsorbed by more CN
2 trains or those of other railroads.

3 In fact, the only
4 unimpressonable benefactor of this
5 transaction is CN and at an enormous cost
6 to the public.

7 I urge the Board to deny this
8 transaction. I also request that the Board
9 consider adding a meeting at a site more
10 convenient to the Naperville and Plainfield
11 residents.

12 MS. TINA-MARIE ADAMS: Margaret
13 Daugherty, followed by Alan Murphy and Mike
14 Anastasio.

15 MS. DOUGHERTY: I'm Margaret
16 Dougherty and I reside in Georgetown
17 Subdivision in Aurora, which is bounded by
18 Route 34 and Montgomery Road and the
19 railroad tracks and includes two of the
20 crossings that need mitigation.

21 And from my own personal
22 experience I can tell you that already it's
23 a traffic nightmare there.

24 I need to cross those crossings

1 every day to go to work. For example, last
2 Friday it took me fifteen minutes to exit
3 my subdivision out onto Route 34 because
4 traffic was so backed up from a minor
5 accident by those tracks. A coworker who
6 lives four miles down Oswego couldn't get
7 out onto Route 34.

8 I'm already gravely concerned on
9 a daily basis about getting emergency
10 vehicles in or out of there because
11 literally there's no way in or out. You
12 can't get out onto Ogden Avenue.

13 In addition, the emissions, I
14 think all you have to do is drive down that
15 road and see the dying fir trees to realize
16 those emissions from those cars are already
17 too high, much less adding standing
18 vehicles for long periods of time.

19 And the air quality, I've lived
20 there for twenty years. I can attest to
21 the decrease in air quality already there.

22 Also, further comments, as far
23 as the Chicago and the suburbs already
24 being congested, my question is why don't

1 they mitigate those circumstances.

2 Probably because it's too expensive.

3 We can't afford the increase in
4 taxes needing to pay for these above-grade
5 crossings.

6 And I suggest there be a new
7 term for not-in-my-backyard and that term
8 would take care of a backyard that wants to
9 get rid of their problem and put it in
10 someone else's.

11 And that's exactly what I see
12 happening, and I see this as a sales pitch
13 by the Canadian National Company to get
14 people behind them for this sale.

15 And I also don't believe, as
16 other people, that there will be a decrease
17 in the future in that traffic. Maybe for a
18 short period of time, and it will go back
19 to increase in Chicago.

20 In addition, no one's mentioned
21 the high tension wires that run adjacent to
22 those railroad crossings. They're major
23 electrical sources.

24 I personally can't see how you

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1 could ever put an overpass there without
2 moving those high tension wires, and I

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4 don't see that happening, and I don't see
5 who's going to pay for that as well.

6 Those are just some of my
7 comments. Thank you.

8 MS. TINA-MARIE ADAMS: Alan
9 Murphy, followed by Mike Anastasio.
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1 MR. ALAN MURPHY: Good evening, I'm
2 Alan Murphy. I'm from west Chicago.

3 A resident by the name of
4 Mr. Wego just had a heart attack in west
5 Chicago, but don't be alarmed, the fire

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department's been called, help is on its
way.

I wish to present to you tonight
several resolutions opposing the CN
purchase of the EJ&E Railroad.

The first one is from the
village of Wayne, the second resolution is
from the West Chicago Fire Protection
District, the third is from the West
Chicago Park District, the fourth is from
winfield Township, the fifth is from
Lake Eleanor Estates Homeowners Association
in Wayne, Illinois. The next one is from
Churchill of Wayne Homeowners Association,
Wayne, Illinois. The next one is from
Honey Hill Community Association, Wayne.
Illinois.

I'm going to present them and
give them to the court reporter here so

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that they'll be entered into the record.

I would like to talk to you
about noise pollution and the mitigation.
There are several residents in my town that
are within the 80 decibel noise limit.

what will be done to take care
of those homeowners that are going to be
afflicted by that?

9 Are they going to experience the
10 same things as the homeowners around O'Hare
11 Airport?

12 There are many things that come
13 into play with the Canadian National
14 purchase of the EJ&E.

15 Life safety issues: Remember,
16 Mr. Wego has had a heart attack.

17 If the Canadian National goes
18 through with their purchase of the EJ&E,
19 they will institute two-mile long trains.

20 A two-mile long train in my town
21 will block all five grade crossings forcing
22 the fire department to take a route all the
23 way out to Roosevelt Road. That's a
24 seven-minute route to get to Mr. Wego.

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1 Time is running short. Mr. Wego
2 doesn't have long.

3 One of the things that's very
4 unique about my community is it's in the
5 top five in the country as far as train and
6 train and train crossing.

7 I have the Union Pacific West
8 Line coming through my town, Metra, the
9 EJ&E, and now the potential Canadian
10 National Railway.

11 If everything goes through as

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12 proposed, there will be more than 200
13 trains crossing through my town a day.
14 That's eight an hour.

15 Mr. Wego doesn't have long. It
16 takes seven minutes for the fire department
17 to reach him. Funny thing is it's ironic,
18 you gave us three minutes to talk, it takes
19 a person three minutes to die.

20 Mr. Wego just passed away.
21 Thank you.

22 MS. ADAMS: Mike Anastasio, Jim
23 Morris and Richard Mikel.
24

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1 MR. ANASTASIO: Thank you very much.
2 My name is Mike Anastasio, and I'm here on
3 behalf of myself and The North Country in
4 Wayne Community Association, which has over
5 approximately 150 residents and represents
6 over 46 homes in the village of Wayne. We
7 will be directly impacted by this action.

8 Let me state simply we strongly
9 object to this action. We strongly object
10 to the draft EIS. Frankly, and I say this
11 respectfully, it's an outrage. This is
12 nothing more -- this situation is really
13 nothing more than a rich foreign company
14 trying to increase it's already huge

15 profits at the expense of our health and
16 safety and our property. And I appeal to
17 you with all my -- with whatever I can, the
18 government to protect us from this and take
19 action and not approve this.

20 I also want to make a record --
21 comment for the record for Mr. Cree1 and
22 everybody else from the Canadian National
23 Railway. We appreciate your concerns over
24 the poor state of our transportation system

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1 in this country, but we don't need your
2 help and we don't want it. I wouldn't have
3 enough time in three days to comment on all
4 the insufficiencies with the draft EIS let
5 alone three minutes, but I'll point out a
6 few.

7 But before I do I would state
8 that it's our view that the study needs to
9 be restarted from scratch and not paid for
10 by the Canadian National Railroad Company;
11 paid but for by an objective third-party
12 neutral and like the U.S. government and
13 done properly and objectively.

14 well, one of the things that EIS
15 did was it eliminated four alternatives
16 that could have avoided this adverse impact
17 on our community. You can look at the