

SUBCOMMITTEES:

LABOR-HEALTH AND
HUMAN SERVICES-EDUCATION

FOREIGN OPERATIONS, EXPORT FINANCING
AND RELATED PROGRAMS

Congress of the United States
House of Representatives
Washington, DC 20515-1302

August 15, 2008

Mr. Vernon Williams
Secretary, Surface Transportation Board
395 E Street SW
Washington, D.C. 20423

Subject: Canadian National Railway Co., et al. - Control - EJ&E West Company
STB Finance Docket No. 35087

Dear Secretary Williams:

I write as a follow-up to my November 30, 2007 letter regarding the proposal by Canadian National Railway Company (CN) to acquire control over the EJ&E Railroad. In my previous letter, I supported the proposed transaction -- although that support was conditional. Without being specific at the time, I requested that the STB "identify and provide appropriate mitigation" for anticipated negative impacts on major local roads and emergency access routes in Chicago's southern suburbs that would be a result of substantially increased rail traffic.

In that letter, I wrote:

"Several municipal officials in the Second Congressional District have expressed concerns to me about potential negative impacts. Specifically, they fear that the increased number and length of trains on the east-west railroad corridor will impede or block vehicular traffic -- including ambulances and emergency response vehicles -- along many major north-south arterial routes in the communities between Chicago Heights and Matteson, Illinois. These appear to be legitimate concerns that I would urge the Board to address and mitigate as a condition of the proposed sale.

"In short, I urge the Board to equally consider the important overall environmental benefits for Chicago, the region, and rail transportation that will result from this transaction -- as well as the specific municipal concerns. In the end, I do not believe that the localized impacts will outweigh the transaction's positive benefits, but *I am relying on the Board to work with me and all interested parties involved to identify and provide appropriate mitigation where necessary.*"

Since then, the STB has completed its Draft Environmental Impact Statement (dated July 25, 2008). I was pleased to see that that document confirms the concerns that I raised and, more specifically, identifies what mitigation steps are necessary in the south suburbs.

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The EIS recommends the following mitigation projects in my district:

- 1) Grade separations at four locations between Matteson and Chicago Heights. Table 6.3-1 (Highway/Rail At-Grade Crossing In the Study Area That Require Mitigation) specifically identifies the need for underpasses/overpasses at Cicero Avenue in Matteson; Western Avenue in Park Forest; Chicago Road in Chicago Heights, and Lincoln Highway in Lynwood; and,
- 2) Proposed action to ensure emergency vehicles access to local hospitals. Table 6.3-2 (Emergency Service Providers Potentially Substantially Affected) lists two places where mitigation is necessary to ensure access to St. James Hospital (Olympia Fields Campus), located near Cicero Avenue, and St. James Hospital (Chicago Heights campus), on Chicago Road.

So once again, the Draft EIS confirms identical concerns that I raised in my previous letter, and it identifies substantial roadway improvements in the south suburbs that would be paramount and necessary in order to protect the health, safety and quality-of-life for area residents.

I applaud the STB for its thorough EIS. And I concur with its recommendations. Thus, I continue to support the sale -- but that support remains conditional. I support the sale:

- * If, and only if, grade separations at the four roads are mandated and financed by the railroad and/or the STB; and,
- * If, and only if, road improvements to preserve quick access to local hospitals are mandated and financed by the railroad and/or the STB.

I strongly believe that the railroad and/or the STB must absorb the cost of these four grade separations and emergency response routes because the local communities simply cannot afford it -- nor should they be required to.

According to the 2000 U.S. Census, the south suburban region is the most economically distressed part of the Chicago Metro area. Of all the communities listed in your EIS as needing mitigation, Chicago Heights has the lowest annual household income; Park Forest the third lowest; and Lynwood and Matteson were well below the metro average in income.

As the Representative of the Second Congressional District, I want to promote transportation and rail efficiency -- but not to the detriment of more than 100,000 residents whose lives will be forever adversely impacted, nor to the detriment of a half a dozen communities which will be literally divided in two for significant segments of time each and every day. If these communities were more affluent, I would not seek funding from CN or the STB. But they are not affluent and they cannot possibly bear this expense. (Please see enclosed letter from four mayors in my district.)

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In closing, let me repeat that I believe this transaction will improve rail service through the Chicago area, will reduce overall rail congestion, and will have no adverse effects on competition. Still, I strongly recommend that the Board equally consider the important overall environmental impact for the region, including those negative impacts on several economically distressed south suburbs. In the end, I am counting on the Board to work with me and all interested parties to appropriately find funding for these highlighted mitigation projects.

Sincerely,

A handwritten signature in black ink, appearing to read "Jesse L. Jackson, Jr.", written in a cursive style.

Jesse L. Jackson, Jr.
Member of Congress

Enclosure

November 30, 2007

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
395 E Street, SW

8/25/2008

Congressman Jesse Jackson Jr. letters to STB

Page 5 of 6

Washington, D.C. 20423

Subject: *Canadian National Railway Co., et al. – Control – EJ&E*

West Company, STB Finance Docket No. 35087

Dear Secretary Williams:

I am writing in support of the proposal by Canadian National Railway Company (CN) to acquire control over the EJ&E West Company. This transaction will improve rail service through the Chicago metropolitan area, reduce congestion in our crowded rail corridors, and will have no adverse effects on competition. Given the importance of efficient rail movements through Chicago and the Second Congressional District of Illinois, I am pleased that the Surface Transportation Board (STB) designated this as a "minor" transaction, which should allow expeditious consideration of this proposed transaction.

I understand that the STB will be preparing an Environmental Impact Statement on the proposed transaction to examine the impact on the communities that will experience train traffic increases. Several municipal officials in the Second Congressional District have expressed concerns to me about potential negative impacts. Specifically, they fear that the increased number and length of trains on the east-west railroad corridor will impede or block vehicular traffic -- including ambulances and emergency response vehicles -- along many major north-south arterial routes in the communities between Chicago Heights and Matteson, Illinois. These appear to be legitimate concerns that I would urge the Board to address and mitigate as a condition of the proposed sale.

In short, I urge the Board to equally consider the important overall environmental benefits for Chicago, the region, and rail transportation that will result from this transaction -- as well as the specific municipal concerns. In the end, I do not believe that the localized impacts will outweigh the transaction's positive benefits, but I am relying on the Board to work with me and all interested parties involved to identify and provide appropriate mitigation where necessary.

Congressman Jesse Jackson Jr. letters to STB

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November 30, 2007
STB Finance Docket No. 35087

I urge the STB to complete the environmental review process as quickly as possible and approve the proposed transaction. Please enter these comments into the record of this docket.

Sincerely,

A handwritten signature in black ink, appearing to read "Jesse Jackson Jr.", written in a cursive style.

Jesse L. Jackson, Jr.
Member of Congress