



ROBERT J. SCHILLERSTROM
COUNTY BOARD CHAIRMAN

DuPage County

(630) 407-6060

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

February 14, 2008

RE: Environmental Filing, STB Finance Docket No. 35087 Canadian National Railway Company and Grand Truck Corporation's Acquisition of Control of the EJ&E West Company

Dear Ms. Johnson-Ball,

DuPage County is centrally located within the Northeastern Illinois region, and it has grown to a population of 935,000 and 720,000 jobs. This growth is expected to continue in the future, and based on official forecasts by the Chicago Metropolitan Agency for Planning (CMAP), DuPage County will have over 1 million residents and 830,000 jobs by 2030. The proposed Canadian National Company's acquisition of the EJ&E West Company and the resulting freight rail traffic increase is an issue of great concern, as it would adversely impact the County's transportation system, the environment, public safety and health, the economy and growth, and the overall quality of life for our residents and for the thousands of residents of other counties who commute every day to their jobs in DuPage County.

The EJ&E line was built more than 100 years ago to form a railway belt around Chicago, and it was aptly nicknamed "The Chicago Outer Belt". However, the Chicago region has since grown- and is continuing to grow- far beyond the EJ&E, and that railway can no longer be described as an "outer belt". Within DuPage, the EJ&E line is approximately 19 miles long, and runs in a north-south direction along the western part of the County, through the communities of Bartlett, Wayne, West Chicago, Warrenville, Naperville and Aurora. This is an area where most of the County's population and jobs growth is currently concentrated and is expected to occur in the future. In addition, western DuPage lies immediately next to the fastest-growing area of the Chicago region, specifically northern Will and eastern Kane Counties. Many of the roads that cross the EJ&E tracks in DuPage County are used daily by thousands of vehicles traveling to and from Will and Kane Counties. There are 22 at grade EJ&E crossings in DuPage County, of which 18 involve roads, 3 involve trails, and 1 is a pedestrian (sidewalk) crossing near a high school. The near-term projected large increases in freight rail traffic (18 to 27 additional trains daily) on the DuPage segments of the EJ&E line, which is presently used by only 4 to 15 trains

per day, would have multiple adverse impacts not only on the communities along the EJ&E but also on a larger part of the region.

We are aware that one of Canadian National Railway Company's (CN) stated goals for the proposed acquisition is to reduce freight rail congestion on its existing five lines radiating from the City of Chicago. However, we do not agree that the solution to that problem is to shift CN's rail congestion from one part of the metropolitan area to another. The Surface Transportation Board's (STB) Environmental Impact Statement (EIS) must conduct a "purpose and need" assessment for the proposed transaction, including an accurate assessment of rail congestion on the existing CN lines, and the consideration of alternatives that would contribute to the reduction of that rail congestion without adversely impacting densely populated areas within the region. The STB shall conduct a detailed analysis of potential impacts, based on existing conditions as well as long-term CN rail traffic projections in combination with annual average daily traffic changes (AADT) and 2030 growth forecasts for the affected area. We encourage the STB to use the utmost care in considering this application, by thoroughly assessing all potential impacts, and by identifying specific mitigation measures that would alleviate resulting hardships.

Issues of major concern that should be addressed in the EIS include:

- The need of the EIS to utilize CN operational data and freight traffic projections for a 20 year horizon, to be consistent with the NEPA process and the 2030 Regional Transportation Plan (RTP) for Northeastern Illinois.
- Vehicle delays at all grade crossings and their impacts (up to the 2030 RTP horizon) on the area's overall mobility, the economy, the environment, and growth.
- Assess the environmental impacts resulting from air emissions from the increased number of locomotives and the large number of vehicles idling at blocked grade crossings.
- Lengthy emergency vehicle delays at all grade crossings and their potential impacts on the lives of individuals as well as on the safety of entire communities.
- The potential for increasing the risk factor for rail-vehicle accidents at all grade crossings (up to 2030).
- Safety issues at all grade crossings and particularly as they relate to school buses and pedestrian and bike traffic for those crossings located near schools, libraries and parks.
- Safety issues related to the increased potential for serious accidents and spills from the projected large increases in the number of carloads transporting hazardous materials.
- The likelihood of the proposed acquisition jeopardizing the viability of Metra's planned STAR Line, and adversely impacting the existing commuter rail service. Assess the resulting impacts on the region's existing and planned transportation system and the environment.
- The impacts of increased noise and vibration for thousands of homes, many schools and other sensitive receptors located within a short distance of the EJ&E tracks.
- Identify specific strategies for the creation of Quiet Zone corridors.
- Determine the public costs that might result from the proposed acquisition, including impacts on existing local comprehensive plans, needed infrastructure improvements, and

potential loss of benefits for already implemented or planned improvements. In addition, the EIS should determine any potential adverse impacts on local businesses.

- The EIS should analyze in detail the validity of CN's claim that 80 communities would experience a reduction of freight train traffic, while 34 communities would experience an increase in the number of freight trains.

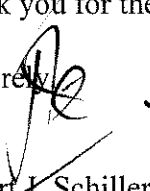
The attachment "*Specific DuPage County Comments on the Draft Scope of the EIS*" contains additional details to our concerns

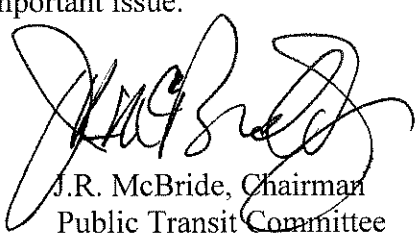
If the STB is to approve the proposed acquisition, the STB shall use its authority to "approve with conditions", for the purpose of mitigating all related hardships to the affected communities. The EIS shall identify specific mitigation measures for all negative impacts resulting from the proposed transaction, and ensure that CN is required to provide a fair share of the funding for implementing those measures.

Finally, DuPage County is offering to make available its resources and data to the STB's EIS process. Similarly, we believe that the STB should make data available to local governments and agencies prior to the publication of the Draft EIS, in order to provide those bodies with the opportunity to conduct their own investigation of the impacts of the proposed acquisition on their communities. We are also asking that, due to the seriousness and complexity of the potential adverse impacts and the large number of the affected communities, the STB extend the 45-day comment period following the publication of the DEIS to a minimum of 90 days. This would allow for adequate due process and due diligence by local governments representing their constituencies responsibly. With specific reference to the structure of DuPage County government, this matter would come under the purview of four separate committees: Transportation, Public Transit, Environmental and Intergovernmental. This additional time is critical for a thorough review by these committees.

Thank you for the opportunity to offer comments on this very important issue.

Sincerely,


Robert J. Schillerstrom, Chairman
DuPage County Board


J.R. McBride, Chairman
Public Transit Committee


Pamela H. Rion, Chairman
Transportation Committee