

Appendix D

Meeting Transcripts

Attachments:

- D1 Transcript for Matteson, Illinois Public Meeting (08/25/08)
- D2 Transcript for Mundelein, Illinois Public Meeting (08/26/08)
- D3 Transcript for Barrington, Illinois Public Meeting (08/27/08)
- D4 Transcript for Bartlett, Illinois Public Meeting (08/28/08)
- D5 Transcript for Chicago, Illinois Public Meeting (09/08/08)
- D6 Transcript for Aurora, Illinois Public Meeting (09/09/08)
- D7 Transcript for Gary, Indiana Public Meeting (09/10/08)
- D8 Transcript for Matteson, Illinois Public Meeting (09/11/08)

Appendix D

Oral Comments Received on the Draft Environmental Impact Statement

SEA held eight public meetings on the Draft EIS. The meetings were held:

- Monday, August 25, 2008: Matteson, Illinois
- Tuesday, August 26, 2008: Mundelein, Illinois
- Wednesday, August 27, 2008: Barrington, Illinois
- Thursday, August 28, 2008: Bartlett, Illinois
- Monday, September 8, 2008: Chicago, Illinois
- Tuesday, September 9, 2008: Aurora, Illinois
- Wednesday, September 10, 2008: Gary, Indiana
- Thursday, September 11, 2008: Joliet, Illinois

A total of 305 oral comments were received at the eight meetings (33 comments at the Matteson meeting, 35 comments at the Mundelein meeting, 69 comments at the Barrington meeting, 38 comments at the Bartlett meeting, 21 comments at the Chicago meeting, 55 comments at the Aurora meeting, 19 comments at the Gary meeting, 35 comments at the Joliet meeting). The transcripts from the public meetings are contained in this Appendix.

Each oral comment was assigned a comment number. The August 25 transcript contains comments from comment document #12137, the August 26 transcript contains comments from comment document #12376, the August 27 transcript contains comments from comment document #12377, the August 28 transcript contains comments from comment document #12136, the September 8 transcript contains comments from comment document #12535, the September 9 transcript contains comments from comment document #12711, the September 10 transcript contains comments from comment document #12875, and the September 11 transcript contains comments from comment document #13001. Table D-1, on the next page, organizes the oral comments on the Draft EIS alphabetically within the following categories:

- Elected Officials (Federal, state, and local)
- Agencies (Federal, state, tribal, and local)
- Passenger/Rail Service Providers
- Organizations
- Applicant
- Citizens

Table D-1. Oral Comments Received on the Draft EIS at Public Meetings		
Commenter Name	Commenter Title/Organization	Comment Number
ELECTED OFFICIALS		
Federal Government		
Bean, Melissa	Member, U.S. House of Representatives	12376 12377
Jackson, Jr., Jesse	Member, U.S. House of Representatives (Comments given by Rick Bryant)	12137
Manzullo, Don	Member, U.S. House of Representatives	12377
Visclosky, Peter	Member, U.S. House of Representatives (Comments given by Mark Lopez)	12875
Weller, Jerry	Member, U.S. House of Representatives (Comments given by Margie Almanza)	13001
State Government		
Beaubien, Mark	Member, Illinois House of Representatives, 52 nd District	12377
Daniels, Mitch	Governor, State of Indiana (Comments given by Ann Valentine)	12875
Dunkin, Ken	Member, Illinois House of Representatives, 5 th District	12535
Fortner, Mike	Member, Illinois House of Representatives, 95 th District	12136
Holmes, Linda	Member, Illinois State Senate, 42 nd District	12711
Kosel, Renee	Member, Illinois House of Representatives, 81 st District Comments given by Roberta Burmeister)	13001
Nekritz, Elaine	Member, Illinois House of Representatives, 57 th District	12376
Ramey, Randy	Member, Illinois House of Representatives, 55 th District	12136
Riley, Al	Member, Illinois House of Representatives, 38 th District (Comments given by Martha Perales)	12137
Yarbrough, Karen	Member, Illinois House of Representatives, 7 th District	12535
Local Government		
Abboud, Robert	Village President, Village of Barrington Hills	12377
Airdo, Michael	Village Trustee, Bartlett	12136
Anderson, Jeffrey	Village Trustee, Village of Barrington	12377
Balderman, Tim	Mayor, Village of New Lenox	13001
Barry, Clare	Alderman, City of Warrenville	12711
Beifuss, James	Alderman, City of West Chicago	12136
Bowden, Annette	Village Trustee, Village of New Lenox	13001
Branding, Suzanne	Village Trustee, Village of Lake Zurich	12376
Corso-Heath, Cynthia	Village Trustee, Village of Frankfort	12137
Daluga, Jim	Village Trustee, Village of Barrington	12377
Darch, Karen	Village President, Village of Barrington	12377
Dawson, Eugene R.	Supervisor, Barrington Township	12377
Dobosz, Stan	Councilman, City of Griffith	12875
Dye, Nancy	Village Trustee, Village of New Lenox	13001
Elmore, Lynda	Alderman, City of Aurora	12711
Fuesting, Matt	Alderman, City of West Chicago	12136
Furstenau, Richard	Councilman, City of Naperville	12711
Goodson, Lee Ann	Board Member, Will County	13001
Grace, Candice	Village Trustee, Village of Riverside	12136

Table D-1. Oral Comments Received on the Draft EIS at Public Meetings		
Commenter Name	Commenter Title/Organization	Comment Number
Holland, Jim	Mayor, Village of Frankfort	12137 13001
Hunt, Keith	Mayor, Village of Hawthorn Woods	12376
Hunt, Paul	Village Trustee, Village of Barrington	12377
Johnson, James	Village Trustee, Village of Lake Zurich	12376
Keith, LeRoy	Alderman, City of Aurora	12711
Kelly, Mike	Supervisor, Hanover Township	12136
Knoop, Steve	Village Trustee, Barrington Hills	12377
Kopycinski, Gary	Village Trustee, Village of Park Forest	12137
Kwasman, Michael	Mayor, City of West Chicago	12136
Lamb, Bill	Village Trustee, Village of Plainfield	13001
Leitner, Kathleen	President of Village Board, Village of Tower Lakes	12377
McCarthy, Jim	Trustee, Bartlett Fire Protection District	12136
Melchert, Catherine	Village President, Village of Bartlett	12136
Mervine, Rick	Alderman, City of Aurora	12711
Miller, Kenn	Councilman, City of Naperville	12711 13001
Miller, Steven	Village Trustee, Village of Barrington	12377
Moustis, James	Supervisor, Frankfort Township	13001
Nelson, David	Supervisor, Cuba Township	12377
Phipps, Eileen	Mayor, Village of Wayne	12136
Pineda, Ruben	Alderman, City of West Chicago	12136
Raseman, Beth	Village Trustee, Village of Barrington	12377
Roberts, Tim	Village Trustee, Village of Barrington	12377
Ryfa, Rick	President, Town Council, City of Griffith	13001
Sauer, Bruce	Village President, Village of North Barrington	12377
Schneider, Tim	Board of Commissioners, Cook County	12136
Senger, Darlene	Councilman, City of Naperville	12711
Stevens, Mike	Trustee, Village of Frankfort	12137
Tolomei, John	Village President, Village of Lake Zurich	12376 12377
Van Til, George	Surveyor, Lake County, Indiana	12875
Weisner, Tom	Mayor, City of Aurora	12711
Wiaduck, Harold	Village President, Village of Riverside	12535
Zay, Jim	Member, DuPage County Board	12136
AGENCIES		
State Government		
Bolwin, Charles	Illinois Department of Transportation	12711
Local Government		
Agnoletti, Janet	Barrington Area Council of Governments	12377
Arie, Jim	Barrington Fire Department	12377
Battle, Brian	Barrington School District 220	12377
Bennett, Donald E.	Village of Plainfield Police Department	13001
Blanchard, Peggy	Village of Barrington Economics & Community Development	12377
Blazer, Michael	Village of Bartlett	12136

Table D-1. Oral Comments Received on the Draft EIS at Public Meetings		
Commenter Name	Commenter Title/Organization	Comment Number
Bosley, Maggie	Village of Barrington Community & Financial Services	12377
Burmeister, Dennis	Village of Barrington Public Works	12377
Coulter, Brent	Village of Bartlett	12136
Daeschner, Dr. Stephen	Indian Prairie School District #204	12711
DeMauro, Marcella	Forest Preserve District of Will County	13001
Ergo, Carie Anne	City of Aurora	12711
Felix, Jesse	City of West Chicago Parks District	12136
Finlon, Patrick	Village of Lake Zurich Police Department	12377
Gallt, Eric	City of Aurora	12711
Harris, Alex	City of Plainfield	13001
Helsel Hoffman, Pam	Crete Rural Park District	13001
Heyden, David	Village of Lake Zurich Public Works	12377
Jennings, Terry	Barrington Park District	12377
Kaczynski, Ken	School District U-46	12136
Keasler, Rae	City of Aurora	12711
Knutson, Dr. Brian	Community School District 95	12376
Lawler, Jeff	Village of Barrington Police Department	12377
Leonard, Tom	Barrington School District 220	12377
Lobaito, John	Village of Mundelein	12376
Mastandrea, Terry	Village of Lake Zurich Fire Rescue Department	12377
Meiser, Joe	Village of Barrington Planning Commission	12377
Mikel, Richard	City of Naperville Fire Department	12711
Modrich, Joe	Park District in Franklin Park	12136
Oelker, Timothy	City of Aurora Fire Department	12711
Pansch, Detlev	Barrington Public Library District	12377
Persons, Allen	Village of Plainfield Department of Public Works	13001
Peterson, Daniel	Village of Lake Zurich Building & Zoning	12376 12377
Pieroni, Denise	Village of Barrington	12377
Riess, Steve	Village of Hawthorn Woods	12376
Robles, Karyn	City of Naperville	13001
Sashko, Tim	Village of Mundelein Fire Department	12376
Schatz, Marcie	City of Naperville Transportation, Engineering, & Development Department	12711
Smeaton, Richard	Village of Matteson Community Development	12137
Steingart, Jeff	Countryside Fire Protection District	12376
Stockstell, Regan	Village of Richton Park	12137
Stott, Hugh	West Chicago Fire Protection District	12136
Strahan, Dan	Village of Barrington Hills	12377
Summers, Greg	Village of Barrington Engineering & Building Department	12377
Svetanoff, Joseph	City of Schererville	12875
Talbett, Michael	Lake County Forest Preserve District	12376
Thomas, Gregory	City of Aurora Police Department	12711
Vitas, Bob	Village of Lake Zurich	12376 12377
Wallace, James	Village of Barrington	12377

Table D-1. Oral Comments Received on the Draft EIS at Public Meetings		
Commenter Name	Commenter Title/Organization	Comment Number
Wiett, Bill	City of Aurora	12711
Zoellner, Kirk	Village of Mokena	12137 13001
PASSENGER/RAIL SERVICE PROVIDERS		
McDonald, Richard	C and NW Railroad	12377
Paine, Jacquelyn	CSX Corporation	12535
ORGANIZATIONS		
Alexander, Julian	Meadow Lake's Homeowner's Association	12137
Anastasio, Michael	North Country in Wayne Community Association	12136 12711
Andrew, Janet	Rolling Meadows Homeowners Association	12136
Asheim, Paul	Stonebridge Community Association	12711
Barnett, Terry	Underground Contractors Association of Illinois	12376
Bartnicki, Ron	Emergency Medical Services Board of Control for Griffith, IN	12875
Berry, Christopher	University of Chicago	12535
Boersma, Margretta	Homeowner Association of Gateway Parks	13001
Bradford-White, Mary	Barrington Area Conservation Trust	12377
Bueno de Mesquita, Ethan	University of Chicago	12535
Burkhart, Richard	T.R.A.C.	12377
Cartwright, Chris	International Association of Machinists and Aerospace Workers	13001
Church, Robin	Indian Prairie Parents' Council	12711
Davis, Jeff	Phoenix Closures	12711
Ehlers, John	Rail I Media	12535
Giangrasso, Dr. Joseph	Advocate Good Sheppard Hospital	12377
Gohmann, John	Small Railroad Business Owners of America	12376
Greenwood, Reggie	Chicago Southland Economic Development Corporation	12535
Horvath, Brian	Bridges of Mokena Townhomes	13001
Johnson, Dean	Big Woods Marmion Neighborhood Association	12711
Keca, Steve	Remington Crossing Neighborhood	12711
Keller, Kris	National Realty Network	12377
Kelsch, Joseph	Barrington Area Development Council (BADC)	12377
Knightwright, James	Southeast Villages Neighborhood / Aurora Neighborhood Council	12711
LaBelle, Jim	Chicago Metropolis 2020	12535
LaGro, Phillip	TRAC	12376
Lambert, Karen	Advocate Good Sheppard Hospital	12377
Lanigan, Jack	Hi-Jack Products / Southland Development Corporation	13001
Lomastus, Terry	Chicago South Chamber of Commerce	12137
Mannos, Steve	Dearborn Tower Condominium Association	12535
Marquardt, Kurt	Marquardt Buick, Pontiac, GMC	12377
Mazurkiewicz, Donna	Concord Village Condo Association	12377
Medcalf, Bill	Whiteley Village Townhome Condominium Association	12376
Meyer, Janet	Barrington Area Chamber of Commerce	12377
Mini, Michael	Chicagoland Chamber of Commerce	12535
Mottl, Jason	Homeowners Association of Stone Creek	13001

Table D-1. Oral Comments Received on the Draft EIS at Public Meetings					
Commenter Name		Commenter Title/Organization		Comment Number	
Murphy, Alan		DuPage Group		12711	
Nolting, Jim		Prestwick Homeowners Association		12137	
Palmquist, Joyce		Barrington Area Council on Aging		12377	
Perez, Jorge		Calumet Area Industrial Commission		12137	
Perrin, Dale		Lake Zurich Area Chamber of Commerce		12376	
Pietrzak, Nancy		Rush-Copley Medical Center		12711	
Reilly, Mike		Naperville Homeowners' Federation		12711	
Schumm-Burgess, Nancy		Barrington Area Conservation Trust		12377	
Schwieterman, Joe		Chatting Institute at DePaul University		12137	
Siemianowski, Fr. John		St. Agnes & St. Paul Catholic Churches		12137	
Stetson, Brad		Barrington Area Chamber of Commerce		12377	
Venskus, Thomas		Prestwick Homeowners' Association		13001	
Whitley, Doug		Illinois Chamber of Commerce		12137	
APPLICANT					
Creel, Keith		Canadian National Railway		12711	
Foote, Jim		Canadian National Railway		12535	
Jakubowski, Eric		Canadian National Railway		12376 13001	
Johnson, A. Dwight		Canadian National Railway		12535	
Mohan, Mike		Canadian National Railway		12137 12875	
Simpson, Danny		Canadian National Railway		12136	
Trafton, Gordon		Canadian National Railway		12377	
CITIZENS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Ashton, Thomas	12136	Decker, Joreen	12875	Goodwin, Virginia	12137
Bateman, James	12376	Decker, Shirley	12711	Griffin, Marilyn	12711
Bird, Judith	12137	Deja, Kenneth	12376	Grooms, Chris	12376
Bonuchi, Margie	13001	Dendrinios, Sam	12137	Grooms, Ken	12376
Braithwaite, J. William	12377	Domiano, Jim	12535	Guntin, Ed	12377
Bruno, Tom	12136	Dougherty, Margaret	12711	Harrington, Joe	12711
Bryant, Carl	12711	Engberg, Al	12376	Harthun, Patricia	12535
Burns, Kevin	12137	Fink, Joseph W.	12136	Hebreard, Dan	12711
Cassioppi, Gerry	12711	Finley, Rita	12377	Hendricks, Stan	12875
Catalano, Marilyn	12136	Fisher, Michael	12376	Hetzler, Richard	12711
Chatt, Charles	12711	Frank, Thomas	12875	Holec, Malcolm	12376
Ciboa, Matt	13001	Furgason, Julie	12137	Howard, Michael	12535
Cipolla, Matt	12711	Gadde, Vijay	12376 12377	Hussain, M.D., Sakhawat	12137
Collins, Anne D.	12875	Giblin, Jim	12535	Jaburek, Don	12535
Crowther, Bob	12535	Gomeztagle, Joseph	12875	James, Cynthia	13001
Cutright, George	13001	Goodwin, Bill	12137	Joyce, Mike	12377

Table D-1. Oral Comments Received on the Draft EIS at Public Meetings					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Kapadia, Dino	13001	Mrizek, Stan	12711	Schoen, Deborah	12711
Kemp, Barbara	12377	Murphy, Alan	12136	Schoen, Robert	12136
Kiesa, David	12711	Napolitano, Frank	12136	Schoon, Judi	12875
Kocian, Timothy	12137	Nordengren, Jerry	12136	Selk, Rick	12711
Koziol, George	12136	Oliver, Sam	12377	Sherman, Rob	12376 12136
Kramer, Steven	12875	Perille, P. James	12377	Simmons, Rick	12711
Kroczek, Karen	12875	Petropoulos, Keith	12376	Smith, Kathleen	12711
Labb, Nancy	12137	Petrosky, John	13001	Solms, Joan	12711
Ladner, Lawrence	12711	Pinkus, Kathy	12377	Spiroff, Patrick	12535
Lazich, Michael	12137	Quigg, Catherine	12377	Steinman, Marc	12137
Lee, Bob	12377	Rees, Douglas	12377	Summick, Evelyn	12137
Leick, John	12711	Regan, Elizabeth	12136	Tarbet, Jim	12376 12377
Logsdon, Alan	13001	Rein, Suzy	12376	Tomaszewski, Leonard	12875
Mangano, Jeff	12377	Reinhard, Linda	12377	Urban, Conrad	12137
Maravich, Jamie	12377	Reis, Arthur	13001	Urban, Vicki	12137
Markmann, Gregg	12137	Roberts, Maureen	12377	Valenti, Jeff	13001
Marsh, Carolyn	12875	Russell, Duncan	12711	Walke, Richard	12376
Massa, Martin	12711	Ruthrauff, Dennis	12875	Wendt, Bill	12535
McCarthy, Karen	12377	Sandschafer, Scott	12711	Wieland, Jered	12137
		Satkus, Cheryl	12875	Wintermute, Terri	13001
McEntee, Mary	12711	Scanlon, Cathy	12136	Witt, Terry	12136
Meier, Robin	12376	Schaefer, Gregory	12376	Wojciechowski, Karen	12136
Morris, Jim	12136 12711	Schoen, Bob	12711		

D.1 Matteson, Illinois

082508 Public Meeting

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2 SCOPING MEETING FOR THE PROPOSED CANADIAN

3 NATIONAL RAILWAY COMPANY ACQUISITION OF THE

4 ELGIN, JOLIET AND EASTERN RAILWAY COMPANY

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7 PUBLIC HEARING

8 AUGUST 25, 2008

9 6:00 P.M.

10 Conducted by:

11 Tina Marie Adams, Meeting Facilitator - MWW Group

12 Public Relations

13 Victoria Rutson, Section Chief - Surface

14 Transportation Board, Section of Environmental

15 Analysis

16 John Morton, Project Manager - HDR Engineering

17

18 HOLIDAY INN

19 500 HOLIDAY PLAZA DRIVE

20 MATTESON, ILLINOIS

21

22

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1 Reported by: Rachel F. Gard, 084-003324
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2 Fran Okrei, 084-001074

3 Laura R. Renke, 084-003184

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2 MS. ADAMS: We're going to go

3 ahead and get started.

4 I'm sorry? Did I hear
Page 2

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5 something from the crowd? Everyone

6 can hear okay? You can hear okay in

7 the back? Okay.

8 Good evening, ladies and

9 gentlemen. Thank you for attending

10 tonight's meeting. We are here tonight to

11 hear your comments on the Draft

12 Environmental Impact Statement that was

13 released on July 25th regarding Canadian

14 National Railway's proposed acquisition of

15 the E&E Railroad.

16 My name is Tina Marie Adams, and

17 I work for a firm called MWW Group Public

18 Relations. We are part of a third-party

19 contracting team that supports the Surface

20 Transportation Board and its Section of

21 Environmental Analysis. I will be

22 facilitating the meeting tonight.

23 Before we get started, I'd like

24 to take this opportunity to review some of

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1 the protocol for tonight's meeting. In a

2 moment I will introduce those presiding

3 over the meeting, and there will be a short

4 presentation on the findings from the Draft

5 Environmental Impact Statement.

6 Immediately following this, we

7 will hear your comments. Each commenter
Page 3

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8 will be given up to 3 minutes to speak. A

9 time clock will be displayed on this screen

10 to my right, and a yellow card will be

11 shown at 2 minutes 30 seconds, with a red

12 card at 3 minutes.

13 A list of speakers will also be

14 displayed on the screen here to my right.

15 I will also call forward the next two

16 speakers in line after that person so we

17 can be as efficient as possible tonight.

18 There's one microphone set up

19 here in the center aisle. There are still

20 some speaking spots available tonight, so

21 if you're interested in speaking, you can

22 still proceed to the registration table

23 that's in the open house area or see a

24 staff member who can assist you.

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1 Alternatively, we want to remind

2 you that you can submit your comments to

3 the Surface Transportation Board through 1)

4 a toll-free number, 2) website, 3) the

5 mailing address, all of which are in the

6 program that you received tonight, or you

7 can get an extra copy, again, in the open

8 house area.

9 There are also comment forms and

10 drop boxes located in the open house area
Page 4

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11 and court reporters located throughout the
12 venue. You may record your comments with
13 them throughout the meeting.
14 Please recognize that all
15 methods of comment received by
16 September 30th will be taken into
17 consideration and weighed equally.
18 Also, a quick housekeeping note.
19 I just want to note that there are three
20 exits here to my right, as well as three
21 exits to my left.
22 Tonight we are here to listen to
23 your comments on the Draft EIS. This is
24 not a question-and-answer session. The

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1 meeting will conclude at 9:00 p.m., with an
2 announcement at 8:30 noting that we have
3 30 minutes that remain.
4 We appreciate your courtesy as
5 we work to create an environment where
6 everyone can be heard tonight.
7 In the event that anyone is in
8 need of a Spanish translator, Beatriz is
9 here tonight to assist.
10 If you have any questions, we
11 have a number of staff available to assist
12 you. Staff are identified with their name
13 tags, as you see on me, and are located
Page 5

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14 throughout the venue.
15 In addition, our open house will
16 remain open during the evening where
17 additional court reporters are available
18 for those of you wishing to provide
19 comments in a more private setting.
20 At this time I'd now like to
21 introduce the people with me on the stage.
22 Victoria Rutson, who is chief of the
23 Section of Environmental Analysis for the
24 Surface Transportation Board, and John

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1 Morton, the project manager from HDR
2 Engineering, who is a third-party
3 consultant supporting the Surface
4 Transportation Board's Section of
5 Environmental Analysis.
6 Victoria Rutson will now make
7 some remarks about the Draft EIS.
8 MS. RUTSON: Thank you, Tina Marie.
9 Can everyone hear me?
10 AUDIENCE MEMBERS: Yes.
11 MS. RUTSON: Good evening, and thank
12 you so much for coming here tonight. As
13 Tina Marie told you, my name is Vicki
14 Rutson. I'm with the Surface
15 Transportation Board's Section of
16 Environmental Analysis. We're here tonight
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17 to hear your comments.
18 We know that this proposed
19 acquisition has generated many questions in
20 the Chicagoland area, and we know that
21 Matteson in particular is going through a
22 period of loss and mourning. We are
23 particularly glad then that we have such a
24 good showing tonight. We're looking

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1 forward to hearing your neighbors' comments
2 and your opportunity to have your voice
3 heard.
4 As Tina Marie said, there are
5 many ways to submit public comments.
6 You're more than welcome to speak tonight.
7 If you don't feel comfortable speaking in
8 public, you can submit a comment in
9 writing, you can submit an electronic
10 comment on the board's website, and you can
11 call our toll-free environmental hotline
12 number and leave a recorded comment
13 message.
14 All the instructions on how to
15 follow those various methods of submitting
16 comments are in the booklet that you picked
17 up when you came to the meeting tonight.
18 Comments are due September 30th.
19 If you're writing a letter, it means that
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20 it must be postmarked by September 30th.
21 Otherwise, a recorded message or an
22 e-filing must be received on
23 September 30th.
24 Once we get all the comments,

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9
1 the team will be busy preparing what's
2 called a Final Environmental Impact
3 Statement. That document will review the
4 comments, will consider them, and will
5 respond to them. It will also contain our
6 recommendations to the decision-maker in
7 this proceeding.
8 The decision-maker is the
9 Surface Transportation Board, a
10 three-member board in Washington, D.C. The
11 three gentlemen who comprise the board will
12 be making the decision on this transaction,
13 but only after the full record is closed,
14 which means all your comments, our
15 responses, any additional environmental
16 analysis that we must do, and, very
17 importantly, our recommended environmental
18 mitigation.
19 The board is an independent
20 federal agency located in Washington, D.C.
21 It's neither a proponent or an opponent of
22 this proposal. It is a neutral
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adjudicatory decision-making agency.
My job is to make sure that the

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1 Surface Transportation Board complies with
2 the National Environmental Policy Act, and
3 the Act is actually rather simple. It says
4 that before an agency makes a decision, it
5 must take a hard look at the environmental
6 impacts of that decision. That's the first
7 tenet of NEPA.

8 The second is that there must be
9 an opportunity for public involvement. And
10 that's why we're so pleased to have a good
11 turnout tonight, and we look forward to
12 your comments in whatever medium you choose
13 to submit them.

14 Every comment will be treated
15 equally, whether you give it orally through
16 the hotline, by a letter or an e-filing, or
17 speak privately to a court reporter this
18 evening. Every comment will be treated
19 equally.

20 The next step in the process, as
21 I said, is the issuance of the Final
22 Environmental Impact Statement. The board
23 has said that that document will come out
24 sometime between December 1st and

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11
1 January 31st.
2 After, and only after, that
3 Final EIS is issued will there be a final
4 decision on this proposal, and that
5 decision will either be to approve the
6 transaction, to deny the transaction, or to
7 approve the transaction but only with the
8 imposition of environmental and other
9 mitigating conditions. Those are the three
10 choices that the board has.
11 With that, I'd like to turn the
12 microphone over to John Morton, who is
13 going to give you a summary of the findings
14 in the Draft EIS.
15 John?
16 MR. MORTON: Thank you, Vicki.
17 I'd like to kind of briefly go
18 through the -- some of the findings in the
19 Draft EIS. First, discuss a little bit
20 about the applicant. CN is a Class I
21 railroad with operations --
22 I'm sorry. Is there a question?
23 AUDIENCE MEMBER: No.
24 MR. BRYANT: Oh, okay.

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1 AUDIENCE MEMBER: Someone trying to
2 find where I am.

3 MR. MORTON: Oh. She's up here in
4 front.

5 (Continuing) -- with operations
6 in Canada and United States. Canadian
7 National has five rail lines that converge
8 in the Chicago area. You can see the five
9 dark lines are the rail lines that converge
10 in the Chicago area, and they operate about
11 150 miles of rail lines in Chicago.

12 E&E is a regional railroad that
13 operates in an arc around Chicago. It
14 starts up at Waukegan, comes around to
15 Joliet and across to Griffith and then up
16 to Gary. It's about -- has about 200 miles
17 of rail line, and it's got three major
18 yards, including a major classification
19 yard in Gary, Indiana: The Kirk Yard.

20 As Vicki mentioned, the
21 applicants have identified three primary
22 purposes for acquiring the E&E. First is
23 to increase Canadian National's flexibility
24 in routing by getting a route around the

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1 city. It's to make E&E's Kirk Yard
2 available to the Canadian National. And

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4 it's to allow the CN to develop a more
5 extensive relationship with the shippers on
6 the E&E.

7 There are several things that
8 the transaction -- what happened, there are
9 some changes in rail operations and yard
10 operations I'll talk about in a minute.
11 There's also -- CN proposes six new
12 connections. They're listed up here. We
13 have a chart back in the open house section
14 if you wanted to look at those six
15 connections. And there's -- they're
16 proposing 19 miles of siding extensions and
17 double tracking.

18 The Draft EIS included --
19 Yes, please.

20 AUDIENCE MEMBER: What is meant by a
21 siding extension?

22 MR. MORTON: It's essentially
23 putting in a second track where there is
24 one track now. In some cases we identified
it as extending where they have a siding,

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1 just running -- extending that siding, that
2 second track. In some cases it's a double
3 track or actually adding a second main
4 line.

5 The EIS identified a number of
Page 12

14

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resource areas and talks about the issues
7 in each one of those resource areas, and I
8 want to cover just a few tonight.
9 Rail operations. This is a
10 density diagram, and hopefully folks in the
11 room can see it. But generally, this is
12 the EJ&E arc on the outside, and these are
13 the CN rail lines coming down the inside.
14 The light blue color is the current train
15 track, again, in terms of number of trains
16 per day. The darker color is the proposed
17 train numbers in terms of trains per day
18 should the transaction be approved.
19 And as you can see, what --
20 there's fair -- most of the tracking that
21 would be coming down today would be
22 diverted and come around the EJ&E arc, and
23 so you can see the shift in traffic levels.
24 The EIS looked at the operations

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15

1 and had concluded that essentially the EJ&E
2 would be near or at its capacity, its
3 practical train volume capacity, in a
4 number of areas. As a result of that, the
5 EIS concluded that it would be unlikely
6 that the number of trains identified in
7 CN's operating plan would be exceeded or be
8 higher.

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It also identified that in
10 certain areas where Metra crosses the EJ&E
11 that in order to maintain the high on-time
12 performance of Metra that CN and Metra
13 would need to work together.
14 In the safety, because of the
15 increased number of train miles, the
16 probability of a train accident on the EJ&E
17 arc would likely increase. You know, by
18 the same token, because of the reduced
19 number of train miles, the probability of a
20 train accident on the CN rail line inside
21 the EJ&E arc would likely decrease.
22 AUDIENCE MEMBER: For how long?
23 MR. MORTON: The potential for a
24 highway-rail accident on the EJ&E rail line

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16

1 would also likely increase, and
2 consequently, because of the reduction, the
3 potential for a highway-rail accident on
4 the CN rail line would likely decrease.
5 Woodruff Road in Joliet and Lake
6 and Miller Street in Griffith, Indiana, the
7 EIS identified those as experiencing a
8 substantial increase in the potential for
9 an accident. The EIS concluded that there
10 really wouldn't no -- be no impact on
11 passenger safety because passenger rail

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doesn't operate on the EJ&E rail line, but
13 you would have an improvement on the CN
14 rail lines because of the reduction in the
15 freight traffic.
16 In addition, because of the
17 change in freight operations, there would
18 be a -- a number -- more hazardous
19 materials transported on the EJ&E route,
20 and many of the segments along the EJ&E
21 rail line would be major key routes, or
22 that would be more than 20,000 carloads of
23 hazardous material transported on them per
24 year.

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17

1 We evaluated 155 highway-rail
2 at-grade crossings on the Canadian National
3 rail lines within the arc. 125 of those
4 would benefit from the proposed action.
5 Of the 112 highway-rail at-grade
6 crossings on the EJ&E, 87 of them did meet
7 the board's threshold for environmental
8 analysis. On that -- of that analysis,
9 existing congestion within the EJ&E
10 corridor makes -- we had some mitigation
11 suggestions in the EIS.
12 Without mitigation, there are 15
13 highway-rail at-grade crossings that we've
14 identified, and they're listed up there,

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and they're on the board out in the
16 public -- or in the open house session that
17 would be substantially affected by the
18 proposed action.
19 From an air quality standpoint,
20 because of the longer train route, the
21 emissions would increase. But because of
22 the more efficient route and the less
23 delay, the result is that the increase in
24 emissions would be below the de minimis

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18

1 thresholds for general conformity in this
2 area.
3 We looked at all the emergency
4 services providers -- the police, the
5 hospitals, and the fire stations -- and
6 identified that there are eleven, nine fire
7 and two hospitals that are located near the
8 EJ&E that would potentially experience
9 effects without mitigation.
10 We identified in the Draft EIS
11 about 3,000 noise-sensitive receptors.
12 Those are homes and businesses and
13 facilities that are sensitive to noise that
14 would be within the 65 dBA. That's a
15 measurement of noise along the EJ&E. There
16 would be about 2,700 receptors that would
17 actually benefit on the CN rail line

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segments from the reduced traffic.
19 Because of the safety
20 requirements, the quiet zone in Barrington
21 would actually no longer qualify as a quiet
22 zone without mitigation.
23 There were a number of
24 mitigation measures listed in the Draft

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19

1 EIS. Canadian National has 76 voluntary
2 mitigation measures in these areas. In
3 addition to those 76, CN is proposing 72
4 mitigation measures in those areas. And
5 those are all listed in both the Executive
6 Summary and also in the Draft EIS.

7 And with that, I'd like to turn
8 it back over to Tina Marie for the
9 comments.

10 MS. ADAMS: I'd actually like to
11 start by acknowledging that there were a
12 couple questions folks had during John's
13 presentation. I would invite you to go to
14 the open house portion where there are
15 still engineering staff that are there to
16 answer your question because we want to
17 reserve this time for people to make their
18 public comments. So thank you for that.

19 AUDIENCE MEMBER: one question. Why
20 is this all being based on the environment

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and nothing else?
22 MS. ADAMS: Again, I would invite
23 you to go to the open house portion, and
24 that's where we're going to address

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20

1 questions that people have. During this
2 period, this is strictly the public comment
3 period.

4 But, again, there are staff back
5 there, and if you are someone who is
6 commenting, before or after you comment,
7 again, please feel free to move to the open
8 house area to have questions answered.

9 Okay. With that, we will begin
10 the public comment portion of our meeting.
11 I want to remind you that we're going to
12 adhere to that 3-minute rule. And we want
13 to also get our first commenters up and
14 ready here.

15 I understand Rick Bryant,
16 representing Congressman Jesse Jackson's
17 office, is here first up to speak at the
18 microphone -- there you are. Okay -- and
19 then followed by Judith Bird and Michael
20 Lazich.

21 As people are making their way
22 to the microphone, I just want to remind
23 you if you could please state your name,

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who you represent or the town that you're

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21

1 from. And if you could also please spell
2 your last name for the benefit of the court
3 reporter, who will be taking down all the
4 comments made here today.

5 We have the microphone here at
6 the center aisle.

7 MR. BRYANT: Oh, okay.

8 Hi, my name is Rick Bryant. I'm
9 the District Administrator for Congressman
10 Jesse Jackson, Jr. The Congressman's
11 district, for those of you who don't know,
12 starts at the Museum of Science and
13 Industry, comes down the lakefront all the
14 way down the Indiana line to the Cook
15 County border, across over to University
16 Park, and then kind of back up I-57, so
17 it's a large district.

18 This issue that brings us here
19 today is a complicated and perplexing one
20 for Congressman Jackson. That's because
21 one-third of his district, the northern
22 part that I just described, strongly favors
23 this transaction because it will
24 significantly reduce train traffic for

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22

1 them.

2 Another third of the district,
3 the southern third, strongly opposes this
4 transaction because it will significantly
5 increase train traffic in their
6 communities.

7 And the middle third of the
8 district will see little impact from the
9 proposed transaction and, therefore, they
10 remain largely ambivalent to the issue.

11 And then, finally, there's
12 Homewood, the U.S. corporate headquarters
13 for Canadian National Railway, which, as
14 you know, was formerly the Illinois Central
15 Railroad. Homewood favors the sale because
16 local officials there fear that without
17 this transaction, Canadian National will
18 move a significant number of its current
19 and future freight operations and its local
20 jobs from the Chicago area to Memphis,
21 Tennessee.

22 So where does the Congressman
23 stand? He supports the sale, but his
24 support is conditional. He has asked the

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1 Surface Transportation Board, twice in
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2 writing, to ensure that the terms of the
3 sale include specific mitigation
4 requirements in the communities between
5 Matteson and the Indiana state line.
6 That mitigation includes
7 underpasses or overpasses at the four
8 locations identified in the charts out
9 here, which is Cicero Avenue in Matteson,
10 Western Avenue in Park Forest, Chicago Road
11 in Chicago Heights, and Lincoln Highway in
12 Lynwood.

13 These viaducts will guarantee
14 uninterrupted north-south automobile
15 traffic flow on these major thoroughfares,
16 and these viaducts will also prevent
17 potential problems for local emergency
18 vehicles who need around-the-clock access
19 between local communities and the St. James
20 Hospitals in Chicago Heights and Olympia
21 Fields.

22 There's one other condition that
23 the Congressman is demanding. Not only
24 must the STB require these underpasses, but

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1 the STB must be responsible for identifying
2 funding for them as well. Funding should
3 not come from -- and the funding should
4 come from a combination of sources,
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5 including CN, the federal government,
6 and/or the state government.

7 As the Congressman stated in his
8 letters to the Surface Transportation
9 Board, the local communities cannot afford
10 the underpasses, and they should not be
11 required to pay for those.

12 Eleven Chicagoland
13 communities -- the eleven communities
14 identified in the study that need
15 mitigation, of those eleven, Chicago
16 Heights has the lowest annual household
17 income, Park Forest has the third lowest,
18 and Lynwood and Matteson are also below the
19 average.

20 In closing, the Congressman
21 wrote that he believes that the acquisition
22 of E&E Railroad by Canadian National will
23 greatly improve overall rail service and
24 efficiencies throughout the Chicago area,

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1 as well as reduce overall rail congestion.
2 However, he emphasized that
3 those overall regional railroad benefits
4 should not outweigh or override the
5 specific local negative impacts of
6 rerouting trains that will certainly create
7 headaches in other communities.
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8 "In the end," Jackson has told
9 the board, "I am counting on the board to
10 work with me and all interested parties to
11 appropriately find funding for these
12 highlighted mitigation projects."

13 Thank you very much.
14 MS. ADAMS: Okay. We have Judith
15 Bird --

16 MR. BRYANT: We also have copies of
17 the letters the Congressman has sent to STB
18 and the statement over on the side table.

19 MS. ADAMS: We have Judith Bird
20 speaking next -- again, I would remind you
21 if you could please say your full name and
22 spell that, your last name, who you
23 represent or the town that you're from --
24 followed by Michael Lazich and Julian

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1 Alexander.
2 MS. BIRD: My name is Judith Bird,
3 J-U-D-I-T-H, B-I-R-D. I'm a resident of
4 Frankfort, Illinois. I felt that the --
5 the Draft EIS study seems to be based on
6 traffic projections only up to the year
7 2015, and that's only seven years away.
8 The Northwestern Planning
9 Commission estimates then Frankfort's
10 population will be up to 55,000 by the year
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11 2030. This study should be based on much
12 higher population numbers; otherwise, the
13 study is flawed from the beginning.

14 The Draft EIS is based on the
15 belief that trains will travel at 45 miles
16 per hour through Frankfort; thus, the wait
17 times around grade crossings will be very
18 short. My own personal observation just
19 simply being stuck at trains periodically
20 is that trains are not running that fast.
21 15 to 20 miles per hour is a more realistic
22 estimate.

23 The EIS authors must look at the
24 reality of the train speeds and consider

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1 the impact of blocked intersections in our
2 communities.
3 If you've ever waited for an
4 ambulance for any reason, a minute can seem
5 like an hour. Should your home be on the
6 wrong side of the tracks anywhere within
7 this whole area, the times will increase
8 enormously, and it's simply not -- I don't
9 feel the DEIS adequately addresses this
10 type of issue.
11 Part of the requirements for
12 this purchase absolutely must include a
13 requirement for CN to fund additional fire
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14 stations, as well as provide HAZMAT
15 training and equipment to our local
16 communities.
17 Thank you.
18 MS. ADAMS: Thank you.
19 We have Michael Lazich and
20 Julian Alexander and Mayor Jim Holland
21 following that.
22 MR. LAZICH: My name is Michael C.
23 Lazich, L-A-Z-I-C-H. I live in Frankfort,
24 Illinois, in the Sandalwood Estates. I

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1 live at 11560 Tea Tree Lane. It's a
2 four-block area, runs parallel to the
3 railroad tracks. The homes are in the
4 range from 400,000 to \$600,000 homes.
5 I would question that 65 decibel
6 because I can go out on my patio, and some
7 of the trains -- not all of them -- and I
8 can literally watch my windows vibrate. So
9 I would question that 65 decibel number.
10 Now, my neighbors -- I've lived
11 there four years. It's a brand-new home,
12 bought it in '04. My neighbors, who -- on
13 each side, east and west, because the --
14 runs east and west. Neighbors on both
15 sides are moving, and the one across the
16 street, strictly because of CN Railroad
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17 moving in. They understand the impact of
18 running all these trains through our
19 neighborhood, the impact it's going to have
20 on the neighborhood.
21 And another question I have is
22 the hazardous waste, especially chlorine
23 gas. Now they're running coal cars through
24 there and tankers with chlorine gas. It's

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1 very deadly.
2 If it should overturn like they
3 had a deadly accident in Tennessee, not
4 only my four-block area, but literally for
5 miles the chlorine gas could seep through
6 the neighborhoods and everything and be
7 very deadly to the neighborhood.
8 And these are just some of my
9 concerns. Thank you.
10 MR. ADAMS: Julian Alexander
11 followed by Mayor Holland and Mike
12 MR. ALEXANDER: My name is Julian
13 Alexander A-L-E-X-A-N-D-E-R. I'm president
14 of the Meadow Lakes Homeowner's
15 Association, which our subdivision sits
16 directly adjacent to the tracks.
17 We look at this as a major
18 impact on our community. Pollution would
19 increase from 28 to 38 trains, there is
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20 more pollution. So I disagree with your
21 numbers there.
22 Hazmat. We have no hazmat teams
23 in our community, nor had our fire
24 department ever been trained for any type

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1 of emergency like this, nor do they have
2 response vehicles like that.
3 The traffic increase of train
4 traffic on those tracks. The more trains
5 we all know, the more accidents. You can't
6 tell me that you put one train on a track,
7 you have less accidents. If you put 30 on
8 a track, you are going to have more
9 accidents.
10 The noise pollution. We live
11 there now, you have four, five trains
12 coming through there, all times of night
13 and just as the gentleman before me, we can
14 literally see our windows shake.
15 Our schools and hospitals. We
16 happen to be on that list of one of the
17 eleven hospitals. If there's an emergency
18 in our community, once we leave our
19 community, we use Cicero Avenue. If
20 there's no under or overpass there, we are
21 stuck. We cannot use Governor's Highway
22 all the time because it floods. We cannot
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23 go to I-57.
24 Life and death here. Stroke,

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1 heart attack victim. We are talking
2 seconds, not minutes.
3 The value of our homes would
4 definitely decrease. The safety on the
5 tracks as far as kids playing on those
6 tracks without a berm, I think is just
7 terrible to put our kids in jeopardy like
8 this.
9 Our health issues. The health
10 issues of pollution from the tracks is
11 definitely a major concern and we all know
12 that the trains do put out a lot more
13 pollution than a car.
14 The over and underpass. We have
15 not heard of the railroad talking about
16 that in any form or fashion or saying
17 anything like that. They have not given us
18 the respect to even talk that way although
19 they are saying what their trains could do.
20 We know that these trains go up
21 and down these tracks and the freight
22 trains could be there for hours. We have
23 seen them coming and going in both
24 directions and we think that's a major

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1 concern.
 2 Also, the last thing, the
 3 pollution part of it. We are definitely
 4 concerned about that. As far as trains
 5 sitting there with engines just idling,
 6 winter or summer, we are definitely
 7 concerned about that. Thank you.
 8 MS. ADAMS: Mayor Holland, Mike
 9 Stevens and Mike Mohan.
 10 MR. HIGGINS: Vicki, we certainly
 11 compliment you on your well-organized
 12 event.
 13 My name is Jim Holland
 14 H-O-L-L-A-N-D. I am the Mayor of the
 15 Village of Frankfort and the Village of
 16 Frankfort will make a comment in writing
 17 later and after our engineers have a chance
 18 to review the environmental impact
 19 statement that's been drafted.
 20 Tonight I'm going to make some
 21 comments about four concerns that I have
 22 personally found in the draft environmental
 23 impact statement. The environmental impact
 24 statement needs to take a hard look at

1 suggestions from organizations such as
 2 CREATE that have made proposals to
 3 alleviate rail congestion in Chicago.
 4 These suggestions would benefit
 5 all railroads in Chicago, not just the CN.
 6 The draft environmental impact statement
 7 needs
 8 to -- seems to just dismiss the CREATE
 9 suggestions. The final EIS should
 10 seriously consider CREATE alternatives.
 11 The draft EIS suggests the CN
 12 should pay only a portion of the cost of
 13 mitigation for such items as grade
 14 separations. The draft EIS suggests that
 15 government should pay the rest. Key
 16 Illinois state agencies, IDOT and the ICC
 17 have stated that they do not have funds for
 18 grade separations and other mitigation.
 19 The draft EIS fails to take a
 20 hard look at the likelihood that the
 21 Federal, state and local governments can or
 22 will fund those costs. CN's profit will
 23 benefit from this transaction. They should
 24 pay for all mitigation required.

1 The final EIS should identify
 2 this realistic source for funding
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3 mitigation even if it is precedent setting.
 4 The draft EIS states that bicycle and
 5 pedestrian safely will be addressed after
 6 the publication of the EIS. These issues
 7 need to be addressed in the EIS.

8 Bicycle and pedestrian trails
 9 are very important to residents of
 10 Frankfort. Several bicycle trails already
 11 cross the tracks in Frankfort and our plans
 12 call for them at nearly every rail highway
 13 intersection.

14 The EIS needs to take a hard
 15 look at bicycle and pedestrian crossings
 16 and the EIS should order the CN to provide
 17 proper crossings for bicycles and
 18 pedestrians where local plans show them.

19 Appendix L suggests that there
 20 will be a significant sound impact to the
 21 people of Frankfort. The EIS should
 22 require the CN to pay for the four-way
 23 gates and other improvements necessary to
 24 qualify Frankfort six at-grade crossings

1 for a long-term Federal Railroad
 2 Administration approved quiet zone.
 3 In addition, the EIS should
 4 direct CN to pay the cost for berms and
 5 landscaping and other mitigation items to
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 7 help mitigate sound in residential areas in
 8 Frankfort.

9 We certainly thank you for the
 10 opportunity to speak tonight.

11 MS. ADAMS: Mike Stevens, Mike Mohan
 12 and Joe Swiderman.

13 MR. HIGGINS: Good evening. My name
 14 is Mike Stevens S-T-E-V-E-N-S. I live in
 15 Frankfort and I'm also a village trustee in
 16 Frankfort and I wish I didn't have to
 17 follow Mayor Holland.

18 I'm opposed to the sale and
 19 there are a number of reasons why. First
 20 of all, is the increase in train traffic
 21 from six to 28 a day. I don't know how
 22 anyone can say that's a good thing for
 23 Frankfort.

24 This will negatively impact our
 fire and police emergency response time. I

1 read over the weekend an article in the
 2 paper where Mayor Balderman in New Lenox
 3 talked about a situation where he was a
 4 policeman there and got caught in a
 5 situation where the ambulance couldn't get
 6 across the track and a young child lost its
 7 life. And we don't want that to happen
 8 anywhere.

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 I'm concerned about the school buses that they have to cross the tracks a number of times a day. And we've got a situation at 116th Avenue where we don't even have crossing gates coming down. They are not even there.

I believe that what we are doing is moving a regional transportation problem further west and we are not addressing this problem as it exists.

People who currently live in the area today where the trains are running have dealt with this issue for many years. Their property values reflect already the high volume of train traffic.

Who is going to pay our

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homeowners because of their home values being reduced because of these trains coming through?

The cost of mitigation. The cost is staggering yet the CN only proposes to contribute 40 million dollars. This from a company that made over 2 billion dollars in profit last year.

The CN is a foreign company expecting the US taxpayers to foot the bill so that they can become more profitable.

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conduct safe and efficient operations while providing the best possible service to our customers.

Our proposed acquisition of the major portion of the Elgin, Joliet & Eastern Railway Company is intended to help address the severe rail congestion plaguing the Chicago region. This transaction would enable CN to divert most of our trains that currently operate through downtown Chicago onto the underutilized E&E line on the periphery of the city.

By doing so, this transaction would streamline CN's operations while also providing a privately funded partial remedy to the costly and inefficient rail congestion in Chicago. Importantly,

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 This sale if it goes through will be a huge win for CN and a huge loss for the American taxpayer.

And my town, my town of Frankfort will be a less desirable place to live. Thank you so much.

MS. ADAMS: Mike Mohan and then we have Joe Sweiderman and Terry LaPlasta.

MR. HIGGINS: My name is Michael Mohan M-O-H-A-N and I am CN's Vice President of Service. Thank you for the opportunity to speak this evening about CN's goals in this transaction and our

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commitment to the environmental review process in this proceeding.

CN is the fifth largest railroad in North America, measured in terms of revenues, and we work closely with all our rail colleagues as part of an integrated network.

In addition to our transcontinental operations across Canada, we operate in sixteen states in the United States. CN has a particularly strong heritage in Illinois.

A key portion of our US network is the former Illinois Central Railroad,

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 roughly 60 communities inside the E&E also would benefit from reduced train traffic as a result of the transaction.

CN understands the concerns about increased train traffic that have been raised by communities along the E&E line. We have been engaged on environmental

issues in two major areas.

First, CN has been an active participant in the Section of Environmental Analysis environment review process and CN has done everything possible to help facilitate this process.

CN has provided all of the data requested by SEA and its consultants for their analysis and we participated in the SEA's scoping meetings conducted earlier this year by being available at each meeting to talk with community residents and officials and respond to their questions.

In addition, consistent with STB practice under which the applicants in a transaction are responsible for reimbursing the charges incurred by the third-party consultants assisting SEA in the environmental review process, under SEA's

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22 direction, CN has already paid the
23 independent environment consultants who are
24 assisting SEA more that \$10.5 million, and
we expect to pay at \$7.5 million more

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1 through the end of this year. 41

2 In addition, we have hired our
3 own independent environmental consultants
4 who have conducted extensive environmental
5 analyses in order to both answer SEA's
6 factual inquiries and to develop mitigation
7 plans. Our consultants were also
8 instrumental in developing CN's proposed
9 voluntary mitigation options, which were
10 included in the Draft Environmental Impact
11 Statement issued on July 25 by SEA.

12 Second, CN has undertaken an
13 extensive community outreach effort,
14 starting first with briefings on the
15 transaction with individual community
16 leaders, civic organizations, and other
17 groups when we announced this transaction.

18 At the conclusion of SEA's
19 scoping meetings, CN launched an extensive
20 community outreach initiative with the goal
21 of developing voluntary mitigation
22 agreements with communities located along
23 the EJ&E lines to address their concerns

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about the impact of increased train traffic

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1 along the line.

2 My colleague, Eric Jakubowski
3 and I have met with every community located
4 along the EJ&E line willing to meet with
5 us, including Matteson. We have been
6 successful in reaching an agreement with
7 the City of Joliet that addresses their
8 environment concerns, and we have
9 productive discussions ongoing with a
10 number of other communities. CN is fully
11 committed to these mitigation efforts.

12 I know there has been interest
13 and concerns expressed about CN's august 14
14 filing in which we asked the Board to
15 divide this proceeding so that the
16 transaction can close on the transportation
17 merits before the end of 2008.

18 The need for our filing arose
19 because the board's July 25, 2008 decision
20 projected a timetable for a final decision
21 in this proceeding that likely extends into
22 2009, but with no certain end date.

23 At the same time, the Stock
24 Purchase Agreement between CN and EJ&E, an

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1 indicted subsidiary of United States Steel
2 Corporation presents the risk that EJ&E
3 could terminate the transaction if it were
4 not approved by the STB and closed by
5 December 31, 2008.

6 CN contacted US steel and
7 requested modification of the SPA or other
8 action that would assure that the
9 transaction could still be closed if
10 approved after December 312008. Earlier
11 this month, however, US Steel declined our
12 request. Facing the very real prospect
13 that we would not be able to close on the
14 transaction by year-end, we filed our
15 August 14 petition.

16 There is no dispute about the
17 transportation benefits of the transaction
18 and the lack of serious competitive issues.
19 What I want to emphasize this evening is
20 that our petition would not in any way
21 change SEA's environmental review process.
22 The environmental review process would
23 continue as outlined in the Boards July 25
24 decision setting forth time limits in this

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1 proceeding.

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2 Of particular importance, during
3 the time between the Board's approval of
4 our transaction and completion of the
5 environmental review process, CN would not
6 be allowed to make any transaction-related
7 operational changes that would create
8 adverse impacts on communities located
9 along the EJ&E line.

10 We fully understand the need for
11 a thorough environmental review and we are
12 not seeking to deprive any community or
13 interested part of its opportunity to
14 participate in this process.

15 Thank you again for the
16 opportunity to provide CN's perspective on
17 this transaction.

18 MS. ADAMS: We now have Joe
19 Schwieterman, Terry LaMastas up and Kurt
20 Zollener.

21 MR. SCHWIETERMAN: Good evening, I'm
22 Joe Schwieterman, Professor at DePaul
23 University and Director of the Chatting
24 Institute at DePaul.

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1 MS. ADAMS: Could you state your
2 name, please?

3 MR. SCHWIETERMAN:

4 S-C-H-W-I-E-T-E-R-M-A-N. I'm here speaking
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5 on my personal views and not those of my
6 employer.
7 I appreciated the draft EIS as
8 the region has a lot of trouble making
9 choices on transportation infrastructure
10 from highway expansion to airports to rail,
11 it's been a frustrating ten years. And
12 part of the problem is lack of adequate
13 state support for grade crossing
14 improvement in this case.
15 Part of our failure is to
16 adequately create, thus the rail problems
17 continue to grow worse and communities
18 everywhere are feeling the pinch. I think
19 the draft EIS captures those problems well.
20 On one hand, it shows there are
21 significant transportation benefits to the
22 acquisition. It shows that CN can take
23 steps to mitigate some of the problems but
24 it shows that the problems are indeed very

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1 real.
2 I think the costs do not rise to
3 the level where they offset the benefits of
4 this transaction for the region. And the
5 volume of traffic will grow in this region,
6 making more traffic on the E&E inevitable
7 regardless of what occurs but the regional
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11 largest logistics centers in the United
12 States.
13 All work together to coordinate
14 the operations in the south suburbs. The
15 Chicago Chamber of Commerce is a steward of
16 economic vitality for our region and
17 believes that the acquisition will help
18 move freight traffic more effectively and
19 create jobs and open up new economic
20 development opportunities for all.
21 As freight traffic is expected
22 to increase over the coming years and the
23 need to improve and expand our rail system
24 and to accommodate a growing flow of

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1 commercial -- with commerce throughout the
2 region is apparent.
3 That the Canadian National Rail
4 Company whose corporate headquarters are in
5 South Cook County is offering to
6 investigate in our region -- is offering to
7 invest in our region which will result in
8 strengthening our economy.
9 We expect that Canadian National
10 will also work with local communities and
11 governments to help address the need for
12 the infrastructure changes that will occur.
13 We are asking the Surface
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8 benefits are fairly compelling.
9 I think the assumption on
10 traffic flow are reasonable in the EIS. In
11 the same time, I think some of the numbers
12 on traffic volume for all the lines in the
13 region may indeed change dramatically when
14 you look out ten or fifteen years which may
15 assess the need for additional improvements
16 to insure that train speed remains at the
17 level CAS anticipates.
18 The E&E was built of the bypass
19 I think with proper mitigation can be an
20 efficient bypass. I think our region is
21 wise to debate these issues carefully but I
22 think as a region, the benefits are indeed
23 fairly compelling. Thank you.
24 MS. ADAMS: Terry Lomastis, followed

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1 by Kurt Zollener and Jorge Perez.
2 MR. HIGGINS: My name is Terry
3 Lomastis. I'm Vice Chair of Economic
4 Development For Chicago South Chamber of
5 Commerce.
6 This is a vast reach in the
7 south side of Chicago. It represents about
8 86 communities and about 2.5 million
9 residents. We house several national and
10 regional organizations and one of the
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14 Transportation Board to look favorably upon
15 the benefits to be derived from this
16 transaction and to look to minimize any
17 negative impact on communities along the
18 E&E by supporting both public and
19 privately long-term funding and issues to
20 provide infrastructure needed to support
21 the necessary changes that will impact our
22 communities.
23 Thank you very much for having
24 us.

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1 MS. ADAMS: Kurt Zoellner followed
2 by Jorge Perez and Representative Al Riley.
3 MR. HIGGINS: Yes. My name is Kurt
4 Zollener Z-O-E-L-L-N-E-R representing the
5 village of Mokena. I'd like to give a
6 couple comments.
7 First talk about some broad
8 issues and then some more specific. First
9 of all, in our opinion, the final EIS needs
10 to broadly address the thought plane.
11 First review alternatives for
12 relieving rail congestion in the
13 Chicagoland area. Other than CN's proposed
14 shift of huge volumes of rail traffic from
15 existing tracks to the E&E.
16 More specifically, we believe
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17 that EIS should reconsider the CREATE
18 alternative as a comprehensive solution to
19 the problem.
20 Secondly, assess realistically
21 the ability of taxpayers to fund the
22 mitigation recommendations contained in the
23 DEIS, as well as other mitigation measures.
24 Citizens throughout the region made demands

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1 should CN's proposal ultimately be
2 approved.
3 We believe the environmental
4 impact of proposed transaction on the
5 regional will be far greater than implied
6 in the DEIS, given the scarcity of federal,
7 state and local government dollars to enact
8 mitigation measures.
9 Finally re-evaluate the list of
10 substantially affected crossings included
11 in the DEIS. The limited time length
12 projection of ATT counts in DEIS on these
13 roads crossing the EJ&E at grade level, in
14 our opinion, fails to adequately consider
15 the probable prospect of both increased
16 vehicular traffic on the roads and
17 increased freight traffic on the EJ&E over
18 the next 20 years given current population
19 growth patterns and every increasing
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20 volumes of freight traffic on the rails.
21 On a more specific basis we
22 would ask the STB to do the following and
23 the final EIS. First take a harder look at
24 specific impact of noise on residential

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1 homes located along the EJ&E that might be
2 associated with larger and much more
3 frequent freight traffic.
4 Secondly, require CN to pay for
5 the installation of berms or noise walls in
6 areas which EJ&E trackage lies within the
7 65 d/b/a projected contour line for
8 residential areas as condition of approval
9 for CN's acquisition of the EJ&E.
10 Such noise barriers are
11 necessary to help protect the property
12 values of these residential areas. We
13 believe it is unfair to ask the residents
14 of homes near the EJ&E to simply absorb the
15 negative physical and economic impacts that
16 will be imposed on them if this is
17 ultimately approved.
18 Third, to take a harder look at
19 the negative impacts on safety and traffic
20 congestion at grade crossings that would be
21 associated with a quadrupling of freight
22 traffic on the EJ&E.
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23 And finally, require CN to pay
24 for necessary crossing improvements

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1 including grade separations for either quad
2 gates or barrier median test conditions for
3 approval for the acquisition.
4 With specific respect to our
5 community and its crossing of Wolf Road, we
6 will need the installation of barrier
7 medians to be the minimum acceptable
8 crossing improvement. Thank you.
9 MS. ADAMS: Jorge Perez followed by
10 Al Riley and Doug Whitley.
11 MR. PEREZ: Good evening. My name is
12 Jorge Perez and I'm from South Chicago.
13 The representatives of Surface
14 Transportation Board, I'm President of the
15 Calumet Area Industrial Commission, an
16 organization representing businesses and
17 industry on the south side of Chicago and
18 in the southern suburbs.
19 I come before you today to urge
20 the Surface Transportation Board to include
21 the positive economic impact that the
22 Canadian National Railroad's acquisition of
23 the EJ&E Railroad will have in its
24 environmental impact statement.
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1 The purchase of the EJ&E by
2 Canadian National holds the promise of
3 economic revitalization for the portion of
4 the EJ&E Railroad that runs to the
5 southeast side of Chicago.
6 The EJ&E Railroad will link the
7 Port of Chicago on the southeast side of
8 Chicago with an international shipping
9 network. Companies can unload their
10 product in the Port of Chicago onto the
11 Canadian National Railroad and ship them
12 transcontinental to West Coast ports and
13 destinations across the globe.
14 This increases the value of the
15 port of Chicago and will lead to further
16 investment in jobs in the shipping
17 industry.
18 In addition to the economic
19 benefits of the south and southeast side of
20 the city and suburban industry, the
21 acquisition will be good for the economy
22 and the Chicago Metropolitan region.
23 Rail congestion slows the
24 transport of goods to and from Chicago

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1 businesses, increasing costs to those
2 products. This same congestion adds to
3 shipping costs of businesses across the
4 country as trains passing from the east to
5 the West Coast face delays as they pass
6 through Chicago.

7 If the rail congestion in
8 Chicago is not addressed soon, shippers
9 will find alternative means of shipping
10 resulting in a loss of revenue and jobs for
11 the Chicago region.

12 In closing, the south side and
13 southern suburbs of Chicago need the
14 economic development and jobs that link the
15 E&E Railway to the Canadian National,
16 International Shipping network will
17 provide.

18 On behalf of the Calumet Area
19 Board of Directors, I urge the Surface
20 Transportation Board to approve the
21 proposed acquisition of the E&E Railway.
22 Thank you.

23 MS. ADAMS: I understand that --
24 please be respectful of everyone. We

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1 appreciate that.

2 I understand that you are
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1 Street between the Village of Matteson and
2 the Village of Park Forest, just to name a
3 few.

4 There has to be some kind of
5 tangible evidence that moving more freight
6 in this instance has some kind of economic
7 impact for our region. It's all
8 theoretical at this time.

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representing Representative Al Riley.

3 If you could please state your
4 name and spell your name.

5 MS. PERALES: My name is Martha
6 Peralas and I'm here representing State
7 Representative Al Riley. Last name is
8 spelled P-E-R-A-L-E-S.

9 State Representative Riley
10 represents the 38th District. The 38th
11 District includes all and or portions of
12 Country Club Hills, Flossmoor, Harvey,
13 Hazel Crest, Markham, Matteson, Oak
14 Forrest, Olympia Fields, Park Forest,
15 Richton Park and Tinley Park.

16 I'm here in opposition to the
17 proposed E&E purchase. I don't think that
18 CN has been neighborly in their whole
19 approach and that is why I am against the
20 purchase in its present form. There has
21 been little discussion from CN to mitigate
22 the congestion being caused by more and
23 longer trains.
24

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1 This is about mitigating
2 congestion around the Chicago area. We are
3 also being viewed as an inter land in this
4 deal. I don't believe if CN really
5 listened to the critical mass of the
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1 appears to be a fallacy -- there appear to
2 be some fallacies in their arguments in
3 this business deal.

4 Respectfully submitted, State
5 Representative Al Riley.

6 MS. ADAMS: I would again just like
7 to remind the crowd to please be respectful
8 of the speakers regardless of their
9 position.

10 Your silence would be a great
11 response to that as an option. Now we have
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13 Doug Whitley. Following him is Timothy
14 Kasien and Rick Reinbold.
15 MR. HIGGINS: Good evening. I'm
16 Doug Whitley, President of the Illinois
17 Chamber of Commerce.
18 I speak tonight on behalf of
19 employers and employees in this region.
20 Transportation is one of the cornerstones
21 of the Illinois economy and specifically
22 here in the Chicago region.
23 We have numerous transportation
24 issues that must be addressed and this E3&E
acquisition by CN is only one of multiple

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1 activities that should take place in the
2 future.
3 One of the components of our
4 mission is to promote the infrastructure
5 investment in this community and in this
6 state. Businesses depend upon it.
7 Infrastructure is the engine of
8 our economy. I'd like to quote from the
9 Transportation Commission report delivered
10 earlier this year to the United States
11 Congress.
12 It says quote: It is an
13 overstatement to say the nation's potential
14 for the creation of wealth will depend in
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16 great part on the success of freight
17 efficiency.
18 This report talked about choke
19 points in our nation's system of
20 transportation threatening this regional
21 economy and the nation's economy. Chicago
22 is one of the most critical choke points
23 that begs to be addressed.
24 CN's proposal to acquire the
E3&E will ease the choke point enabling

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1 more efficient flow of goods to and through
2 the region providing and protecting jobs.
3 It is a proactive start by the private
4 sector to begin an important long-term
5 improvement process. Much more needs to be
6 done and it will take many years to do all
7 that needs to be done, but it is a start.
8 And that's why I'm here today.
9 Freight congestion poses a
10 threat to the Illinois economy. It's time
11 to remove the uncertainty about the
12 timeliness of transportation supply chain
13 in the Chicago Metropolitan area.
14 Not long ago, Chicago region was
15 the third largest intermodal freight hub in
16 the nation. Today we are fifth, largely
17 because of areas like Kansas City and
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19 Memphis doing more to provide more and
20 reliable efficient rail service.
21 Two-thirds of the nation's cargo
22 containers moves through Illinois, most of
23 which moves right through the Chicago
24 regional area. The rail industry employs
many people and thousands more depend upon

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1 the distribution of goods and services that
2 move through Chicago.
3 Efficient Chicago area rail and
4 truck networks are critical to the nation's
5 economy, not just Chicago's. The CN
6 acquisition is but one of many positive
7 steps that must follow.
8 It is in the state's interest to
9 insure that Northeastern Illinois remains
10 the transportation hub of North America.
11 In my opinion, the State of
12 Illinois has been sorely absent and silent
13 when it comes to being extremely helpful in
14 giving and providing comfort to these
15 communities that there will be construction
16 projects, solutions and comfort to these
17 communities that have the greatest concerns
18 about the future of rail freight traffic in
19 Illinois.
20 Mitigation is appropriate and
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22 necessary but it will take time and
23 cooperation on the part of many, including
24 the municipalities, the state, and the
Federal Government and yes, the CN.

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1 MS. ADAMS: You are at time. I'm
2 sorry.
3 MR. WHITLEY: But every one of us is
4 dependent upon increased jobs and increased
5 economic in our state.
6 MS. ADAMS: Thank you. Just to
7 remind everyone, we do have the strict
8 three minute limit. If you have more
9 comments, we do invite you to go to the
10 open house to extend your comments.
11 Okay. We have Timothy Kocian
12 followed by Rick Reinbold and Cynthia
13 Corso-Heath.
14 MR. KOCIAN: Good evening. My name
15 is Tim Kocian and I'm here representing the
16 homeowners on Aberdeen Road in Frankfort.
17 THE COURT: Could you spell your
18 last name, please?
19 MR. KOCIAN: My name is spelled
20 K-O-C-I-A-N. To let you understand where
21 we are situated in this, Aberdeen Road is
22 on the north side of the railroad tracks
23 and there are houses on the south side of
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Aberdeen Road on the north side.

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1 The entrance to Aberdeen Road is
2 a couple hundred feet from the crossing of
3 Harlem Avenue. When the train stops, the
4 traffic on Harlem Avenue, you cannot get in
5 or out of Aberdeen Road and if you have an
6 emergency, you are going to be lucky if the
7 cars aren't blocking it.

8 And there's only one way to get
9 in and out. And people are going to be in
10 jeopardy if you don't do something about
11 that crossing.

12 I understand that Cook County is
13 not interested in doing something about
14 that crossing because nobody who is
15 affected by that crossing lives in Cook
16 County. They all live in Will County.

17 Cook County owns the crossing
18 but they do not have any people that are
19 living off of it. If you come to Aberdeen
20 Road, I will show you that -- you'll be
21 surprised how close the train runs to
22 people's back yards.

23 It's up on a fifteen foot
24 embankment and as the train goes through,

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1 you can feel the vibrations. And they'll
2 wake you up at night even across the street
3 where we live, which is 300 feet away from
4 the track.

5 I have measured the current
6 trains from our front porch which is on
7 your 65 d/b/a and I measure them 70-74
8 d/b/a sustained on the current, let alone
9 what's going to be proposed.

10 That could be waking you up six
11 to eight times a night. And I think
12 everyone realizes what the effect on people
13 is if they are going to be sleep deprived
14 by being woken up in the night six to eight
15 times.

16 The railroad, I understand, has
17 argued that the E&E has been there for a
18 hundred years, so people get over it.
19 You've had a railroad there, you knew that
20 when you moved in.

21 Well, we knew the character of
22 the railroad and the way we look at it, the
23 character has been sustained and has set a
24 precedent for the last hundred years.

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1 Because of that precedent,
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3 because of the character of the railroad,
4 communities have grown up around the
5 railroad that are consistent with that
6 character. It's too late to change the
7 character of the railroad now.

8 The time to make it into a super
9 highway for transit is long past. Thank
10 you.

11 MS. ADAMS: Rick Reinbold followed
12 by Cynthia Corso-Heath and Robert Ukokian,
13 if I'm saying that correctly. Do we have
14 Rick Reinbold? If not, Cynthia Corso Heath
15 followed by Robert Ukockis and Julie
16 Furgason.

17 MS. CORSO HEATH: Okay. Thank you
18 to the STB for allowing us to speak
19 tonight. My name is Cynthia Corso Heath.
20 That's C O R S O, H E A T H. I'm a
21 long-time resident of Frankfort and the
22 southern suburbs. I am currently serving
23 as a village trustee in Frankfort. I am
24 also on the board of the Lincolnway Public
Safety Communications Center which

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1 dispatches police, fire, and other
2 emergency 911 calls.

3 The draft EIS confirmed what we
4 knew, that the proposed acquisition of the
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5 E&E line by this Canadian company will
6 have severe impacts on our quality of life.
7 Air pollution impacts on the quality of
8 life in our community. Not only will this
9 harm the home values of our nearby
10 residents, but it will greatly disrupt the
11 flow of traffic and commerce.

12 The CN is already projecting a
13 400 percent increase in rail traffic across
14 our Frankfort crossings. Buses will not be
15 able to get children to schools on a timely
16 basis. This may disrupt school schedules
17 and could result in increased school costs
18 to purchase more buses. Emergency vehicles
19 will not reach fires or medical cases
20 quickly. Police dispatched to emergencies
21 will be hampered by delays at all of these
22 train crossings. Dozens of cars will sit
23 waiting for trains to pass, burning costly
24 gasoline and spewing exhaust fumes into the

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1 air. The risk of accidents will increase
2 significantly.

3 Mitigating this impact will cost
4 hundreds of millions of dollars. But why
5 should U.S. taxpayers have this burden when
6 only the Canadian National railroad is
7 benefiting? I understand the need to
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8 improve transportation in the area. I've
9 observed years of analysis over the
10 potential impact to residents and the
11 environment of a third Chicago airport near
12 Peotone. Before I-355 was constructed,
13 there was also much study and work to
14 mitigate negative consequences of these
15 significant transportation benefits and was
16 all part of the planning and mitigated.
17 It amazes me now that this
18 Canadian company's acquisition of railroad
19 tracks with its resulting dire consequences
20 for Illinois residents might be approved
21 without requiring them to pay for relief
22 for the affected residents. This is in
23 stark contrast to the requirements which
24 were placed upon those other transportation

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1 improvements.
2 I'm also not personally
3 comfortable with the CN record of
4 communicating with and cooperating with the
5 public. The Canadian government itself has
6 raised concerns about safety issues. All
7 we're doing is relocating this problem from
8 one part of the area to another. They are
9 a profitable public corporation, and I
10 don't expect them to assist with any of
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14 crossings. This plan should include grade
15 separations for vehicle transportation.
16 My understanding is that
17 Canadian National wants this acquisition
18 approved within the year. This acquisition
19 should not be approved until emergency
20 vehicle access plans are implemented for
21 the safety of all towns involved.
22 It frustrates me that CN will
23 gain revenue from this acquisition but is
24 willing to pay only 5 to 50 percent of the

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1 cost to improve crossings.
2 In addition to the concerns for
3 emergency vehicle access, this acquisition
4 will also stifle economic growth in the
5 south suburbs. And, once again, it seems
6 only beneficial to Canadian National's
7 interests without considering the thousands
8 of citizens adversely affected.
9 MS. ADAMS: Sam Dendrinis followed
10 by Vicky Urban and Conrad Urban.
11 MR. DENDRINIS: Hi. My name is Sam
12 Dendrinis, D E N D R I N O S. I'm a
13 resident of Frankfort, and my family and I
14 reside about a mile south of the E&E train
15 track.
16 I had a chance to review the
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11 these improvements without being forced by
12 the federal government. Thank you.
13 MS. ADAMS: Robert Ukockis, followed
14 by Julie Furgason and Sam Dendrinis. Is
15 Robert here? Julie Furgason.
16 MS. FURGASON: My name is Julie
17 Furgason. That's F U R G A S O N. And I
18 speak as a lifelong Park Forest resident
19 and as an educator in the area.
20 As much as I'm concerned about
21 the pollution and noise changes involved
22 with the proposed acquisition, I am even
23 more concerned with access to safe and
24 quick passage of emergency and medical

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1 vehicles that will most likely be halted by
2 the proposed acquisition specifically over
3 already assessed critical at-grade
4 crossings at Cicero in Matteson and Western
5 Avenue in Park Forest and Chicago Heights.
6 If this acquisition is approved,
7 I hope the board and the surrounding
8 affected towns and Canadian National have a
9 plan implemented before increased rail
10 traffic occurs. This plan should include
11 updating railway crossings to include
12 facilities for emergency vehicles to cross
13 during a train's passing at at-grade
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17 environment draft impact statement, and I
18 do have concerns about the amount of volume
19 of rail traffic and the length of trains
20 that will be coming through our community.
21 You know, I don't live exactly
22 on the tracks. My house does not vibrate.
23 My glass doesn't shake, but I can hear the
24 train in the background. But my biggest

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1 concern is, it splits our town in half. We
2 have six crossings in Frankfort; one is
3 only above grade. I think the congestion
4 problem that's going to occur from this is
5 going to be a much -- much more detrimental
6 than the benefit of what's happening.
7 If you look at the statement
8 that Canadian National put in its
9 application for acquiring the E&E, they
10 talked about alleviating the congestion in
11 Chicago. Well, the key word there is
12 "congestion." They are just moving one
13 existing problem from one area of the
14 Chicago area to another area. And I think
15 what needs to be done is a hard look needs
16 to be taken at moving the rail further out
17 to some of the more rural areas.
18 What we have in this country is
19 kind of an antiquated rail system that was
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20 put in place years ago to deal with a much
21 smaller population. There has been
22 community suburbs that have grown around
23 the rail tracks. And I think -- Again, I
24 know there have been people here tonight

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1 for the railroad; and I understand the
2 economic benefit. I'm all for that.
3 But I think again we're not
4 solving the issue. We're just moving the
5 burden to other communities. And I will
6 say the burden or the congestion that CN
7 faces in Chicago for a couple-day delay in
8 commerce has a far less impact than
9 people's quality of lives in some of these
10 communities this train is going to go
11 through. Thank you.
12 MS. ADAMS: Vicky Urban followed by
13 Conrad Urban and then Gary Kopycinski.
14 MS. URBAN: Hi, I'm Vicky Urban. I
15 live in Frankfort, Illinois.
16 So far this year, according to
17 our news media, there have been four
18 children killed by CN or E&E trains going
19 through our suburban residential
20 neighborhoods. That is with only four to
21 six short trains a day, which we can pretty
22 much anticipate when they will be coming.
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1 I spent many years of my career
2 training emergency medical responders, and
3 I know that time is of the essence. Due to
4 the present location of the E&E track and
5 the proposed length of trains, there will
6 be a large segment of our community,
7 including children at Camp Manitoqua and
8 two schools on Sauk Trail as well as the
9 residents along Aberdeen, my street, who
10 will be denied access by emergency vehicles
11 unless great separations are constructed.
12 Furthermore, if there is a
13 derailment in this area, access by fire
14 equipment or haz-mat teams will be
15 virtually impossible except by a very
16 circuitous route. The above could be
17 solved by overpasses or underpasses at
18 Harlem and Sauk Trail. But Canadian
19 National has already made it clear that
20 mitigation of this sort would fall on the
21 backs of the tax-burdened citizens of
22 Illinois.
23 Obviously with our home values
24 plummeting, our tax base will deteriorate.

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23 Two are late at night. What might we
24 expect with the amount of trains that

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1 they're planning for our community? Where
2 would we call if we see a child on the
3 tracks? Would they even answer?
4 These tracks were never meant to
5 carry huge amounts of freight even before
6 the area was heavily settled. It was meant
7 to be used as a commuter train and a few
8 short trains from U.S. Steel.
9 Three days ago, there was a
10 derailment in Oklahoma of a freight train
11 carrying oil products. It immediately
12 engulfed the area in a huge fireball. If
13 that happened in our backyard, I would not
14 be here speaking to you tonight. And all
15 the children at Camp Manitoqua, at the
16 grade school across Sauk Trail, or anyone
17 at St. Anthony's Church as well as my
18 neighborhood would probably be dead.
19 MS. ADAMS: Conrad Urban followed by
20 Gary Kopycinski and then Richard Smeaton.
21 MR. URBAN: I'm Conrad Urban, a
22 resident of Frankfort, a former railroad
23 surgeon, and I address the problem of
24 safety of our community.

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1 Is it reasonable to have taxpayers
2 subsidize the profits of large foreign
3 corporations? One might argue that
4 increase in rail traffic in our area will
5 reduce rail traffic in other areas.
6 However, the mitigation necessary to ensure
7 the safety of the citizens is already in
8 place in those areas and would have to be
9 added at the expense of taxpayers for our
10 area.
11 MS. ADAMS: Gary Kopycinski,
12 followed by Richard Smeaton and then Nancy
13 Labb.
14 MR. KOPYCINSKI: Hi. I'm Gary
15 Kopycinski, K O P Y C I N S K I.
16 I'm a village trustee in Park Forest. And
17 I'm here to say that this sale is not good
18 at all for Park Forest. We are concerned
19 about congestion, noise, the impact on our
20 economic development. We are concerned
21 about public safety. We're concerned about
22 a 400 percent increase in rail traffic.
23 It's not uncommon now for cars
24 to wait 20 minutes, 20 minutes while those

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1 gates are down. In the interim, I
2 understand from a representative from CN
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4 today that they're not planning on using
5 the switchyard that causes these delays. I
6 wish I could believe that. At this point,
7 I have doubts.

8 I heard from a CN representative
9 today about \$2 billion in profits,
10 75 percent of which is supposed to go
11 towards capital. I can tell you where they
12 can put that 75 percent. We need it down
13 here.

14 We are concerned about a
15 shopping plaza which we are working right
16 now to redevelop. We are concerned about
17 school bus traffic. We are concerned about
18 ambulances. We are concerned about our
19 police making it to the north end of town.
20 When those gates are down, the only way to
21 get from the north end or to the south end
22 of Park Forest is under a viaduct. If that
23 viaduct floods, you do the math. We're
24 lost. Thank you.

MS. ADAMS: Richard Smeaton followed

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1 by Nancy Labb and Bill Goodwin.

2 MR. SMEATON: Hi. I'm Richard
3 Smeaton. I'm community development
4 director for the Village of Matteson. S M
5 E A T O N.

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6 082508 Public Meeting
7 I'd just like to begin my
8 statements by saying the village of
9 Matteson will be submitting written
10 comments in the future. I would also like
11 to echo the concerns of the Village of
12 Frankfort and many others. Emergency
13 response times are paramount concerns to
14 the Village of Matteson, our police
15 department, our fire department, our public
16 works department. We need to see grade
17 separations at the regional arterials and
18 have funding to construct them.

19 Another concern that's unique to
20 the Village of Matteson is the spur line
21 that will be constructed in our historic
22 downtown area. This proposed spur line
23 will connect the Canadian National line
24 that's existing and the EJ&E line. This
proposed alignment will interfere with the

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1 Matteson Metra station. They'll be
2 building over the eastern entrance to the
3 station and also interfering with the
4 parking lot that's there.

5 There will be -- This spur line
6 would remove and severely hinder any
7 operations for the existing Kiss-N-Ride,
8 would reduce proposed potential development

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9 082508 Public Meeting
10 and property surrounded by the spur, and
11 this would also severely affect the quality
12 of life and the property that will be a
13 hundred percent off this spur line at a
14 second-story level for the existing Holden
15 Park subdivision. Thank you.

16 MS. ADAMS: Nancy Labb followed by
17 Bill Goodwin and Virginia Goodwin.

18 MS. LABB: My name is Nancy Labb, L
19 A B B. I am a resident of Park Forest, and
20 I have resided in the Village of Park
21 Forest for 37 years. We have one major
22 roadway which cuts through our village.
23 This is western Avenue. It is a route by
24 which our police and fire departments reach
various people in the community. It is a

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1 route where our commuters go home, and it
2 is the hub of our economic development.

3 It would be devastating to
4 increase the railroad traffic crossing this
5 street by the proposed 400 percent, which
6 would mean, I believe, 32 trains per day.
7 Some people already avoid this route due to
8 the present eight trains per day. This
9 means that people will just basically
10 circumvent our village.

11 But more -- I understand that

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12 082508 Public Meeting
13 there is some realization of the hardship
14 that this will cause Park Forest, but I
15 want to underline and say bravo to
16 representative Jesse Jackson Junior and his
17 proposal that you find the money before you
18 go through with this sale rather than
19 having this sale and then having money,
20 which we just don't have available.

21 The other thing that has
22 concerned me is that I did read that CN,
23 or CN, is pushing for the sale in October.
24 And then somebody told me no, it's
September before this impact study has gone

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1 through. I just can't believe that this is
2 the way that we do business and are going
3 to improve transportation when it's not
4 thought through thoroughly before its
5 enacted upon.

6 The other thing, of course, I
7 think there were a lot of us that were
8 looking forward to the Star Line train
9 coming through, commuter train coming
10 through. And, of course, that will knock
11 that out. And that's been something that's
12 been in the planning here for years. I
13 wish we could just all get together and
14 then seriously all consider the true

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15 impact. 082508 Public Meeting
16 Thank you.
17 MS. ADAMS: Bill Goodwin, Virginia
18 Goodwin, and then Evelyn Summick.
19 MR. GOODWIN: Good evening. My name
20 is Bill Goodwin, G O O D W I N. I live in
21 Aberdeen on Aberdeen Road in Frankfort.
22 Mr. Cozzi and Mr. Urban have
23 already spoken eloquently about the noise,
24 the congestion, and the possible safety
problems that will ensue if we continue to

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1 have an at-grade crossing at the train
2 crossing at Harlem Avenue, which is very,
3 very close to our street. There's only one
4 way in and one way out, and that's the
5 intersection at Harlem.
6 They've spoken eloquently about
7 the vibration. I won't dwell on that any
8 further. What I will add as a postscript
9 is the train horn. We live close enough to
10 Harlem that we hear every one of them
11 coming and going. It's an unintended,
12 unplanned alarm clock for me. It happens
13 now a couple times a night. If the
14 proposed acquisition goes through, it will
15 be maybe a dozen or more times a night. So
16 for me, it will be sleepless in Frankfort.
17 Final comment, I want to
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19 reinforce what Mayor Holland has said, that
20 we need to take a harder look, especially
21 when it comes to mitigation. I think the
22 completeness of the environmental report
23 would be greatly enhanced if that section
24 of the report was looked at again,
especially when it comes to the at-grade

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1 crossings.
2 If I understand correctly, only
3 15 at-grade crossings were recommended for
4 grade separation out of 133. To me, this
5 doesn't pass the common-sense test. I'm no
6 expert, but it just doesn't seem right.
7 The second point has to do with
8 the fact that we will be suffering from
9 financial difficulty, taxpayers locally and
10 in the county and in the state, unless some
11 pretty stern, hard-and-fast rules are laid
12 down by the board about the financing.
13 Many people have commented on the
14 unfairness of having the company profit at
15 the taxpayer expense, and I think
16 eventually that will be the bottom line.
17 Thank you.
18 MS. ADAMS: Virginia Goodwin
19 followed by Evelyn Summick and then Regan
20 Stockstell, if I'm pronouncing those
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21 082508 Public Meeting
22 correctly.
23 MS. GOODWIN: Hello. My name is
24 Virginia Goodwin, G O O D W I N. I echo
what he says. I live in the same house.

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1 He will not like that alarm clock, the
2 unattended alarm clock.
3 My additional concerns have to
4 deal with at-grade crossings in Frankfort,
5 which there are six -- none of which are
6 recommended for mitigation in the current
7 plan. At the rate of 28 trains per day up
8 from eight per day and trains two miles
9 long and trains that need one mile to stop,
10 an unintended emergency could still not be
11 averted for one mile, which means three
12 at-grade crossings would be covered in
13 Frankfort before that train stopped. I
14 find that unacceptable. I think for the
15 safety of our citizens, it ought not be
16 allowed to pass the STB's scrutiny.
17 I find it appalling that the CN
18 has offered only 40 million for mitigation.
19 That's nowhere near the cost of mitigating
20 what needs to be done. So I would
21 appreciate your efforts to get a firm deal
22 for more funding for mitigation from CN
23 before its approved. Thank you.
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MS. ADAMS: Evelyn Summick, Regan

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1 Stockstell, and Jim Nolting.
2 MS. SUMMICK: Hello. My name is
3 Evelyn Summick. I'm a resident of Park
4 Forest. Every since I first heard about
5 this railroad acquisition proposition
6 coming through and reading the articles in
7 the newspaper, one of the things that
8 struck me was the fact that the Canadian
9 National, according to the statistics that
10 were printed, never pays for more than
11 5 percent, 5 to 10 percent of mitigation of
12 the grade crossings, yet they are making
13 billions of dollars. And this to me just
14 does not sound right, along with all the
15 other problems that would be happening that
16 everyone else has already commented on
17 today that I won't go through.
18 But what I'm asking the board to
19 do is what these other people have just
20 mentioned. If the board allows the sale, I
21 am asking you -- indeed, I am begging
22 you -- to please force the Canadian
23 National to have all the funding for
24 mitigation in place before the first train

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1 comes down the EJ&E because you know as
2 well as I do that once that train starts
3 coming down the track, it will be too late
4 to say to them, "Oh, by the way, you owe us
5 a few more millions."

6 Please get it in writing first.
7 Have all the money in place because we,
8 these towns out here -- Cook County already
9 has the highest tax rate in the country.
10 The State of Illinois has no money to hand
11 out. Please, we are begging you, make them
12 pay for all the improvements.

13 MS. ADAMS: Regan Stockstell, Jim
14 Nolting, and Jared Weiland.

15 MR. STOCKSTELL: Regan Stockstell,
16 S T O C K S T E L L, representing the
17 village of Richton Park. I'd just like to
18 echo many of the comments that have been
19 given tonight. It is the Village of
20 Richton Park's position we oppose the
21 proposed acquisition of the EJ&E rail for
22 many of the same reasons -- obvious impacts
23 on quality of life.

24 One in particular we feel that

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1 the Surface Transportation Board needs to
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2 pay closer attention to, you identified in
3 your report that there are two separated
4 grade crossings in Richton Park. That
5 makes me -- leads me to believe that you're
6 considering also the I-57 overpass. If
7 not, then there's indeed only one separated
8 grade crossing in the village and that
9 would be Governors Highway.

10 And to that point, Governors
11 Highway being the main grade -- separated
12 grade crossing for emergency services, that
13 not only services Richton Park emergency
14 services but many of our neighboring
15 communities. Park Forest, Frankfort,
16 University Park, and several others all
17 utilize Governors Highway to access St.
18 James Hospital.

19 What I did see in the report
20 regarding mitigation and as was mentioned
21 earlier by one neighboring communities is
22 the fact that we have flooding issues with
23 regard to the underpass at Governors
24 Highway. In order to take trains a day to

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1 32 will obviously increase the number of
2 trains we have in the community on a daily
3 basis, that would obviously impact traffic
4 that if a situation occurs where there are
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5 storms, which we are seeing that storms are
6 increasing these days, the road's closed.
7 And we're now talking, you know, we've
8 heard talk about the impact on response
9 times. But based on that impact on
10 response times, we're now talking possible
11 loss of lives. And I don't think that the
12 profit of companies such as Canadian
13 National should be valued higher than that
14 of human life.

15 So I'm saying that once again
16 the Village of Park Forest does oppose the
17 acquisition. But if it is to occur, we
18 would strongly encourage the STB to look
19 further at a second or third separated
20 grade crossing at Cicero Avenue. This is
21 shared by both communities of Richton Park
22 and Matteson.

23 Once again, we'd like to echo
24 that I don't think it could be stated any

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1 more emphatically; but absolutely if this
2 is to go through, the recommended
3 mitigation should be highly funded by
4 Canadian National and not the federal
5 government, local, or state. They should
6 pay for their profit. Thank you.

7 MS. ADAMS: Jim Nolting, followed by
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8 Jared Weiland, and Mark Steinman.

9 MR. NOLTING: My name is Jim
10 Nolting, N O L T I N G. I'm a
11 resident of Frankfort, and I'd like to talk
12 about the economic impact. I'd like to
13 preface my comment by saying that I'm a
14 very -- proponent of free trade. I have no
15 problem with a Canadian railroad purchasing
16 American assets.

17 However, I do strongly disagree
18 with taxpayers subsidizing the purchase.
19 You're talking about enhancements for
20 roads, safety, sound abatement that will
21 exceed a billion dollars. And most
22 likely -- and this is going to have to come
23 from some sort of revenue source: federal,
24 state, local. It's either going to be

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1 additional taxes, or it's going to be taken
2 out of an existing fund. And so I just
3 don't think that that's an appropriate
4 expenditure of taxpayer dollars to help
5 subsidize a foreign acquisition.

6 Also on the economic impact
7 front is values of homes. I know my -- I
8 moved to Frankfort about six years ago, and
9 my value of my house is the same as it was
10 six years ago. Now, if the train goes
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11 through there, I know the value of my house
12 is going to decline. And you multiply that
13 impact by the thousands of homes that run
14 up and down that line and, again, you're
15 talking about something that is, again,
16 going to be a considerable amount of money.

17 So I do hope the STB definitely
18 takes into account the economic impact
19 issues because, again, I think it's going
20 to be to the billions of dollars. And this
21 is taxpayers footing the bill for a
22 takeover by a private company. Thank you.

23 MS. ADAMS: Jered Wieland,
24 followed by Marc Steinman and Kevin

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1 Burns.

2 MR. WIELAND: Jered Wieland,
3 W-I-E-L-A-N-D. I'm also a resident
4 of Frankfort.

5 The only reason I'm here is
6 because the railway that I moved in close
7 to used to have a small number of trains.
8 I would not have bought the house where it
9 is if it wasn't for the historic use of the
10 tracks as they were. When they were first
11 built, they were in cornfields, I'm sure, a
12 hundred years ago.

13 Things have changed in Chicago
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14 in the last hundred years. It's a little
15 different story now. You've got
16 communities all around the tracks, all the
17 way up and down the 198 miles or whatever
18 it is.

19 So if they were going to use the
20 railroad the way it was originally built
21 and intended, I wouldn't be here. Nobody
22 would care. There would be six trains
23 coming by my house like there currently is.
24 I would sleep fine.

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1 My house backs up to the tracks.
2 Luckily, I'm not a light sleeper. My wife
3 is. It's going to be detrimental for her.
4 She's currently fighting cancer. It's not
5 the best thing to have trains rumbling
6 through your backyard when you need to get
7 a good night's sleep as part of your
8 health.

9 The other point I wanted to make
10 was Mr. Jackson's rep was conflicted
11 because a third and a third and a third.
12 Supposedly a third of the people in that
13 district are going to benefit.

14 That benefit, from what CN has
15 said, is going to dissipate within two
16 years and be totally gone. The benefit
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17 inside the arc is going to be backfilled
18 within less than two years, if I'm correct,
19 as admitted by CN.

20 So they are basically going to
21 screw us out in the suburbs along the track
22 to have a temporary gain inside the loop,
23 and then that's going to be gone. And then
24 where are we going to be?

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1 So as Mayor Holland mentioned,
2 we need to look long term instead of short
3 term. We need to get back out into the
4 cornfields with new infrastructure is what
5 the answer needs to be.

6 The only positive thing I've
7 heard tonight about this transaction
8 happening was -- I believe his name was
9 Jorge from the Southeast Side -- said that
10 it was going to have a positive
11 environmental impact.

12 The only environmental impact I
13 heard was it was going to cut 289 jobs.
14 But if he's accurate, that is the only
15 benefit I've heard of this whole thing. So
16 please consider that.

17 Everything else that's been
18 brought up is negative. There's going to
19 be an 800 percent increase for me
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20 personally at my house in train traffic and
21 pollution and vibration. And yes, my
22 windows do shake.

23 The fact that CN has been
24 brought up by the Canadian government as

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1 having a very poor safety record, not even
2 on the charts, and they're going to
3 increase by 572 percent the amount of
4 toxic/hazardous material coming within a
5 couple hundred feet of my house is
6 ridiculous, and there's no mitigation for
7 anything.

8 That grade crossing at Harlem,
9 yes. I cannot get into Aberdeen if there's
10 a train. And neither can the ambulance,
11 neither can -- a neighbor just died not too
12 long ago. Thankfully it wasn't due to a
13 train, but it very well could have been.

14 And I'm okay with the sale if
15 they mitigate everything, but it shouldn't
16 be me losing a hundred thousand dollars'
17 value on my home that I've saved 13 years
18 to buy my first home and then turn around
19 and take my tax dollars to fix everything
20 that only happens because CN changes the
21 characteristics of the track.

22 Thank you.
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23 MS. ADAMS: Marc Steinman, followed
24 by Kevin Burns and Father John

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1 Siemianowski. 94
2 MR. STEINMAN: Hi. I'm Marc
3 Steinman. That's S-T-E-I-N-M-A-N. I'm a
4 resident of Aberdeen Road in Frankfort.
5 Well, if nothing else, CN and
6 the Surface Transportation Board now
7 realize one thing. In the absence of
8 direct communication on CN's part, common
9 sense and ethics, people will stand up for
10 their rights.
11 But as always, the facts of this
12 issue aren't really that complicated.
13 First, this is a railroad, as many -- as
14 many have said before, that was put
15 together over a hundred years ago and
16 operated as a Class II operation. The
17 growth and encroachment of suburbia during
18 that time has been permitted by
19 municipalities and accepted by adjoining
20 residents based upon that fact.
21 We're now faced with a Class I
22 operation: Not what we signed up for, pure
23 and simple.
24 And I'd like to know -- I know

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1 it's not a question-and-answer period. I'd
2 like to know how many times has the Surface
3 Transportation Board been faced with the
4 transition of a Class II operation to a
5 Class I operation of this magnitude through
6 this much of suburbia?
7 Second, we're only dealing with
8 this issue in this particular manner
9 because CN is taking advantage of the
10 federal government's lack of forethought in
11 providing adequate protection of its
12 taxpayers and citizens by providing the
13 appropriate representation.
14 Surface Transportation Board,
15 when I first heard what your cause was,
16 you're not the people that should do it.
17 After all, if this were an aviation matter,
18 the response to this potential change in
19 operation would be quite different as it's
20 now occurring in Chicago.
21 Changes in traffic patterns
22 dictate the entire shutdown and elimination
23 of neighborhoods. This is no different.
24 The Surface Transportation

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1 Safety -- or Surface Transportation Board's
2 noise projections are flawed. As was
3 pointed out by one of my neighbors, he
4 measured 70 decibels in excess on the north
5 side of Aberdeen. People living on the
6 south side are going to see in excess of
7 80 decibels every time a train goes by, 28
8 times a day. That means nobody sleeps on
9 Aberdeen.

10 And fourth, I'd like to keep
11 things very, very simple. And, finally,
12 transferring problems of railroad-citizen
13 interface from one area to another doesn't
14 solve anything; it only helps CN.

15 If this railroad didn't exist
16 today and CN wanted to build a loop around
17 Chicago, they couldn't permit this rail
18 line in the area that we're talking. That
19 in and of itself is saying something. It
20 just -- (applause).

21 Thank you.

22 MS. ADAMS: Kevin Burns, followed by
23 Father John and Gregg Markmann.

24 MR. BURNS: Kevin Burns, B-U-R-N-S.

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1 I'd like to speak on two 97
2 components, one locally. When this all
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4 started almost about a year ago, there was
5 discussion at the kitchen tables of my
6 neighbors.

7 I live in Frankfort. I moved in
8 about three years ago. I'm a licensed
9 Realtor and a licensed appraiser. I grew
10 up the first eight years of my life in
11 Riverdale. I lived directly behind a
12 switchyard. So for me to purchase a house
13 near the railroad tracks, I was fully
14 understanding what I was purchasing.

15 Many planning boards in all
16 these communities that are affected have
17 passed and looked at the environmental
18 components of putting houses next to these
19 tracks, and they've all been vetted.

20 What you have here, I feel, is
21 you have a neighbor, the train tracks, who,
22 you know, you have a good relationship with
23 your neighbor. When the neighbor changes
24 and the use changes, that could have a
dramatic effect on how your neighbor is

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1 treated and how the environment is
2 impacted.
3 Just to put it in some
4 commonsense terms, I had my daughter, my
5 six-year-old daughter, get off the bus, and
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7 she started talking about the train because
8 there was one going by as we were walking
9 back. And she said, "Daddy, Daddy. My
10 girlfriend Katie lives over -- one
11 subdivision over, and she" -- they live
12 near the tracks. And she said, "When she
13 sits on the toilet, the water splashes up
14 when the engine goes by."
15 So that is your environmental
16 impact that I'd like to add based on all
17 the studies you have.
18 Speaking from a regional
19 standpoint -- because this is really not a
20 NIMBY-Frankfort issue; this is really a
21 regional problem. And when you look at the
22 impact of an 8 billion sales company,
23 2 billion -- what's to say -- they've been
24 very straightforward about the
profitability of hauling more HAZMAT

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1 materials and items around.
2 And, you know, we've already
3 experienced more tax money spent. We just
4 had to move up a firehouse that's being
5 built south of our tracks because we don't
6 have any fire stations. And so Station 5
7 is now being built, and Station 4 hasn't
8 been built yet because of the anticipation
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10 of the environmental and safety issues.
11 This company -- and my wife's
12 Canadian. This company is very profitable.
13 They're -- they seem to have a rush to
14 judgment on this. What's to say that
15 vertically integration, a Chinese company
16 or someone else comes along and buys them
17 after this? And what type of control do we
18 have on the environment, environmental
19 impact?
20 So I would just like to add that
21 to the component in your thought process.
22 Thank you.
23 MS. ADAMS: Father John followed by
24 Gregg Markmann.
FATHER SIEMIANOWSKI: Good evening.

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1 My name is Father John Siemianowski,
2 S-I-E-M-I-A-N-O-W-S-K-I, and I'm pastor of
3 St. Agnes and St. Paul's Catholic Churches
4 in Chicago Heights, one on the south side
5 of the tracks, one on the north side of the
6 tracks. I presently for the past 12 years
7 have lived on Chicago Road four blocks
8 north of the tracks.
9 As has been stated before, all
10 major health care facilities in the area
11 are located on the north of the EJ&E
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12 082508 Public Meeting
13 railroad tracks: St. James, Chicago
14 Heights; St. James, Olympia Fields;
15 Ingalls, Harvey; Advocate, Hazel Crest.
16 For all people who live south of the
17 tracks, this becomes a health and safety
18 issue.
19 The closest facility if stopped
20 by a train is to either send them to
21 Indiana, Margaret Mercy, or to St. Mary or
22 one of the other, Riverside in Kankakee.
23 All railroad crossings in
24 Chicago Heights are at grade level, except
there's one underpass. It's an old

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1 one-lane road walkway into the steel mills
2 east of East End Avenue at Butler. But you
3 take your life into your hands riding on
4 the road prior to getting to the one-lane
5 bridge that's falling down, but it does get
6 you under.
7 Another concern about schools
8 besides safety of ambulance or emergency is
9 that if you operate a school near the
10 tracks, which we do, the purchase affects
11 tardiness of teachers and students.
12 For students, tardiness is an
13 excuse for failure. For teachers, if you
14 have a room of 20 or 25 students
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15 082508 Public Meeting
16 unsupervised waiting for a teacher on the
17 other side of the tracks, it also can be a
18 disaster. So I think that's very important
19 for anyone with -- all of us with schools
20 around there.
21 Response time for fire and
22 police, as has been said, is affected. It
23 concerns where major equipment is staged,
24 and in a town like Chicago Heights, we have
some equipment on both sides, but it sounds

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1 like some of the towns don't have equipment
2 on both sides of the tracks.
3 Chicago Road, Route 1, is
4 presently a major north-south connecting
5 the south suburbs and into Chicago.
6 Presently, when the ten trains go by,
7 there's usually a half-mile backup when the
8 gates go up. Add to that the prefab homes
9 that use Chicago Road as their journey, and
10 then they turn onto Route 30 going west.
11 It adds miles of congestion and traffic.
12 And I live on Chicago Road,
13 8 feet off the road, so I can tell you.
14 Finally, negative effect on
15 local economy. Last night I waited five
16 minutes for a parked train on Chicago Road,
17 turned around and went to a different town
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18 082508 Public Meeting
19 to eat my dinner. It affects the local
20 economy, local restaurants and tax base.
21 Thank you.
22 MS. ADAMS: Gregg Markmann, followed
23 by Sakhawat Hussain.
24 MR. MARKMANN: My name is Gregg
Markmann. That's M-A-R-K-M-A-N-N. I'm a

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1 resident of Frankfort.
2 And as a resident of Frankfort,
3 I want to express my grave concern over the
4 proposed purchase of the E3&E by CN.
5 You're aware of the many, many concerns of
6 my town, along with a large coalition of
7 dozens of other towns united in our
8 opposition to this life-packing event.
9 As for the effects on Frankfort
10 alone, the increase in rail traffic will
11 literally cut my town in half, with almost
12 no viable passage from one side of town to
13 the other. We have one small, antiquated
14 underpass, which is in near disrepair.
15 There's no other access corridors for many
16 miles around. Frankfort's neighboring
17 towns on either side have no underpass at
18 all.
19 In addition to this isolation
20 effect, our town's future growth will be
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21 082508 Public Meeting
22 permanently stunted as both business and
23 resident alike will be effectively cut off
24 from each other. This will have a very
true and real Berlin Wall effect on my town

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1 as well as other towns, with economic and
2 tax-generating consequences from businesses
3 and homeowners alike due to the permanent
4 isolation we will suffer on each side of
5 these tracks.
6 This will also have negative
7 growth repercussions throughout the entire
8 Southland region, which is currently in
9 many respects undeveloped. And it's -- but
10 it's also one of the most promising areas
11 for development in the entire Chicagoland
12 area. This acquisition will kill much of
13 that development, in my estimation.
14 I respectfully urge you to take
15 this potential economic disaster through
16 unintended consequences into consideration,
17 not to mention the safety and environmental
18 issues for which I'm sure you're being made
19 aware of by myself and countless other
20 opposers of this tragic potential purchase.
21 MS. ADAMS: Sakhawat Hussain.
22 DR. HUSSAIN: My name is
23 Dr. Hussain, H-U-S-S-A-I-N. And I'm very
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grateful to the railroad company for giving

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1 me the training. I was trained at Illinois
2 Circle Hospital.
3 This was one of the best
4 hospital because of the accidents. The
5 railroad would bring all the patients
6 there, and they would unload those patient.
7 This was the best surgery training program
8 ever there was. The president of the
9 American Medical Association four years in
10 a row was in that hospital, and we got some
11 very good training.
12 But, on the other hand, coming
13 back to the real perspective, we are being
14 railroaded right here. And there is
15 nobody -- (applause).
16 Let me tell you what Aberdeen
17 Road is. I moved there in 1980, 28 years
18 ago. I've been living in the same house.
19 When I moved there, the Frankfort was a
20 town that we could not buy a bread of loaf.
21 We used to go to Matteson. There was not a
22 white Hen Pantry. There were not nothing.
23 There was just a restaurant, La Posada,
24 which got burned.

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1 And my daughter was born in that
2 house, then graduated from the school.
3 There was one high school that exploded.
4 The class went to 1200. My other son, four
5 years behind, went to a different school.
6 When he graduated, the class exploded. We
7 have a third school now.
8 When we send instruction to our
9 friends how to come to Aberdeen Road, we
10 write down it is sandwiched between the
11 crossing sign and the actual tracks. This
12 is how close we live. So if you hit the
13 tracks, you have gone too far. It's 2 mile
14 long. There are houses on each side of the
15 road, and there are houses on each side of
16 the track.
17 A 2-mile-long train, there is no
18 way in the world the 1.1 million people who
19 die in this country every year because of
20 heart attack, and half of them die in their
21 houses -- this is a fact -- because they
22 cannot get immediate attention and
23 ambulances.
24 One minute is too much. 30

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1 second is too much. Every second count to
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2 save a life. We are trading profits for
3 the lives of the residents of Frankfort and
4 southwest suburbs. This must stop.

5 And I have news for you. If --
6 in 1980 when I moved, the area codes were
7 only (312) and (815). There was no (708),
8 (630), (847). The population has exploded.
9 The people at risk are thousand and
10 thousand and thousands die more right now,
11 and we need to take care of them.

12 There are children. There are
13 schools. There are hospital that will be
14 totally cut off. There were two railroad
15 tracks when I moved, not one. One of them
16 is a -- is now a plank on which we can ride
17 the bike. If Canadian National want to do
18 it, they should turn into a bike path, not
19 into a disaster -- (applause).

20 MS. ADAMS: First of all, we want to
21 thank you for your comments, everyone who
22 had comments tonight.

23 This concludes the public
24 comment portion of our meeting. The open

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1 house will continue until 9:00 where vicki
2 and John, as well as other engineers and
3 representatives, will be there to ask --
4 answer questions that you might have.
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5 Thank you. Thank you very much.
6 (Proceedings concluded at
7 7:48 p.m.)
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D.2 Mundelein, Illinois

082608 Public Meeting

1 SCOPING MEETING FOR THE PROPOSED CANADIAN NATIONAL
 2 RAILWAY COMPANY ACQUISITION OF THE ELGIN, JOLIET,
 3 AND EASTER RAILWAY COMPANY
 4
 5 PUBLIC HEARING
 6 August 26, 2008
 7 6:00 P.M.
 8
 9 Conducted by:
 10 Heather Tarczan, Meeting Facilitator - MWM Group
 11 Public Relations
 12 Victoria Rutson, Section Chief - Surface
 13 Transportation Board, Section of Environmental
 14 Analysis
 15 John Morton, Project Manager - HDR Engineering
 16
 17 CROWNE PLAZA CHICAGO NORTH SHORE
 18 510 EAST ROUTE 83
 19 MUNDELEIN, ILLINOIS
 20
 21 CHIMNIAK REPORTING & VIDEO
 22 312-781-9111
 23 REPORTED BY: TINA ALFARO, CSR No. 084-004220
 24 ELSIE DELAVICH

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1 MS. TARCZAN: Good evening, ladies
Page 1

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5 be displayed on the screen, and a yellow
 6 card will be shown at 2 minutes and 30
 7 seconds, a red card at 3 minutes. A list
 8 of speakers in their speaking order will be
 9 displayed on the screen. Also, I will call
 10 forward the next two speakers in line after
 11 each speaker so we may be as efficient as
 12 possible. There is one microphone set up
 13 in the middle of the aisle.
 14 There are still some speaking
 15 spots available tonight. If you are
 16 interested in speaking, please proceed to
 17 the registration table or see a staff
 18 member who can assist you. Alternatively,
 19 you may submit comments to the Surface
 20 Transportation Board through a toll free
 21 number, web site, or mailing address, all
 22 of which are in the program you received
 23 tonight. There are also comment forms and
 24 drop boxes located in the lobby and court

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1 reporters located throughout the venue.
 2 You may record your comments with them
 3 throughout tonight's meeting. Please
 4 recognize that all methods of comment
 5 received by September 30th will be taken
 6 into consideration and weighed equally.
 7 Tonight we are here to listen to
 Page 3

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2 and gentlemen. For those of you standing,
 3 if you'd like to take a seat, please feel
 4 free to do so at this point.
 5 Thank you for attending tonight's
 6 meeting. We're here tonight to hear your
 7 comments on the Draft Environmental Impact
 8 Statement that was released on July 25th
 9 regarding Canadian National Railway's
 10 proposed acquisition of the E&E Railroad.
 11 My name is Heather Tarczan, and
 12 I work for a firm called MWM Group Public
 13 Relations. We are part of a third-party
 14 contracting team that supports the Surface
 15 Transportation Board and its section of
 16 environmental analysis. I will be
 17 facilitating this meeting.
 18 Before we get started I would
 19 like to take this opportunity to review
 20 some protocol for tonight's meeting. In a
 21 moment I will introduce those presiding
 22 over the meeting, and there will be a short
 23 presentation on the findings from the Draft
 24 Environmental Impact Statement.

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1 Immediately following this we will hear
 2 your comments.
 3 Each commenter will be given up
 4 to 3 minutes to speak. The time clock will
 Page 2

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8 your comments on the draft EIS. This is
 9 not a question and answer session. The
 10 meeting will conclude at 9:00 p.m. with an
 11 announcement at 8:30, noting 30 minutes
 12 remaining. We appreciate your courtesy as
 13 we work to create an environment where
 14 everyone can be heard.
 15 In the event that anyone is in
 16 need of a Spanish translator, Beatrice is
 17 here tonight.
 18 If you have any questions, we
 19 have a number of staff available to assist
 20 you. Staff are identified with nametags
 21 and are located throughout the venue. Our
 22 open house will remain open during the
 23 evening where additional court reporters
 24 are available for those of you wishing to

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1 provide comments in a more private setting.
 2 One housekeeping note, emergency
 3 exits are located behind you.
 4 I'd now like to introduce the
 5 people with me on stage. Victoria Rutson,
 6 chief of the section of environmental
 7 analysis for the Surface Transportation
 8 Board; John Morton, project manager from
 9 HDR Engineering, who is a third-party
 10 consultant supporting the Surface
 Page 4

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11 Transportation Board's section of
12 environmental analysis.
13 Victoria Rutson will now make
14 some remarks on the draft EIS.
15 MS. RUTSON: Thank you, Heather. I
16 was going to come down closer. It seems
17 like an intimate group, and I'd feel more
18 comfortable down there talking to you
19 rather than up here talking at you.
20 Again. My name is Vicky Rutson;
21 I'm with the Surface Transportation Board's
22 section of environmental analysis. I'm
23 very pleased to be with you all here
24 tonight. We're here for one purpose, and

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1 that is to hear what you have to tell us,
2 what you have to say about the Draft
3 Environmental Impact Statement that my
4 office produced on July 25th.
5 As Heather said, there are a
6 number of ways of submitting public
7 comments. You may feel uncomfortable
8 speaking in public. I certainly understand
9 that. If you do feel that way, please
10 understand you can go talk to one of the
11 court reporters who are in the other room,
12 you may call the toll free environmental
13 hotline, and the number is in the materials
Page 5

6

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17 reveal both the potential adverse and
18 beneficial impacts of Canadian National's
19 proposal.
20 I'm going to take just a minute
21 to talk about the Surface Transportation
22 Board. I'm sure one of the many questions
23 you've been asking yourselves during this
24 process is who is the Surface

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1 Transportation Board and what do they do.
2 The Surface Transportation Board
3 is a federal agency located in
4 Washington D.C. Congress created the Board
5 in order to ensure a strong national rail
6 transportation system, but the Board also
7 must comply with the National Environmental
8 Policy Act or NEPA, and it's under NEPA
9 that we prepared the Draft Environmental
10 Impact Statement.
11 This essentially requires two
12 things. First, that an agency truly
13 understand the potential adverse and
14 beneficial impacts of any decision it makes
15 before it makes that decision, and, second,
16 NEPA requires that the public have a full
17 opportunity to participate in the process.
18 That's why it's so important that we hear
19 what you have to say tonight.
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14 you've been given, you may submit your
15 comment by E-filing through the Board's web
16 address, or you may simply send us a
17 letter, the conventional way. Again, all
18 the instructions for how to submit those
19 various forms of comments are in the
20 materials. Written comments, letters, need
21 to be postmarked by September 30th. The
22 E-filing or hotline number comments must be
23 received by September 30th.
24 what are we going to do when

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1 we've received all of your comments? This
2 is what happens next. We'll take all of
3 the comments that we receive, oral,
4 written, court reporter, E-filed, every
5 comment we receive, and we will read,
6 review, consider, and respond to each
7 comment in a final Environmental Impact
8 Statement. Comments that raise similar
9 issues will be grouped and responded to.
10 The final EIS will contain my shop's
11 recommendations to the Surface
12 Transportation Board on mitigation and on
13 environmental impact.
14 Potential environmental impacts
15 can be both adverse and beneficial, and
16 it's my office's job to make sure that we
Page 6

7

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20 I'll wind up quickly because I
21 know right now it seems like I'm doing all
22 the talking.
23 The process that remains, we'll
24 issue the final Environmental Impact

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1 Statement sometime between December 1st and
2 January 31st. That's the procedural
3 schedule to date. It is only after that
4 final Environmental Impact Statement is
5 issued that the Board may make its final
6 decision on CN's proposal to acquire the
7 E&E rail line.
8 When the Board makes that
9 decision, it has three choices. It can
10 choose to approve the proposed acquisition,
11 to deny the proposed acquisition, or to
12 approve the proposed acquisition but only
13 with the addition of certain mitigating
14 conditions.
15 Again, I'm very pleased that
16 you're with us tonight. I have one note
17 based on our meeting last night. Again, we
18 had excellent participation. We did have
19 one speaker who was not accorded the
20 respect that I believe all speakers are
21 entitled. I understand completely that
22 this transaction, this process has raised
Page 8

9

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23 many questions. I know too that by coming
24 to this meeting you're exhibiting your

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10
1 responsibility as public citizens, and I
2 ask you just to remember -- and I know you
3 know this well -- to be respectful and kind
4 to the other speakers. It's not easy
5 getting up to speaking, especially if
6 you're saying something that is not going
7 over well. People have different opinions,
8 and we're blessed in this country to have
9 the freedom to express those.

10 So I'll stop nagging, I'll thank
11 you for being here, and I'll turn the
12 microphone over to John Morton.

13 MR. MORTON: Thank you, vicky.

14 I'd like to quickly go through
15 some of the findings of the draft EIS, and
16 I know that I'm covering these very rapidly
17 in that there's a lot more information
18 behind these findings. I know people have
19 questions. We've left the open house open
20 and the staff is over there. So if you
21 have any questions, anything that you'd
22 like to discuss, you know, get better
23 explanation on, feel free to talk to the
24 staff that will be manning the open house

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11

1 session.
2 CN is a class 1 railroad that is
3 a major shipper of domestic freights and
4 imports and exports and it has five rail
5 lines converging on the City of Chicago.
6 And you can see the rail lines, the five CN
7 rail lines are in the dark color there on
8 the map. They operate about 150 miles of
9 rail lines in the Chicago area.
10 EJE is a regional railroad. It
11 operates essentially in an arch starting at
12 Waukegan on the top side of the screen.
13 It's the lighter colored route that comes
14 basically south to Joliet and then across
15 to Gary. I hope people in the back can see
16 the slide. If not, we do have these maps
17 over in the open house.
18 EJE operates about 200 miles of
19 rail line around the arch. They have
20 several yards, including two major yards,
21 one east Joliet yard in Joliet, Illinois
22 and the Kirk yard in Gary, Indiana.
23 According to the Canadian
24 National their purpose in acquiring the

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12
1 EJE is to, one, increase CN's operational
2 flexibility by providing a continuous route
3 around the city. They also want to make
4 use of Kirk yard and they want to develop a
5 closer relationship with the shippers on
6 the EJE.

7 The draft EIS, you know,
8 evaluated a number of areas, and we did it
9 by resources. These are the resources that
10 are generally talked about in the draft
11 EIS, and I just want to cover just a couple
12 of those resources.

13 First, you know, the application
14 does include certain changes in rail
15 operations. I'll talk about those in a
16 minute. In addition to that their proposal
17 included six connections, and those are
18 rail lines, for rail line connections. It
19 also included 19 miles of new parallel
20 second track, and that is either a siding
21 extension or a double track in some areas,
22 and those areas will be listed on the screen.

23 This is an output from some of
24 our studies. It's a density map. It

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13
1 essentially is a schematic of the EJE
2 along the outside and then the CN rail

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3 lines converging on the inside. So I know
4 it's a little bit confusing, but it's a
5 graphic that sort of helps show what the
6 proposed traffic changes are. The light
7 blue color is the current day traffic in
8 terms of trains per day. We have the
9 actual numbers available, but the width of
10 the bar sort of represents the number of
11 trains per day. The dark color represents
12 the proposed traffic in terms of trains per
13 day. So you can see essentially the plan
14 is to shift some of the traffic from the
15 current CN rail lines through town to the
16 EJE.

17 As a result of that the EIS
18 reached a couple conclusions. One is that
19 in some areas on the EJE they're reaching
20 their practical capacity, and, as a result,
21 the EIS concluded that it's really unlikely
22 that the traffic levels would be higher
23 than the numbers that CN estimated in their
24 application. In addition, because of the

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14

1 crossings, the EIS indicated that Metra
2 on-time performance, you know, there needs
3 to be -- can be maintained with an
4 effective working relationship with CN.
5 EIS evaluated a number of safety

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6 082608 Public Meeting
7 issues, and in general, because of the
8 increase in train miles on the EJ&E rail
9 line itself, there is an increased
10 probability of train accidents and an
11 increased probability of highway/rail
12 accidents. By the same token, on the CN
13 rail lines, because of the reduction in
14 freight rail traffic, there is a
15 corresponding decrease in the probability
16 of a rail accident and a probability of a
17 highway accident. In addition, there are
18 three roads, Woodruff Road, Lake Street,
19 and Miller Street in Griffith, Indiana that
20 would experience a substantial increase in
21 risk.
22 The EIS evaluated passenger rail
23 and hazardous material. There is no
24 passenger rail operating of the EJ&E.
Consequently, there is no effect on

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1 passenger rail safety on the EJ&E. There
2 is passenger rail operated on the CN line
3 segments within the arch, and because of
4 the reduction in the rail traffic there,
5 there would be an improvement in passenger
6 rail safety there. There would be a
7 substantial increase in the amount of
8 hazardous material that's shipped on the
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1 for these impacts. Canadian National
2 submitted a set of voluntary mitigation
3 measures covering the areas that we
4 identified up there. They had 76
5 mitigation measures. In addition to that,
6 the CN included 72 recommended mitigation
7 measures to cover other impacts that either
8 weren't covered by the voluntary ones or to
9 augment the voluntary mitigation measures.
10 And with that I'd like to turn it
11 back over to Heather to start the comment
12 phase of this. Thank you.
13 MS. TARCZAN: One important note we
14 want to make sure that is understood is
Page 15

17

Page 15

9 082608 Public Meeting
10 EJ&E and a corresponding decrease, of
11 course, on the CN rail line segments.
12 The EIS evaluated 125
13 highway/rail at-grade crossings on the
14 Canadian National out of a total -- there's
15 a total of 155. 125 of those actually
16 improve on the CN rail line. Of the 112 on
17 the EJ&E 87 of those trip the threshold for
18 analysis in the EIS. As a result, the EIS
19 identified 15 highway/rail at-grade
20 crossings that would be substantially
21 impacted, and those are the blue diamonds
22 that you see around there. Once again, the
23 list is on a board on the outside if you
24 wanted to find out the specific crossings.
The EIS evaluated air quality,

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1 and because of the longer EJ&E route there
2 would be an increase in fuel use and an
3 increase in emissions, but because of the
4 more efficient movement, the overall air
5 quality emissions, you know, changes in
6 2015 would not exceed the current
7 regulations or impact the region's air
8 quality compliance.
9 The EIS looked at emergency
10 service providers and identified 11
11 emergency service providers, nine fire
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16

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16 that the Surface Transportation Board and
17 its representatives here tonight are a
18 neutral third party who are responsible for
19 evaluating and putting together the
20 Environmental Impact Statement.
21 We will now begin the comment
22 portion of our meeting. Let me remind you
23 again that we will adhere to the 3-minute
24 rule.
I would now like to ask the first
commenter, Congresswoman Melissa Bean, to
please come forward and begin your remarks.
Al Engberg and Keith Petropoulos, your
turns are next, and you may take the
position behind the microphone.
when you are coming up to speak,
please state your name, spell your last
name, and indicate who you represent or
which town you are from.

18

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18 082608 Public Meeting
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1 REPRESENTATIVE BEAN: I'm going to
2 turn so I can kind of talk to you and the
3 people who are here.
4 I'm Melissa Bean, and I have the
5 honor of representing the Illinois State
6 District in the U.S. Congress and many of
7 you who are here tonight. I did ask for a
8 little extra time and was granted that
9 early. Particularly representing many
10 people who wanted to be here but couldn't
11 be here. So summarizing much of what I've
12 heard from so many of you already.
13 I'm not just speaking on behalf
14 of constituents I serve in Congress, but
15 also as a mother of two who has to cross
16 the E&E regularly in our daily lives to
17 get to school, to get to the hospital, to
18 get to the grocery store, basically to get
19 anywhere where crossing the E&E.
20 This is an issue that doesn't
Page 17

19

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22 just affect the Barrington area where I
23 happen to live, but it also effects many
24 communities in the 8th District, Mundelein,
Bartlett, Hawthorn Woods, Lake Zurich,
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20

1 Hawthorn Estates, just to name a few
2 outside of my district, and the reason
3 there is strong Congressional support on a
4 bipartisan basis -- I should say opposition
5 to this deal from members Rosco, Biggert,
6 Manzulo, Foster and Bisclousky is because it
7 also effects or Illinois communities like
8 Naperville, Aurora, Plainfield, west
9 Chicago, Frankfort, and even gets into
10 northwest Indiana as far as the over 40
11 communities throughout the region who would
12 experience up to a 400 percent increase or
13 more in freight train traffic if this
14 proposed acquisition of the E&E by CN is
15 approved.
16 Last November I requested the
17 environmental impact study, which you
18 recently did provide the draft to. Unlike
19 the standard review performed by the STB,
20 the EIS gives local residents a forum to
21 raise their concerns, and over the last
22 several months the level of involvement
23 from thousands of residents has displayed
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in unprecedented level of communication by

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1 all parties involved.
2 The intent of an Environmental
3 Impact Study should be to provide balanced
4 perspective with the challenges we're
5 facing from a transportation perspective
6 looking for sufficient solutions, but
7 balancing those issues of commerce and
8 efficiency with the concerns of community
9 and taxpayers. So our taxpayers are
10 expecting the Surface Transportation Board
11 to represent them when they're making these
12 decisions.
13 Regrettably the draft EIS which
14 was issued a month ago didn't really do
15 that. Instead it seemed to endorse much of
16 what you've just seen from the earlier
17 proposal. They're allowing a private
18 foreign company to destroy local
19 communities' quality of life, their safety,
20 their economies while expecting those same
21 communities to pick up the tab.
22 Some specifics. First of all, in
23 the draft it fails to provide other options
24 to consider to relieve congestion in those

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1 areas that have been severely already
2 impacted by freight traffic. It also fails
3 to review existing alternatives and places,
4 again, an egregious and unwanted tax burden
5 on local communities by expecting them to
6 fund the vast majority, roughly 90 to 95
7 percent, of the mitigation costs for a
8 project that they don't want and would not
9 benefit from in any way.
10 For instance, IDOT testified at a
11 hearing we had in Chicago recently and
12 talked about 133 crossings on average, and
13 you heard earlier those grade crossing
14 separations could cost on average \$50
15 million each. So the \$40 million of
16 proposed mitigation costs from CN is
17 laughable in that there's over a billion
18 dollars in mitigation costs at a minimum to
19 make this work.
20 So instead of solving a problem
21 what we have here is a private company
22 saying they're solving other people's
23 problems when they're really, as they
24 should be, serving their shareholders.

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1 That's their job. It's my job to serve my
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2 constituents and to serve Illinois'
3 efficiency. We should be looking at not
4 moving a problem, but solving it.
5 In the draft EIS there was
6 identified at-grade crossings where police,
7 fire, and emergency medical service
8 providers would be cut off from the
9 consumers that they serve. There's no
10 solutions offered. It identifies that. It
11 doesn't offer any solutions or
12 recommendations on how do we ensure the
13 safeties of our communities, some of whom
14 have no overpasses, no underpasses to get
15 people to the emergency services that they
16 need.
17 Highway and rail accident rates,
18 which you already identified, are already
19 predicted to increase by 28 percent on the
20 EJ&E. Now, let's note this is Canadian
21 National whose parliament did a study in
22 Canada and they came out dead last in
23 safety. There's also already been recent
24 deaths on the EJ&E right here in my

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1 district. So safety concerns should be one
2 of our most paramount considerations, and
3 I'm sure the STB will be considering that
4 as you move forward.
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8 Thousands of our children
9 standing in the freezing cold Chicago
10 winters while 2-mile trains stop them from
11 crossing their tracks just on the way to
12 school, and that's not even considering the
13 economic issues of businesses that will go
14 away, property values that will go down,
15 and the economic burden of increased and
16 egregious taxes.
17 Local planning organizations and
18 elected officials have been entirely
19 circumvented from doing what they're
20 supposed to do, which is to plan and act,
21 and worse, the so-called benefits are
22 clearly a sham.
23 My office has communicated with
24 CN from the very beginning of this proposed

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1 transaction trying to get them to make
2 commitments to those communities, and some
3 of you I know are in those communities who
4 support this because you believe you'll see
5 a reduction in traffic. There's no such
6 guarantee that there would be, particularly
7 beyond the three years of recommended
8 accountability by the STB.
9 If you look at given the high
10 gas prices and how freight traffic is going
Page 23

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5 It also refuses to evaluate the
6 impact that this proposed acquisition would
7 have on the planned Metra Star line.
8 Actually, what it says is because CN says
9 it will just be fine, they're accepting
10 that. Again, Phil Pagano (phonetic) from
11 Metra, who testified recently at the
12 hearing we had in Chicago, clearly
13 communicated that there has been zero
14 commitment in writing or in any form from
15 CN to actually say how, in fact, you could
16 add this additional freight traffic to the
17 same tracks that we were going to put this
18 suburban rail transportation on.
19 In doing the suburban
20 transportation which is something that was
21 planned by so many of our local
22 municipalities it would have reduced
23 utilization and costs of our highways while
24 also reducing emissions. That would be

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1 entirely thrown out because of this
2 transaction. It disregards the severe
3 impact that the 400 percent increase in
4 freight traffic would have on our
5 communities, including deadlock traffic,
6 increased emissions and pollution, noise
7 levels, very dangerous safety concerns.
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11 to increase, the stronger likelihood if
12 this goes through as it's proposed is we'll
13 reduce it a little over here, we'll
14 increase it a little over there, and then
15 we'll go right back as soon as the three
16 years is up and just increase it right back
17 to where it was in those other communities,
18 and that's if, given how the timing works
19 out, those short-term reductions ever
20 happen.
21 We've tried to get commitments in
22 writing. We've gotten absolutely nothing
23 because they're trying to jam this through
24 without the real planning that should be

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1 happening.
2 As I stand before you, I really
3 urge you, the STB, to reject this proposed
4 acquisition, and also suggest that if you
5 don't, that you would at least require that
6 CN fund and complete all the needed
7 mitigation that's been identified by our
8 communities before they increase any
9 freight traffic in these areas.
10 This transaction, everyone needs
11 to be reminded, has been initiated by and
12 for the benefit of this private, foreign
13 entity and their shareholders, and their
Page 24

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14 shareholder upside should not be paid for
15 my American taxpayers.
16 I come from the private sector,
17 and in the private sector usually process,
18 planning, performance measurement are the
19 criteria around which decisions are made.
20 That's not what's happening here. The STB
21 when it was created was created for the
22 purpose of insuring the viability of the
23 railroad industry and community concerns
24 have not historically been considered, and

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1 if we don't change the process, they won't
2 be in the future. It's one of the reasons
3 with bipartisan support we introduced
4 legislation in Washington to change their
5 scope and require that all of these
6 considerations be included before any of
7 these types of decisions be made in the
8 future so we can balance the interests of
9 commerce with the interests of American
10 taxpayers.

11 On that note, I thank you all for
12 weighing in. I hope you'll continue to
13 weigh in so we can give the STB all the
14 information they need so that they can
15 serve us best. Thank you for being here.

16 MS. TARCZAN: Al Engberg please step
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20 Most other Metra lines share the
21 right-of-way with freight. In short,
22 freight traffic can and does coexist with
23 Metra lines. To use the Star line as a
24 means to block this purchase is deceptive

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1 and not supported by the facts.
2 The task given this board is to
3 evaluate the facts of the proposal and
4 arrive at a decision in an environment
5 that's free of political and localized
6 pressure. Probably the most disturbing
7 aspect of this process is the new
8 legislative effort proposed by politicians
9 pandering to local pressure groups and by
10 no means in the best interests of the
11 entire region. I have no problem with new
12 legislation that will apply to future
13 requests but should not apply to
14 applications currently under view.

15 In fact, from Senator Durbin's
16 own Web site, his statement on the proposed
17 CN (inaudible) says, and I quote, "CN must
18 think they are playing a weak hand because
19 it seems they are making every attempt to
20 change the rules of the game."

21 I agree, no change in the rules
22 of the game. Therefore I call upon the
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17 to the microphone.
18 MR. ENGBERG: My name is Al Engberg,
19 E-N-G-B-E-R-G. I'm from Mt. Prospect.
20 This transportation will
21 negatively affect this area. How easy
22 should we state the obvious? But that's
23 not the single focus of this board. Its
24 job is to assess the impact across the

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1 entire region. On the existing CN
2 right-of-way there are more grade
3 crossings, more motorists, more school
4 busses, more ambulances, and more hospitals
5 than all of EJ&E. Within a short distance
6 of my house alone there are five major
7 highways across the CN, 12, 14, 58, 62, and
8 68. All the well-organized, well-funded
9 motion-based opposition cannot alter these
10 facts.

11 Then there is Metra. For the
12 EJ&E there is a proposed but not funded
13 expansion commonly referred to as the Star
14 line, but the only significant addition to
15 Metra in the last 20 years is the North
16 Central that was put on the CN
17 right-of-way. In order to operate both
18 there was an improvement on the CN
19 right-of-way including additional trackage.
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23 Senator to follow through on his statement
24 and to use his position as majority whip to

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1 oppose any retroactive provision in new
2 legislation.

3 Being a resident of
4 Mt. Prospect, I have a bias in this
5 proceeding. Those along the EJ&E also
6 cannot be taken as objective. So I look
7 for studies that can be ascribed to
8 impartial parties. I believe no one can
9 characterize the Transportation Center of
10 Northwestern University as being in the
11 pocket of either side and has earned
12 credibility of regional transportation
13 issues.

14 A presentation of this purchase
15 was presented at Northwestern in February
16 of this year and considered all aspects of
17 the proposal and included in the approval
18 of the purchase was in the best interest of
19 the entire region. And I quote, "The
20 negative impacts on a relative basis will
21 be less than the negative impact currently
22 existing or being felt every day on the
23 other areas of the region." I have the URL
24 if anybody wants it.

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1 Communities used to encourage
 2 railroads because of the transportation as
 3 a key part of the economic vitality of the
 4 region, not an inconvenience of our daily
 5 lives. This new antirail attitude can be
 6 attributed in part to a growing service
 7 economy, but those who believe our economy
 8 can grow are resisting the industries that
 9 provide the framework for our prosperity
 10 are sadly misguided.
 11 MS. TARCZAN: Thank you. Your 3
 12 minutes are over.
 13 MR. ENGBERG: Can I have a few more
 14 seconds?
 15 MS. TARCZAN: I'm sorry, sir. We're
 16 going to try to keep us on time tonight.
 17 So I'd like to call Keith
 18 Petropoulos to the microphone, followed by
 19 David Heyden, who will be followed by John
 20 Tolomei.
 21 I'd like to remind everybody too
 22 that you can also submit comments over to
 23 the court reporter located in the room next
 24 to us.

1 MR. PETROPOULOS: My name's Keith
 2 Petropoulos, P-E-T-R-O-P-O-U-L-O-S. I
 3 represent my family that I moved a year
 4 ago. I've got five kids. We moved from
 5 Algonquin, Illinois -- Oh, my time has
 6 started already. I haven't even started my
 7 speech yet. Can I start my time over?
 8 MS. TARCZAN: No, sir. Please keep
 9 going.
 10 MR. PETROPOULOS: Well, anyway, here
 11 we go.
 12 I'm speaking to appeal to your
 13 core values, not as analysts of the STB,
 14 but as citizens of this deserving country.
 15 During the Marshall Plan the
 16 United States made sacrifices to numerous
 17 overseas countries and basically gave away
 18 our industry and our resources to help
 19 create a peaceful means to defeat
 20 communism. In the '80s foreign labor
 21 accelerated the export of our wealth-making
 22 ability and the invention of the
 23 containerized movement of freight increased
 24 the number of imports to the United States

1 and reduced our industrial capacity. This
 2 process keeps continuing at reducing
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3 082608 Public Meeting
 4 America's wealth-making ability where our
 5 country gets poorer and poorer and other
 6 countries like China become more wealthy
 7 and more wealthy.
 8 This transaction is basically
 9 run by two partners, a greedy Canadian
 10 railroad company that wants an advantage in
 11 the import freight business so it can
 12 compete with the Burlington National and
 13 the American railroads and the Union
 14 Pacific to bypass American ports to bring
 15 crappy Chinese goods to America from
 16 Canada.
 17 So this entire transaction is
 18 being brought so -- and try and remember
 19 who the Canadian's partner is. It's
 20 Costco. Costco is the Canadian National
 21 steamship line, a steamship line that's
 22 completely subsidized on the backs of the
 23 poor peasants of China. This is the same
 24 government that murdered 30 million of its
 own people since 1950. The butchers of

1 China are going to bring their junk to this
 2 country on a Canadian railroad through my
 3 beautiful town.
 4 You've got to stop and think,
 5 think of what you're doing, think about
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 7 what you're bringing to this country.
 8 You're bringing a further demise of our
 9 country and you're only speeding the
 10 destruction of our industrial capacity.
 11 The whole process, the whole plan is
 12 preposterous and ludicrous. It is
 13 practically almost treasonist to approve of
 14 this plan.
 15 I really need you to think about
 16 the interests of your family, the interests
 17 of your neighbors in this entire
 18 transaction and stop worrying about dotting
 19 the Is and crossing the Ts and how many
 20 decibels, what goes on with the railroad,
 21 how many intersections you're going to
 22 affect, and you've got to stop and think
 23 about what you're truly working on. Look
 24 in your hearts.

MS. TARCZAN: David Heyden please

1 come to the microphone, followed by John
 2 Tolomei, followed by Mayor Keith Hunt.
 3 MR. TOLOMEI: Point of order before
 4 you start my time. Dave Heyden had
 5 reserved his time for an opportunity to
 6 speak tomorrow, night. So he expects to be
 7 speaking tomorrow night, I know he called
 8 for that time, and I was told that I could
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10 use his time since he isn't here since he
11 expected to be speaking -- he expected to
12 be speaking tomorrow night.
13 MS. TARCZAN: Sir, at this point
14 we're not able to take substitutes for the
15 folks that are not here. So I do apologize
16 for that.
17 To that end I will be calling John
18 Tolomei.
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1 MR. TOLOMEI: John Tolomei, Village
2 President of Lake Zurich. Thank you for
3 the opportunity to speak tonight.
4 The draft EIS severely
5 underestimates the impact of the
6 acquisition on homes and businesses. The
7 report references the presence of the EJ&E
8 line since 1891 but fails to realistically
9 evaluate the impact or, more importantly,
10 the lack of impact from decades of the EJ&E
11 operating with minor freight volumes.
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1 night noise, vibration, and delays. This
2 acquisition gives us the entire burden of a
3 major freight line with no benefits such as
4 public transportation that other
5 communities that want to lose trains still
6 have and will retain at our expense.
7 Thus, the real depression in
8 values to housing and businesses is closest
9 to the case of building a freight only rail
10 line where none existed before. Any
11 finding that the past presence of EJ&E
12 lessens the impact of the CN acquisition
13 plan completely ignores the EJ&E operations
14 over the last decades when all major growth
15 in our communities took place. Property
16 values will drop precipitously with the
17 acquisition since the change it will bring
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13 Failure to recognize the minor impact of
14 the present EJ&E operations leads to
15 defective conclusions in the EIS such as
16 that at 4.6.4 where it states, "The effects
17 on community facilities would be minimal
18 because the communities have grown around
19 the EJ&E and adapted to its presence."
20 In fact, what the communities
21 did grow accustomed to is a railroad that
22 has virtually no impact on daily life. For
23 at least four decades the EJ&E operated
24 their rail line with next to no traffic and
fostered an environment of a virtually

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1 nonexistent rail line. Accordingly, the
2 communities through which it passes grew
3 without any reason to provide accommodation
4 for its trains. Our communities were
5 lulled into normal suburban development by
6 an innocuous short-haul rail operation. We
7 are not equipped to handle its overnight
8 conversion into a major trunk line and lack
9 the infrastructure for it.
10 I agree wholeheartedly with the
11 statement of the report at 4.6-6 that
12 "Homes and businesses are often the biggest
13 investment people have and anything that
14 might affect the value of these investments
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19 is not incremental but a dramatic step
20 change that completely alters the nature of
21 our communities.
22 Thank you.
23 MS. TARCZAN: I'd like to remind
24 everybody tonight that there are other
methods to make comments. You can use our
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1 web site, our toll free number, as well as
2 our mailing address. I'd also like to
3 remind the speakers who are speaking
4 tonight that the second they come to the
5 microphone and begin speaking your time is
6 counted.
7 To that end, I'd like to call
8 Mayor Keith Hunt, to be followed by Eric
9 Jakubowski, followed by Mayor Tony Arredia.
10 Mayor.
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1 MR. HUNT: Good evening. I'm
2 Keith Hunt. I'm the mayor of Hawthorn
3 Woods.
4 The draft EIS fails to
5 adequately address the impacts to our
6 community in critical areas including noise
7 levels, transportation of hazardous
8 materials, traffic delays, safety risks,
9 and, most importantly, impacts the
10 emergency services.
11 We have -- you have a chart in
12 your executive summary that identifies 11
13 different emergency response units in
14 Illinois and Indiana that are, in your
15 words, likely to be seriously affected.
16 Two of those serve our community.
17 The draft EIS fails to consider
18 the local and regional planning that has
19 gone on in this area for decades. Our
20 community and the others around it have
21 worked together cooperatively to plan the
22 entire Route 12 corridor and other areas.
23 We have a plan for a complete downtown area
24 Page 37

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1 community?
2 Speaking of planning for our
3 community, we're a small community of 8,000
4 people. We have a budget of roughly
5 \$3 million a year, and as the Congresswoman
6 pointed out, just one of these grade
7 separation crossings is going to cost about
8 \$50 million. We need two. That represents
9 the next 30 years of our budget. And yet
10 CN is not willing to make any commitment in
11 writing to our community, just like they're
12 not willing to make any commitment in
13 writing to any of the communities who they
14 tout as a three-year beneficiary of this
15 plan but with no forward commitment in
16 terms of what's going to happen in the
17 future. We need to hold people --
18 honorable people honor their commitments.
19 We need to make these people honor, but we
20 need to make them honor their commitments.
21 We need to make sure that we have
22 adequate investigation given considerations
23 for local planning and local impacts here,
24 and the draft EIS statement simply doesn't

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1 go nearly far enough.
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along Midlothian Road, which runs

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1 immediately next to the EJ&E line. Those
2 economic hopes and that planning will all
3 be for naught and will be dashed if this
4 proposal is allowed to go forward and if
5 those types of considerations are not
6 seriously addressed.
7 We've tried to meet with CN, we
8 asked for commitments, and we were told why
9 would we agree to that, why would we commit
10 to that, why would we give you that kind of
11 commitment. Failing those types of iron
12 clad commitments, this deal has to be
13 vetoed. It's not good for the region.
14 There's been, as Congresswoman Bean pointed
15 out, very, very poor level of planning
16 that's gone in, and many of the local
17 factors simply have not been considered.
18 One of our local fire chiefs from
19 the Lake Zurich Fire Department has been
20 asking for months to get information from
21 CN about the nature of the hazardous
22 materials. They won't give it to him. Why
23 is that? Why can't we get basic
24 information so that we can plan for our

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2 Thank you.
3 MS. TARCZAN: Eric Jakubowski, Tony
4 Arredia, James Johnson.
5 I'd also like to remind people
6 that you are cutting into time with
7 clapping or any other method of showing
8 your approval or disapproval.
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1 MR. JAKUBOWSKI: My name is Eric
2 Jakubowski. I'm a director for CN based
3 here in Chicago, and this evening I would
4 like to describe the formal community
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5 outreach process that CN has been
6 undertaking for the past several months.
7 The SEA encouraged CN to propose
8 voluntary mitigation and to negotiate
9 mutually acceptable agreements with
10 affected communities to address potential
11 environmental impacts related to this
12 transaction. CN is working diligently to
13 this end. We are taking very seriously the
14 concerns of communities along the E&E
15 line. The DEIS also confirms our view that
16 the transaction and environmental impacts
17 can be reasonably mitigated.
18 Following the SEA scoping
19 meetings earlier this year my colleague,
20 Mike Molene, (phonetic) and I sought
21 meetings with all 34 communities on the
22 E&E and 32 agreed to meet with CN. Our
23 approach to these meetings has been
24 deliberate and professional. We have

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1 undertaken a thorough analysis of traffic
2 flows, the locations of hospitals, schools
3 and police stations, and other
4 characteristics of each community along the
5 line. Our very first meeting with each
6 community focused on listening to specific
7 concerns and answering questions about our
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11 facilities that will expedite train
12 movements and reduce the delay on nearby
13 grade crossings.
14 With respect to grade crossings,
15 CN remains concerned that the DEIS does not
16 adhere to the criteria previously used by
17 the STB for measuring crossing impacts and
18 applies federal guidelines designed for
19 other purposes as the basis for mitigation
20 analysis. The DEIS also builds on future
21 traffic projections and does not
22 appropriately take into account the nature
23 and implications of existing conditions at
24 crossings. Nevertheless, we are making

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1 every effort to address legitimate
2 community concerns and reach reasonable
3 agreements.
4 Noise mitigation, our analysis
5 indicates that portions of some communities
6 may witness increased noise exposure, and
7 we are discussing options such as home
8 sound producing, berms, vegetation, or
9 sound walls.
10 Quiet zones, CN's involvement in
11 funding improvements required for quiet
12 zones are unprecedented, but we believe
13 this is the greatest concern of many
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8 plan.
9 Once the community leaders and CN
10 agreed upon issues that may require
11 mitigation, we scheduled a joint field
12 investigation to discuss options. It is
13 not CN's intention to try to impose
14 solutions, but rather to construct
15 arrangements that will be responsive to
16 community concerns long lasting and
17 beneficial.
18 Our discussions focused on the
19 following: Safety, CN is reviewing
20 locations where schools and parks are
21 adjacent to railroad property for possible
22 safety fencing. We reviewed these
23 locations with local communities to clarify
24 limits and specific fencing types to

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1 prevent trespassing.
2 Operations, CN's committed to
3 making improvements to railroad plans to
4 minimize various noise and train delay in
5 pass. This includes remote powering of
6 railroad switches to minimize stopping and
7 curb loop indicators to reduce possible
8 wheel screws. Where the usual standards
9 are exceeded CN is also working with
10 several communities to construct traffic
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14 neighbors.
15 Training and emergency
16 communication protocol, CN will commit to
17 training their community's emergency
18 response folks, and we are discussing
19 coordination efforts to ensure that
20 emergency dispatchers have realtime access
21 to train movement information and that we
22 can establish a reliable protocol that is
23 customized for each community.
24 Thank you.

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1 MS. TARZAN: Mayor Tony Arredia
2 please step to the microphone, followed by
3 James Johnson, and John Gohmann.
4 Mayor Arredia?
5 James Johnson?
6 MR. JOHNSON: Jim Johnson, village
7 trustee, Lake Zurich.
8 We have only hit the tip of the
9 iceberg in the acquisition process. Yet
10 the CN is yelling at the captain, the STB,
11 to damn the icebergs and go full speed
12 ahead. The partial environmental impact
13 study has gaps, lacks data to substantiate
14 a number of claims, invites more questions
15 than it answers. It alludes to economic
16 consequences. Why ask the STB to slow down
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17 and listen to and actually study the
18 concerns and then fully investigate?
19 It is the goal of the CN to get
20 a monopoly. A North American train from
21 Asia by developing in stages a mega port of
22 Prince Rupert freight will come via the
23 shortest water route through a super
24 highway through our community. The Star

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1 line, a vital commuter link from Chicago
2 and connecting communities will be lost for
3 all time.

4 Our west Coast ports will suffer
5 and Americans will lose jobs, lost hours
6 waiting for trains, pollution damage from
7 waiting vehicles, thousands of homes along
8 the track losing value is, again, only the
9 tip of the iceberg.

10 This is the time for the STB to
11 step up. You're not bound to follow
12 50-year-old precedents. This is the time
13 to set a new course and to get out of the
14 iceberg's way. Railroads are no longer the
15 poor step-children of transportation.
16 They're big business in every sense of the
17 word. They do not need to be subsidized.

18 When trains first crossed the
19 country railroads got incredible benefits
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23 avoid the iceberg, stand up for every
24 taxpayer, defend our citizen's rights, and

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1 represent the best interests of America
2 Thank you.

3 MS. TARCZAN: John Gohmann, Malcolm
4 HoIec, John Lobaito.

5 I'd also like to ask everybody to
6 please form a line once your name is called
7 behind the speaker in front of you.

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20 because ultimately it directly benefited
21 our citizens and our country's development.
22 Now a foreign national giant wants to
23 benefit by taking advantage of our laws to
24 subsidize their effort to put a super

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1 highway from Prince Rupert to Memphis and
2 on to Europe.

3 STB, I ask you to use the
4 authority you already have to make them
5 pay. Mitigation should not be a token
6 payment left up to the CN. They have not
7 negotiated in good faith. In fact, they
8 have tried to divide and conquer using
9 parts of their original 40-million- dollar
10 offer. They are relying on past STB
11 precedent to determine what they must be
12 forced to pay. I say the hell with
13 precedent, set a new course.

14 I implore the STB, do not do the
15 expected thing, do the right thing. To do
16 that you must not let the CN bully you.
17 You're not paper pushers or puppets on a
18 string. You must take the time to gather
19 all the data that is needed, including a
20 full economic impact study. If it takes 18
21 months or two years, the railroad line will
22 still be there and so will the CN. Please
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1 MR. GOHMANN: Good evening. I'm
2 chairman of the Minnesota Commercial
3 Railroad in St. Paul --

4 MS. TARCZAN: Sir, can you please
5 state your name.

6 MR. GOHMANN: John Gohmann,
7 G-O-H-M-A-N-N. I'm chairman and founder of
8 the railroad in Minnesota and truck line
9 and I'm also president of the Small
10 Railroad Business Owners of America, and
11 I'm basically here to suggest -- I've heard
12 lot of emotion. I've heard about big old
13 Canadian National Railroad Company. About
14 60 percent of the shareholders of CN are
15 American. They have about 8,000 American
16 employees, all who have jobs and families
17 like the rest of the people here.

18 The Canadian National -- I have
19 put a press kit together and I have several
20 copies, I'll give the Board one, with a lot
21 of facts and background so you'll have a
22 copy of it. It's a matter of the record.

23 But everything you talk about,
24 Prince Rupert, Prince Rupert is a new port

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1 to serve North America, not the Canadian
2 National. Prince Rupert is going to
3 relieve congestion to move grain for export
4 from America from the farmers. It's going
5 to open up another network for boats.

6 Everybody in this room, if I asked
7 you to take out any clothes that you have
8 that were not made in China, anything in
9 your house or in your car that wasn't made
10 in China, folks, they're here. They're
11 here and they've been here for 20 years.
12 The bottom line is that we have to make
13 more jobs in America.

14 Let me tell you some of the stuff
15 the CN moves. I served as a consultant to
16 help form the Wisconsin Central, which
17 became the CN. Grain from Iowa, Wisconsin;
18 coal from the Powder River Basin for power
19 plants; automobiles from Michigan,
20 Wisconsin, Minnesota, southern states;
21 paper to the Chicago Tribune, 15 to 20 car
22 loads a day of paper comes out of Northern
23 Minnesota; fertilizer, hundreds of cars a
24 year for agriculture, thousands of cars a

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1 year; steel from northwest Indiana to
2 steel-producing facilities all over the
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6 the UP main line, they look at the CP main
7 line over here. The CP main line has 110
8 trains a day. It's all documented.

9 MS. TARCZAN: Ladies and gentlemen,
10 I would like to ask all of you tonight who
11 are cutting in to other people's comments,
12 we will have to alert security, which is
13 already in the room. Those of you who do
14 make these comments will be removed.

15 Thank you, sir.

16 MR. GOHMANN: It's all in the
17 record. I will submit it to you later.

18 MS. TARCZAN: Thank you.
19 Malcolm Holec, John Lobaito, Jeff
20 Steingart.
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1 MR. HOLEC: Malcolm Holec,
2 H-O-L-E-C. I live in Mt. Prospect.
3 Our family has lived within 150
4 feet of the existing Northline of the
5 Canadian National track for almost 40
6 years. We had some rough times. We had
7 the Sioux line, Milwaukee Road, Wisconsin
8 Central, all railroads with limited
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country.
4 Right now it takes the EJ&E four
5 days to get one car of steel from Gary,
6 Indiana to Leafland and it's forcing all
7 this business to move on truck over the
8 highway. How do I know? It comes to my
9 warehouse. It takes another three days to
10 get it to St. Paul. The bottom line is
11 there's already congestion here.

12 This book explains how a series
13 of railroad mergers forced by bankruptcies
14 in the '60s and '70s caused the
15 rationalization of plants and railroad
16 yards over Chicago. The system
17 accommodated what it was at the time, but
18 for the last five or six years Chicago has
19 been grid locked. I have photographs of
20 trains being parked all over Chicago
21 waiting to get through the Chicago terminal
22 on the CN, CP, other railroads. It
23 happens, and it happens east and west. We
24 move about 25 percent of all United States

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1 freight through Chicago. There's an
2 unprecedented demand.

3 Lastly, I would only suggest that
4 people here who have a problem go down and
5 look at the BNSF main line, they look at
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9 resources and a lot of noise and a lot of
10 problems.

11 Since the Canadian National took
12 over things have vastly improved. We now
13 have more trains, we've got about 22
14 freight trains, and we've got 22 North
15 Central line commuter trains. So we've got
16 about 44 trains going through. The
17 Canadian National has made such dramatic
18 improvements all the way along. Better
19 track, they replace track constantly. I
20 think they maintain their wheels. We don't
21 any clickity clack that we had for many
22 years. Until they took over we had the
23 clickity clack all the time. They've done
24 a remarkable job.

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1 They've improved -- talking
2 about environment. They've improved our
3 environment I think dramatically.

4 I think it's very important that
5 the process -- I think what should happen
6 is each town should work with the Canadian
7 National. I think they should be working
8 together. Obviously a lot of people are
9 working against them. I think it's
10 important. I think they can do a wonderful
11 job.
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13 I'm concerned that if the
14 Canadian National doesn't do this, because
15 of the congestion and the congestion is not
16 going to go away, it's going to end up with
17 some American railroad that's going to have
18 to be subsidized by taxpayers.
19 I think we're fortunate that
20 Canadian National is doing this in a way
21 because I think it's going to have to be
22 done. The congestion around the Chicago
23 area is certainly affecting the whole
24 country, perhaps the whole world, and if
they don't do it, somebody I firmly believe

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1 is going to have to do it. I think they're
2 doing it, and from my experience with the
3 Canadian National, they're a reliable
4 private firm and I truly believe we should
5 support -- I think that each community
6 should be working with them, and I hope
7 they would do -- I hear they're not as
8 cooperative as they should be.
9 They've got to be made to
10 realize too and I think the Board should
11 spend more time in getting parties
12 together, getting the Canadian National and
13 the towns together -- some towns obviously
14 are very resistant and Canadian National

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16 seems to be a bit resistant. That's where
17 I see the duty of the board is, to get
18 these parties together.
19 I think that's where the problem
20 is right now. I think it's very obvious at
21 this meeting that that's the problem.
22 There's nobody getting them coordinated,
23 and that's where I think this board should
24 be serving. I just get the feeling they're
not, and I think that's the reason there's

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1 all this turmoil. They're not doing the
2 job that I think should be done, and I
3 think it's important because I think it's
4 going to cost the taxpayers if this falls
5 through.

6 Thank you.
7 MS. TARCZAN: John Lobaito, Jeff
8 Steingart, Tim Sashko.

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1 MR. LOBAITO: John Lobaito, Village
2 of Mundelein, L-O-B-A-I-T-O.
3 Mundelein is central to this
4 transaction because of the connection
5 between Canadian National line and the E3&E
6 line. Mundelein will see the greatest
7 diversion of train from one line to the
8 other and that slow speed connection will
9 block crossings both on the CN and the E3&E
10 line. We believe Mundelein will be
11 impacted more than any other community as
12 the Draft Environmental Impact Statement
13 shows.

14 We have been negotiating with the
15 CN and have made some progress, with an
16 emphasis on some, on reaching a voluntary
17 agreement and mitigating the impact that we
18 will see in our community.

19 We have made no agreement on
20 addressing major issues and the proposed

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22 transaction will have on traffic and our
23 provision of delivering emergency services.
24 Mundelein's fire and emergency services
providers are potentially seriously

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1 affected. Additionally, Allanson Road on
2 the CN line blocked by trains transferring
3 to the E3&E line is listed as one of the 15
4 crossings that, and I quote, "Require
5 mitigation due to effects under the
6 proposed action."

7 Furthermore, we believe that the
8 SEA erred in it's not including Route 60/83
9 in the top 15 lists of severely impacted
10 crossings because it meets two of the
11 criteria that SEA has established for
12 inclusion. The impacts on Route 60/83
13 include over 40 hours of delay per day and
14 the queue will block a major roadway.
15 Moreover, that route is critical to
16 emergency services over a large area
17 because Mundelein Fire Department is
18 closely partnered with Countryside Fire
19 Protection District that provides emergency
20 service response in Mundelein.

21 We're asking the CN for these
22 three things: One, as in interim step
23 until a grade separation can be built at

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1 additional firemen, paramedics per shift.
 2 Mundelein will match that by providing \$4
 3 million worth of equipment and facilities.
 4 By adding staffing we hope to alleviate the
 5 drop in our response time caused by the
 6 proposed action. We estimate this cost to
 7 be \$750,000 per year.
 8 Upfront engineering costs of a
 9 million dollars for a grade separation at
 10 60/83. We're also asking them to pay
 11 50 percent of the cost of the grade
 12 separation at 60/83 and 50 percent of the
 13 cost of the grade separation at Allanson
 14 Road. To date they have not offered on
 15 these two crossings anything except to
 16 increase train speed in that connection.
 17 We don't believe that's going to be enough.
 18 We do not believe that an engineer would
 19 attempt that sharp curve at anything more
 20 than 25 miles an hour.
 21 Another open issue we have that
 22 happens to begin with the date the board
 23 approval and the date that the higher speed
 24 connection between the CN and the E&E is

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2 S-T-E-I-N-G-A-R-T, the fire chief of
 3 Countryside Fire Protection District
 4 serving Vernon Hills, unincorporated Lake
 5 County area, portions of Hawthorn Woods,
 6 Long Grove. Also with me is Chief Tim
 7 Sashko with the Mundelein Fire Department.
 8 As Mr. Lobaito stated, we work
 9 very closely in protecting the 33.2 square
 10 miles between our two agencies through a
 11 very comprehensive intergovernmental
 12 agreement responding to over 7,500
 13 emergencies a year in the affected area.
 14 With the shift of the 15 trains
 15 to the E&E it simply shifts the problem to
 16 an area within that protection zone, as
 17 we'll call it, to an area that is lacking
 18 water supply, has extended response times
 19 due to long rural roads, and is farther
 20 away from hospitals when we're transporting
 21 patients to the emergency room. This
 22 provides much greater vulnerability in
 23 providing emergency service to the area
 24 that we serve collectively through four

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1 fire stations.
 2 It's adding two new grade
 3 crossings that will seriously hamper our
 4 response times to a scene and then also
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1 built. By building this connection this
 2 will take at least two years. Given that
 3 the wetlands and the land was
 4 acquired -- the land that needs to be
 5 acquired, this is an optimistic time frame.
 6 We ask that some condition be imposed on
 7 the proposed action either delaying any
 8 rerouting until the new connection is built
 9 or limiting allowable train lanes until it
 10 is built.
 11 We understand the significant
 12 transportation benefits of the proposed
 13 action. We trust that the board will
 14 understand the significant environmental
 15 impacts on Mundelein and take those into
 16 account.
 17 MS. TARZAN: Thank you, sir. Your
 18 time has ended.
 19 Jeff Steingart, Tim Sashko, Peter
 20 Crouch.
 21 Please state your name, spelling
 22 your last name, please.
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MR. STEINGART: Jeff Steingart,
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5 backing each other up for when we have
 6 multiple incidents in that 33 square miles.
 7 Split change on the curve in the
 8 effected area of Route 60/83 near Diamond
 9 Lake are what concerns us the most.
 10 MS. TARZAN: Thank you, sir.
 11 Tim Sashko, Peter Crouch, Robin
 12 Meier.
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1 MR. SASHKO: Thank you. Tim Sashko,
 2 S-A-S-H-K-O, fire chief, village of
 3 Mundelein.
 4 Three things that the EIS report
 5 doesn't address that we think are critical
 6 and following with chief Steingart's
 7 comments. Number one is code of federal
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8 regulation 1910134 which is an OSHA law.
9 It is something that we are judged by as
10 far as fire ground operations and our
11 ability to have two in and two out on fire
12 ground operations. It's a requirement by
13 law that we have firefighters outside of a
14 building that match what is inside a
15 building both in voice and visual contact.
16 with the delays that we
17 anticipate because specifically of the
18 60/83 grade crossing, we will lose the
19 ability to provide that level of service
20 because of delays that occur, and we cannot
21 enact fire ground operations without having
22 that standard in place. And it is
23 measurable. It's a law. It's something we
24 cannot hide from.

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1 Second to that is the National
2 Fire Protection Association Standard 1710
3 that also creates minimum requirements and
4 time elements for what we need on the fire
5 ground in resources in order to be able to
6 fight a fire. Both of these being violated
7 jeopardizes law enforcement officers who
8 are faced with the need to potentially
9 react and go into a burning building where
10 they don't belong, as well as firefighters
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14 Thank you.
15 MS. TARCZAN: Peter Crouch, Robin
16 Meier, Representative Elaine Nekritz.
17 Again I ask that you please form
18 a line behind the speaker who is speaking
19 so that we do not lose time.
20 Peter Crouch, Robin Meier.
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1 MS. MEIER: Robin Meier, M-E-I-E-R,
2 Mundelein.
3 I would like to mention that I
4 hope to see the Metra Star line become a
5 reality sometime in the future. However,
6 tonight I want to focus on the transitional
7 curve from the CN to the E&J line located
8 between Allanson Road and Route 60 in
9 Mundelein.
10 This is a relatively sharp curve
11 in a limited space. There is potential for
12 a freight train accident involving
13 hazardous waste and dangerous chemicals at
14 this curve even if this curve is
15 redesigned. Speed, the condition, and
16 maintenance of the track will directly
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11 and certainly the lives and property of the
12 people we serve.
13 Another thing the EIS does not
14 address, the third point, emergency medical
15 services. There is nothing in there about
16 clinical death, which is four minutes, and
17 biological death, which is six minutes.
18 Any grade crossing delays that we have will
19 definitely affect the ability for us to
20 provide services with EMS and be able to
21 provide patient care so we get people to
22 the hospital in a timely matter. Our only
23 hospital that we serve in this area on a
24 regular basis is Condell in Libertyville.

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1 We have to go through 60/83 in order to
2 effectively deliver patients.
3 The EIS does identify the
4 possibility of erecting another fire
5 station. In our conversations with the CN
6 this is not feasible and it's, frankly, a
7 waste of money. It's a resource we don't
8 need and we have that in place. As
9 Mr. Lobaito stated, we need manpower.
10 We've openly had discussions with the CN on
11 a model that can possibly resolve a lot of
12 the mitigating factors that prevent us from
13 being able to provide emergency services.
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17 impact ongoing safety.
18 In a train accident on August 22,
19 2008 in Luther, Oklahoma traffic was
20 blocked in a 3-mile radius as a precaution
21 against toxic chemicals that could be
22 spread by the wind. The Oklahoma accident
23 involved crude oil and ethanol and was
24 located in a remote area.

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1 The section of the Mundelein
2 track is located near an industrial area.
3 However, a 3-mile radius includes
4 approximately 31 public or private schools
5 and 21 parks, not to mention local business
6 or residential areas. Do our residents,
7 parents, business, or government leaders
8 have an accurate list or knowledge of the
9 chemicals and toxic material that's
10 traveling on this rail line through our
11 communities? We should all be concerned
12 about the hazardous material traveling
13 through our towns.
14 A direct quote from the executive
15 summary of the EIS statement, page 13 under
16 Safety, "Based on the historic data
17 maintained by the FRA for annual hazardous
18 materials release, the likelihood of a
19 release of hazardous materials would still
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20 be remote, less than once every year."
21 Trains managing even a
22 redesigned curve will be an accident
23 waiting to happen. The likelihood of an
24 accident or potential release of hazardous

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1 material less than once every year should
2 not be acceptable. Please consider the
3 safety, health, and wellbeing of our
4 residents and children.

5 Thank you.
6 MS. TARCZAN: Representative
7 Nekritz, Dr. Brian Knutson, Dale Perrin.

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1 REPRESENTATIVE NEKRITZ: I'm State
2 Representative Elaine Nekritz,
3 N-E-K-R-I-T-Z. I represent parts of
4 Des Plaines, Mt. Prospect, and Prospect
5 Heights, all of which are home to the
6 existing CN line.
7 My constituents know all too
8 well the impacts of the freight rail, which
9 is why we would very much welcome the
10 relief that the proposed acquisition could
11 provide even for a few years. CN is
12 projecting that their existing line would
13 see a reduction in trains from 19 to 2 per
14 day in those suburbs. Yet the draft EIS
15 gives short trip to the positive community
16 and environmental impacts along the
17 existing CN line.
18 For example, it seems that the
19 wait time for vehicles stopped at grade
20 crossings along the CN line are completely
21 ignored in the calculation of energy use
22 and air quality and climate in the
23 executive summary.
24 Furthermore, over the last ten

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1 years communities along all freight lines
2 have experienced dramatic increases in
3 traffic. The freights already own these
4 lines. They did not seek permission to
5 increase the number of trains, nor did they
6 provide any mitigation. In Des Plaines, a
7 community of almost 60,000, there are 32
8 at-grade crossings and only two grade
9 separations.

10 So while I support mitigation, I
11 find it difficult to justify that
12 communities which would just now feel the
13 impact of more trains would go to the front
14 of the line to receive mitigation while
15 those who have been dealing with this issue
16 for decades continue to wait.

17 I also serve as chair of the
18 Illinois House Rail Committee, and, as
19 such, I would like to point out there is a
20 regional economic perspective to this
21 potential acquisition that is significant.
22 Chicagoland is the world's fifth largest
23 intermodal freight hub. The movement of
24 freight is a huge economic engine in our

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1 regional economy. The rail industry alone
2 employs almost 9,000 people in northern
3 Illinois and many thousands more are
4 employed in the warehousing distribution
5 and logistics sectors. Unfortunately
6 investment in the necessary transportation
7 infrastructure has lagged to the point
8 where rail and truck traffic congestion is
9 intolerable. Companies are being lured
10 away by Kansas City, Memphis, and others.
11 The Chicago Department of
12 Transportation, the Illinois Department of
13 Transportation, and the six class 1
14 railroads came together a few years ago to
15 work on a plan to relieve congestion. The
16 result was create a 1.5-billion-dollar
17 public/private partnership. In the last
18 Federal transportation bill we received a
19 fraction of that money, and the State has
20 yet to come up with any.
21 While we haggle over taxpayer
22 funding for critical congestion relief, the
23 CN is offering a purely private sector
24 solution. All manner of consumer goods

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1 from shoes to food to cars are transported
2 by train. It is the most economically and

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4 environmentally efficient form of
5 transportation. In the global economy,
6 which is dependent upon transporting goods
7 quickly and reliably, freight trains are a
8 fact of life.

9 The CN proposal deserves a fair
10 review that considers all factors,
11 including the positive regional and
12 economic benefits.

13 MS. TARCZAN: Dr. Brian Knutson,
14 Dale Perrin, James Tarbet.
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1 MR. KNUTSON: I'm Brian Knutson,
2 K-N-U-T-S-O-N, superintendent of Community
3 Unit School District 95 in Lake Zurich and
4 surrounding villages.

5 The wellbeing of students, staff,
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10 or slow-downs, our equipment would be
11 vulnerable to damage and delays.

12 Significant delays and safety
13 situations will occur throughout our
14 district as buses cross the EJ&E line more
15 than 230 times per day to deliver students
16 to and from our schools. In addition to
17 the location of our fleet, the hub of our
18 district-wide technology infrastructure is
19 located within 50 feet of the railroad
20 tracks.

21 The EJ&E rail line intersects
22 several major thoroughfares in our school
23 district. There are only two elevated
24 crossings in the entire district with all
other crossings at grade. This increased

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1 freight traffic will dramatically affect
2 the commute times of staff, students, and
3 parents, which could jeopardize their
4 safety and the safety of the area's
5 children as they travel to and from school.

6 Lake Zurich High School and May
7 Whitney Elementary School are located
8 immediately adjacent to the EJ&E tracks
9 raising critical environmental and safety
10 concerns in the wake of increased freight
11 traffic. There is currently no fence or
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7 and residents is always at the forefront of
8 both our short- and long-term plan. I'm
9 here this evening to speak in opposition to
10 the proposed acquisition of the EJ&E rail
11 line by Canadian National Railway Company.

12 If approved, this acquisition
13 will significantly impact the day-to-day
14 functionality of our nine schools, more
15 than 7,000 students in public and private
16 schools in our area, and nearly a thousand
17 staff members in Community Unit School
18 District and our private schools within
19 District 95.

20 School District 95 serves a
21 combined population of more than 6,400
22 students and staff from a service area of
23 approximately 20 square miles. Our
24 transportation fleet travels around 500,000
miles annually to and from school and for

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1 school trips. Our private transportation
2 contractors travel another 350,000 miles
3 for our special education programs.
4 One-third of our transportation fleet is
5 located approximately 50 feet from the
6 railroad tracks in the center of our
7 village. Should there be any incident in
8 that proximity, a derailment, train stalls,
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13 barrier separating the schools from the
14 tracks. We know in spite of repeated
15 warnings that students use the tracks as a
16 cut-through to get to school. More than
17 500 of the high school's 2,200 students
18 either walk or transport themselves to
19 school each day. We can expect hurried and
20 impulsive behavior causing more concerns.

21 In addition to these dangerous
22 conditions, increased rail traffic will
23 result in significant transportation
24 disruptions, delayed emergency response
times, and add significant cost to our

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1 schools and taxpayers to mitigate the
2 issues cited above.

3 The proposed EJ&E acquisition if
4 approved will adversely affect the welfare
5 of students and staff. I implore you to
6 think seriously about the safety and
7 welfare of our students.

8 MS. TARCZAN: Dale Perrin, James
9 Tarbet, Steve Riess.
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1 MR. PERRIN: Dale Perrin,
2 P-e-r-r-i-n.
3 As a resident of Lake Zurich and
4 the executive director of the Lake Zurich
5 Area Chamber of Commerce, I'd like to state
6 my strong opposition to this acquisition.
7 This purchase will ruin the
8 economy of our local community, and the
9 State of Illinois and the Chicago
10 metropolitan area can ill afford the
11 negative consequences of this transaction.
12 CN should not be allowed to expediate the
13 approval and acquisition in advance of the
14 upcoming presidential inauguration. This
15 matter has such long-term effects that it
16 should be reviewed by the newly appointed
17 STB members who will be in office to face
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22 imposed upon effective communities such as
23 the 400 percent increase in
24 traffic -- freight traffic will make areas
planned or approved for residential and

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1 other uses no longer viable projects, plus
2 the current road infrastructure cannot
3 handle the vehicular traffic congestion
4 that will be created by this large traffic
5 increase.
6 Greater train frequency through
7 our town will increase the probability of
8 rail- related accidents. The installation
9 of barrier walls as well as pedestrian
10 crossing bridges and controlled access
11 points should be provided at no cost to
12 Lake Zurich.
13 Oakwood emergency service
14 responses must receive a detailed manifest
15 of all hazardous materials being
16 transported. Response training, evacuation
17 planning, and recovery resources as relates
18 to the hazardous materials being
19 transported should be provided at no cost
20 to Lake Zurich.
21 CN should fund construction of
22 overpasses and/or underpasses to minimize
23 traffic backups throughout town.
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19 the consequences of their decision.
20 The Chamber of Commerce strongly
21 opposes this transaction for the following
22 reasons: Disruption to current businesses,
23 negative impact on property values, and
24 hesitancy to build will strongly impair the
realization of current and future plans

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1 within Lake Zurich's downtown and Hawthorn
2 Woods, Midlothian developments.
3 Additional delays from 400
4 percent increase in train traffic will
5 negatively impact public, vehicular, and
6 pedestrian safety.
7 Average train lengths of 10,000
8 feet or more will block all of our at-grade
9 crossings bringing traffic to downtown to a
10 standstill. The added delays will increase
11 emergency response times resulting in
12 unnecessary loss of life.
13 This transaction will also
14 seriously jeopardize the proposed Star
15 line's viability to relieve the region's
16 traffic congestion and improve air quality.
17 The STB must require CN to be a
18 hundred percent financially accountable to
19 mitigate all of the adverse public safety
20 and environmental impacts that will be
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In closing I'd like to recommend

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1 that the STB reject CN's proposal to
2 acquire the E&E rail line given the
3 catastrophic impacts it will have on Lake
4 Zurich and all the affected communities.
5 MS. TARCZAN: James Tarbet, Steven
6 Riess, Marty Moylan.

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1 MR. TARBET: My name is Jim Tarbet,
 2 T-A-R-B-E-T. I'm a resident of Lake
 3 Zurich, and I'm ferroequinologist. A
 4 ferroequinologist is a fancy term for a
 5 rail fan. I am also an analytical reader.
 6 If this was about railroading, I'd be all
 7 for it.

8 In reviewing the information I
 9 keep hearing strains of the Shirelles, will
 10 you still love me tomorrow. Due to the
 11 time limitation I will be submitting my
 12 comments in writing and extending my
 13 remarks at a later time.

14 The basic problem in the analysis
 15 is it's based upon a short-term impact.
 16 Unfortunately CN's documentation truly
 17 projects a long-term impact that will
 18 severely be detrimental to the quality of
 19 lives throughout the area.

20 I want to make a couple points
 21 perfectly clear. There are always comments
 22 about nimbees (phonetic). I strongly
 23 believe that people have to ask the
 24 question, if not in my backyard, why in

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1 yours?
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5 information that has been provided, and I
 6 find that there are some extreme conflicts
 7 throughout between what CN has told you and
 8 what CN is promoting on their own end in
 9 Canada along with the Canadian government.

10 Thank you.

11 MS. TARCZAN: Steve Riess, Marty
 12 Moylan, Robert Sherman.

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1 MR. RIESS: My name is Steve Riess.
 2 I'm with the Village of Hawthorn Woods.
 3 Last name spelled R-I-E-S-S.
 4 I caution you guys, the STB
 5 should pay attention. This is not the last
 6 time you will face this issue. This issue
 7 will come up again in other communities
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2 I'm not affected by the traffic
 3 issues that concern people. Literally, I
 4 walk everywhere. Comments about welfare
 5 sometimes a little bit absurd. Most areas
 6 affected in Lake Zurich are the lower
 7 income people within our community.
 8 They're not a bunch of snobs.

9 I've heard also that certain
 10 issues are not to be addressed within the
 11 STB findings. I hope that STB in doing so
 12 will find that these issues are outside of
 13 their scope of control and that they need
 14 to be addressed in the final findings. I
 15 also understand that the STB will only
 16 address concerns about CN's operation in
 17 the U.S. I certainly hope and respectfully
 18 request that the STB reconsider this point.
 19 Prior corporate conduct should be
 20 considered in this.

21 Ask any police officer, the
 22 first prime suspect in a crime is the
 23 person with means, opportunity and motive,
 24 and a record of prior conduct. CN right

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1 now is under investigation and study by the
 2 government of Canada both for their safety
 3 problems and for their service problems.
 4 I have read through all the
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8 around the country. It's going to take
 9 place in Los Angeles, in Phoenix, Arizona,
 10 and Atlanta, and the decisions you make
 11 here will govern how it will be treated in
 12 the future. There will be precedent
 13 setting.

14 As many of you on this board
 15 might know, much of the law governing
 16 operations and land rights of railroads are
 17 very old, dating back to a time when this
 18 country was in its youth, with vast regions
 19 of unpopulated areas. Unprecedented
 20 rights-of-way, land grants, and even the
 21 right to change the course of rivers was
 22 granted to the railroads. Railroads were
 23 the vehicles of the American dream and
 24 prosperity came to America on those rails.

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1 Congress had great foresight
 2 when they granted sweeping powers and
 3 authorities to those corporations, but
 4 America has changed, and I have little
 5 doubt that they could not possibly have
 6 perceived the impact your decisions have in
 7 our world today.

8 In fact, it is these very laws
 9 that bring us here today. Businesses in
 10 the U.S. are pretty much responsible for
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11 its own performance and wellbeing.
12 Occasionally the government comes to the
13 aid of corporations. If American Honda, a
14 highly profitable corporation, were to come
15 to the government and ask permission to
16 block 120 intersections for up to 10 hours
17 a day, every government body would reply
18 with a resounding no and Honda would have
19 no alternative, they would be required to
20 spend the money out of their own pockets to
21 build the bridges and build the under
22 passes.
23 So I ask you now why is it you
24 are asking the American people to pay for

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1 the bridges and underpasses to maximize the
2 profits of a foreign corporation, a foreign
3 corporation that is already highly
4 profitable, a foreign corporation that
5 showed a 2-billion- dollar profit in 2007.
6 I don't oppose CN acquiring EJ&E.
7 I do oppose asking the American people to
8 bear the burden of creating the profit for
9 CN by not requiring them to pay for this
10 same things that every other corporation in
11 the United States would be required to pay.
12 We cannot often see what the future will
13 hold, but I'll tell you what the wrong
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17 say, is why God prevented mutual aid. I'm
18 sure the mutual aid arrangements already
19 exist because we already have train service
20 on the EJ&E line and on the other train
21 lines in the area.
22 I hear a lot of hysteria about
23 traffic and traffic interference. I'm in
24 Buffalo Grove and I travel into wheeling

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1 where the CN line is located. In two or
2 three minutes the train is gone and you go
3 on through. It's just like a long traffic
4 light.
5 The reality is that -- ladies and
6 gentlemen, the reality is that the
7 objectors are hypocrites. If the trains
8 were so unsafe, then they would want it
9 banned everywhere and not just in their
10 community. If mitigation is so important,
11 they would be asking for mitigation
12 everywhere where the line is now instead of
13 just in their community. So the only time
14 that mitigation and safety is a problem is
15 when they are inconvenienced.
16 The people in the arch
17 communities, the EJ&E arch communities,
18 they enjoy all the benefits that rail
19 brings. They enjoy the TVs and the air
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14 decision here will hold for the American
15 people. America is about to get hit by a
16 train.
17 Thank you.
18 MS. TARCZAN: Marty Moylan, Robert
19 Sherman, Bogdan Vitas.
20 Last call for Marty Moylan.
21 Robert Sherman, Bogdan Vitas,
22 Vijay Gadde.
23
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1 MR. SHERMAN: Good evening, Heather,
2 Vicky, John. I can tell from watching you
3 that you're taking everybody's comments
4 very seriously, and I thank you for that.
5 I'm Rob Sherman, S-H-E-R-M-A-N,
6 the green party candidate for state rep for
7 the Buffalo Grove area.
8 This fabulous proposal should be
9 approved because success for our region
10 depends on us fully utilizing all of our
11 transportation resources rather than
12 overburdening one set of resources and
13 underutilizing another.
14 I've heard the objectors raise
15 their hysteria about safety and emergency
16 services. Hey, that, as my people like to
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20 conditioners and the refrigerators that are
21 brought in. They just don't want the
22 burden of the freight rails that bring
23 those things to the community. They want
24 somebody else stuck with the burden while

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1 they get the benefit.
2 If more trains are burdensome,
3 then we could always reduce the number of
4 Metra trains that are in their communities
5 now and then the number of trains would
6 remain the same.
7 So in conclusion, this proposal
8 should be approved because it better
9 utilizes our limited transportation
10 resources and balances the load while
11 providing a proper balance of the burden
12 Thank you for your time.
13 MS. TARCZAN: Bogdan Vitas, Vijay
14 Gadde, Bill MedcaIf.
15 Bogdan Vitas.
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1 MR. VITAS: My name is Bob Vitas,
2 V-I-T-A-S, and I'm the village
3 administrator of the village of Lake
4 Zurich, Illinois.

5 First of all, thank you for
6 allowing me the opportunity to speak on the
7 issue of Canadian National Railway Company
8 acquisition of the EJ&E rail line that
9 traverses through the exact center of our
10 community.

11 In other testimony the village
12 President, John Tolomei, and Village
13 Trustee, James Johnson, along with the
14 Village department heads, will address
15 various shortcomings of the Draft
16 Environmental Impact Statement. The focus
17 of my testimony will relate to the negative
18 financial impacts the Village of Lake
19 Zurich can expect to sustain should the
20 Surface Transportation Board approve the
21 acquisition over the outpouring of local
22 objections.

23 In the Draft Environmental
24 Impact Statement the section on

1 socioeconomics fails to clearly identify
2 the fiscal impacts in each of the affected
3 communities. Why? Because the breadth of
4 the analysis has been limited from the
5 beginning when the STB predetermined that
6 the acquisition was a minor transaction and
7 did not require a full blown Economic
8 Impact Analysis. In my professional
9 opinion, that is entirely flawed from the
10 outset. You cannot separate the economics
11 of a transaction of this magnitude from the
12 environmental impacts and vice versa.

13 This being said, let me now turn
14 my attention to the direct economic impact
15 that this acquisition and dramatic increase
16 in proposed operations the Canadian
17 National will have on Lake Zurich.

18 As I stated a moment ago, the
19 EJ&E rail line divides Lake Zurich in half
20 and the community is fully developed along
21 both sides of the rail line. This includes
22 adjoining the residential, commercial,
23 industrial, and institutional properties
24 planned and developed on the basis that the

EJ&E has historically been and is a local
industry servicing single-track short-line
operation and not a rail superhighway the
likes of which the CN is planning to
operate.

If approved by the STB, the
acquisition will have devastating impacts
on all properties located within 250 to 500
feet of the rail line. The de-valuation of
these properties in a community that is
fully developed will have grave
consequences for all the local taxing
bodies. We will be forced to either reduce
services and employees or increase the
property tax burden, all for a private
foreign company with no direct or indirect
benefit for Lake Zurich. Simply put, this
is not equitable for anyone.

As part of my presentation I
would like to enter into my testimony
Exhibit 1, which was prepared by the
Engineering Department of Lake Zurich. The
aerial map depicted in the exhibit clearly
identifies the impact zone referred to in

the Draft Environmental Impact Statement.
Altogether there are 364 residential

properties within 500 feet of the rail line
depicted by the white dashed line, of which
114 residential properties are located
within the Village's tax increment finance
district as depicted in the map insert.
For purposes of this analysis, I am not
calling out the number of commercial and
industrial properties or the institutional
properties owned by Community Unit School
District No. 95.

The total fair market value of
the affected residential properties is
\$110 million and the equalized assessed
value for tax purposes is about \$37
million. A detailed report of these
figures was prepared by the Village finance
department and is on the table in front of
you.

Based on the Environmental
Impact Study Table 4.6-3, Property Value
Effects From Increased Trains On A Nearby
Existing Rail Line, we can fully expect to

suffer significant negative adjustments to
all property values within 500 feet of the
rail line. In accordance with published
documentation by the STB and data from
other sources, the loss in taxable values

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7 can range anywhere from 5 percent to 15
8 percent depending on the proximity.
9 That being said, let me just
10 close because this is going to go on longer
11 than I thought, there's only one correct
12 decision for the STB, and that is to reject
13 the acquisition now or be held accountable
14 and responsible for the worst
15 transportation decision in the history of
16 the United States.
17 Thank you.
18 MS. TARCZAN: Vijay Gadde, Bill
19 Medcalf, Susan Rein.

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1 MR. GADDE: Vijay Gadde, G-A-D-D-E,
2 Village of Lake Zurich.
3 This is in response to the STB's
4 release of the draft EIS regarding the
5 expected environmental effects on the
6 proposed CN acquisition of the EJ&E line
7 which bisects the entire community of Lake
8 Zurich and specifically its downtown
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13 We do not have such an address in Lake
14 Zurich. We also have questions about the
15 location and validity of the vibration test
16 performed in the Carolyn Court subdivision
17 where the equipment malfunctioned after two
18 trains because of subzero temperatures.
19 The mitigation measures
20 identified -- the DEIS concludes that the
21 noise wall in the propagation path could
22 potentially help with the noise level, but
23 it does not identify the mitigation
24 measures at all.
Also, the DEIS abdicates its

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1 responsibility to address for noise impacts
2 by encouraging CN to negotiate with
3 affected municipalities rather than taking
4 a hard look at the mitigation itself. The
5 DEIS mentions noise walls and suggests the
6 CN determine their feasibility.
7 with undercounted ADTs, short
8 train lengths, and the overly optimistic
9 data regarding train speeds, the region
10 cannot accept the DEIS conclusions on delay
11 calculations that led to an undercounting
12 of the number of grade crossings that are
13 in need of mitigation.
14 Once again, the affected
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10 redevelopment area, which has been
11 struggling to revitalize.
12 My comments are focused on
13 noise, vibration, and quiet zones. EJ&E
14 tracks about quiet residential neighborhoods
15 and school properties that will be impacted
16 negatively by the increased sound, noise,
17 and vibrations caused by the increase in
18 train traffic. While the DEIS acknowledges
19 that this can be intrusive and annoying to
20 the occupants, the report focused only on
21 the potential perception of vibrations and
22 interference with vibration-sensitive
23 equipment.
24 The DEIS provides a broad range
of mitigation measures without clearly

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1 indicating which measures the STB would
2 like to impose on CN for specific levels of
3 impact. The LDN of 70 DBA is an
4 unsubstantiated threshold for mitigation
5 for noise impacts. This methodology is too
6 generalized and could result in an
7 inaccurate inclusion or exclusion of
8 impacted homes that could require
9 mitigation for noise impacts.
10 The DEIS also identified a Lake
11 Zurich monitoring location, 437 Elm Place.
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15 082608 Public Meeting
16 communities are left to their own devices
17 to negotiate with CN without any indication
18 of what specific mitigation the STB could
19 impose on CN. Without this specific
20 information, how can these communities even
21 begin to negotiate with CN?
22 while the DEIS acknowledges both
23 existed and planned quiet zones, at a
24 meeting with the village on March 5, 2008
CN officials made a commitment to help

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1 maintain the quiet zones.
2 So in conclusion we ask the STB
3 to disapprove the proposed transaction in
4 whole or approve it with the conditions
5 that we submitted earlier.
6 MS. TARCZAN: Bill Medcalf, Suzy
7 Rein, Daniel Peterson.
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18 082608 Public Meeting
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1 MR. MEDCALF: Good evening. My name
2 is Bill Medcalf, M-E-D-C-A-L-F. I'm here
3 tonight to speak for myself and for the 52
4 members of the Whiteley Village Townhome
5 Condominium Association. At present those
6 two positions are not in full agreement.
7 Initially I had conditional
8 support for the concept of CN's purchase of
9 the EJ&E West. Routing rail traffic around
10 Chicago would, I thought, reduce start/stop
11 idle and acceleration/deceleration cycles
12 and reduce rail transit time with the
13 expected result of saving fuel and reducing
14 emissions to the Chicago air shed. My
15 concerns were primarily with grade crossing
16 effects on emergency service response time
17 and the noise and vibration affects on the
18 students at Lake Zurich High School. As
19 you've already heard, the EJ&E right-of-way
20 abuts the school property.

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traffic patterns, and emergency services

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1 response time that will result from the
2 increased rail traffic.

3 Thank you for the opportunity.

4 MS. TARCZAN: Susan Rein, Daniel
5 Peterson, Ken Grooms.

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21 082608 Public Meeting
22 After reading through the DEIS
23 Executive Summary I now find that I'm
24 beginning to lean to opposition of the
sale. It seems that CN's acquisition of

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1 the EJ&E West property will benefit CN
2 greatly and some Chicago neighborhoods to a
3 lesser extent and that the communities
4 along the EJ&E will suffer.

5 To wit, the DEIS makes it clear
6 that those will be -- that there will be
7 adverse impact on the air quality and on
8 fuel consumption, both diesel and gasoline.
9 Furthermore, in several residential areas
10 near me, but not mine, emergency response
11 time can be severely affected unless there
12 is effective mitigation.

13 Finally, in the event of
14 hazardous material spills in some
15 locations, remote though that possibility
16 may be, certain municipal water supplies
17 can be very severely affected. The
18 Whiteley Village Townhome Condominium
19 Association, much of which is approximately
20 500 feet from the EJ&E right-of-way between
21 old McHenry and Oakwood, is opposed to the
22 proposed acquisition principally because of
23 the increased noise, the effects on vehicle

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1 MS. REIN: My name is Suzy Rein,
2 R-E-I-N. I'm speaking to you tonight as a
3 13-year resident of the Village of Hawthorn
4 Woods and as a former village board trustee
5 and as the current chairperson of the Plan
6 Commission and Zoning Board of Appeals of
7 the Village of Hawthorn Woods.

8 I strongly oppose any action that
9 would allow Canadian National to control
10 the EJ&E railway for several reasons. I,
11 along with many others, moved to this
12 community and made time to shepherd its
13 development for the same reason, that it is
14 a unique in the Chicagoland area, a place
15 that is currently defined by many as a
16 quiet rural atmosphere. Many consider it a
17 kind of sanctuary to which residents can
18 retreat after a day of heavy traffic,
19 noise, and hassle experienced elsewhere.

20 Our peaceful rural and natural
21 environment would be significantly altered
22 if numerous long freight trains are
23 rerouted through our village on the EJ&E
24 tracks. Increases in noise, traffic,

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1 pollution, danger, and frustration would be
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2 our new normal. That's not what we came
 3 here for.
 4 Many of us have been working for
 5 years towards the fulfillment of a
 6 comprehensive plan which guides the
 7 thoughtful and careful development of this
 8 community. It has taken a long time to
 9 arrange for the necessary infrastructure
 10 and resources like sewer and water which
 11 are essential to support nonresidential
 12 development and an additional tax base.
 13 These resources are finally in place or are
 14 coming into being.
 15 As a result, we are just getting
 16 under way with attracting retail and other
 17 business to our community, businesses which
 18 would improve the quality of life for our
 19 residents, while producing much needed tax
 20 revenues for our village coffers. The E&E
 21 tracks run right along this business
 22 corridor, and I'm concerned that if you
 23 approve the acquisition, the impacts will
 24 significantly impede or derail many of our

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1 business development opportunities.
 2 The negative impact on property
 3 values has been addressed by some others
 4 here this evening, as has the fact that
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1 MR. PETERSON: Daniel Peterson,
 2 P-E-T-E-R-S-O-N, director of building and
 3 zoning for the Village of Lake Zurich.
 4 I'm here to tonight to talk about
 5 land use, socioeconomics, and community
 6 cohesion. The mythology used to evaluate
 7 the effects of the proposed action are
 8 flawed due to the lack of evaluation of the
 9 impact of the increase in train traffic on
 10 existing or future land use plans
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5 this train track bisects our village and
 6 that long Canadian National freight trains
 7 would block two of our main roads at once
 8 making it impossible for emergency services
 9 to reach people or property in time when
 10 minutes matter.
 11 Finally, I want to add that if
 12 after hearing all of the testimony against
 13 the acquisition you decide to support it
 14 anyway, I urge you to demand that Canadian
 15 National use its own financial resources to
 16 mitigate the negative public safety and
 17 environmental impacts that will result.
 18 Street and track rate changes, barrier
 19 walls, and the like will all be needed, and
 20 villages like ours do not have the money to
 21 pay for these safeguards. I encourage you
 22 to make a thoughtful, thorough decision
 23 that weighs all the evidence and protects
 24 the people, property, development

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1 opportunities, and the environment in the
 2 place that we call home.
 3 Thank you.
 4 MS. TARCZAN: Daniel Peterson, Ken
 5 Grooms, Chris Grooms.
 6
 7 Page 98

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11 specifically stated in the report. None of
 12 the existing or future land use plans
 13 reviewed assumes that the E&E rail
 14 corridor would be removed. We're not
 15 arguing that it would be removed. However,
 16 in land use plans the Village of Lake
 17 Zurich and the communities around us and on
 18 the whole corridor plan for the usage that
 19 has been for decades, a single-track
 20 service rail. We did not plan for 400
 21 percent additional freight traffic.
 22 To show the impact on land use
 23 I'd like to read a letter that we received.
 24 We've been recruiting a senior living

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1 center to come in and build a property
 2 adjacent to the E.
 3 "I regret to inform you that
 4 Pathway Senior Living has elected not to
 5 pursue this project at the current
 6 location. I appreciate the support the
 7 project received at the Village's courtesy
 8 review. As you know, the project would add
 9 120 assisted living units at a total
 10 development cost of approximately
 11 \$22 million and operationally would employ
 12 40 to 45 full-time employees.
 13 Unfortunately the site backed up to the
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14 EJ&E railroad. We belatedly learned of the
15 potential sale to the CN and the
16 significant increase in rail traffic they
17 proposed. While the limited current use of
18 the line could be accommodated with
19 sufficient sound insulation, we believe the
20 increased use is incompatible with
21 residential use."
22 This specifically addresses and
23 it limits our use of land within the
24 corridor. The Environmental Impact

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1 Statement did not account for that.
2 Secondly, job loss. The
3 Environmental Impact Statement states that
4 280 jobs would be lost indirectly or
5 directly related to this transaction. We
6 lost 45 new jobs with this one transaction
7 alone. Now multiply that across 36
8 communities or across the corridor. I feel
9 the report failed to account for this job
10 loss and socioeconomics in the region.
11 Finally, we've been asked just to
12 accept this because it's always been there.
13 I think that's the wrong perception. The
14 villages and communities in the region need
15 to be heard and taken a look at all the
16 impacts that negatively affect us.
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20 has spent in excess of \$8 million in
21 acquiring 45 acres of land for the proposed
22 Star line train stations.
23 We also believe that the EIS
24 scope needs to look at the additional costs

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1 local governments will incur in providing
2 future grade separations between the
3 railroad lines. We also believe that the
4 EIS scope needs to be expanded to look at
5 the economic and quality of life losses
6 that will result from not only the impact
7 of this increased train traffic, but also
8 the possible loss of the Star line. If the
9 CN has projected that another -- an
10 additional line be put in alongside the
11 EJ&E line for the Star line, that the CN be
12 responsible for the cost for that and not
13 pass it on to Metra, which is already
14 struggling.
15 Another thing is the CN has
16 stated that their trains will be traveling
17 at a higher rate of speed than the current
18 EJ&E trains. If that is so, that would
19 create an additional hazard for the people
20 trying to cross the tracks and for the
21 people, vehicles, and pedestrians trying to
22 cross the tracks.
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17 In conclusion, I ask that the STB
18 take the time to thoroughly evaluate the
19 environmental impacts that the proposed
20 purchase would have on our community. I'd
21 also ask that the adverse economic burden
22 caused by this transaction and the loss of
23 property value, tax base for businesses,
24 job loss be fully mitigated prior to

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1 consideration.
2 Thank you.
3 MS. TARCZAN: Ken Grooms, Chris
4 Grooms, Vanessa Griffin.
5 MR. GROOMS: My name is Ken Grooms,
6 Jr., It's G-R-O-O-M-S, and I want to thank
7 you for allowing us to speak to you this
8 evening.
9 I have several concerns regarding
10 the EIS as submitted. The first of which
11 is the impact on the proposed Star line,
12 the Amtrak lines, and the Metra lines in
13 the area.
14 For example, with the proposed
15 Star line, while it is not currently an
16 operating commuter service, many of the
17 municipalities along this line have spent
18 millions of dollars in preparation for this
19 line. For example, the City of Naperville
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23 In specific, a couple of the
24 sections of the report that I'd like to

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1 comment on, section 1-A states that
2 consideration for at-grade crossings be
3 given for all crossings of 2,500 or more.
4 I would propose that that be for all
5 proposed and future grade crossings that CN
6 have a financial commitment to.
7 One comment that was made as to
8 earlier in conclusion that the State of
9 Illinois is losing jobs. Well, part of the
10 reason we're losing jobs is the dysfunction
11 of our state legislature and not the
12 congestion in Chicago.
13 So I highly recommend that you
14 take a serious look at the mitigation
15 problems that this will create and that you
16 reject this.
17 Thank you.
18 MS. TARCZAN: Chris Grooms, Vanessa
19 Griffin, Gregory Schaeffer.
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1 MS. GROOMS: My name is Chris
 2 Grooms, G-R-O-O-M-S, resident of Lake
 3 Zurich.
 4 I strongly oppose this purchase.
 5 My main concern with this purchase is the
 6 public and school safety issues. 14
 7 locations on the EJ&E line will see an
 8 increase between 15 to 26 trains per day.
 9 According to local emergency room
 10 officials, for every extra minute of delay
 11 for a heart attack patient the chance of
 12 survival is reduced by 10 percent. Freight
 13 trains can take 4 to 6 minutes to pass a
 14 crossing. A 6-minute delay leads to an
 15 even greater reduced chance of survival.
 16 Any delay in beginning fire suppression
 17 will result in significantly greater damage
 18 to the structure involved plus increases of
 19 threat to the lives of occupants of that
 20 structure. Also, each year in Illinois at
 21 least 50 people are killed and another 50
 22 are injured in rail crossing collisions.
 23 I would ask that you reject this
 24 proposal as these are real life statistics

1 and life and death time issues, and they
 2 should always supersede the interests of a
 3 for-profit organization.
 4 Thank you for listening to all
 5 our concerns.
 6 MS. TARCZAN: Vanessa Griffin,
 7 Gregory Schaefer, James Bateman.
 8 Vanessa Griffin.
 9 Gregory Schaeffer.
 10 James Bateman please take your queue.
 11 Michael Fisher please take your queue.
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1 Mr. SCHAEFFER: My name is Gregory
 2 Schaefer, S-C-H-A-E-F-E-R. I'm one of
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3 082608 Public Meeting
 4 those hysterical people that Robert Sherman
 5 talked about. Let me tell you why.
 6 December 1999 a petroleum
 7 products train that links an oil refinery
 8 to the people in Montreal exploded when it
 9 collided with a freight train. The train
 10 derailed on a switch frog that broke under
 11 the stress. According to many train crews,
 12 this spot was known to be defective, but
 13 even after repeated reports, management
 14 refused to effect any repairs.
 15 May 14, 2003 a trestle collapsed
 16 under the weight of a freight train near
 17 McBride killing both crew members. Both
 18 men had been disciplined earlier for
 19 refusing to take the train on the same
 20 bridge claiming the bridge was unsafe.
 21 Subsequent inquiry revealed as far back as
 22 1999 the bridge components had been
 23 reported as rotten, yet no repairs had been
 24 ordered by management.
 Residents of Wabamun Lake and

1 Alberta staged a blockade of CN tracks in
 2 August 2005 when they were unsatisfied with
 3 CN's response to a fuel oil spill in the
 4 lake from the derailed freight train.
 5 On August 5, 2005 a CN train had
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6 082608 Public Meeting
 7 nine cars derail on a bridge over the
 8 Cheakamus River causing 11,000 U.S. gallons
 9 of caustic soda to spill into the river.
 10 The CBC has stated that it could take the
 11 river as long as 50 years to recover from
 12 the toxic pollution.
 13 Transport Canada has restricted
 14 CN to trains not exceeding 80 cars in
 15 length because of the multiple derailments
 16 on the former BCR line. CN had allegedly
 17 been running trains in excess of 150 cars.
 18 A further derailment at Moran, 20
 19 miles north of Lillooet, on June 30, 2006
 20 has raised more concerns about CN's safety
 21 policies. Two more derailments days apart
 22 near Lytton in August 2006 have continued
 23 criticism. In the first case 20 coal cars
 24 of a train using the CN bridge derailed
 dumping 12 cars of coal into the Thompson

1 River.
 2 Two CN trains collided on August
 3 4, 2007 on the banks of the Fraser River.
 4 Several cars carrying gasoline, diesel, and
 5 lumber burst into flames. Water bombers
 6 were needed to help put out the fire, but
 7 the fuel still seeped into the Fraser
 8 River.
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9 082608 Public Meeting
On December 4, 2007 a CN train
10 derailed near Edmonton. Of the 28 cars
11 that derailed thank God most of them were
12 empty. The minister of Canadian Transport
13 talks about the safety program of the CN
14 and says "It seems to be blame and
15 punishment instead of educate and correct.
16 Frequently employees involved in accidents
17 are blamed for errors without follow-up or
18 root cause investigation. They are then
19 punished without any other corrective
20 action taking place on the part of the
21 railroad to prevent recurrences."
22 These guys can't get it right up
23 there. The Canadian government knows it.
24 They can't get it right down here.

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1 MS. TARCZAN: James Bateman, Michael
2 Fisher, Michelle Oehlerking (phonetic).

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15 082608 Public Meeting
Shepherd Hospital Cardiac Center was
16 essential in order to prevent heart damage,
17 which would have certainly occurred had the
18 treatment been delayed. Northwest
19 Community Hospital, Sherman Hospital,
20 Northern Illinois Medical Center, St.
21 Alexis Hospital are not acceptable in terms
22 of an alternative for the timely cardiac
23 care.

It's bizarre to think that the

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1 requirements of a Canadian corporation
2 would dictate that an ambulance has to turn
3 around a mile or a mile and a half from
4 Good Shepherd Hospital and go to a hospital
5 seven or ten miles away in order to get
6 emergency medical care.

7 Building more fire or police
8 stations will never address the grid lock
9 that this proposal will create.
10 Duplicating hospitals is an insane
11 possibility that will never occur. This
12 proposal will rip apart the fabric of a
13 community that I've lived in for many, many
14 years. It will as a practical matter as
15 has already been discussed this evening
16 prevent timely access not only for
17 emergency medical care, but it will disrupt

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12 082608 Public Meeting
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1 MR. BATEMAN: My name is James
2 Bateman. I'm a resident of Barrington.
3 I've been a resident of
4 Barrington for the last three decades.
5 During that time on five separate occasions
6 members of my family have required
7 emergency medical treatment, and in three
8 of those cases they required transport by
9 the Barrington Fire Department to Good
10 Shepherd Hospital. In three of those cases
11 the ambulance route required crossing of
12 the E&E railroad tracks.
13 In at least one of those cases
14 timely intervention by doctors at Good

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18 082608 Public Meeting
the education of students due to delays
19 caused by increased freight train traffic
20 who may not arrive at school in a timely
21 manner, and it will cause massive
22 interference with the ability of residents
23 to just obtain the other essential services
24 required for their lives.

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1 The mitigation efforts required
2 by DEIS are woefully inadequate.
3 Recommended, that is, not required. The
4 environmental costs of CN's proposed
5 purchase vastly exceed the proposed
6 purchase price. In fact, just one line
7 item in that environmental cost, that being
8 a conservative estimate for the cost of
9 grade separations, will exceed by many
10 times the reported purchase price.

11 I believe that the draft EIS
12 terribly underestimates the substantially
13 affected grade crossings, particularly in
14 the Barrington area. To leave out Route 14
15 and Lake Cook Road crossings is absurd.
16 One freight train with a 10,000-foot length
17 will block all four crossings in the
18 village of Barrington.

19 I ask you to reject this
20 proposal and prevent the highest price

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21 being paid in that being the death or
22 injury to residents of the areas where
23 emergency services will be affected.
24 Thank you.

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1 MS. TARCZAN: Michael Fisher,
2 Michelle Oehlerking, Marshall Lau.
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1 MR. FISHER: My name is Michael
2 Fisher, F-I-S-H-E-R, and I have lived in
3 the Mundelein area for most of my life.
4 I do not believe that the
5 proposed expansion of Canadian National's
6 freight traffic through Illinois will
7 benefit anyone but Canadian National. They
8 have suggested that shifting rail traffic
9 will have benefits for some communities and
10 drawbacks for others, but I believe all of
11 Illinois will suffer.
12 Turning the E&E rail line into
13 a freight train superhighway will decimate
14 the dozens of cities it currently runs
15 through. Housing values will fall, tax
16 bases will decrease, businesses will close
17 or move, and traffic will increase.
18 At the same time there will still
19 be rail lines in these other, quote,
20 benefit communities, and I doubt that these
21 will remain idle. As freight increases,
22 these lines will surely be returned to
23 their current high level of utilization.
24 Canadian National is just a

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1 business, a corporation, and, as such, it
2 has no mandate other than to increase
3 revenues. They have a deplorable record of
4 working with communities, of dealing with
5 the negative impact of their business. The
6 schools, private homes, and businesses that
7 currently reside alongside of the E&E will
8 quickly become hostages to the goodwill of
9 a corporation that has shown it has no
10 goodwill. When trains derail, when traffic
11 fatalities occur, when hazardous materials
12 are spilled Canadian National has shown
13 itself to be magnificently unhelpful to the
14 people, communities, and environments that
15 are affected.

16 Change takes time. I repeat,
17 change takes time. Our city have been
18 built around a certain level of rail
19 traffic. To change overnight from a few
20 trains a day to greater than 20 trains a
21 day is to blatantly disregard the rights of
22 people in favor of corporate profit. A
23 gradual increase in traffic is acceptable
24 and allows cities to gradually restructure

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1 themselves. An overnight increase of the
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2 magnitude that is being proposed here today
3 is a recipe for disaster. To permit that
4 much rail traffic before any system is in
5 place to handle it is unimaginable.
6 Canadian National would like
7 this process to be quick and dirty. Just
8 increase the trains and let the towns sort
9 out the problems later as best they can.
10 Remember that the communities Canadian
11 National currently runs trains through have
12 had many decades in which to adjust
13 themselves to their current level of rail
14 traffic. Houses, schools, and businesses
15 have been located with an eye to the
16 railroad tracks. Underpasses and
17 overpasses have been planned and gradually
18 constructed. And even with all this they
19 find the rail traffic intolerable. They
20 are overjoyed at the prospect of fewer
21 trains.
22 If the impact in our area will
23 be as minor as Canadian National claims,
24 then why are these other towns so desperate

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1 to see them leave?
2 Thank you.
3 MS. TARCZAN: Michelle Oehlerking,
4 Marshall Law, Richard Walke.
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1 MR. WALKER: My name is Richard
2 Walke, spelled W-A-L-K-E. I'm a resident
3 of Hawthorn woods on the east side of the
4 tracks, and I'm speaking on behalf of
5 myself.
6 Like many others here tonight,
7 I'm adamantly opposed to the proposal for
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1 that window of opportunity for escape. If
2 the route is obstructed by a freight train,
3 they will have no window of opportunity.
4 They won't be able to mount their search
5 and rescue operations for the residents of
6 the homes. The residents will be left on
7 their own accord to escape from that
8 structure.
9 Beyond that, if one family
10 member does escape, human nature being what
11 it is, another member doesn't escape,
12 they're going to run back into the building
13 to try to protect or save their spouse or
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the expansion of the rail services on the
EJ&E tracks through the area. My
opposition is based on a number of reasons
that have already been expressed here
tonight. So there's probably no point in
me standing up here and saying me too. So
I'd like to speak to it from the
perspective of my expertise, that being
fire protection.
I'm a fire protection engineer
and right off the bat fire protection
engineers cringe when we hear the word
single family home or one or two family
homes. Typically these structures are
constructed of wood, obviously them being
combustible. Beyond that they lack the
modern active and passive fire protection

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1 features that are built into larger
2 structures built in accordance with the
3 International Building Code, items such as
4 fire sprinklers and the monitored fire
5 alarm systems, for example. As a result,
6 the National Fire Protection Association
7 estimates that approximately 83 percent of
8 all fire deaths in America occur in the
9 home. That's approximately 3,000 people
10 annually.
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kids. And I'm sure the two fire chiefs
that were here earlier would suggest that's
probably not what we should all be doing,
but that's what we will all do
unfortunately. If their crews are stuck
out on Old McHenry Road in a traffic jam as
a result of a freight train, the residents
will be left on their own accord and very
likely the result will be tragedy. That's
not what we want for the residents of the
village of Hawthorn woods and the other

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1 surrounding communities.
2 So in summary, I strongly suggest
3 the STB oppose or reject this proposal.
4 Thank you.
5 MS. TARCZAN: Michael Talbett, Ken
6 Deja, Susan Branding.
7 MR. TALBETT: Good evening. My name
8 is Michael Talbett, that's spelled
9 T-A-L-B-E-T-T, and I am a resident of Lake
10 Zurich. I also serve as the vice chairman
11 of the Lake County board and I'm a member
12 of the Lake County Forest Preserve
13 District, and the district I represent has
14 approximately 22,000 people.
15 On their behalf I'm urging the
16 Surface Transportation Board to find simply
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17 that the costs of this merger far outweigh
18 the benefits. Some of those environmental
19 costs have already been identified here
20 tonight, but they're worth repeating.
21 The increase in particulate
22 matter that will come from the trains that
23 pass by, the increased pollution from the
24 cars that are idling is something that has

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1 to be considered. The disturbance of
2 sensitive green spaces in our community has
3 to be considered in the environmental
4 impact. Forest preserves in Lake County
5 will be disturbed and adversely affected by
6 this merger.
7 The exposure of many sensitive
8 residents in this district are adversely
9 impacted by this merger. We've heard the
10 school superintendent talk about the number
11 of children that are in proximity to the
12 railroad lines and will be present as
13 trains pass. Our library has an outdoor
14 children's area very close to the railroad
15 tracks. So these have to be considered as
16 well.
17 I think the various
18 representatives of the emergency responders
19 that were here tonight clearly made the
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23 costs outweigh the benefits by far.
24 MS. TARCZAN: Kenneth Deja, Suzanne

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1 Branding, Phillip LaGro.
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3 MR. DEJA: My name is Kenneth Deja,
4 D-E-J-A.
5 I find it curious that
6 Mr. Gohmann came down from Minnesota on his
7 own dime to promote CN. I seriously doubt
8 Mr. Gohmann has toured the affected areas
9 and really is an expert to comment on what
10 is going to happen if and when we go
11 through this transaction.
12 It's reported that 1.5 million
13 people live along the EJ&E line. According
14 to the U.S. Census in 2007, that's the same
15 number of people equal to the sixth largest
16 state in the United States. This line does
17 not run through commercial corridors and is
18 mostly -- is not mostly in rural areas or
19 on the outskirts of town. It runs through
20 primarily residential areas.
21 I find it sad that
22 Representative Nekritz and Robert Marshall
23 are for the EJ&E purchase because it
24 removes trains from the communities and

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20 point that lives will be lost because of
21 increased response times. What price do we
22 put on those?
23 If the Surface Transportation
24 Board is to allow this, they have to

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1 provide and order the CN to do the
2 mitigation that's needed to ameliorate some
3 of these costs.
4 The point has already been made
5 that in the past preference has been given
6 the railroads at different times in our
7 history because the United States has a
8 policy of wanting to promote the opening of
9 the west. Well, those days are long gone
10 and railroad companies are not entitled to
11 such preferences and they should pay their
12 way.
13 Increased noise has a cost.
14 Increased pollution has a cost. Increased
15 environmental disturbance and degradation
16 has a cost. Increased response time has a
17 cost in human life. All these costs
18 outweigh the benefits, and the few benefits
19 that do -- that may be present don't occur
20 in this region. The net effect of this
21 merger is a loss to this area, and that is
22 not what this fact finding is about. The
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1 shifts them to others. That's really not a
2 reason to be for it.
3 I hear about moving goods and
4 services in a cost effective manner. I
5 really don't think anyone is again rail
6 traffic or interstate commerce, but there a
7 smart way to move goods and irresponsibly
8 move goods. I believe this is an
9 irresponsible way to move goods.
10 There are other train lines that
11 are west of this area that are mostly in
12 rural areas. Doesn't mean people won't be
13 affected, but they affect very few people
14 in comparison to this proposed transaction.
15 Currently there are three to
16 five trains a day running along the EJ&E,
17 one around 11:00 p.m., one around 3:00 in
18 the morning, one around mid morning, and
19 one in the afternoon. Rarely do these
20 occur during rush-hour traffic. Our
21 highways are not equipped to handle this
22 increase in traffic.
23 Even this lack of current
24 traffic, someone 60 plus years ago had the

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1 foresight to build an underpass under Route
2 12 in Lake Zurich so that car traffic,
3 truck traffic, and train traffic could all
4 coexist. Right now none of these
5 communities have the infrastructure to
6 coexist with a train. That infrastructure
7 will take years if not decades to put in
8 place.

9 Please do not approve this
10 transaction. Thank you.

11 MS. TARCZAN: Suzanne Branding,
12 Phillip LaGro.

13 SUZANNE BRANDING: We thank you for
14 the opportunity to be able to speak this
15 evening. My name is Suzanne Branding. I
16 am a village trustee of the village of Lake
17 Zurich, and I came tonight without the
18 intention really of speaking, but I have to
19 say something.

20 We are all aware of the safety
21 issues that are involved; the ambulances,
22 the police cars not being able to get
23 through. We are concerned about the
24 environmental security, sound pollution,

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1 vibration, air pollution. I want to bring
2 up these safety and environmental issues on
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6 Let me just say something on a
7 very personal note. I have a daughter who
8 is a foreign service officer with the State
9 Department. I am very proud of her. She
10 has been with our Federal government for
11 six years. I am lucky to see her once or
12 twice a year. She happens to be home right
13 now. Part of her job is keeping us safe.
14 And what is happening with allowing these
15 trains to come through is to open a door, a
16 little bit at our airports to let people
17 come in and with the security on our
18 borders, but we are taking the walls down.
19 We don't know what is coming in here. How
20 are you going to keep us safe?
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1 PHIL LAGRO: Good evening, ladies
2 and gentlemen of the board and staff. I
3 thank you very much for letting all of us
4 have an opportunity to speak with you
5 tonight.

6 I am a long-time resident of
7 Hawthorn Woods, Illinois. I am a plan
8 commissioner on the Plan Commission Zoning
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a larger scale. We have dealt with them
4 locally, but let's deal with them
5 regionally and even nationally.

6 what we are considering doing
7 here is allowing a foreign company to buy
8 our infrastructure and allow any country,
9 company, entity who has the money to ship
10 things right in the heart of our country,
11 right through our country? What has
12 Homeland Security said about this? How is
13 Homeland Security going to be checking
14 these cars and this freight? And the
15 things that are coming in?

16 We have all been at airports. I
17 am sure some of you have flown to get here
18 today. You have been through security.
19 You know what it is like. Imagine
20 thousands of train cars coming through your
21 community. How is that going to be
22 checked? How can you assure us we are
23 going to be safe with what is coming
24 through our community? We have already had

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1 various things coming in from halfway
2 around the world. How can we be sure more
3 of this is not going to be happening with
4 the freight that is coming into our
5 country?

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9 Board of Appeals, and I am also a member of
10 TRACK (phonetic), the coalition of
11 communities opposing the potential
12 acquisition of E3&E by CN.

13 CN is a large, successful,
14 incredibly efficient company. They are
15 arguably already the Number 1 railroad in
16 the world. And my reading of the 2007
17 annual report to shareholders gives me
18 every indication that their aspirations
19 are, in fact, to become the Number 1
20 transportation company in the world. This
21 includes potentially ocean-going
22 involvement, certainly railroading, vast
23 scale and expanding, and also trucking.
24 Their may be trucking removed

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1 from the roadways as part of the proposed
2 transaction, but in the efficient flow of
3 goods by shipping, by rail, and then to the
4 end point customer for CN trucking provides
5 an essential final link in getting the
6 goods to the ultimate customer, whoever
7 that is.

8 In fact, semi tractor trailers
9 are featured photographically in the CN
10 annual report. I won't begin to try and
11 repeat all of the many eloquent, emotional
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12 082608 Public Meeting
13 comments that have come before me tonight.
14 I would just point out that the negative
15 impacts that you have heard so many people
16 talk about are not imagined. They are very
17 real. And they are impacts that
18 potentially will affect hundreds of
19 thousands of US Citizens, taxpayers,
20 families. People just like us. People
21 just like you. And I would say to the
22 board, please do not approve this
23 transaction.
24 As we tell our kids with respect
to drugs, just say no.

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1 TERRY BARNETT: My name is Terry
2 Barnett. I live at 4 Sandpiper Lane in
3 Hawthorn woods. I am the president of the
4 Underground Contractors Association of
5 Illinois. I sit on the Board of Directors
6 of Illinois Road and Transportation
7 Authority. And I meet with Senator
8 Oberstar at least two, three, four times a
9 year. I know Senator Oberstar is kind of
10 Chairman of this whole thing. So I kind of
11 know your boss.
12 These are his numbers from the
13 last meeting that I had with the senator.
14 The transportation system in Lake County is
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18 082608 Public Meeting
19 to 9:00 p.m.
20 The final environmental impact
21 statement will be available sometime
22 between December 1st and January 31st.
23 The court reporter will remain
24 in the venue tonight until 9:00 p.m. Feel
free, again, to make your comments with one

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1 of our court reporters, through our
2 website, by writing a letter, by calling
3 our toll free hotline. Thank you.
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15 082608 Public Meeting
16 one of the worst in the state. It is
17 already burdened with poorly-constructed
18 roads. The arteries are already clogged.
19 53 hasn't been brought through, and we are
20 getting ready to burden it with additional
21 traffic through the railway system.
22 Senator Oberstar made the
23 comment at his last meeting with half a
24 dozen of us that when General Mills trucks
drive on our highways, for every mile per

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1 hour under the posted speed limit costs
2 that company a million dollars. For every
3 mile per hour under the posted speed limit
4 that UPS goes -- and UPS has a huge hub
5 around in here -- every mile per hour under
6 the posted speed limit costs that company
7 \$5,000. That is from the senator's mouth.
8 This transportation system in
9 Lake County is in disrepair. It is not
10 adequate and you are fixing to burden the
11 heck out of it. We will receive benefit
12 and take the brunt of the pain. So the
13 answer is unequivocally a no.
14 Thank you.
15 MS. TARCZAN: Thank you all for the
16 comments provided tonight. The next public
17 meeting is in Barrington tomorrow from 4:00
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21 082608 Public Meeting
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D.3 Barrington, Illinois

082708 Public Meeting

1 SCOPING MEETING FOR THE PROPOSED CANADIAN NATIONAL
 2 RAILWAY COMPANY ACQUISITION OF THE ELGIN, JOLIET,
 3 AND EASTERN RAILWAY COMPANY
 4
 5 PUBLIC HEARING
 6 August 27, 2008
 7 6:00 P.M.
 8
 9 Conducted by:
 10 Tina-Marie Adams, Meeting Facilitator - MWW Group
 11 Public Relations
 12 Victoria Rutson, Section Chief - Surface
 13 Transportation Board, Section of Environmental
 14 Analysis
 15 John Morton, Project Manager - HDR Engineering
 16
 17 BARRINGTON HIGH SCHOOL
 18 616 WEST MAIN STREET
 19 BARRINGTON, ILLINOIS
 20
 21 CHIMNIAK REPORTING & VIDEO
 22 312-781-9111
 23
 24 REPORTED BY: TINA ALFARO, SHARON STUCKLY, CHERYL
 SANDECKI, NICOLE BREYTSPPRAAK, JOANNE
 BROGAN, JAMIE FRIEL, LAURA RENKE

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1 MS. ADAMS: We're now going to begin
Page 1

082708 Public Meeting

2 the public meeting portion of tonight's
 3 meeting. If everyone would please take
 4 your seats.
 5 Good evening, ladies and
 6 gentlemen. Thank you for attending
 7 tonight's meeting. We are here tonight to
 8 hear your comments on the Draft
 9 Environmental Impact Statement that was
 10 released July 25 regarding Canadian
 11 National Railway's proposed acquisition of
 12 the E&E railroad.
 13 My name is Tina-Marie Adams, and
 14 I work for a firm called MWW Group Public
 15 Relations. We are part of a third-party
 16 contracting team that supports the Surface
 17 Transportation Board and its section of the
 18 environmental analysis. I will be
 19 facilitating the meeting tonight.
 20 Before we get started I'd like to
 21 take this opportunity to review some
 22 protocol for tonight's meeting. For
 23 starters, I would ask that everyone please
 24 turn off your cell phones and please

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1 refrain from interrupting any speakers or
 2 commenters. In a moment I will introduce
 3 those presiding over the meeting and there
 4 will be a short presentation on the
 Page 2

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5 findings from the Draft Environmental
 6 Impact Statement.
 7 Immediately following this we
 8 will hear your comments. Each commenter
 9 will be given up to three minutes to speak.
 10 There will be a time clock displayed on the
 11 screens to my right and left, and the time
 12 clock will display 3 minutes and count
 13 down. A yellow card will be shown at 2
 14 minutes and 30 seconds and a red card will
 15 be shown at 3 minutes. A list of speakers
 16 in order will be displayed on the screen.
 17 Also, I will call forward the next two
 18 speakers in line after each speaker so we
 19 can be as efficient as possible.
 20 There is one microphone set up at
 21 the head of each aisle here on the floor.
 22 Though many of you have signed up to speak
 23 tonight, due to our time constraints and
 24 the number of people who have signed up we

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1 may not be able to list all commenters.
 2 However, we want to ensure you that all
 3 methods of comment received by September
 4 30th will be taken into consideration and
 5 weighed equally.
 6 Included in the programming you
 7 received tonight there's a toll free
 Page 3

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8 number, web site, and mailing address to
 9 submit comments to the Surface
 10 Transportation Board. There are also
 11 comment forms and drop boxes located at the
 12 far end of the gym and court reporters
 13 located throughout the venue. You may
 14 record your comments with them throughout
 15 the meeting.
 16 Tonight we are here to listen to
 17 your comments on the draft EIS. This is
 18 not a question and answer session, but we
 19 invite you to return to the open house area
 20 at the far end if you have questions or
 21 comments that you would like to provide.
 22 Also, you can provide comments in a more
 23 private setting with a court reporter
 24 located there. The meeting will conclude

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1 at 9:00 p.m.
 2 we appreciate your courtesy as
 3 we work to create an environment where
 4 everyone can be heard. If you disagree
 5 with the speaker, we ask that you not
 6 express your disagreement out loud.
 7 Likewise, please note that applause for a
 8 speaker during his or her comments gives
 9 that person less time to speak and
 10 ultimately limits the time for everyone
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11 else to speak.
12 In the event that anyone needs a
13 Spanish translator, Beatrice is here to
14 assist. Beatrice will be here.
15 If you have any questions, we
16 have a number of staff available to assist
17 you. Staff are identified with nametags
18 like the one I'm wearing and are located
19 throughout the venue.
20 One quick housekeeping matter,
21 there are four emergency exits, two located
22 at the front of the gymnasium where we are
23 standing to my right and left as well as at
24 the far end of the gym.

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6
1 I'd like to now introduce the
2 people with me here on the stage. Victoria
3 Rutson is a chief of the section of
4 environmental analysis for the Surface
5 Transportation Board. John Morton is a
6 project manager from HDR Engineering, who
7 is a third-party consultant supporting the
8 Surface Transportation Board's section of
9 environmental analysis.
10 With that, Victoria Rutson will
11 now make some comments about the draft EIS.
12 MS. RUTSON: Thank you, Tina-Marie.
13 Can everyone hear me? If you have trouble
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14 understanding what I'm saying, please just
15 raise your hand, and I'll try to move to
16 the other mick or speak more slowly or make
17 a little bit more sense even for an
18 attorney.
19 My name is Vicky Rutson. I'm the
20 chief of the section of environmental
21 analysis at the Surface Transportation
22 Board. I'm very pleased to be with you
23 here tonight.
24 I understand and everyone on our

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7
1 team understands how many questions this
2 proposed acquisition has raised in the
3 communities around Chicagoland. The
4 purpose of the meeting here is to listen to
5 your comments on the Draft Environmental
6 Impact Statement. I want to remind you
7 that there are many ways to submit
8 comments, and each way of submitting a
9 comment counts equally.
10 Sometimes people don't feel
11 comfortable speaking in public. For those
12 people please feel free to submit letters.
13 They must be postmarked by September 30th,
14 and the information about where to send
15 your letters is in the information booklet
16 that you've been provided with tonight.
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17 You may also E-file using the board's web
18 site. You may also call our toll free
19 environmental hotline and leave a recorded
20 message.
21 Again, as Tina-Marie said, you
22 may go back to the far end of the gym and
23 speak privately to one of the court
24 reporters who will carefully record your

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8
1 comments, and the tables will continue to
2 be set up in the back with the comment
3 sheets that you can fill out, leave here,
4 or take home to mail in. Again, each means
5 of submitting a comment are treated
6 equally.
7 Now, what are we going to do with
8 all these comments? When the comment
9 period closes on September 30th, the team
10 will carefully read, review, consider, and
11 respond to the comments in a document known
12 as a Final Environmental Impact Statement.
13 That Final Environmental Impact Statement
14 should be coming out sometime between
15 December 1st and January 31st.
16 That document will set forth my
17 team's recommendations to the decision
18 maker in this case. The decision maker is
19 the Surface Transportation Board. Let me
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20 speak for just a couple minutes about who
21 is the Surface Transportation Board.
22 The board is an agency in
23 Washington D.C. charged with Congress to
24 ensure a strong rail freight transportation

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9
1 system in the United States. The board is
2 composed of three members. They're
3 appointed by the president and confirmed by
4 the senate. The names of the three board
5 members are in your materials. They will
6 be making a decision on whether to approve,
7 deny, or approve with conditions the
8 proposal by Canadian National to acquire
9 the E&E railroad.
10 The board complies with its own
11 government statute, the Interstate Commerce
12 Act, but it must also comply with another
13 statute called the National Environmental
14 Policy Act, and it's under that law that
15 we're all here tonight. That law requires
16 all federal agencies to take a hard look at
17 environmental impacts of their decisions
18 before making a final decision. Therefore,
19 the board must take a hard look at the
20 environmental impacts both beneficial and
21 adverse of CN's proposed acquisition before
22 rendering a final decision.
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23 If we put the final EIS out
24 sometime between December and the end of

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10

1 January, then the board cannot act with a
2 final decision until after that final EIS
3 is out.

4 The board is a neutral party. It
5 is neither a proponent nor an opponent of
6 the file that it is considering. It must
7 neutrally and carefully consider the full
8 record before making a decision.

9 Again, that full record includes
10 all the comments that we'll be gathering
11 from members of the public. We're going to
12 be listening very carefully to everything
13 you say tonight. We're going to be looking
14 very carefully at everything you submit
15 orally and in writing.

16 I thank you so much for being
17 here, and I thank you in advance for
18 treating each speaker with courtesy and
19 respect. It's difficult to get up in front
20 of a crowd and speak, and it's very
21 difficult to do that when you know your
22 position may not be going over well. So
23 please, even though you may not agree at
24 all with what someone may be saying, I do

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11

1 ask that you treat them with the courtesy
2 and respect that I know that you have shown
3 me and my team throughout this very
4 difficult process.

5 Thank you so much for being here
6 tonight, and now I'm turning the microphone
7 over to John Morton.

8 MR. MORTON: Thank you, Vicky.
9 For those over in the
10 entranceway, please feel free to come on
11 in. There are seats available up in the
12 bleachers on both sides. You know, I know
13 we have a venue where you're going to have
14 some commotion over there. Just kind of
15 bear with that.

16 What I'd like to do is speak a
17 little bit about what the EIS found.
18 First, CN is a class 1 railroad, a major
19 shipper of domestic and foreign freight.
20 It operates five rail lines converging into
21 Chicago. They're shown in the dark on the
22 maps up there. I know that the people in
23 back may not be able to see them too well,
24 but they converge on Chicago and they

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1 operate about 150 miles in Chicago. 12

2 The EJ&E is a regional railroad
3 that operates in an arch around the City of
4 Chicago. It starts in the dark part in
5 Waukegan. That's at the far upper corner
6 of the map up there. EJ&E is shown in the
7 orange color. I know it's a little light.
8 It comes pretty much due south to the
9 Joliet and then straight east across
10 Illinois and into Indiana and then up to
11 Gary, Indiana. EJ&E operates two major
12 rail yards, one the Joliet yard in Joliet,
13 Illinois and Kirk yard in Gary, Indiana.

14 According to the applicant,
15 Canadian National, the purpose for
16 acquiring the EJ&E rail line is, one, to
17 increase CN's operational flexibility by
18 combining their five rail lines in one
19 continuous group around Chicago; the second
20 one is to make Kirk yard available to the
21 CN; and the third is to allow CN to provide
22 a more -- develop more extensive
23 relationships with the shippers on the EJ&E
24 rail line.

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13

1 The draft EIS, which I notice a
2 number of you have, is a very voluminous

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3 document 082708 Public Meeting of
4 and it covers a number of
5 subjects, and I've listed the subjects up
6 there. I just want to briefly go through
7 just a few of the findings so that we
8 provide enough time for everybody to
9 provide comments. If you have
10 questions -- and I know you will -- the
11 open house session is still open and
12 there's staff back there. Feel free to go
13 back at any time and ask your questions of
14 the staff and they can explain what the EIS
15 is covering in a little bit more detail
16 than I'm going to go through tonight.

17 First, the proposal results in
18 some operational changes which I'm going to
19 talk about in a few minutes. It also
20 includes the construction of six
21 connections, and that is a connection
22 between the EJ&E and another rail line.
23 Those are listed and we have a map in the
24 back that shows where each one of those
connections are proposed.

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14

1 we also operate 19 miles -- or
2 they also propose to construct 19 miles of
3 new parallel rail line, and those are the
4 locations that they're proposing and, once
5 again, we have a map in the back if you

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7 want to see specifically where
8 those -- that new parallel main line would
9 be constructed.
10 This is a density chart that
11 comes out of the analysis. I know it's a
12 little bit confusing, but it basically
13 attempts to show the changes in trains and
14 that's trains per day is the way it's
15 represented. The light blue lines -- the
16 light blue color is the existing number of
17 trains per day. The dark color is the
18 proposed number of trains per day. So you
19 can see where the traffic is proposed to be
20 shifted. Generally speaking, what happens
21 is the CN rail lines on the inside of the
22 arch will show a reduction in rail traffic.
23 The line on the E&E arch itself will show
24 an increase in rail traffic.
One of the conclusions that the

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15

1 EIS reaches from that is that as a result
2 of traffic changes E&E would be near or at
3 its practical traffic volume capacity. As
4 a result, the EIS concludes that it's
5 unlikely that the track levels on the E&E
6 would be higher than those estimated by CN
7 in their operations plan. In addition, the
8 other conclusion is that Metra's on-time
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17

1 this is basically talking about traffic
2 delay -- there are 155 highway at-grade
3 crossings evaluated on the CN rail
4 line -- I'm sorry -- 155 of which 125 would
5 show a reduced delay improvement because of
6 reduced traffic. Of the 112 highway/rail
7 at-grade crossings on the E&E there would
8 be 87 of them that met the board's
9 threshold for analysis, and of those 87
10 there would be 15 that without mitigation
11 wouldn't have a substantial adverse effect.
12 And those are listed, once again -- they're
13 shown in the blue diamonds on the graphic
14 up there, and we have the listing of them
Page 15

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10 performance can be maintained with
11 effective cooperation between CN and Metra.
12 There's a number of -- the draft
13 EIS evaluates training and roadway safety
14 issues, and there's a number of
15 conclusions. In general on the E&E arch
16 itself there's a -- because of the
17 increased amount of freight trains, there
18 will be an increase in the probability of a
19 train accident and also an increase in the
20 probability of highway/rail accidents. By
21 the same token, on the CN rail lines
22 because of the reduction in the number of
23 trains there will be a corresponding
24 decrease in the probability of a rail
accident on those CN rail lines and a

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16

1 reduction in the probability of highway
2 accident.
3 The EIS has identified three at-grade
4 crossings that would experience substantial
5 increase in accident risk, and that is Woodruff
6 Road in Joliet, Illinois and Lake and Miller
7 Streets in Griffith, Indiana.
8 Passenger rail line and hazmat --
9 you know, transportation were also
10 evaluated in the EIS. There is no
11 passenger rail operated on the E&E. So
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18

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16 and specifically the locations back on the
17 tables back in the open house section if
18 you want to take a look at those.
19 From an air quality standpoint
20 the E&E is a longer route. Therefore,
21 there would be an increase in fuel and an
22 increase in air emissions, but there also
23 would be a corresponding increase in
24 efficiency and the net result is that the
air emission changes in 2015 would not
exceed any current regulations or impact
the region's air quality compliance.
The EIS evaluated all the
emergency service providers along the arch
and concluded that without mitigation 11
emergency service providers, that's nine
fire stations and two medical facilities,
would experience substantial effects, and
those, once again, are shown on the graphic
up there and they're listed specifically
and located on the maps back in the back.
Noise, there would be about 3,000
residences that would now be within the 65
dB contour on the E&E arch. There would
be about 2,700 on the CN rail lines that
would see a reduction in noise. One of the
conclusions specifically applicable to this
Page 16

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19 area is that the Barrington quiet
20 zone -- and I believe that's a quiet zone
21 that starts at Huff Street and goes to the
22 southwest -- would lose its status because
23 of the increased train activity.
24 The EIS also identified a number
of mitigation measures or proposed

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19

1 mitigation measures. CN provided a set of
2 voluntary mitigation measures, 76 of which,
3 and they're listed in the various
4 categories showing the areas that they
5 would mitigate. In addition to that the
6 EIS has 72 additional mitigation. That's
7 above and beyond the 76, and, once again,
8 the categories are there.

9 The executive summary of the EIS
10 lists all 76 and all 72, if you happen to
11 have that, and we have lists back in the
12 back or you can find people back there if
13 you have specific questions on what's
14 recommended in the draft EIS.

15 With that I'd like to turn it
16 back over to Tina-Marie.

17 MS. ADAMS: We will now begin the
18 comment portion of our meeting, and we'll
19 begin with Congresswoman Melissa Bean and
20 Congressman Don Manzullo.

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1 REPRESENTATIVE BEAN: I'm going to
2 turn myself to the group while I am
3 addressing the STB.

4 Good evening. I'm
5 Melissa Bean, and I have the honor of
6 representing the Illinois 8th District in
7 the U.S. Congress and many of you that are
8 here tonight. I'm speaking to you not just
9 on behalf of those that I serve in this
10 district, but as a mom in the community.
11 In fact, I just missed both of my
12 daughters. So like many of you I have to
13 cross the EJ&E tracks to go to the grocery
14 store, to go to school, to get to the
15 hospital, and it effects us on a personal
16 level as well.

17 But this just isn't a
18 Barrington area issue as some have tried to
19 portray. There are well over 40
20 communities along the EJ&E not just in my
21 district like Mundelein, Hawthorn Woods,
22 Lake Zurich, but also outside of this
23 district, Bartlett, Naperville, Aurora,

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Plainfield, West Chicago, Frankfort,

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21

1 Northwest Indiana. These communities will
2 experience a 400 to 900 percent increase in
3 freight traffic if you include the lengths
4 of the trains. That's why there's
5 bipartisan opposition to this deal in our
6 Illinois delegation in Indiana including
7 our Senators Durbin and Obama, Reps.
8 Manzullo, Roskam, Foster, Biggert, and
9 Visclosky.

10 Last November I
11 requested the Environmental Impact
12 Statement and the STB did prepare it and I
13 appreciate that. Unlike the standard
14 review performed by the STB, the EIS
15 process made this forum possible so many of
16 you here today could raise your concerns.
17 Over the last several months thousands of
18 residents have brought out unprecedented
19 levels of opposition, and I appreciate your
20 involvement.

21 The intent of the EIS
22 should be to balance priorities between the
23 issues of commerce and transportation
24 concerns with the safety, quality of life

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1 and the economies of our communities, and I
2 know that my constituents here tonight are
3 counting on you, the STB, a federal agency
4 paid for by their tax dollars, to serve
5 their interests.

6 Regrettably the recent
7 Draft Environmental Impact Statement seems
8 to endorse allowing a private company to
9 destroy local communities' quality of life,
10 safety, and economies while expecting those
11 same communities to pick up the tab.
12 Specifically, it fails in scope and
13 solutions. It fails the public by placing
14 an egregious tax burden on local
15 communities by expecting them to fund the
16 vast majority of mitigation costs for a
17 project they don't want and won't benefit
18 from. CN's 40 million towards mitigation
19 is laughable considering the projected
20 costs just for 15 to 20 grade crossings
21 would be over a billion dollars. It fails
22 to provide other options or even review
23 existing alternatives, whether that is
24 create or a band rail system. They're not

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23

1 even being considered.
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2 What we're essentially
 3 doing here is talking about moving a
 4 problem and adding additional problems, not
 5 solving a problem. It identifies 15
 6 at-grade crossings where there are many
 7 more, over 133 that need improvements. It
 8 identifies 11 communities that would be cut
 9 off from their police, their fire, and
 10 their EMS providers who serve them while
 11 offering no solutions or recommendations to
 12 ensure the safety of our communities.

13 On safety -- I've been hearing
 14 from so many parents on this issue. Safety
 15 is our number one concern, as you can
 16 imagine. Highway rail accident rates are
 17 predicted to increase by 28 percent on the
 18 E&E, and that's assuming that CN even
 19 adheres to their very nebulous projections
 20 of what those actual increases in traffic
 21 would be.

22 It refuses to evaluate
 23 the impact this transaction would have on
 24 the Metra Star line, which has wide

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1 bipartisan support because in addition to
 2 providing a commuter rail, it also would
 3 reduce utilization and costs of our
 4 highways in decreasing emissions.
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5 Phil Pagano from Metra
 6 testified at our Chicago hearing and
 7 specifically rejected CN's claim that they
 8 would make this plan work on the Star line
 9 because it would essentially require the
 10 same rail, and CN has refused to give Metra
 11 any firm commitments in that regard

12 It disregards the severe impact
 13 of 400 to 900 percent increase that freight
 14 traffic would have on the quality of life
 15 in our neighborhoods due to deadlock
 16 traffic, increased emissions and pollution,
 17 noise levels, safety casualties, thousands
 18 of children standing in the freezing
 19 winters of Chicago while waiting for 2-mile
 20 trains to go by so they can cross the
 21 tracks to get to school, lost businesses,
 22 lost property value, lost tax revenue.
 23 Specifically, the municipality's revenues
 24 will decrease while their tax burden

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1 increases.
 2 At a field hearing that I held
 3 earlier this month local planning
 4 organizations commented that this is a
 5 backwards process. Randy Blankenham
 6 specifically challenged the unsupported
 7 assumptions about likely freight traffic
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8 increases given the high fuel costs that
 9 are likely to go much higher than what's
 10 being projected as well as misstatements
 11 about Amtrak and Star line services.

12 worse, the so-called
 13 benefits to other communities are not
 14 certain as the draft EIS only suggests a
 15 3-year enforcement period, which means CN
 16 is not accountable to maintain any
 17 reductions in freight traffic in other
 18 communities or prohibited from increasing
 19 traffic in all of our communities. That's
 20 no firm commitments from CN.

21 I urge the STB to reject this
 22 proposed acquisition outright. If,
 23 however, you choose to allow it to move
 24 forward, you should require CN to fund and

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1 complete all needed mitigation as
 2 identified by our communities before any
 3 increase in freight traffic is allowed. As
 4 this transaction has been initiated by and
 5 for the benefit of a private foreign
 6 entity, their shareholder upside should not
 7 be paid for by American taxpayers.

8 The current process puts the
 9 interests of industries over those of
 10 American families and taxpayers. In
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11 September I'll be working to improve
 12 legislation to change this process in order
 13 to better reflect the American values by
 14 protecting the rights of our constituents
 15 and our communities. The STB has an
 16 opportunity to show America, the federal
 17 agency they pay for, can and will put the
 18 American taxpayer first. Please do.

19 Before my colleague Congressman
 20 Manzullo speaks, I just want to add one
 21 final comment. I've heard from many people
 22 tonight that they came here to speak, and
 23 because of the time constraints some will
 24 not be able to speak. I know they're

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1 having requests for additional hearings,
 2 and I want to make that request again
 3 tonight that I hope you'll consider their
 4 opportunity to speak.
 5 Thanks so much.

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1
2 MR. MANZULLO: I'm Congressman Don
3 Manzullo representing most of McHenry
4 County with the exception of the northeast
5 corner which is represented by Mrs. Bean.
6 And I cannot tell you how disappointed I am
7 with the poor scholarship by the STB on the
8 environmental impact statement. And I say
9 that -- I say that -- I say that because as
10 I read this, you do not show the impact on
11 the people.
12 The people I represent in
13 McHenry County, tens of thousands of them,
14 each day come through the areas that are
15 impacted, but I want to show you what you
16 concentrated on. On page 3-11-30, on the
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17 horned bladderwort, you took that into
18 consideration. And on page 3-11-10, the
19 yellow-bellied sapsucker.
20 Now these are legitimate issues
21 that should be determined by environmental
22 impact, but because you never insisted on
23 knowing the length of the trains or the
24 number of trains, your statement, your

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1 conclusions are faulty because you don't
2 have the evidence because the CN never
3 squared with you. They never squared with
4 us. That's the problem.
5 And I do not see how you can
6 make this conclusion. In fact the
7 introduction, the 25 minutes that you took
8 should be given back to the people to give
9 them the opportunity. And I would ask
10 unanimous consent that 25 minutes be added
11 to the clock to end at 9:30.
12 Do we have that? Do we have
13 that from you? Would you add 25 minutes
14 back to the clock for the people to be
15 heard because the people have never been
16 heard on this.
17 Three weeks ago, four members of
18 congress held a hearing in downtown Chicago
19 and the president of CN Railroad personally
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20 told Senator Durbin he would appear
21 anywhere, anyplace anytime. And when he
22 refused to show up the next day, we got a
23 press release threatening to sue. We
24 introduced the legislation. A week later

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1 he puts out a press release asking you to
2 expedite the process so you can bypass what
3 could possibly happen in congress.
4 Now why are these people upset?
5 why are they upset? They've never been
6 treated fairly. And what's at stake? 400
7 crossings of school busses on those tracks.
8 what's at stake is what you never analyzed.
9 what's not in here is the impact on the
10 back up of traffic. You never took a look
11 at that. You never did your job.
12 And my question to you is did
13 you prepare this report or did CN? Who
14 prepared the report? I want to know.
15 Would you like to know who prepared it?
16 who prepared the report? Can you answer
17 me? Did you prepare this report or did CN
18 prepare it?
19 MS. ADAMS: I want to remind you
20 this is a public comment period.
21 MR. MANZULLO: I'm a member of
22 congress and I want answers from you. We
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23 have been blown off by CN Railroad. We
24 want a simple answer. Who paid and who

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1 prepared this report?
2 MS. ADAMS: We would invite you and
3 any other member of the public --
4 MR. MANZULLO: Answer the question.
5 Answer the question. I'm not going to sit
6 down until you answer the question, Ma'am.
7 I can tell -- I can tell the
8 poor had nothing to do with this report.
9 Absolutely nothing. It goes to show -- it
10 goes to show -- it gives new meaning to the
11 word railroad when you were trying to force
12 down the throats of the people who are
13 impacted and you yourselves probably had
14 nothing to do with this report because you
15 made a blatant statement that the safety of
16 the people would not be impaired when you
17 don't even know the number of trains or the
18 length of the trains.
19 I'm going to ask you again, did
20 you prepare this report or did CN prepare
21 the report?
22 MS. ADAMS: I'm going to remind you
23 again this is a public comment --
24 MR. MANZULLO: You don't have to

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1 remind me of anything. I want an answer.
 2 MS. ADAMS: If you have any
 3 questions, we invite you to --
 4 MR. MANZULLO: You don't understand.
 5 You don't blow off these people. You
 6 don't -- you prepared it? Did you have
 7 anything to do with it personally?
 8 MS. RUTSON: Yes.
 9 MR. MANZULLO: Did you ask any of
 10 the people out here about the impact?
 11 MS. RUTSON: During scoping.
 12 MR. MANZULLO: Did you?
 13 MS. RUTSON: That's what we --
 14 MR. MANZULLO: Did you ask the
 15 people? Did you ask the people for input
 16 on this report?
 17 MS. RUTSON: We tried, but we want
 18 more now.
 19 MR. MANZULLO: You tried? You
 20 should have gotten it before you prepared
 21 this report. I was told this report cost
 22 10 million dollars. Is that correct? Is
 23 that correct?
 24 MS. RUTSON: We don't know.

1 MR. MANZULLO: You don't know what
 2 it costs. You should. So what you do is
 3 you come up with this hurried report. It's
 4 faulty preparation, it's faulty conclusion,
 5 and you are telling these people you want
 6 input on the report that's already printed.
 7 That doesn't make sense. And that's why
 8 we're here. And that's why we're upset.
 9 You could cut off the opposition to the
 10 people. You can come into this area and
 11 say they know (inaudible). You could never
 12 quiet the voice of American people and they
 13 will not go away.
 14 MS. ADAMS: We're going to continue
 15 with the public comment portion. Let me
 16 remind you that we're going to adhere to a
 17 three-minute rule which begins as soon as
 18 you start speaking.
 19 If three minutes is not enough
 20 time for you, please feel free to speak
 21 with the reporter in the open house area to
 22 the back of the room to complete your
 23 remarks.
 24 We also advise you to submit

1 your full written remarks to the court
 2 reporters located here at the front of the
 Page 30

3 room.
 4 We have Mayor Karen Darch who
 5 will be speaking first, then Maggie Bosley
 6 and James Wallace will be next.
 7 Again we invite you to the
 8 microphone that's closest to where you are
 9 sitting.
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1 MS. DARCH: Thank you. Good
 2 evening. I'm Karen Darch, president of the
 3 village of Barrington. And I thank you for
 4 returning to Barrington to again hear from
 5 a community which will be forever changed
 Page 31

6 if CN is allowed to acquire the EJ&E and
 7 turn it into an international freight
 8 superhighway.
 9 You will hear from other village
 10 officials tonight and we will submit more
 11 extensive written comments by
 12 September 30th, but for tonight, I want to
 13 focus on the disconnect between what is
 14 reality and some of what is or is not in
 15 the DEIS.
 16 Here's what's real. CN has a
 17 route through Chicago and a way to get its
 18 goods where they need to go. CN says it
 19 wants to purchase EJ&E to gain efficiency.
 20 It is not about getting from the Port of
 21 Prince Rupert to CN's Memphis distribution
 22 center. It's about getting there faster
 23 with what reliable forecasters predict will
 24 be exponentially growing freight traffic.

1 What price efficiency? Also real is the
 2 CREATE program, the agreed to, approved,
 3 partly-funded plan for freight decongestion
 4 through Chicago helping all 6 Class 1
 5 railroads and the communities with existing
 6 rail lines.
 7 The DEIS accepts CN's contention
 8 of long delays through Chicago with no
 Page 32

9 082708 Public Meeting
analysis. It accepts that there is an
10 overall regional benefit in getting CN's
11 goods to market faster with no real
12 analysis. It will not look beyond 2015 for
13 what this deal will really bring to
14 communities along the E&E and along what
15 will be the backfilled tracks where CN
16 currently runs. And there is no review of
17 CREATE or even CN's, Central Corridor, part
18 of the CREATE or any other alternative.
19 Because they do not exactly fit CN's overly
20 narrow purpose and need statement which the
21 DEIS accepted wholesale. Reality is that
22 SEA can under NEPA review alternatives even
23 if they are outside of SEA's jurisdiction.
24 The DEIS suggests mitigation

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1 possibilities and working out deals with
2 CN. The reality is CN is offering no real
3 money to solve the problems it creates and
4 is banking on the STB to hold to precedent
5 which has railroads pay virtually nothing
6 for mitigation. And the reality is the
7 communities and state and federal
8 governments do not have the money to fix
9 the problems even if they wanted to fix
10 these CN-created problems. Talk is cheap.
11 Solutions along the J are not.

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12 082708 Public Meeting
The reality is approval of this
13 deal will be a huge victory for CN's bottom
14 line, a potential death sentence for
15 Barrington and a nightmare for the entire
16 region's taxpayers and commuters.
17 MS. ADAMS: Maggie Bosley, James
18 Wallace and Steven Miller.
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1 MS. BOSLEY: Hello. My name is
2 Maggie Bosley and I am the director of
3 community and financial services for the
4 village of Barrington.
5 As the chief financial person on
6 staff for the village of Barrington, my top
7 priority is the physical health of our
8 community.
9 I am very concerned with the
10 misrepresentations and omissions in the
11 draft environmental impact study regarding
12 the negative financial impacts to
13 Barrington if the CN acquisition is
14 approved.

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First the DEIS said that there
16 are 15 grade crossings in the region that
17 will be affected due to the effects of this
18 possible CN acquisition and only one of
19 them was a Barrington. We are a confident
20 that there are actually three grade
21 crossings that will be -- will be
22 substantially impacted in Barrington if
23 this acquisition is approved.
24 Providing grade separation at

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1 each of these crossings is estimated to
2 cost upwards of \$80 million each which
3 means that Barrington would have to have
4 \$240 million in funding for grade
5 separations.
6 The DEIS reports state that CN
7 would be obligated to pay between 5 and 50
8 percent of those costs. In our case, where
9 would the other 120 to \$228 million come
10 from? The DEIS did not investigate whether
11 there will be federal, state or local
12 funding to contribute towards the
13 shortfall.

14 The State of Illinois agencies
15 have clearly stated after this DEIS report
16 was issued that Illinois is not in a
17 position to fund any grade crossings that

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18 082708 Public Meeting
would result out of this transaction.
19 As for local funding, I am here
20 to let you know that the village simply
21 does not have this funding available. By
22 state statute, we have a legal debt limit
23 and the maximum amount we can lawfully
24 borrow is only a minute fraction of that

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1 120 to \$228 million that we would need.
2 Furthermore why should the
3 taxpayers of Barrington be responsible to
4 cover the costs that are incurred due to
5 private railroad pursuing profit.
6 The draft statement included
7 only the possibility of federal, state or
8 local funding without taking government
9 fiscal realities into account is nothing
10 more than an empty promise to the
11 communities that will be impacted.
12 Second, the sales tax base will
13 be negatively impacted if the CN
14 transaction is approved. And this affect
15 was not addressed in the draft statement.
16 If the transaction is approved,
17 the congestion caused by the rail traffic
18 increases consumers will be unable to get
19 to their local establishments which will
20 erode the business activity in Barrington

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21 082708 Public Meeting
and all along the E&E. This impact will
22 be significant to Barrington in that 30
23 40 percent of the general fund relies on
24 sales tax revenues.

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1 Third, the DEIS did not
2 adequately address the negative impact to
3 the property values if the transaction is
4 approved. I implore you to not approve
5 this transaction.

6 MS. ADAMS: James Wallace followed
7 by Steven Miller and Kathleen Leitner.
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1 MR. WALLACE: Good evening. Thank
2 you for giving those of us who will be
3 affected by this proposed acquisition the
4 opportunity to share with you our concerns
5 over the draft environmental impact
6 statement.

7 My name is Jim Wallace. I'm the
8 deputy village manager for the village of
9 Barrington. And as someone who has
10 reviewed many developmental proposals over
11 the years, I respectfully request that the
12 STB review the impacts of this proposal
13 from what I consider to be a fair and
14 balanced perspective.

15 When the village reviews
16 proposed developments of existing
17 facilities, we attempt to anticipate the
18 problems that will arise and the adverse
19 impacts that will occur as a result of
20 that. We simply either do not allow the
21 development to occur or we require
22 appropriate mitigation.

23 Mitigation by a developer is
24 required when they have to counteract

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1 direct affects of their development or when
2 their development will result based on
3 accumulative affects over time in the
4 reaching of certain milestones that will
5 require additional offsite work.

6 For example, often is the case
7 that developers are required to add roadway
8 turns and provide capital improvements, pay
9 for intersection improvements and the like
10 and dedicate land for public use.

11 When developers are unable or
12 unwilling to mitigate their adverse
13 affects, we don't approve their
14 developments.

15 One thing that everyone agrees
16 on in this matter is if this acquisition is
17 approved there will be significant impacts
18 on the vehicular traffic.

19 The village of Barrington is
20 undertaking studies on three of the four
21 places where CN intersects major roadways
22 in our village. That's US Highway 14,
23 State Route 59 and Lake Cook Road.
24 We expect to find and will be

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1 submitting documentation of this that the
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2 impacts of the increased freight traffic
3 will result in significant affect and
4 substantial affect on these three
5 intersections.

6 We believe it's only fair that
7 CN will be required to bear the cost of
8 mitigation for these affects. It is only
9 their development that is causing the need
10 for grade separation therefore they should
11 be required to bear the responsibility for
12 it.

13 We believe -- we believe that
14 the environmental impact study should duly
15 recognize these three substantially
16 affected intersections as well as the other
17 negative impacts that will occur in the
18 village of Barrington and up and down the
19 line. We respectfully request you do not
20 approve this acquisition. Thank you.

21 MS. ADAMS: We have Steven Miller
22 and Kathleen Leitner and Tom Leonard.
23
24

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1 MR. MILLER: Good evening. The DEIS
2 states the threat of additional trains past
3 the 2015 estimates seem unlikely, yet all
4 the information we received from the US
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5 Department of Transportation have estimates
 6 that exceed 75 percent growth of projected
 7 rail traffic. With that additional
 8 pressure and demand, if approved, I feel
 9 the DEIS should take this into
 10 consideration along the whole line an
 11 accurate estimate of the impact on our
 12 communities and others.

13 Also a community that depends
 14 100 percent on water from shallow aquifers,
 15 it would seem that the environmental impact
 16 study would have extensively looked at the
 17 effect of the hazmat spill and its effects
 18 on the water supplies of communities that
 19 depend upon this water source and have no
 20 other infrastructure to deliver drinking
 21 water.

22 Not only that, concern is
 23 layered with the poor safety record that CN
 24 has exhibited in Canada and also in the US.

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1 I don't understand ignoring of
 2 this safety record. It is to me like
 3 saying ignore the man behind the curtain.
 4 I feel we need analysis and knowledge of
 5 ground water and aquifer vulnerability.
 6 I would ask that the
 7 environmental impact study be much more
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8 extensive and study hazardous materials.
 9 Thirdly our community is most
 10 concerned about safety reaction time to
 11 life and death situations. While we have a
 12 response system on both sides of the
 13 tracks, our hospital is located on one
 14 side. Assuming our paramedic, fire and
 15 police equipment are not caught, and that's
 16 a big assumption, in a gridlock, the other
 17 hospitals are at minimum of five to seven
 18 additional minutes to get critical care.

19 As a trustee, I have the
 20 privilege, believe it or not, of exercising
 21 public safety. And any statistical
 22 analysis doesn't speak to reality when it
 23 comes to public safety. I can attest to
 24 the fact that an hour can go by without a

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1 single emergency, followed by two or three
 2 in a 15-minute period of time.
 3 When this occurs, we need
 4 personnel from both sides of the tracks to
 5 get to one side or the other as quick as
 6 possible.
 7 As a trustee, I am asked to make
 8 decisions that affect commerce and personal
 9 lives. So are you. I appreciate very much
 10 the conflict you are dealing with, but I
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11 must ask that what we ask of our business
 12 partners and that is for a win-win.
 13 At this time, all we see is
 14 pulling trains from areas that have
 15 substantial infrastructure and placing them
 16 through communities that have little or
 17 none so one company can benefit.
 18 Thank you for your
 19 consideration.

20 MS. ADAMS: Kathleen Leitner,
 21 followed by Tom Leonard and Greg Summers.
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1 MS. LEITNER: Good evening. Good
 2 evening. My name is Kathleen Leitner. I
 3 am the village president for Village of
 4 Tower Lakes, a small village six miles to the north of
 5 Barrington.
 6 Tower Lakes children attend
 7 Barrington schools including the two middle
 8 schools and the high school all of which
 9 are located in the village of Barrington.
 10 In addition, most of our residents travel
 11 through Barrington utilizing Route 59,
 12 Route 14 and Lake Cook Road on their
 13 commute to work. We share these roads with
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14 residents from communities as far away as
 15 Algonquin, Crystal Lake, McHenry, and the
 16 Fox Lake region. All of us funnel into
 17 Barrington making our way to the interstate
 18 highways and the Chicago area.
 19 My comments this evening are
 20 directed to the three factors employed in
 21 the DEIS delay calculation and how those
 22 calculations need to be corrected as
 23 applied to Route 59, Route 14 and the Lake
 24 Cook Road at grade crossings.

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1 First, the basic variable
 2 employed by SEA in determining potential
 3 vehicular delays at grade crossings is the
 4 projected average daily traffic or ADT
 5 count. It appears that the ADT count used
 6 by the SEA are vastly underrepresentative
 7 since the SEA projected 2015 figures are
 8 far below the current numbers counted by
 9 Barrington itself.
 10 If the 2015 projections for
 11 increased traffic are today's counts,
 12 clearly the ADT calculation demands further
 13 scrutiny. Such scrutiny would indicate
 14 greater traffic counts at Route 14 and Lake
 15 Cook EJ&E crossings, clarifying that Route
 16 59 is not the only EJ&E crossing in
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17 Barrington bearing heavy traffic and in
18 need for mitigation.
19 Second, trains lengths used by
20 the SEA in its delayed calculations
21 incorporate figures provided by CN but do
22 not reflect statements made by CN regarding
23 length of trains they hope to run of up to
24 12,000 feet, and that's from the June 4,

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1 2008, Terrace Standard. The DEIS delay
2 calculation of train length needs to
3 incorporate CN's stated train length.
4 Considering these longer lengths will show
5 that in the Barrington area more than one
6 major intersection will be blocked at a
7 time, often these three major intersections
8 at once.
9 Third, trains speeds provided by
10 CN for use in the delay calculation do not
11 reflect current actual speeds which are
12 substantially slower than speeds used in
13 the DEIS calculation. It is highly
14 questionable that the higher speeds
15 projected by CN can be achieved when
16 freight trains on this line will have to be
17 integrated with commuter train traffic,
18 other freight traffic and highway traffic.
19 Using current speeds, projected delay times
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20 will easily double at each grade crossing.
21 with undercounted ADT's,
22 artificially short trains length and
23 unrealistic trains speeds used in its delay
24 calculations, we in this area cannot accept

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1 the DEIS conclusions which result in an
2 undercounting of the number of grade
3 crossings in need of mitigation in the
4 Barrington area.
5 We respectfully request the SEA
6 to conclude that far more mitigation is
7 required of CN in the Barrington area or
8 the transaction cannot be approved.
9 MS. ADAMS: Tom Leonard followed by
10 Greg Summers.
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1 MR. LEONARD: Hello. By name is Tom
2 Leonard and I am the superintendent of
3 Barrington School District 220. I'm here
4 to speak on behalf of the children in this
5 area.
6 We are a school district of over
7 9,200 students and 1,000 employees. Our
8 district covers 72 square miles
9 encompassing all or parts of 12 villages.
10 The EJ&E tracks cut through the heart of
11 Barrington 220 School District. We are
12 deeply concerned about adding freight
13 traffic on this line for three main
14 reasons. Safety, efficiency and cost.
15 First safety. Many of our
16 children walk to their neighborhood
17 schools. This high school of over 3,000
18 students is 600 feet from the EJ&E tracks.
19 The main walking route for this high school
20 must pass over the EJ&E lines causing
21 hundreds of students to cross the tracks
22 twice daily. Statistically this will
23 undoubtedly increase the risk of accidents.
24 Emergency response times to our school will

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1 compromise our ability to meet the medical
2 and security needs of the children.
3 Second, efficiency. Our bus
4 transportation complex is located in the
5 center of this village to provide the most
6 efficient and economical transportation
7 routes. Since the EJ&E lines cut through
8 the heart of the district, we are also
9 right on those train lines.
10 Our busses cross EJ&E lines over
11 840 times per day. An additional 5.3
12 minute delay every time a train comes
13 through this area will have a ripple
14 effect, resulting in delays to the start of
15 school and added travel times. Decreased
16 efficiency will compound throughout our
17 daily schedule to create situations no
18 amount of mitigation will make acceptable.
19 Costs. My third point. Added
20 busses along the routes increase
21 transportation costs will all need to be
22 borne by the school district. If that is
23 the choice, then the residents of this
24 school district will need to make hard

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1 decisions about investing in and
 2 maintaining quality of education versus the
 3 amount of gas we pour into fuel tanks as we
 4 reconfigure bus routes or the idle time at
 5 railroad crossings.
 6 Requiring taxpayers to favor
 7 freight trains and fuel costs over
 8 classroom needs or to chose between
 9 locomotive and learning is not fair to them
 10 or to the nearly 10,000 children in our
 11 community.
 12 My conclusion. The EJ&E
 13 acquisition by Canadian National, if it
 14 becomes a reality, will adversely affect
 15 the welfare of students, staff and
 16 residents in the Barrington 220 community,
 17 particularly in safety, efficiency and
 18 cost.
 19 We appreciate your consideration
 20 of these concerns. And I thank you for
 21 your time.
 22 MS. ADAMS: We next have Greg
 23 Summers Followed by Eugene Dawson and James
 24 Daluga. I remind everyone please state

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1 your name and who you represent or the town
 2 that you are from.
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1 MR. SUMMERS: Greg Summers, and I am
 2 the director of engineering and building
 3 for the Village of Barrington.
 4 In the few brief minutes I have
 5 available, I would just like to point out a
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6 few material flaws in the draft DEIS and
 7 some additional details not contained in
 8 the document.
 9 The DEIS, as drafted, fails to
 10 properly review the alternatives to the
 11 proposed E3&J. At a minimum, the analysis
 12 should have addressed CREATE as a viable
 13 alternative to the ultimate goal of moving
 14 freight through the region. The DEIS
 15 excludes consideration of exploring
 16 possibility of utilizing routes through
 17 less populated areas.
 18 The CN proposal, if approved,
 19 can have a detrimental impact on the EJ&E
 20 Quiet Zone, which was long pursued by the
 21 village and zoning communities in the
 22 region, especially including the crossing
 23 at Route 59 that is not currently included
 24 in the E3&J Quiet Zone.

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1 while the DEIS recommends that
 2 the CN bear the costs associated with
 3 maintaining the Quiet Zone throughout
 4 Barrington in the present day, it does
 5 nothing to address other communities nor
 6 does it address effect. These zones are
 7 reviewed every three years.
 8 Volume of traffic is one of the
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9 many considerations taken into that
 10 process. Increased trains would inevitably
 11 lead to increased traffic and pedestrian
 12 conflicts, which will increase the safety
 13 demands, ultimately result in a loss of
 14 Quiet Zone status or prevent quiet zones
 15 such as the Route 59 crossing.
 16 I recently had an opportunity to
 17 meet with representatives of the Canadian
 18 National here in the community and view the
 19 areas that would be currently. Proposals
 20 by the CN for mitigation were minimal at
 21 best and wholly inadequate for addressing
 22 the impacts of their proposal. These
 23 proposals consisted of sound walls, which
 24 are both impractical and unsightly. And

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1 representatives went so far as to point out
 2 in installing the sound walls, they would
 3 remove all the existing green growing on
 4 their right-of-way. So actually residents
 5 can gain an unsightly wall and lose the
 6 trees that buffer the existing rail track.
 7 Several other questions proposed
 8 to the CN at this meeting and were met with
 9 a lack of appropriate answers. When asked
 10 about the noise level of the CN trains and
 11 the ambient level of E3&J trains, they
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13 stated that they weren't sure, but their
14 trains were newer and probably quieter than
15 E&J trains.
16 When asked how that compared
17 with a proposal doubling the speed from 22
18 to 45 miles an hour would they still be
19 quieter, they were completely unable to
20 answer the question.
21 When asked about public
22 vibration levels from a faster, longer
23 train with double stacked cargo would
24 compare, they changed the subject.
In conclusion, CN has proven it

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1 does not have a handle on the real burdens
2 imposed on the communities that it intends
3 to pressure its way through.
4 While the STB document does not
5 go far enough to identify all of the
6 consequences and externalities of the
7 picture, it does go far enough to reveal
8 that this solution is wholly inadequate and
9 should be denied in its entirety.
10 MS. ADAMS: James Daluga, David F.
11 Nelson, Denise Pieroni.
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1 MR. DAWSON: I am Eugene Dawson. I
2 am the supervisor of Barrington Township.
3 I would like to address three points. The
4 first of which are medical emergencies.
5 Let me begin by stating that we service the
6 area of five hospitals, Advocate Good
7 Shepherd in Barrington, Sherman Hospital in
8 Elgin, St. Joe's in Elgin, St. Alexis in
9 Hoffman Estates and Northwest Community
10 Hospital in Arlington Heights.
11 With the projected length of
12 trains from 6,000 feet to 10,000 feet that
13 be passing through Barrington, the
14 potential of shutting off the ability to
15 cross the tracks will negate three
16 hospitals, three. Which means that during
17 the golden hour, that time which a person

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19 needs to have the time to get to the proper
20 care and proper substance to keep them
21 going, it will not be there because of the
22 distance, that the folks will have to go to
23 St. Alexis in Hoffman Estates and also
24 Northwest Community in Arlington Heights.
Keep in mind, however, that when

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1 we talk about these hospitals, those are
2 the ones that can care for the folks
3 immediately.
4 In that golden hour, if you do
5 not get there on time, it's not the
6 Canadian National that's out of luck, it's
7 you that's out of luck, the patient.
8 The safety record, public
9 safety, the safety record of Canadian
10 National leaves a lot to be desired. In
11 their country, Canadian National remains
12 under scrutiny and heavy pressure. In
13 2005, the government of Canada found
14 54 percent of locomotives, 50 percent of
15 train brakes and 26 percent of crossings
16 defective.
17 A 2007 report by the Canadian
18 Parliament found a disconnect on safety
19 issues on management and front-line
20 workers. That report also highlighted what
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22 company employees call a culture of fear
23 when it comes to reporting safety-related
24 problems.

There are approximately 800 bus

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1 crossings a day. You heard superintendents
2 speak about that. But let me make mention
3 to that study of rail accidents back to
4 2001. It is apparent that some of these
5 trains were carrying hazardous materials
6 either in liquid or powder form that can
7 lead to an exposure that does not have to
8 exist. A train crossing at Geschulte and
9 Main -- I might say Geschulte and Main are
10 right over here. So if you had a tanker
11 car go bad, all of us, including you folks,
12 would be at risk.
13 National security, since 9/11,
14 the United States has been on high alert to
15 protect this country and its people at all
16 costs. Keep in mind Canadian National is
17 an \$8 billion profit company. They are
18 offering \$40 million for 133 crossings.
19 I would like to conclude by
20 saying when reviewing this information,
21 please keep in mind that this could happen
22 to you, your family, your neighbors and
23 friends. This is not a not-my-backyard
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situation, but another imposition of big

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1 business on the backs of the little guys.
2 Thank you.
3 MS. ADAMS: James Daluga and David
4 Nelson and Denise Pieroni.

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1 MR. DALUGA: I am Jim Daluga. I am
2 a trustee in the village and chair and
3 finance committees for the village of
4 Barrington. I would like to address two
5 major flaws in the draft DEIS. The first
6 is regarding the local tax base. For the
7 village of Barrington, our fiscal health is
8 dependent on revenues derived from property
9 and sales tax. That revenue is used to
10 support school districts and obtain first
11 responder capabilities. The failure of the
12 DEIS to calculate the ripple effect harms
13 from a reduction in local business activity
14 and property values and then assess how
15 that will affect the tax base for the
16 village of Barrington makes the DEIS wholly
17 inadequate in this regard.
18 There is also a total failure to
19 assess the ability of taxpayers to invest
20 in mitigation and an incorrect assumption
21 that communities have any negotiating power
22 with Canadian National. The DEIS states
23 there are 15 grade crossings in the study
24 area that require mitigation and provides a

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1 range of mitigation options for
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2 consideration. Even if we accept the point
3 of these 15 required mitigation, grade
4 separations are the only realistic option.
5 All the Quiet Zone will do is to assure a
6 patient lying in the back of an ambulance
7 that, while the 12,000-foot CN train is
8 passing, they might die in some relative
9 piece and quiet.

10 You heard from Maggie Bosley how
11 much it is going to cost to mitigate the
12 problems that CN is going to cause. You
13 also heard from Mr. Wallace about what the
14 Village of Barrington does when it comes to
15 private entities that promote a project in
16 the Village of Barrington. I can assure
17 you any project that is done in the Village
18 of Barrington will cause many adverse
19 effects.

20 We require the party presenting
21 the project to pay 100 percent of the
22 mitigation costs. They said they won't pay
23 the mitigating costs created by the
24 project. Why isn't CN required to do the

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1 same thing? The CN has suggested a
2 possible reason. The CN has stated the
3 municipalities should bear the brunt of
4 mitigation cost because a grade separation
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5 would benefit the municipalities, not CN.
6 That's like saying to me, Jim, we are going
7 to allow CN to beat you about the head with
8 a baseball bat 24 times a day, we know it
9 will hurt and probably cause permanent
10 damage, so you should probably get a
11 helmet, but we expect to you pay for the
12 helmet because it benefits you, not CN.
13 That is the most ridiculous thing I have
14 ever heard.

15 All I am asking is that if you
16 do approve this transaction, you do it
17 right then and make Canadian National, a
18 multi-billion dollar corporation and the
19 only one that will truly benefit from this
20 action, pay for the infrastructure needed
21 to keep them from destroying our town.

22 MS. ADAMS: Dave Nelson, Denise
23 Pieroni, Peggy Blanchard.
24

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1 MR. NELSON: My name is David
2 Nelson. I am presently the Cuba Township
3 Supervisor, having served in that capacity
4 for years. I formerly served on the board
5 of trustees of the Village of Barrington
6 for 12 years, the last four of which I was
7 village president.
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8 I work on Main Street in
9 downtown Barrington. Most importantly, I
10 am a 35-year resident of Barrington. I
11 know how important safety and quality of
12 life mean to our citizens.
13 First thanks to the great
14 turnout, Barrington. We really appreciate
15 it.
16 In Barrington we are concerned
17 with many aspects of the purchase of the
18 E&J by Canadian National. In our township
19 alone there are four grade crossings where
20 traffic will stop for an additional 15 to
21 20 trains each day. One revised grade
22 crossing at Route 59 will not be enough to
23 allow traffic to flow through our
24 community. And who is going to pay for the

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1 changes to the crossings?
2 It is my mind-boggling to
3 contemplate the costs to recreate those
4 intersections, not to mention the loss of
5 time and business during the construction
6 process.
7 The draft environmental impact
8 statement does not adequately address this
9 issue. Where will we get these hundreds of
10 millions of dollars through taxes? What is
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14 schools, the environment and the day-to-day
15 result of life.
16 The environmental impact
17 statement view that only homes within 250
18 feet of the tracks will be adversely
19 affected is unsubstantiated and
20 unrealistic.
21 In Barrington we are not
22 unreasonable people. We do not think we
23 are special. But we do know right from
24 wrong and fair from unjust. We do know a

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1 bad idea when we see it. We do know with
2 the price of a gallon of gasoline, more
3 commuter trains would serve us better than
4 more congestion and more idling cars
5 burning gas while waiting for trains to
6 pass. And we do know that family and homes
7 are more important than the profits of a
8 Canadian corporation.
9 Here is what keeps us awake at
10 nights, the vision of the ambulances not
11 being able to get to the hospital, toxic
12 spills, detained fire equipment,
13 derailments.
14 Homeland Security issues that
15 are not addressed in overland transit,
16 worsening air quality, noise pollution, all
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11 a realistic answer for this?
12 Barrington is the community that
13 sees the big picture. We are a train
14 community. The village of Barrington was
15 settled along the train lines. It is
16 ridiculous for anyone to suggest we don't
17 want trains in our backyard. We have 65
18 Metra trains and a number of E&J trains
19 coming through our backyards every single
20 day, with the possibility of 11 more Metra
21 trains promised in the near future. And we
22 have lived in cooperation with trains since
23 the village was founded.
24 We have no problems with trains.

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1 But we do, however, have a problem with an
2 unrealistic number of trains that will
3 breathe life as we know it to, say, a
4 screeching halt. Many of the DEIS
5 arguments are flawed and confusing. If the
6 report can't keep its own facts straight,
7 how are we to be confident that the
8 information is anything near the truth?
9 By increasing the number of
10 trains dramatically and all side effects of
11 that change, most families largest
12 investment, their homes, will be negatively
13 impacted in a huge way, affecting safety,
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17 in order to move freight a day faster.
18 Please don't throw this wonderful American
19 community under the train.
20 MS. ADAMS: Denise Pieroni, Peggy
21 Blanchard.
22
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1 MS. PIERONI: I would like to thank
2 you for providing me this opportunity to
3 address you. My name is Denise Pieroni and
4 I am the village manager for the village of
5 Barrington.
6 Barrington has and continues to
7 stay true to its principles of controlled
8 growth, quality development and providing
9 quality services to its residences and
10 businesses to ensure that Barrington
11 remains a great place to live or play.
12 During a meeting awhile back
13 with representatives of the CN, a comment
14 was made by one of the representatives that
15 the CN should not be held responsible for
16 correcting the problems created by the
17 development policies of the village. I can
18 assure you that if he had taken even the
19 time to briefly research the village and
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20 its development policies, he would have
21 come to realize that Barrington takes its
22 planning function seriously and is
23 proactive in its approach to mitigation of
24 possible negative impacts of any

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1 development proposed within our corporate
2 limits.
3 The village expects those
4 wishing to develop a project in our
5 community to accept responsibility for
6 addressing the challenges that may be
7 created by that development. Likewise, if
8 the challenges cannot be addressed, then
9 other alternatives such as developing
10 elsewhere need to be pursued. Why should
11 the CN be held to a different standard?
12 Even though the DEIS is flawed
13 and deficient in its analysis impacts, it
14 has been and will continue to be apparent
15 by the information presented tonight and
16 which will be presented throughout the
17 comments period. Impacts on emergency
18 medical response, on traffic, on air
19 quality, on noise vibration and on the
20 economy have been identified.
21 In Barrington these impacts meet
22 the but-for test. But for the CN and their
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1 know the problems and we have the ability
2 to address them in advance. Shouldn't it
3 be the STB's obligation to the impacted
4 communities and their residents to ensure
5 that these issues are addressed before any
6 further freight traffic is allowed on this
7 line?
8 In closing, I implore you to
9 hold CN accountable for the impact of its
10 business decisions. They should not be
11 allowed to benefit financially from the
12 definition of our communities.
13 MS. ADAMS: Peggy Blanchard, Colleen
14 Meg. I would invite you to submit your
15 remarks to the court reporter.
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23 proposal to increase freight traffic
24 throughout our community, Barrington would

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1 not be facing these challenges. As such,
2 if CN through its own financial resources
3 cannot mitigate these impacts, then CN
4 should be not allowed to increase freight
5 traffic through our community.
6 Unfortunately, with Barrington
7 and the other communities along the EJ&J,
8 CN is not willing to accept its
9 responsibility to mitigate impacts of its
10 proposed transaction, and just as this
11 \$8 billion Canadian corporation chooses not
12 to accept its responsibility for safety as
13 evidenced in recent articles regarding its
14 safety record in Canada and which the DEIS
15 neglected to take into consideration.
16 As for the claims that
17 congestion across the region will be
18 reduced, even CN admits when pressed that
19 any such decrease in congestion will be
20 temporary.
21 For argument sake let us assume
22 congestion will improve in certain areas.
23 These benefitting communities have
24 indicated that these aren't concerns if we

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1 MS. BLANCHARD: Good evening. My
2 name is Peggy Blanchard. I am director of
3 economic and community development with the
4 Village of Barrington. I am here to voice
5 concerns with the DEIS preliminary impact
6 analysis and comment on the economic and
7 quality of life issues that would arise
8 through the CN acquisition of the EJ&J.
9 Barrington center of commerce is
10 located in the heart of the community
11 surrounded by the EJ&J Railroad, the Union
12 Pacific Railroad and three major road
13 networks. This unique set of circumstances
14 creates both opportunities and challenges
15 for economic growth. Specifically, the
16 major road networks and continued rail
17 system provides opportunities for
18 increasing exposure for businesses and
19 transportation alternatives for our
20 customers and employees.
21 But the rail and its competing
22 use with the road system, however, creates
23 challenges in terms of traffic congestion
24 within our community. The EJ&J crosses

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1 each of its major road networks.
2 Increasing freight traffic from three to

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3 082708 Public Meeting
4 five trains a day to 20-plus trains will
5 create significant gridlock, thus impacting
6 our local and regional economy resulting
7 in, one, loss of corporate investment.
8 Because of time delays and reduced
9 productivity of its workforce, corporations
10 will seek to relocate out of the community,
11 which will result in loss of real estate
12 tax revenue, decline in property tax
13 revenues and increase in vacancies and
14 increase in sales tax and overall burden on
15 the local economy.
16 Loss of jobs, a family with jobs
17 in a service and retail sector would be
18 dramatically reduced as businesses seek to
19 open in other areas due to consumers
20 changing shopping patterns as a result of
21 increased traffic congestion.
22 will 20 trains rumbling through
23 town everyday and tying up traffic on the
24 major arterials that service our town be
convenient for our customers and employees

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1 to get into Barrington? The answer is no.
2 While grade separation on
3 Route 59 along with Route 14 and Lake-Cook
4 Road is an absolute improved necessity if
5 this transaction is approved, the grade
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6 082708 Public Meeting
7 separation on Route 59 presents significant
8 challenges for the village. It would
9 negatively impact access to existing
10 commercial centers and identified
11 redevelopment sites, making it difficult,
12 if not impossible, to lease existing space
13 and dooming any possibility of retail
14 development in the area.
15 These impacts have not been
16 thoroughly addressed in the DEIS. If it
17 were effectively analyzed from my
18 perspective, data would have supported the
19 position of no further train traffic on the
20 E&J through Barrington.
21 Based on the negative economic
22 impacts to Barrington and the neighboring
23 communities, along with an entire E&J
24 line, this acquisition should not be
allowed to go forward.

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1 MS. ADAMS: Colleen Meg, Jim Arie,
2 Dennis Burmeister. If no Colleen Meg, Jim
3 Arie.

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1 MR. ARIE: Good evening, my name is
2 Jim Arie. I am the fire chief of the
3 Barrington Fire Department. Throughout our
4 jurisdiction, residents and commuters
5 depend upon major arterial state highways
6 and county roadways that are intersected by
7 the E&E Rail Line. We rely on the same
8 highways and roadways for prompt response
9 to emergency calls and expedient transport
10 of emergency medical patients to hospitals.
11 In 2007 a response time averaged
Page 71

12 082708 Public Meeting
13 for emergency rooms throughout our area was
14 4 minutes, 16 seconds. Response time
15 average for the same period for emergencies
16 in the Village of Barrington was 3 minutes,
17 21 seconds. The response time, a vital
18 component of emergency services, is far
19 superior to the national standard of four
20 to six minutes.
21 The proposed increase in E&J
22 will drastically impede our ability to
23 maintain the superior level of response
24 service for the community at large.
Time, special response time has

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1 a great deal to do with our ability to
2 provide critically important emergency
3 services in life and death situations.
4 My focus is on the second part
5 of our emergency medical response, which is
6 after we've reached the patient and before
7 the patient arrives at the hospital.
8 Eighty-six percent of our patients are
9 taken to Advocate Good Shepherd Hospital,
10 our closest trauma center and cardiac cath
11 lab, which is located less than two miles
12 from the corporate limits of the village of
13 Barrington. At least a third of those
14 patients would be potentially reverted to
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16 hospitals in other communities due to
17 increased freight train traffic or stopped
18 freight trains, blocking access to Good
19 Shepherd Hospital.
20 As an example, a patient
21 transporter from the Garlands of
22 Barrington, a continuing care center, to
23 Good Shepherd Hospital with no train
24 blockage at the Route 14 E&J crossing will
arrive in seven and a half minutes. A

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1 patient being transported from the Garlands
2 crossing at 14 if blocked by a train would
3 not be taken to the closest hospital.
4 Instead, that patient will be
5 transported to a hospital at Hoffman
6 Estates in 12 minutes or to Arlington
7 Heights in 13 minutes or to a hospital in
8 Elgin in 18 minutes.
9 For patients with
10 life-threatening trauma emergencies, we
11 need to get our patients quickly to the
12 hospital. If we can, then we give the
13 patients the best chance of survival. We
14 take patients to hospitals that are further
15 away and encounter a domino effect of much
16 longer response times and more coverage
17 areas not protected by the emergency
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19 resources.
20 Given the direct impact of
21 increased rail traffic on essential local
22 services, blocked rail crossings,
23 especially those crossings on Route 14 and
24 Lake-Cook Road, Route 59, bring about
serious life-threatening issues that no

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1 doubt have an adverse impact of the life we
2 protect and serve.
3 Even if there will be a proposed
4 single grade separation at Route 59, this
5 will not solve the safety problems.
6 I implore the Surface
7 Transportation Board to require grade
8 separations at three crossings, right 14,
9 Lake-Cook and Hough Street. That
10 intersects eight highways within our
11 community. I request any increase in
12 freight traffic not be allowed until such
13 grade separation is accomplished. Thank
14 you.
15 MS. ADAMS: Dennis Burmeister, Janet
16 Agnoletti, Steve Roberts.
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1 MR. BURMEISTER: Dennis Burmeister.
2 I am director of public works for the
3 Village of Barrington. I would like to
4 expound on Trustee Miller's comments and
5 those previously commented on and as well
6 as impact comment on public works and our
7 concern relative to response time often in
8 support of public police and fire
9 emergencies.
10 Our public works department
11 provides typical public works services to
12 over 10,000 residents of Barrington and,
13 through intergovernmental agreements,
14 provides services to residents of both the
15 villages of Inverness and Barrington Hills.
16 One of the most critical services we
17 provide is potable drinking water.
18 The Village of Barrington, like
19 many other communities along the E&J
20 corridor, does not obtain its water from
21 Lake Michigan, but rather draws its potable
22 drinking water from wells located in either
23 the shallow sand and gravel aquifer or from
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the shallow limestone aquifer. The village
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1 of Barrington has wells located in both
2 aquifers.
3 The DEIS examined the potential
4 effects of the increased freight traffic on
5 water resources, including the effects on
6 groundwater aquifers. DEIS identifies
7 several areas along the E&J whether the
8 shallow groundwater aquifers have a high
9 susceptibility of being affected by a
10 hazardous spill.
11 A risk to the groundwater exists
12 today, albeit small in comparison to the
13 ten-fold increase in the length and numbers
14 of the trains if the sale is allowed to
15 happen.
16 The DEIS failed to adequately
17 address increased risk of groundwater posed
18 by the increase in the number of trains per
19 day and the increased potential for
20 accidents involving other trains.
21 Increased risk does not take into account
22 the potential increase in the types and
23 amounts of hazardous materials being
24 transported nor in my opinion does it take

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1 into account the potential concern
 2 regarding CN's commitment to safety.
 3 An article in the July '08 issue
 4 of the Canadian Magazine, Canadian National
 5 said just a little over a year ago Paul
 6 Miller was CN's first chief safety officer.
 7 The article also states that this month
 8 July transportation minister Lawrence
 9 Cannon issued an emergency directive
 10 ordering CN to replace faulty wheels which
 11 have been linked to several derailments.
 12 There are other issues in this and other
 13 publications alleging issues of safety.
 14 However, in my opinion these two
 15 examples underscore that potential safety
 16 concern. If CN had not recently gotten a
 17 chief safety officer, how seriously have
 18 they been taking the issue of safety? And
 19 if there were defective wheels, why did it
 20 take an emergency directive ordering CN to
 21 replace those wheels?
 22 I point to these two examples
 23 under the ten-fold increase in freight
 24 traffic as well as the unknown increase in

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1 the types and amounts of hazardous material
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5 members are nine local governments. In
 6 fact, the Barrington region covers over
 7 80 square miles and represents over 35,000
 8 people.
 9 BACOG opposes the proposed CN
 10 transaction. BACOG has submitted a
 11 variety, a myriad of comments on this
 12 proposal which have received very little
 13 consideration in the EIS. The EIS ignores
 14 impacts on groundwater. And this is the
 15 topic of my comments tonight.
 16 BACOG has conducted extensive
 17 research on the shallow aquifers over the
 18 past several years. Because BACOG
 19 recognizes that groundwater is the only
 20 source of water supply to this area, the
 21 village of Barrington has a public supply,
 22 but all the other BACOG towns and the BACOG
 23 town residents have private wells in their
 24 backyards or in their neighbors. All these

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1 wells are getting their water from the same
 2 interconnected aquifer system. This is the
 3 same water source, the shallow aquifer
 4 system.
 5 In addition to Barrington's
 6 public wells, there is about 800 existing
 7 and planned backyard wells within about a
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2 transported to highlight an increased
 3 safety risk to our water resources that
 4 this acquisition will have, and more
 5 specifically the risk to groundwater
 6 resources as reason enough to deny the sale
 7 of E&J to the CN. Thank you.
 8 MS. ADAMS: Janet Agnoletti, Tim
 9 Roberts and Nancy Schumm.
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1 MS. AGNOLETTI: Janet Agnoletti,
 2 Executive director of the Barrington Area
 3 Council of Governments or BACOG. BACOG is
 4 a regional planning organization. It's
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8 mile of the railroad within just the BACOG
 9 boundaries. And in the entire 80 square
 10 miles of BACOG, we have about 6 to 8,000
 11 more individual wells sharing the same
 12 groundwater, the same source.
 13 Hazardous materials train spills
 14 occur with regularity and frequency. The
 15 draft EIS acknowledges the potential
 16 increase in hazmat spills but states the
 17 likelihood of release would be remote, less
 18 than once every year, especially for
 19 groundwater. One is too many. That's a
 20 quote from someone else. One is too many.
 21 The EIS does not consider the
 22 Canadian safety record. The Canadian
 23 safety record is significantly worse than
 24 the U.S. record, and this would elevate

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1 that spill potential quite a bit. That
 2 Canadian safety record needs to be used in
 3 the final EIS.
 4 The wells here are shallow. Our
 5 wells are in the range of 50 feet below
 6 ground surface to a couple hundred feet
 7 below ground surface, most making them
 8 particularly vulnerable to contamination.
 9 We are concerned with the hazmat spills
 10 dropping contaminants which may seep
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11 directly down into the aquifer. We are
12 concerned that storm water carrying
13 contaminants to recharge areas where they
14 can seep into the aquifers.
15 We are also concerned there is
16 contamination in one part of the aquifer
17 and it can move to other parts of the
18 aquifer because of groundwater flow. If
19 anything happens to our water supply, there
20 is no Lake Michigan water, no river water,
21 no other water. And in our region there is
22 little in the way of infrastructure to
23 distribute water from any other source.
24 We have submitted in February

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1 and May data and maps about groundwater
2 from our research. We -- your consultants
3 say that the risk is low. Number one, we
4 don't believe that. We don't accept that.
5 And, number two, the consequences are so
6 high to the people of this community that
7 we think it is warranted to do a more
8 comprehensive study of groundwater than has
9 been requested. Thank you.

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1 MR. ROBERTS: My name is Tim
2 Roberts, Village Trustee here in
3 Barrington.
4 I have four points about the
5 DEIS.
6 First, there's been no review of
7 the alternatives. There are alternative
8 solutions available to us. It's appalling
9 that we're not going to look into them. In
10 fact, the DEIS completely eliminated grade
11 as a reasonable alternative to this
12 acquisition. Why?
13 Second, good decisions come from
14 good information. Yet, the DEIS is filled
15 with unsubstantiated claims based on
16 unsourced data. For example, noise and
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17 hazardous materials. The DEIS uses
18 "analysis" and "mitigation thresholds" that
19 are not only unsubstantiated but that have
20 actually been criticized by the
21 Environmental Protection Agency and the
22 Department of Transportation.
23 Why intentionally use bad
24 information? Why rely on unsubstantiated

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1 and unsourced data?
2 Third, along the same vein. The
3 DEIS uses contradicted data. Take for
4 example the operational air emissions
5 methodology. The DEIS uses two sets of
6 fuel use estimates. It seems the first set
7 of numbers revealed that the pollution
8 could pose a threat to Chicago's federally
9 required air quality standards. Those
10 numbers were 374 tons per year. That
11 number was too high. So Canadian National
12 gave the STB some new numbers, 95 tons per
13 year. How does Canadian National explain
14 this? Not very well.

15 Four, the DEIS fails to look
16 broadly at indirect and cumulative effects.
17 This sort of tunnel vision is simply
18 inexcusable, especially in the context and
19 times we live in.

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20 The DEIS dismisses any arguments
21 that prove consequences not immediately
22 adjacent to the E&E rail tracks. It says
23 it isn't in their purview but environmental
24 regulations require it. I'm talking about

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1 air quality, I'm talking about Homeland
2 Security. Why does the DEIS refuse to deal
3 with these issues?
4 Here's the bottom line:
5 Canadian National is all stick and no
6 carrot.
7 Canadian National is spending
8 money on PR claiming that they will work
9 with communities. Yet, we have been
10 dismissed and put off. We've tried to find
11 solutions and they've shut us down at every
12 turn, and now we're being bullied. Yes,
13 bullied.
14 Canadian National is a huge
15 profitable foreign company. It has bullied
16 the Village of Barrington and they've
17 clearly bullied the STB, an agency of the
18 United States Congress.
19 For one, I don't care much for
20 bullies.
21 Lyndon B. Johnson once remarked
22 that, if you let a bully come in the front
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23 yard, the next day he'll be on your porch.
24 I say, Enough is enough.

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1 Canadian National is already on our front
2 porch filled with empty promises and
3 fulsome threats. They have demonstrated
4 that their promises mean nothing.

5 We, the people of Barrington,
6 are not unreasonable people, but there is
7 nothing reasonable about the way Canadian
8 National has bullied us. It is time to
9 knock the bully down. Please do not
10 approve this transaction.

11 Thank you.

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1 MS. SCHUMM-BURGESS: My name is
2 Nancy Schumm-Burgess. I'm the Executive
3 Director of the Barrington Area
4 Conservation Trust.

5 Our vision is to preserve the
6 open space rural character and scenic
7 historical, recreational, and national
8 resources of the Barrington area. As a
9 not-for-profit with environmental concerns,
10 we have several reservations and concerns
11 about this EIS.

12 By its very nature, the EIS is
13 required to address environmental concerns
14 and at the very least comment upon them,
15 but this statement does not and omitted
16 several important material information.

17 The SEA identified that it
18 received its biological data from several
19 agencies; however, they did not list the
20 Forest Preserve District of Lake County,
21 Illinois as one of their resources or the
22 Flint Creek water Plant published earlier
23 this year. There's significant data
24 missing for our region with this omission.

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1 The SEA does confirm that the Chicago
2 wilderness area offers refuge to native
3 wildlife that this network of wild spaces
4 contains globally significant natural
5 communities. However, no protection
6 strategy or estimate of the impact to these
7 communities has been clearly identified.

8 For instance, they recognize
9 that de-fragmentation is one of the largest
10 contributing factors to the habitat
11 degradation for a large number of species.
12 It does not identify the recommended
13 resource protection areas recognized by
14 both the Chicago wilderness and the Chicago
15 Metropolitan Planning Agency. If they had
16 included this data, they would know that
17 this area is one of seven remaining largest
18 continuous regions of non-fragmented
19 national resources, and, in fact, the only
20 thing that bisects many of these natural
21 resources in this area is the EJ&E line.
22 The increase of rail traffic along these
23 lines will absolutely affect the migration,
24 diversity, population, density, and quality

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1 of life of these natural resources as well
2 as the humans that inhabit them.

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3 The EIS acknowledges that
4 certain wildlife is killed by railcars
5 regularly, but they don't keep any records
6 of animal kills on any of the lines.

7 The EIS confirms that the
8 condition of these present habitats ranges
9 from low quality to high quality and that
10 certain high quality areas can be
11 negatively impacted by land use changes,
12 and, yet, they do not address the negative
13 impact to these areas that will occur
14 because of our own increase of traffic,
15 vibration, and leaching of materials.

16 The EIS claims to have confirmed
17 the quality of these areas by limited field
18 investigation, railroad right-of-ways, and
19 a rail trip. Where is the field data for
20 these investigations? How can natural
21 areas be investigated from public roadways?
22 They acknowledge the Illinois Natural Area
23 Inventory areas, including Cuba Marsh
24 Forest Preserve, Crabtree Nature Center,

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1 and Spring Creek do exist in this area, but
2 they never address what measure could be
3 taken to protect them from increased CN
4 Railway use and what impact that increased
5 traffic will have on those areas.

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7 They admit that Barrington had
8 vibrational measures well above the normal,
9 but at the same time they claimed to have
10 equipment malfunctions at all of these
11 sites. Were these actual measured? We
12 would like to know some answers.
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1 MS. BRADFORD-WHITE: I'm Mary
2 Bradford-White. I'm the President of the
3 Barrington Area Conservation Trust. I'll
4 finish up with the comments on this report.
5 EIS identifies Barrington as
6 having unacceptable mobility because of the
7 combinations of a roadway operating at LOS
8 E through F and two rail lines crossing
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9 082708 Public Meeting
10 adjacent to downtown Barrington but offers
11 no solutions.

12 EIS confirms that groundwater
13 protection is an important issue for
14 consideration. Given that, there's no data
15 that studies the vibrational affects of
16 increased rail traffic or increased haz-mat
17 risks along areas of thin "highly permeable
18 materials" such as important groundwater
19 recharge areas. These areas have been
20 identified in recent studies that are
21 omitted from the report, including but not
22 limited to Flint Creek watershed Plan of
23 2008.

24 How does CN plan on identifying
and addressing the impact to these systems?

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1 The EIS identifies surrounding
2 roadways as alternatives during times of
3 high traffic. Do they consider these true
4 alternatives? Have they addressed these
5 issues with individual or metropolitan plan
6 commissions? Have they identified the
7 impact to the communities affected? How do
8 they plan on addressing the impact of
9 increased traffic to smaller roadways
10 designed for lighter traffic?

11 The EIS claims that it will
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12 082708 Public Meeting
13 address global warming issues like fuel
14 usage or climate change but never really
15 addresses this directly. What will the
16 actual proposed impact be on the local
17 communities, including, but not limited to,
18 increase in traffic wait times at rail
19 crossings, increased heat island profile
20 based on figure 3.9-3?

21 In conclusion, while this report
22 claims to be an environmental study,
23 there's very little real environmental data
24 that identifies potential problems and
potential solutions to those problems.

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1 Increasing rail traffic to semi-rural areas
2 will have real impacts to the local flora,
3 fauna, and quality of life of the
4 residents, both human and animals. This
5 report sorely lacks the information to
6 determine what those impacts may be and how
7 they may be resolved.
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1 MR. LAWLER: Good evening. My name
2 is Jeff Lawler, and I serve as the police
3 chief for the village of Barrington.

4 I have spoken with and written
5 to you previously about my concerns
6 regarding the acquisition of the E&E
7 Railroad by the Canadian National Railway.
8 Those initial concerns have not been abated
9 in the Draft Environmental Impact
10 Statement.

11 My village residents, employees,
12 and our local businesses and visitors will
13 be inaccessible to police services with
14 each passing freight train in the
15 bifurcated community that is being
16 considered. If you call police and need
17 emergency help, a one-minute, two-minute,
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19 or a three-minute delay can be a lifetime,
20 literally. Ask our victims of domestic
21 violence if they have concerns regarding
22 police response time.

23 When the EJ&E is blocked by a
24 moving train or a stationary train, I have
no access to the wrong side of town. My

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1 closest access to grade separation is in
2 the next community to the south to the
3 overpass on Algonquin Road in Barrington
4 Hills. From the center of Barrington to
5 the high school where we're meeting tonight
6 is an 8.6-mile trip on busy, winding, hilly
7 roads. My next closest access to grade
8 separation is via drive through Deer Park,
9 the next community east of Barrington; then
10 Lake Zurich, the next community to the
11 north of Deer Park to an underpass on Grand
12 Road. A trip from the center of town to
13 where we're meeting tonight would be
14 12 miles.

15 This is excessive and literally
16 risks lives. The lives of the public the
17 police are responding to help, the lives of
18 the motorists that we endanger on the way
19 to the emergency, and the lives of the
20 first responders driving to or who are

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22 waiting for help themselves involved in
23 situations.

24 This should be cause enough to
deny this acquisition.

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1 But I have additional concerns.
2 Through twisted logic, the
3 report indicates that there will be a small
4 potential decrease in accidents between
5 CN's current line traffic being moved to
6 the EJ&E. I'm not impressed with the
7 potential increase of main track accidents
8 increasing in my area of responsibility in
9 the order of magnitude of greater than
10 20 percent.

11 Statistics can be made to show
12 anything. While citing the potential
13 increase in hazardous material releases on
14 the EJ&E line when managed by CN, the
15 report goes on to say that a release is a
16 remote event and that currently used CN
17 lines will have a substantial decrease in
18 the risk of hazardous material release.
19 That judgment provides me with little
20 comfort when the carloads of hazardous
21 materials through my town increase tenfold
22 in number.

23 The primary beneficiary of this
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acquisition relocating freight traffic from

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1 its current line to EJ&E line is Canadian
2 National Railroad. The public interest is
3 not served by this acquisition, just the
4 interest of the Canadian National Railroad.

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1 MR. ANDERSON: My name is Jeff
2 Anderson and I'm a Village Trustee for the
3 Village of Barrington.

4 Before I make my remarks, I
5 would just like to thank the residents from
6 this village and community for making their
7 remarks tonight.

8 I read the executive summary,
9 and I was asking myself this question:
10 After hearing a lot from CN regarding the
11 benefits of what they call the winner
12 communities and the loser communities,
13 those winners being on the yard and the
14 losers being on the inside line, your
15 executive summary has three interesting
16 facts, more noise, more grade crossings,
17 and more fuel. How does that make us
18 winners and -- or us winners and them
19 losers? It's just incredible to think that
20 more noise on this line, more grade
21 crossings on this line, and there's more
22 fuel that's going to be used by the trains
23 on this line to maintain the status quo.

24 I would also like to make a

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1 comment about the absolute stop. Lake
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2 Zurich Road is at the point where the train
3 potentially would stop if there was a UP
4 line train going through. You mentioned in
5 your executive -- Appendix D of your report
6 that 6,829-foot train could take upwards of
7 eight to nine minutes to clear the village
8 of Barrington. What happens if it's a
9 8,000-foot train or a 12,000 foot train?
10 Much has been made about 40 miles an hour
11 speed limit through town of the CN line.
12 How do you explain at a minimum eight to
13 nine minutes on a 7,000-foot train coming
14 through town and listening to all the
15 things that our public safety and school
16 district officials have made tonight?
17 Thank you.

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1 MS. LAMBERT: Good evening. I'm
2 Karen Lambert, president of this
3 community's medical center, Advocate Good
4 Shepherd Hospital. In the Draft
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5 Environment Impact Statement, the Canadian
6 National contends that the EJ&E acquisition
7 has unquestioned benefits for the public
8 interest, and I'm here tonight to question
9 these benefits.

10 The draft impact fails to
11 acknowledge the impact that the increased
12 train traffic will have on the
13 accessibility to lifesaving medical care.
14 In fact, in the medical facilities section
15 for the Barrington communities, it devotes
16 just one sentence, No public at-grade
17 crossings are within two miles of the
18 emergency medical facility, Advocate Good
19 Shepherd Hospital. As a result, it didn't
20 study whether the community's of acute care
21 hospital would be accessible or not.

22 The stated rationale for this
23 two-mile metric is that typically beyond
24 two miles from the tracks, it tends to

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1 diminish the probability that Canadian
2 National train traffic would interfere with
3 emergency medical responders. The two-mile
4 metric is not feasible given Barrington's
5 unique geographic and road configuration.
6 In addition, the inaccessibility to
7 alternate hospitals during critical
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8 life-threatening conditions makes the
9 two-mile metric inappropriate.
10 Across the five miles of
11 railroad that cuts through Barrington lies
12 five westbound roads to reach the hospital.
13 Five roads in five miles with five at-grade
14 crossings that separate ambulances from
15 delivering patients to our emergency
16 department.

17 DEIS did analyze our EMS's
18 ability to respond to a patient's call for
19 help, but it ignored the question of the
20 other critical half of the first responder
21 equation: will emergency services be able
22 to transport and deliver their patients to
23 the community's critical care facility? In
24 our evaluation, the answer is a resounding,

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1 no.
2 This proposal offers no sound
3 answers to critical public health and
4 safety issues. These are issues that must
5 be urgently and effectively addressed. The
6 proposed action in its current state will
7 cost lives. Patients are transported by
8 ambulance because it's an emergency.
9 Emergencies demand urgency, not delaying
10 treatment for critical patients.
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11 Mortality rates for our
12 communities will increase. Only an acute
13 care hospital can deliver certain
14 life-saving procedures and time measured in
15 minutes is always the enemy of a critical
16 patient.

17 Overall, this proposed action
18 will negatively impact patient outcomes and
19 overall patient care for thousands of area
20 residents, and that, by any definition, is
21 certainly not in the public interest.
22 Thank you.

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1 DR. GIANGRASSO: I'm Dr. Joseph
2 Giangrasso, medical director for the
3 emergency department at Good Shepherd
4 Hospital.

5 I'm here to say if this
6 acquisition goes through, the health and
7 safety of our community would be greatly
8 jeopardized. As I mentioned before at the
9 public hearing the first time, patients
10 lives will be lost. Very simple, if you
11 cannot get the patient to the hospital to
12 get the help and treatment, the patient
13 would suffer. In emergency medicine, that
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14 usually means they die.
15 Now, when we mentioned this
16 before, CN representative was saying, Take
17 them to another hospital. I'm sorry.
18 That's very critically fought. What's even
19 more disturbing is that DEIS contention and
20 I quote, "The response to the actual scene
21 of an emergency is the most critical
22 action, not the transport to the emergency
23 medical facility."
24 I'm an emergency medicine

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1 specialist. Yes, emergency medicine is a
2 speciality that now knows that paramedics
3 do a great job. In our community, they do
4 a wonderful job. However, they cannot give
5 indefinite treatment.
6 I'll give you definite examples
7 why people will die. Take heart attacks,
8 the number one killer in our area. When a
9 person has a heart attack, the blood vessel
10 is blocked and no oxygen can get to their
11 heart. The treatment for that is to take a
12 wire from the leg and go into the heart and
13 open that vessel. That's called a
14 catheter. I'm sorry, the paramedics do not
15 have a cath. Lab in the back of their rig.
16 Take your trauma patient. If
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17 they're internally bleeding, they need to
18 go to the operating room to find that
19 bleeder and stop it. Again, paramedics are
20 good, but they don't have the operating
21 room on the back of their rig.
22 If you have a stroke, again, we
23 now have medicine that could stop a stroke;
24 however, certain testing can be done, one

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1 of which is a CAT scan. Again, CAT scans
2 are not in the back of an ambulance.
3 These patients need to get to
4 the closest hospital, and to say they can
5 go to any hospital is defectively flawed.
6 I'm very disappointed that there was no
7 study done showing that all hospitals are
8 not equal. Our hospital has a cardiac
9 cath. Lab. I don't think all of our
10 hospitals in our area do. So if you
11 need -- not all hospitals have open heart
12 surgery. I'm sorry, if you need open heart
13 surgery and you go to the hospital that
14 does not have it, they're just going to
15 airlift you back to us. All you do is lose
16 time and probably suffer consequences
17 because of it.
18 All three of the problems I
19 mentioned before, heart attack, strokes,
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20 trauma, they are all time sensitive. What
21 that means is that, as we say in emergency
22 medicine, for a heart attack, time is
23 muscle. The longer it takes to stop the
24 heart attack, the more muscle will die and

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1 the more chance the patient will die. In a
2 stroke, the same thing, time is brain. The
3 longer it takes to stop the stroke, more
4 brain cells die. Again, the more they die,
5 the person will become totally disabled or
6 even die. You personally only have so much
7 blood in your body, so when you bleed
8 internally, when you're out of blood,
9 obviously, you're dead.
10 So, please, take very careful
11 consideration before you make this
12 acquisition go through. If you do allow
13 this acquisition to go through, make sure
14 that this mitigation is done and overpasses
15 are done before the trains go through or
16 people will die before then.
17 Thank you.
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1 MS. RASEMAN: Good evening. My name
2 is Beth Raseman. I'm a Trustee with the
3 Village of Barrington. I'm going to focus
4 on some of the issues with the conflict
5 with Metra tonight and the economic value
6 on this transaction.
7 Unlike many of the towns that
8 the EJ&E intersects, we have a very heavily
9 traveled commuter line. Commuter ridership
10 is up dramatically due to the cost of fuel
11 and road congestion. At the same time that
12 CN's planning to add freight capacity to
13 its lines, Metra is also planning to
14 increase its capacity and expand further to
15 the northwest. Barrington has been asked
16 for support to increase the number of
17 trains from the current 62 passenger trains
18 a day to 73 trains a day. These numbers do
19 not include the freight that is also
20 handled every day on the Metra line.
21 There are many conflicts in the
22 DEIS because the recommendations in the
23 executive summary, the body of the report,
24 and the appendices regarding the issue of
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1 the ability to coordinate these two
2 intersecting lines. There are also many
3 omissions.
4 In the Bottleneck Analysis that
5 were run to model, the actual coordination
6 of the capacity and the conflict scenarios
7 along the track that included factoring in
8 the longer trains that CN was to use,
9 insight was given into the reality of the
10 conflicts that will exist on the rails.
11 This is to say nothing of the conflicts
12 that will be generated along our roadways.
13 In the report it states that the CN average
14 train length would be 7,623 feet, an
15 increase from the current average length of
16 2,509 feet. However, the average is not
17 necessarily indicative of the maximum train
18 length, which is moving towards 8- to
19 10,000 feet. Those are trains that are
20 two miles in length. One of these trains
21 would effectively block every major
22 thoroughfare in Barrington, since the
23 distance from Lake Zurich Road to Lake Cook
24 Road is 1.1 miles long.

1 In the appendices, Rail
2 Operations Analysis states, These scenarios
3 indicate that under some conditions 8- to
4 10,000 foot trains can operate on the E&E
5 track without serious effects on the
6 at-grade crossing for either the
7 highway/rail or the rail/rail conflicts.
8 However, these scenarios are not
9 necessarily indicative of train operations
10 as they would actually occur. The report
11 also states that a train of this length has
12 come to a hard stop at Lake Zurich Road
13 would be 10 to 11 minutes to weave through
14 the morning or afternoon rush hour.
15 We already know about how bad
16 the traffic congestion will be here for our
17 residents and the commuters who pass
18 through our area. We were disappointed
19 that the report analyzed the net economic
20 impact on the region but said nothing of
21 the impact on the towns along the E&E or
22 the people who have to commute to jobs
23 through these towns.
24 This transaction will have

1 devastating effects on our quality of life
2 but will also directly affect our sales tax
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4 base that supports our infrastructure,
5 roads, sewer, and water. You'll
6 effectively be allowing us to destroy our
7 economy, our neighborhoods, our community.

1 MS. REINHARD: Good evening. My
2 name is Linda Reinhard. I help represent
3 the 1400 residents of Fox Point in
4 Barrington.
5 I lead a business in China and I
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7 travel there monthly. These goods to be
8 transported on the CN line are exported
9 from the newest, largest, deepest port in
10 the world in China. It has enough output
11 to support all of CN's phase two capacity
12 of 2 million containers plus 28 million
13 more. The impact study cannot stop at 2015
14 when CN has touted this link as their
15 connection from the Port of Prince Rupert
16 to the Memphis distribution centers.

17 This so-called Midwest express
18 does not belong in Barrington, it doesn't
19 belong in Chicago. The CN and STB must
20 find a solution for the industrial
21 thoroughfare that does not impose
22 unacceptable safety threats to our
23 children.

24 The current analysis
significantly underestimates the impact to

1 our communities. A meaningful study
2 requires accurate answers to these two
3 questions, one: what is the maximum
4 potential freight over the next 20 years
5 and how will it be carried? CN projects
6 400 percent growth by 2010. That equates
7 to 82-mile trains. What happens ten years
8 from now? The STB must require that CN
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10 provide a realistic long-term plan which
11 then serves as their freight limit.
12 What are the true delays? Based
13 on the freight volume plan, an adequate
14 projection must consider how the crossing
15 of the 73 Metra trains and the 20 to 80
16 freight trains be scheduled. What are the
17 resulting delays if the freight trains have
18 to start from a full stop? Will the car
19 traffic ever flow? A schedule must be
20 created, traffic must be simulated in order
21 to calculated the real delays.
22 Fox Point residents feel these
23 trains jeopardize the safety of our
24 children. CN's safety record is horrendous
with 50 percent defects in their brakes and

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1 26 percent defects in their railroad
2 crossings.
3 Mark my words: With Barrington
4 school buses crossing 840 times a day,
5 accidents will happen and, yet, this is not
6 even analyzed in your report.
7 Furthermore, hazardous material
8 accidents cannot be deferred when they've
9 already had a haz-mat accident in Canada
10 and we're on a shallow water supply system.
11 The impact statement needs to
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13 inform STB, Canadian National, and everyone
14 else who supports this, including Mayor
15 Daley, exactly what the real risk is to our
16 children and our community.
17 Please take the time to do an
18 accurate analysis. You owe it to our
19 children.
20 Thank you.

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1 MR. MANGANO: My name is Jeff
2 Mangano. I'm a resident of Lake Zurich,
3 Illinois. I represent approximately 200
4 residents that abut to the EJ&E.
5 My issue is loss of home value.
6 If the STB approves this sale, overnight
7 home values of 100,000 homeowners along the
8 EJ&E will plummet; overnight homeowners
9 will lose tens of thousands if not hundreds
10 of thousands of dollars in lost value;
11 overnight your decision will erase decades
12 of appreciation, equity, and home value;
13 overnight your decision will turn tens of
14 thousands, if not hundreds of thousands of
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16 homeowners upside down in their mortgages.
17 Hard working, fiscally responsible
18 homeowners and taxpayers will immediately
19 owe more than what their homes are worth.
20 Put yourself in our shoes for a moment.
21 The implication of this is
22 catastrophic for many people, especially in
23 a time when the real estate market is
24 currently in shambles and foreclosures are
at record levels.

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1 We understand your roles are to
2 promote fair and competitive trade in the
3 real world industry, but you as Americans
4 also have a fiduciary duty to your fellow
5 citizens to make decisions that are not
6 negligent. Approving this purchase can be
7 construed as an act of negligence and most
8 definitely an act of fleecing the American
9 taxpayer.
10 Thank you.

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1 MS. KEMP: I thank you for this
2 opportunity. The railroad is not in my
3 backyard, but it is -- the railroad is not
4 in my backyard but it is in my community,
5 in my village, in my state, and my country.
6 As a citizen, I felt obliged to
7 come here and to learn all that I could
8 about the CN proposal, and I can tell you
9 my conclusion is over months of looking at
10 this, the more I learn, the more I say this
11 can't be allowed. We cannot allow CN to
12 come through our villages.
13 The proposed trains are not
14 helping our country to grow stronger as
15 much as they help foreign interests. We
16 need our trains and our rails to get people
17 moving, not freight.
18 From personal experience, I
19 worked downtown for several years. I had a
20 3 1/2 hour a day round trip commute. I was
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grateful for the train because it would
have been much worse. That was without all
of the congestion just trying to get to the
train station. That was before this

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1 proposal.

2 I can't even imagine wanting to
3 take myself, my grandchildren, and my
4 family down there to go to the theater or
5 to enjoy the beautiful City of Chicago.

6 People from all over, Wisconsin
7 and Indiana, Chicago and all of our
8 Illinois suburbs meet every day in Chicago.
9 We make this a vibrant Midwest. We're not
10 a rest stop. We're a very vibrant
11 community that contributes to the viability
12 of our economy.

13 We really need investment in
14 light rail that's faster, smoother, and
15 cleaner for people. We do not need CN's
16 trains competing for the routes around our
17 suburbs.

18 I believe train laws are really
19 outdated, especially reading through your
20 material. If you don't have the criteria
21 of whether this is a competitive situation
22 or not in the United States, that is no
23 criteria for judgment impact in the United

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States for a foreign train to come in here

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1 and compete for our railroads.

2 The initial arguments in this
3 country to support trains had to do with
4 helping people and the country's prosper
5 and expand, not helping foreign companies
6 use our rails and roads for international
7 transport.

8 We cannot be fooled by the
9 rhetoric about reducing local truck traffic
10 or let one community get pitted against
11 another. Chicago loses and we lose if
12 people cannot get to work in Chicago. And,
13 yes, we live in a global economy, but we do
14 not have to destroy ourselves and get down
15 to this potential level of pollution and
16 probable hazardous material spills in our
17 beautiful suburbs to even out the pain of
18 the beautiful big cities that are train
19 transportation hubs. We do not need the
20 never-ending construction of towns along
21 the E&E Railroad Lines, and we're not
22 going to have our children be killed
23 because of this.

24 What do we have to do? Stop

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1 them now.

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1 MS. OLIVER: I'm Sam Oliver. I'm a
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2 resident of North Barrington. I'm a member
3 of the Barrington 220 School District. I
4 certainly echo what Doctor Leonard
5 presented earlier regarding our school
6 district. I'm also a member of the
7 environmental community in this area, and I
8 want to address four situations that really
9 are potential environmental impacts of the
10 proposed acquisition.

11 The first is so important that
12 I'm going to repeat it. It's been
13 mentioned, but all residents of the
14 Barrington area depend upon a shallow
15 aquifer system to supply 100 percent of our
16 drinking water. The possibility of a
17 hazardous material spill is of great
18 concern. We have no existing
19 infrastructure to deliver water from an
20 alternate source and no access to Lake
21 Michigan water. I want to say a little
22 bit more about that.

23 In this area we have very
24 environmentally sensitive areas that would

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1 make a hazardous material spill difficult
2 to clean up. The E&E line here is
3 surrounded by wetlands, lakes and Cuba
4 Marsh, which would make it difficult for
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5 cleanup crews to access and operate in much
6 of the area that could potentially be
7 impacted in the event of a spill.

8 The second point another
9 concern, and we've heard this but it's
10 important, is that the increase in rail
11 freight will result in degradation of our
12 air quality through significant increase of
13 backed up vehicles at crossings as our
14 drivers wait and wait and wait for the
15 trains to pass through.

16 Point three, the natural and
17 open spaces in the Barrington area are
18 unique features of our lives here. We have
19 an amazing variety of plant and wildlife
20 species in our area. Those species and
21 their habitats have been recognized,
22 valued, protected, celebrated and
23 painstakingly restored here over many
24 years, beginning as far back as 1970,

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1 through the work of hundreds and hundreds
2 of our citizens. There are concerns about
3 disruptions in these habitats that would be
4 caused by increased emissions, vibrations,
5 wind effects and potential contamination.
6 And finally there is certainly
7 concern that even more nonnative invasive
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8 species could be introduced here through
9 the freight traffic from around the world.
10 As it is, so much of our time, energy and
11 money is spent battling nonnative invasive
12 species here such as buckthorn, garlic
13 mustard, purple loosestrife, Asian
14 longhorned beetles, gypsy moths, and on and
15 on. The potential consequences to
16 sensitive sites that we value such as
17 parks, wetlands, nature preserves and
18 forest preserves, as well as our individual
19 properties must be seriously considered.

20 MS. QUIGG: I'm Catherine Quigg,
21 and I have lived in Barrington for 42
22 years. Canadian National presents the most
23 environmentally destructive situation that
24 has ever faced our community.

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1 Barrington depends on shallow
2 groundwater aquifers for drinking water,
3 unlike Chicago and some suburbs which get
4 Lake Michigan water. Any contamination of
5 water in our aquifers would threaten the
6 public health, safety, welfare and ability
7 of families and businesses to survive.
8 There is a life and death difference
9 between a rail spill accident in Chicago
10 and one in our village. No amount of
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11 mitigation will pay for contamination of
12 Barrington's groundwater. No over or
13 underpasses will solve this problem. We
14 have no alternative water supply and
15 virtually no possibility of obtaining water
16 from Lake Michigan. Other northeastern
17 Illinois communities already use the
18 maximum allocation governed by Supreme
19 Court ruling and international treaty.

20 Liquid hazardous material
21 released from a CN train accident in
22 Barrington could quickly enter our aquifers
23 and permanently destroy our drinking water.
24 without drinking water Barrington will die.

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1 However, the DEIS does not discuss the
2 issue of precarious drinking water. But it
3 does admit that increases in freight
4 traffic on the EJ&E rail would have a
5 corresponding increase in the risk of
6 hazmat spills which could affect ground
7 water sources.

8 A CN rail derailment in Canada
9 spilled 194,000 gallons of heavy bunker C
10 fuel oil across five miles of Wabamun Lake.
11 Not until four days later did CN reveal
12 that 185,000 gallons of hazardous, highly
13 toxic chemicals suspected of being
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14 carcinogens had also spilled into the lake.
15 Residents were only belatedly told to stop
16 drinking lake and well water. The
17 provincial government issued an
18 environmental protection order for CN to
19 clean up the spill, and this is only one of
20 numerous CN serious spillage accidents in
21 the U.S. and Canada.

22 It is not surprising to learn
23 the Canadian rail safety committee gave CN
24 the lowest evaluation possible for safety

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1 systems to offset accidents, noting that
2 safety has not been a high enough priority.
3 Look down the railroad tracks running
4 through Cuba Marsh and our town and imagine
5 the destruction of our drinking water if an
6 accident occurs. Barrington shallow
7 aquifers cannot withstand the same
8 contamination voiced by CN on Wabamun Lake
9 and its residents.

10 Even the most generous
11 mitigation measures will not offset or
12 balance the public safety. Please deny
13 CN's appeal to take over the EJ&E railroad,
14 for the health and safety of the Barrington
15 area, its drinking water and its people.
16 Thank you.
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1 MR. MASTANDREA: My name is
2 Terry Mastandrea. I'm the director/fire
3 chief of the Lake Zurich Fire Rescue
4 Department that provides emergency services
5 within Lake Zurich, Hawthorne Woods, North
6 Barrington, Lake Barrington, Deer Park,
7 Kildeer and unincorporated Lake County.
8 The acquisition of the E&E by
9 the CN will diminish our long-standing
10 tradition of preserving and protecting the
11 health, safety and welfare of our
12 residents. The purchase provides no
13 benefit and in fact will result in
14 significant negative environmental impact
15 for public safety.
16 The SEA accurately indicates the
17 CN acquisition will have a significant
18 negative impact on our ability to
19 effectively respond to emergency calls but
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21 does not address, or is flawed, in the
22 following points: Train accidents on the
23 E&E rail line are likely to increase by 28
24 percent but does not address the type, risk
factor or local resource impact and

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1 capacity. An increase from 5.3 to 20.3
2 trains per day with an increased 9.4
3 hazardous materials cars per train, which
4 equals 141 per day, presents high risk
5 challenges first responders will be
6 mandated to respond to with little to no
7 additional resources.
8 The SEA is silent and CN has
9 been unresponsive after multiple meetings,
10 emails and phone calls requesting
11 information on proposed types and
12 quantities of hazardous materials that will
13 be transported.
14 The SEA does not address
15 chemical release as far as spill, plume
16 information for public protection for
17 evacuation planning. Fifteen crossings are
18 defined as being substantially affected.
19 Two of them are within our response area,
20 yet the SEA does not address the delays
21 will have on public safety response times.
22 Without mitigation 11 fire
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24 emergency medical service providers would
potentially experience substantial effects.

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1 The SEA is flawed in only listing Lake
2 Zurich station 3 since the impact at all
3 other stations and departments that respond
4 for and provide support to that station
5 will equally be affected.
6 Lives may be saved if advanced
7 life support is initiated within four to
8 six minutes. The SEA does not address the
9 impact delayed response will have on the
10 preservation of life.
11 Fire typically increases in size
12 every minute. The SEA does not address the
13 impact delayed response will have on
14 firefighter safety and property loss to the
15 residents or community tax base.
16 Major changes on rail lines that
17 require major mitigation to address the
18 significant environmental impact issues
19 must be thoroughly reviewed.
20 Emergency responders must be
21 unimpeded access across rail lines to
22 ensure effective emergency services can be
23 delivered during life-threatening events.
24 Delays in our business are unacceptable and
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1 mission critical to sustaining life and
2 property and should not be worsened to
3 appease the private sector's mission of
4 simply generating more profit. The STB and
5 applicant must be responsive to the basic
6 public safety needs of a community and must
7 be responsible for all actions, funding and
8 infrastructure, to preserve those services.
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1 MS. MEYER: Good evening. My
2 name is Janet Meyer, president of
3 Barrington Chamber of Commerce. Our office
4 is located in the heart of Barrington. We
5 do represent the villages of Barrington
6 which accounts for 15,000 employees, which
7 5,000 work in the heart of the village that
8 are severely impacted by this.

9 Since we've heard of this
10 proposed acquisition we have worked behind
11 the scenes to educate a vast number of
12 publics which definitely include the
13 residents as well as the business
14 community. In doing so we have solicited a
15 number of letter-writing campaigns, and we
16 have many members and residents that
17 attempted to speak to you; and
18 unfortunately I do not believe that their
19 concerns have reached you because I have
20 not seen that response in your report. So
21 this evening I'd like to just brush tip on
22 a few of the very significant economic
23 downfalls of this proposal.

24 Let us remind you again, and I

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1 know you have heard this from just about
2 every speaker here this evening, yes, we
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6 know in the community that you live in as
7 well as Barrington, these are not pleasant
8 times for any business owner.

9 This chamber represents over 750
10 members, 85 percent of them have fewer than
11 five employees. They are barely making it
12 in these times. You have added to that
13 complexity and the problem has already
14 begun. Since we have made the announcement
15 businesses have stopped expanding. They
16 are looking for new homes. This is not a
17 good thing.

18 So, yes, again I will make my
19 comments briefly because you are cutting me
20 off, but at this point you can see this
21 purchase causes real problems for our
22 community. without your protection we have
23 no way of protecting ourselves so we are
24 depending on you to thoroughly consider

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1 this impact. Stop the addition of trains.
2 I don't believe in my heart that you can
3 look in the mirror, make the decision to
4 let this go forward with CN rails and live
5 with that fact. So again thank you again
6 for your time.

7 MR. LEE: My name is Bob Lee,
8 and I have had the honor and privilege of
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4 have traffic in Barrington already; but we
5 cannot address and certainly live with an
6 increase in -- fourfold increase in traffic
7 of trains. That is not going to work.
8 This increase would cause significant
9 delays already on congested or arterial
10 roads. Emergency responders, and we've
11 heard from all the experts here this
12 evening, cannot reach those with
13 emergencies. So obviously as a Chamber of
14 Commerce, we are very concerned. Here at a
15 time we're trying to plan for disaster
16 preparedness we have to be concerned about
17 this as well. So yes, we cannot deal with
18 a community divided by trains that can be
19 nearly two miles long.

19 I would like to urge you in
20 behalf of this membership to really once
21 again think here before you take the next
22 step. As I said, almost 5,000 employees
23 right here in the heart that are severely
24 impacted by this decision. Examine the

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1 impacts of this transaction in depth,
2 particularly the effect it will have on the
3 livelihood of those already struggling
4 businesses in the area during these
5 economic times. Open up any paper. You
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9 being part of this community and raising
10 our family here for the last 29 years, but
11 I'm horrified to think of the future if you
12 allow this transaction to go forward. In
13 your draft CN National railroad contends
14 that their proposal has a substantial and
15 unquestionable benefits to the public
16 interest. I'm here to question those
17 benefits. In light of the facts that you
18 have heard our town will be devastated if
19 you allow this to happen.

20 What benefit is greater than
21 human life? within 600 feet of where we're
22 standing now thousands of children go to
23 school every day by bus, by car, walking,
24 with their I-Pods on, their heads down,

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1 they're chatting and they're oblivious of
2 what's happening on those railroad tracks.
3 Not to have the grade crossing there, it's
4 unconscionable; and it's unbelievable that
5 you wouldn't have one on Route 14. It just
6 does not make any sense.

7 And I will guarantee, I'll bet
8 any one of you, that if you do not mandate
9 that those train crossings are --
10 separations are done and completed before
11 this transaction is finalized and treated
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13 and trains can run, I'll guarantee you in
14 five years they're not done because there's
15 no money to do them. It doesn't make any
16 sense. How can you come up with a program
17 and do this study and have no fiscal
18 responsibility to make it possible? It
19 doesn't make sense.
20 And I'm not sure if you will
21 hear -- have really read this study, but
22 your impact study is completely amiss this
23 draft about housing and the impact on us as
24 homeowners. Your draft admits that some
homes within 250 feet of the rail line with

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1 20 additional trains could experience
2 decrease in property values. This
3 concludes that there would have only minor
4 negligible effect.
5 I live two and a half miles from
6 these trains, and I will guarantee you that
7 my property value and my neighbors will go
8 down 15 percent right off the bat if this
9 happens, and that increase to \$36 million
10 in just one subdivision. I don't see where
11 you're rolling these numbers up and tying
12 in and making a financial decision. The
13 benefits, the costs, the loss of our home.
14 We have a mortgage crisis. Don't create
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1 This is a 300 percent increase. With this
2 increase in conflicts there will be an
3 increase in possible vehicle collisions.
4 Additionally Lions Park adjacent
5 to the railway is used for a community
6 festival, the Alpinefest. Many individuals
7 attending the event will be parking south
8 of the railway and walking north hopefully
9 at grade crossings. This would increase
10 the number of possible train/pedestrian
11 conflicts. What wasn't addressed in the
12 report was the average time required to
13 investigate a train versus vehicle,
14 pedestrian or bicycle collision and the
15 traffic obstruction that would be
16 encountered. Typically a serious traffic
17 accident requires approximately three hours
18 of investigative time by a team of trained
19 accident investigators.
20 Traffic queing is also a problem
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16 another one, please. Thank you.
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1 MR. FINLON: Hello, my name is a
2 Patrick Finlon. I'm a deputy of chief of
3 police with the Village of Lake Zurich. I
4 would like to address in my statement the
5 issues that directly affect law enforcement
6 in the village. My statement will address
7 safety, noise and vibration and emergency
8 vehicle response.
9 The increased number of trains
10 traveling through Lake Zurich would
11 exponentially increase the incidence of
12 conflict between vehicle, pedestrian and
13 bicycle traffic and rail traffic.
14 Currently 5.3 trains travel through Lake
15 Zurich daily, and it is reported that 20.3
16 trains will travel through the village.
17 Within the corporate limits of the village
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22 at the grade level crossings. The
23 crossings on Ela Road has a traffic volume
24 of 16,100 vehicles per day. When a train
traverses this crossing, often southbound

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1 traffic backs up to U.S. Route 12. Traffic
2 on U.S. Route 12 is stopped in the
3 eastbound right turn lane and westbound
4 left turn lane. The intersection of U.S.
5 Route 12 and Ela Road has a traffic volume
6 of 43,000 cars per day. The speed limit is
7 45 miles an hour. With the increased
8 incidence of rail/vehicle conflict, traffic
9 will back up more often and rear-end
10 collisions are likely to occur. The
11 mechanics of such a crash include all
12 vehicles stopped in traffic struck in the
13 rear by a vehicle traveling 45 miles an
14 hour.
15 I'd like to address noise and
16 vibration in that the Lake Zurich Police
17 Department responded to a complaint April
18 22nd at 5:32 p.m. The complaint involved a
19 rail work crew performing track
20 maintenance; and engine and crew stayed in
21 the area for 24 hours, and the engine was
22 left running. The officer that responded
23 indicated that there was a strong smell of
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fuel exhaust and loud noise in the area.

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1 In summary, given the number of
2 factors affecting law enforcement, it is
3 imperative that mitigation of the traffic
4 impact by the CN railway include the
5 strategic improvement of grade crossing
6 allowing for the separation of rail and
7 vehicle traffic to improve traffic safety.

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1 MR. STETSON: Hello. My name is
2 Brad Stetson. I'm a Barrington resident.
3 I'm chairman and CEO of Barrington Bank &
4 Trust, and I'm also an executive director
5 of the Barrington Area Chamber of Commerce.

6 Exactly eight years ago tomorrow
7 at 43 years old I awoke with chest pains.
8 I was having a heart attack. Thankfully
9 due to the response of the Barrington Fire
10 And Rescue Team, Doctor Horcher and the
11 emergency room staff at Good Shepherd
12 Hospital I survived. However, would that
13 have been the case that the ambulance
14 rounded the corner of Route 14 and
15 Northwest Highway only to find a freight
16 train blocking the route for 10, 15, maybe
17 20 minutes, I don't think I'd care to
18 speculate on that. The fact is a
19 significant number of Barrington area
20 residents south and southeast of Good
21 Shepherd Hospital will have to speculate
22 that each and every time an emergency
23 response is required.

24 I've prepared several other

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1 comments. However, they've been more than
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2 adequately addressed by the many village
3 and public officials before me; and I think
4 they have been credible, logical and
5 well-organized, and I think they were to
6 the point and well addressed.

7 The fact of the matter is as a
8 local community banker, the economic impact
9 of this proposed transaction will be
10 detriment to the businesses, both retail
11 and commercial. They are already fighting
12 an economic environment that is working
13 against them. This type of transaction
14 will only exacerbate the problem that they
15 currently seek today.

16 I'm sure that any well-educated
17 individual can come up with a study to
18 illustrate what they would like people to
19 think, and it certainly appears is that the
20 CN Railway has certainly accomplished that
21 with this board. The fact is the business
22 epicenter of Barrington is Route 59 and
23 Main Street, which is Lake-Cook. There are
24 over 200 businesses located within a

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1 quarter of a mile of that intersection, and
2 the retail businesses and restaurants
3 survive on people coming from Lake
4 Barrington, North Barrington, Barrington
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5 Hills, Tower Lakes, Deer Park. How are
6 they going to survive when all of a sudden
7 this traffic issue arises that only
8 congests this particular center of town?

9 As a local businessman I clearly
10 understand the economics and the business
11 model behind the acquisition by the
12 Canadian National Railway, and it appears
13 to be a solid one. However, the economics
14 and the dynamics of the model are clearly
15 one-sided favoring the CN. Today, today is
16 neither practical nor realistic to expect
17 the county, the state or the federal
18 government to assist in the mitigation.
19 They are for all intents and purposes
20 bankrupt. Oh, of course they can raise our
21 taxes.

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1 MR. HEYDEN: Good evening. My name
2 is David Heyden. I'm director of Public Works
3 for Lake Zurich. I would like to take this
4 opportunity to bring to your attention a number
5 of inconsistencies present in the DEIS findings
6 that should be clarified.

7 First the study consistently
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8 refers to -- the study consistently refers
9 to resultant decrease in CN operations
10 along the existing inner arc. Currently it
11 is understood that the existing rail lines
12 on the inner arc are at capacity thereby
13 restricting any further use of these
14 existing lines.

15 Once the CN has decreased its
16 use on these existing rail lines, which is
17 not guaranteed, this provides the
18 opportunity for other carriers to increase
19 their use on these lines, thereby
20 misrepresenting the reductions on the
21 existing lines as stated in the draft EIS.

22 Second, on page ES-13 the draft
23 EIS states that the Barrington area
24 currently qualifies as a quiet zone. This

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1 quiet zone is actually in effect from North
2 Chicago to Bartlett. The entire quiet zone
3 corridor should be referenced with proper
4 mitigation included.

5 Third, page ES-15 under land
6 use, the report states that the
7 construction of connections and double
8 tracks would not affect the current lane
9 use patterns. While this may be true in
10 the areas of expansion Lake Zurich was
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11 informed by the CN that it does not have
12 any intention of preserving existing local
13 rail service to the corridor. Ceasing of
14 this service will likely have a detrimental
15 effect on the land use due to the loss of
16 rail service to the existing users. These
17 cumulative impacts should also be discussed
18 in the study.

19 Fourth, under water resources.
20 The EIS does mention the potential increase
21 in groundwater contamination, particularly
22 in shallow wells, but does not give and
23 should include specific data regarding the
24 potential impacts of the number of wells

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1 that would be affected as compared to the
2 inner arc areas. The inner arc has lower
3 chance of water supply contamination in the
4 event of a hazardous spill due to being
5 served by Lake Michigan. The inclusion of
6 this data is necessary to understand the
7 full potential of effects of the
8 groundwater.

9 Fifth, the report also mentions
10 decreases in water quality due to
11 construction runoff but does not address
12 impacts to common storm water runoff. With
13 the passage of the new NPDES Phase II
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14 regulations, the local municipalities are
15 now responsible for the quality of storm
16 water runoff entering their storm sewers
17 and other bodies of water under their
18 jurisdiction.

19 Contaminated storm water is
20 common from rail corridors or due to trace
21 elements being deposited along the corridor
22 from leaking cars, diesel fuel, grease and
23 heavy metals. Existing storm water quality
24 measurements should be taken as well as the

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1 potential impacts included in this study.
2 The additional number of freight trains and
3 cargo will undoubtedly result in an
4 increase in the amount of these trace
5 contaminants along the railroad corridor
6 further reducing storm water quality.

7 Storm water quality devices
8 should be included in the mitigation
9 efforts at the points of discharge into
10 sensitive areas such as wetlands and prior
11 to being released into local municipal
12 sewers. It should be required that the
13 applicant perform this mitigation measure
14 as most of the discharge points are located
15 on the railroad property which is under
16 their sole jurisdiction. The final EIS
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17 should address these issues prior to making
18 a final decision. Thank you.
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1 MR. BATTLE: Good evening. My
2 name is Brian Battle. I'm a Barrington
3 resident, and I currently serve our
4 community as the president of our school
5 board. This evening my comments will
6 address some concerns identified certainly
7 about our board, our students, our parents,
8 our staff and all the residents of the
9 community in School District 220. We have
10 been disappointed in our previous
11 identification these issues were not
12 included in the DEIS, but we certainly hope
13 that they will be reflected in the final
14 group.

15 First in fact, we are unit
16 district providing services prekindergarten
17 through 12. We serve over 9,200 students.
18 We employ over 1,100 staff members making
19 us the largest employer in the Barrington
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20 area. We cover 72 square miles for our
21 residents. We operate 14 buildings; and as
22 you know, the E&E crosses intersection
23 within our boundary seven times.
24 You have heard several people

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1 comment that our school buses cross E&E
2 lines on average 840 times a day. That's
3 not including extracurricular activity.
4 That is a staggering number. That causes
5 our board to be very concerned about safety
6 and traffic issues.
7 We have neighborhood schools
8 that are essentially kindergarten through
9 5. All of them are neighborhood schools,
10 because very few of our students are in a
11 position to walk within the Illinois
12 guidelines of 1.5 mile walking radius.
13 There are still several traffic safety
14 issues that cause about 90 percent of our
15 students to take buses or drive. So during
16 the morning and the afternoon rush hour
17 there is a lot of traffic that is
18 attributed to our students. We have
19 prekindergarten federally-mandated program.
20 It is a central program that causes people
21 from all over the 72 square miles to have
22 to drive to one location.
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1 Surface Transportation Board say no to the
2 proposed acquisition; and if so, we've
3 requested remediation, and the draft EIS
4 only identifies the Hough Street
5 intersection requiring remediation. This
6 board feels very, very strongly that the
7 Route 14 and Lake-Cook intersections also
8 require remediation. Thank you.
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23 We have two middle schools that
24 serve our grades 6 through 8. They are

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1 Located on the east side of the E&E
2 tracks. We have one high school located on
3 the west side of the E&E tracks. As our
4 students work their way through our school
5 system, every one of our students and
6 families are forced to cross those E&E
7 lines at some point, oftentimes, many times
8 (inaudible).
9 The board in our previously
10 approved resolution has indicated our
11 concern on increased traffic that would
12 limit the ability of the police and fire
13 departments and ambulances to reach our
14 schools and our children in emergency
15 situations. In addition increased traffic
16 would add critical minutes to the time it
17 takes an ambulance to transport an injured
18 student or staff member to the nearest
19 hospital; and we have also experienced
20 several recently tragic deaths around train
21 tracks, which is a huge concern to our
22 board and our community. Increased rail
23 traffic would add to that risk.
24 So our board has asked that the

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1 MR. TRAFTON: My name is Gordon
2 Trafton. I am Senior Vice President,
3 Southern Region, for CN. From our
4 headquarters in Homewood, I oversee all of
5 CN's operations in the U.S., which spans 16
6 states and has roughly 6,600 employees.
7 I'm an American, reside in the western
8 suburbs, and live not far from the Elgin,
9 Joliet and Eastern Railway Company,
10 otherwise known as E&E.
11 Chicago is essential to rail
12 operations, but it presents major
13 operational challenges for us. This
14 transaction would improve rail operations
15 on the CN system and the rest of the
16 Chicago rail network by moving CN trains
17 out of the urban core to the underutilized
18 E&E line on the outskirts of the Chicago
19 metropolitan area. As a result, it would
20 significantly improve the fluidity of CN's
21 and other rail operations in the region
22 resulting in faster transit times and more
23 reliable service for rail customers and
24 enhancing the competitiveness of businesses

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1 in the region that utilize rail service.
2 The Board recognized the
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4 transportation benefits of this transaction
5 and the absence of serious competitive
6 and/or transportation issues when it
7 characterized this transaction as minor in
8 November 2007.

9 However, CN also fully
10 understands the importance of a thorough
11 review of the transaction's environmental
12 impacts. We object, however, to the
13 efforts of some to use the environmental
14 review process to defeat the transaction.
15 CN has been and remains committed to
16 working with the communities to develop
17 comprehensive voluntary mitigation
18 agreements addressing reasonable
19 environmental concerns. I have personally
20 met twice with Barrington officials to
21 discuss this transaction and its impacts.

22 It's important to recognize that
23 the significant congestion relief the
24 transaction will bring to the Chicago
region is reciprocal. For every community

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1 along the EJ&E line that would see
2 increased train traffic, nearly double that
3 number along CN lines would experience a
4 traffic decrease. In terms of the number
5 of residents affected, roughly one million
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7 individuals would have additional trains
8 operating through their communities, but
9 more than two and a half million would have
10 fewer trains.

11 CN is disappointed that the
12 Draft EIS did not fully identify these
13 benefits or balance them against the
14 effects of increased train traffic along
15 the EJ&E line. It also fails to take into
16 account what would happen -- what would
17 likely happen in Chicago if the transaction
18 not proceed. Absent a quick and massive
19 infusion of government funding for CREATE
20 or some other congestion-reducing
21 initiative, one can expect increased rail
22 congestion in downtown Chicago, increased
23 delays for motorists, increased train
24 idling, and continued high levels of rail
operations in more densely-populated

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1 communities and less efficient rail
2 operations to the detriment of users of
3 rail shippers and ultimately consumers.
4 CN has been active in the
5 environmental review process and, as
6 evidenced by our agreement this week with
7 Joliet, in our ongoing voluntary mitigation
8 efforts with communities. We will continue
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10 our efforts to bring the environmental
11 mitigation process to a successful
12 conclusion with appropriate mitigation for
13 adverse environmental impacts related to
14 train traffic increases. We hope the
15 communities will work with us in this same
16 spirit of cooperation and problem solving.

17 Thank you for the opportunity to
18 present CN's views to you this evening.

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1 MR. KELLER: Good morning. My
2 name is Kris Keller. I own National Realty
3 Network. We do commercial real estate
4 brokerage. I have four offices located
5 around Chicago, but my headquarters is in
6 downtown Barrington. I employ over 20
7 agents in my Barrington office. We
8 probably have half of all the commercial
9 listings in town. I am also Chairman of
10 the Board for the North Shore Barrington
11 Association of Realtors and I will also be
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13 a director on two other commercial real
14 estate professional boards, the Illinois
15 Chapter of CCIM and the Northern Illinois
16 Commercial Association of Realtors.

17 I would like to make clear that
18 no one has asked me to be here or to speak
19 on any particular subject. As a matter of
20 fact, I worked for two different railroads
21 in my career and have a soft place in my
22 heart for them. I am here because I
23 believe that the acquisition of the EJ&E by
24 the Canadian National and the resultant
additional train traffic would negatively

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1 change Barrington forever.
2 I will limit my comments to an
3 area of my expertise: Barrington
4 commercial real estate. The village of
5 Barrington by itself does not have the
6 demographics to support a vibrant downtown
7 retail environment. Barrington relies upon
8 the surrounding communities, Barrington
9 Hills, South Barrington, North Barrington,
10 Lake Barrington, and others who also think
11 of this as their downtown.
12 The current train traffic that
13 goes through Barrington is considered to be
14 a nuisance when trying to get into town,
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16 but it is considered to be a manageable
17 nuisance. I can tell you with certainty
18 that with the addition of anywhere near the
19 amount of train traffic that is currently
20 being considered, shoppers from the
21 surrounding communities will no longer come
22 to Barrington's downtown. The incremental
23 train traffic added by the Canadian
24 National will devastate the community
businesses.

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1 The initial environmental study
2 does not take into consideration: One, the
3 effect on business owners who have worked a
4 lifetime to develop their business; two,
5 the loss of jobs; three, the loss of
6 property values in the commercial
7 properties in town when they are having
8 difficulty renting them out; four, the
9 subsequent loss of sales tax to this town;
10 five, the change to this community that
11 will no longer have many of the
12 walk-to-town amenities currently enjoyed.

13 There is no question in my mind
14 that if you approve this acquisition --
15 there's no question in my mind that if you
16 approve this acquisition, you will be
17 destroying the business community and

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19 forever changing the landscape of
20 Barrington, a change from which its
21 business community will not recover.
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1 MR. PANSCH: My name is Detlev
2 Pansch. I'm the Executive Director of the
3 Barrington Public Library District. As the
4 Public Library District serving the greater
5 Barrington community, the Barrington Area
6 Library draws its patrons from all or part
7 of the 14 communities coming -- covering 72
8 square miles. The library's entrance drive
9 is approximately 850 feet south of the
10 crossing of the E&E line and Route 14.

11 Last year we had 319,000
12 visitors making the Barrington Area Library
13 one of the most trafficked public buildings
14 in the village of Barrington. In addition
15 to those arriving by motor vehicle, many
16 patrons arrive as pedestrians or ride
17 bicycles to our facility.

18 Part of the library's
19 improvement plan is to expand the building
20 in the near future. Following

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22 construction, the children's wing will be
23 less than 1,000 feet from the rail line.
24 Each summer the library hopes to bring
outdoor story times at Citizens Park and

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1 Langendorf Park in the village of
2 Barrington, both of which are adjacent to
3 the railway. The library is concerned that
4 traffic backup caused by frequent freight
5 trains will prevent patrons from reaching
6 the library's property safely and
7 conveniently.

8 We are also concerned about the
9 increased pollution that will be generated
10 as a result of increased freight train
11 traffic and that will snarl automobile
12 traffic throughout Barrington. The
13 increase in noise from train whistles and
14 locomotives will adversely affect the
15 library and the use of our facility. The
16 DEIS does not adequately address these
17 concerns which threaten the library's
18 mission and the quality of life for the
19 people of the Barrington community.

20 Furthermore, the DEIS recommends
21 recommendations for limiting the number of
22 freight trains during rush hour and
23 averting them to other times does not aid

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the library. We are open to the public

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1 until 9:00 p.m. Monday through Friday. The
2 library holds numerous programs in the
3 evening after rush hour has ended.

4 Finally, because our facility
5 draws a large amount of visitors of all
6 ages, medical emergencies do occur. A
7 patron that becomes ill at the library will
8 have the benefit of a quick paramedic
9 response. However, there will be no way to
10 quickly transport a patient from our
11 facility to Good Shepherd Hospital when the
12 train has blocked every intersection in the
13 village. A detour to a hospital much
14 farther south of our community could have
15 deadly consequences and is simply
16 unacceptable.

17 The library requests the Surface
18 Transportation Board to reconsider the
19 impact of the proposed sale on the
20 Barrington Area Library and the Barrington
21 area as a whole and to amend the
22 environmental impact report to address
23 these concerns and to suggest means for
24 resolving them.

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1 MR. BRAITHWAITE: Good evening.
 2 My name is Bill Braithwaite. I'm a 52-year
 3 resident of Barrington. I think one of
 4 the -- There is a lot of people I know.
 5 One of the serious flaws in the
 6 draft statement is related to public safety
 7 issues. To put that into context, I would
 8 like to have you just hold -- have a jump
 9 forward with me for say two years. And I
 10 am in this particular auditorium watching a
 11 basketball game, and I have the unfortunate
 12 event of having a heart attack or a stroke.
 13 I know that ordinarily within
 14 three minutes -- approximately three
 15 minutes I am going to get some help from
 16 our wonderful emergency services. Unless
 17 this facility -- The CN proposal has been
 18 approved, and as I am waiting there, the
 19 emergency vehicle comes to railroad
 20 crossings just a few hundred feet from
 21 here. And one of those almost two-mile
 22 trains comes through. As a result, I am
 23 waiting, waiting, waiting. How long am I
 24 waiting? Four minutes? Five minutes? How

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1 long? I'm just waiting. Tell me. I'm
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2 waiting longer and waiting and still
 3 waiting, waiting for help. Why can't they
 4 come? Why can't it come? waiting,
 5 waiting, still waiting. And the time that
 6 I have had here today is only a part of the
 7 time that I'm waiting and wondering when
 8 will help come, when will help come.
 9 And at the end of this short
 10 time I would still be waiting for another
 11 two to four minutes. And let's suppose
 12 that I expire. That's the polite word for
 13 die. Who's responsible for that? Who is
 14 responsible?
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1 MS. FINLEY: Hello. My name is
 2 Rita Finley, and I live -- I have lived in
 3 Deer Park for the past 11 years raising a
 4 family with three children not far from the
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5 EJ&E. We moved to this area for more open
 6 space and less congestion but had to give
 7 up the closer access to Lake Michigan,
 8 O'Hare, and other amenities that are more
 9 accessible to people living east of us.
 10 I have four concerns to talk
 11 about now. One is the quantity of rail
 12 operations. In your executive summary you
 13 state that it is unlikely that the number
 14 of trains using the EJ&E would be higher
 15 than that estimated by CN's Operating Plan.
 16 If you are basing your EIS solely on CN's
 17 proposed Operating Plan, then I ask you to
 18 mandate the maximum number and length of
 19 trains that could ever be allowed to run on
 20 the EJ&E. Alternatively, please fully
 21 explore the carrying capacity of the
 22 line and that impact before making a
 23 decision.
 24 Two, the risk of contamination

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1 of water resources is very real, is the
 2 very difference on the EJ&E versus where
 3 the CN's current lines are. You even
 4 stated concerns in your summary; and that
 5 included domestic wells, which I have on my
 6 property. We need you to protect our water
 7 quality that is at risk from contamination.
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8 Why? Simply, we have no other viable water
 9 source. Train lines that run along the
 10 area behind Lake Michigan don't have these
 11 risks.
 12 Air quality. would residents
 13 with respiratory problems such as asthma
 14 and chronic heart disease or babies and
 15 children with respiratory systems
 16 developing now have to take extra
 17 precaution with increased freight and
 18 idling cars? We need assurance from you
 19 that this poses no risk. How can we ignore
 20 this segment of the population?
 21 Traffic delay mitigation.
 22 Please examine traffic patterns of
 23 communities of Barrington Metra. I think
 24 most need to pass an EJ&E intersection,

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1 such as Lake Zurich Road, just to get to
 2 the train station. Commuters would have to
 3 allow significantly greater time added to
 4 an already long commute downtown. It would
 5 be unpredictable.
 6 Another traffic issue is without
 7 mitigation, cars, trucks will seek a bypass
 8 while waiting for the train. This will
 9 result in excess wear and tear on
 10 subsequent roads for -- skip some of this.
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11 Finally, I understand new Hazmat
12 regulations are underway. Please examine
13 if this would slow down the allowed train
14 speeds and, therefore, causing longer
15 blocked intersections. Thank you for
16 listening, and I ask you to weigh heavily
17 the unique sensitive environment.

18 Finally, every silver lining has
19 a cloud. CN's portrayal of the EJ&E being
20 the silver lining to solve freight problems
21 in Chicago creates many new clouds to be
22 well-examined before any decision is made.
23 Thank you.

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1 MR. KELSCH: My name is Joe
2 Kelsch, Sr. I am the Director of the
3 Barrington Area Development Council known
4 as BADC and its immediate past president
5 and a 37-year resident of the community.
6 The BADC was founded 40 years
7 ago with a mission to foster the
8 development of the civic and service
9 organizations necessary to the quality of
10 life we now enjoy in the greater Barrington
11 community. We played a significant role in
12 establishing BACOG in the late '60s, that
13 being the school district, Good Shepherd
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17 infrastructures, unit school district,
18 regional government, shared police and
19 fire, area hospital, the civic and service
20 organizations, and church congregations
21 that reach across the entire area.
22 This cohesiveness would have
23 been impossible without a reasonably
24 efficient road system that connects our
villages and ties them into the village of
Barrington as the commercial and civic hub
of the area.
All major area roads converge at
the village center and all intersect with
EJ&E. Any major increase in freight
traffic would not only tie up traffic far
beyond what this already heavily burdened
road is facing, it would greatly disrupt
the cohesiveness and quality of life issues
I have just cited.
STB must give primary
consideration to the concerns of our
residents regarding these quality of life
issues. While there may be economic
benefits to the greater Chicago area from
the proposed acquisition, they would
largely accrue to CN at the expense of
those communities along the EJ&E.
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14 Hospital, and many of the other
15 organizations represented here this
16 evening.

17 We continue to advocate for
18 those issues that improve the quality of
19 life our residents expect, a quality now
20 threatened by the pending CN acquisition.

21 We appreciate the role that a
22 railroad plays in the development of
23 Barrington. Without the Northwestern, now
24 Metra, we would not be among the most

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1 desired communities in which to live.
2 However, the CN acquisition would overwhelm
3 our community with increased freight
4 traffic, a condition that if preexisting
5 would have prevented the community from
6 attaining the quality of life we now enjoy,
7 one that is reflected in our home values
8 and the tax base to support our excellent
9 school system.

10 That is the reality we must give
11 priority to. The Barrington area is in
12 large part what it is today because of its
13 relative freedom from rail congestion.

14 Although our area contains a
15 number of municipalities, we have developed
16 into a cohesive community in terms of
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20 STB has an ethical and moral
21 responsibility to base its decision on what
22 best serves the public interest, meaning we
23 the people. You face a challenging task.
24 You must be mindful of your responsibility
to the citizens of this community. In
doing so, your decision could be fair to
all, but only if you require the CN and the
Federal government to assume full
responsibility for the cost of mitigating
the entire...

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1 MR. BEAUBIEN: Thank you for the
2 opportunity to be heard. I will add a
3 different perspective than you heard on the
4 testimony of the report and quality of the
5 report and things that need to be
6 addressed.

7 As a Representative from the
8 State of Illinois for this district, I
9 wanted you to know that I'm very much
10 opposed to the process of bringing the
11 trains through here, but a couple of
12 additional points.

13 One, saving the trains is a
14 process called CREATE, which has not been
15 funded yet, partially because CN wouldn't
16 help fund it; but I think we ought to take
17 that into consideration when we are looking
18 to this process because what it does is it
19 addresses the entire region, not just this
20 particular area. We should wait until we
21 have had an opportunity to see what the
22 CREATE report would do.

23 Secondly, the report infers that
24 somehow or another the State of Illinois is

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1 going to be able to help mitigate some of
2 these crossings and problems that these
3 various villages are going to have. As the
4 budget negotiator and a House Republican
5 for the last six years, I can tell you
6 that's not going to happen. This state is
7 broke. We're \$3 million in debt as I'm
8 standing here. They say it's two. Believe
9 me, it's three. We have severe financial
10 problems.

11 In the event -- and I hope it
12 does happen -- we have a capitol bill, the
13 money is really being spoken for by higher
14 ed, K-12, the roads, highways,
15 infrastructure, bridges, and so forth. So
16 there will be very little money. So if
17 anyone thinks that this report can hint or
18 suggest that the state is going to be able
19 to help you, it will not.

20 Along with all the other things
21 that were talked about here tonight, I just
22 wanted to give that particular perspective.
23 Thank you very much.
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1 MR. MEISER: I'm Joe Meiser.
2 I'm a member of the village of Barrington
3 Plan Commission and a resident. There's 21
4 major areas in this Draft Environmental
5 Impact Statement that's flawed, and I'm
6 only going to focus on three of those
7 areas. There are actually over 21 areas.

8 But No. 1, the vehicle gridlock
9 analysis is flawed. The DEIS utilizes a
10 flawed average daily traffic count. Many
11 of the communities have conducted their own
12 ADT counts and are a much higher count than
13 those in the DEIS where the train links and
14 speeds of the DEIS are flat out wrong. The
15 reality is it's a high ADT. Longer and
16 slower trains are going to cause gridlock
17 at a much worse grade than is projected in
18 the DEIS.

19 The mitigation promises in the
20 DEIS are empty. The DEIS states that only
21 15 crossings in this project area are going
22 to require mitigation. That's absolutely
23 an understatement. Anybody that knows the
24 situation here with the crossings can tell

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1 you that every single one of them would
2 need -- in this area would need -- in at

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least the village of Barrington, Barrington
will need mitigation.

But even if that were true, even
if it was just 15, based on an estimate of
\$35 million per crossing, you're talking
about \$525 million to mitigate the
crossings, those 15 crossings that need
mitigation in this study area. And that
would mean that \$525 million was necessary.
But in the draft statement, CN would only
be responsible for a small fraction of the
cost of that leaving up to \$500 million
unaccounted for.

We've heard it over and over.
We just heard from a state legislator.
There is no money to pay for this. There
is no state money, no Federal money, no
local money. It's obviously an empty
promise. It's not going to happen. We're
not going to get the mitigation. So why
even pretend it's even going to happen?
Why even talk about it? There's nothing to

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1 talk about.

2 The life and death first
3 responder analysis is a joke. The DEIS
4 rejects as quote "will not substantially
5 impact communities with EMS facilities on

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7 both sides of the tracks." That's
8 ridiculous. Those facilities were never
9 designed or staffed with contemplation of
10 any significant traffic on the E&E; but
11 worse, the DEIS states -- and I quote --
12 "response to the actual scene of an
13 emergency is the most critical action, not
14 the transport to the emergency medical
15 facility."

16 How callous is that? Since when
17 has the Surface Transportation Board become
18 an expert on emergency care? I'm sure that
19 whoever wrote that would be speaking a
20 different story if they were sitting in the
21 back of an ambulance after having a heart
22 attack or a stroke idling at a railroad
23 crossing.

24 Let's have an accurate
environmental impact statement. If we do,

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1 this deal is not going forward. Thank you.

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1 MR. KNOOP: My name is Steve
2 Knoop, Trustee of Barrington Hills.
3 Frankly, I take great insult to your map in
4 the STB. The problem with this map is that
5 you fail to show the entire system map of
6 CN and its process through the United
7 States. Many people don't know that CN
8 bought the old IC lines. This train isn't
9 going to Memphis. This train isn't going
10 to New Orleans.

11 Essentially, let's be clear on
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13 the economic impact of what this
14 transaction is all about. We have a
15 Canadian-owned company transporting Asian
16 goods to Latin America using the E&E
17 tracks and the old IC tracks. There is no
18 economic benefit here to Chicago. That
19 analysis is -- There is no economic benefit
20 to the United States. Your draft applies
21 boilerplate logic and parameters to a
22 complex and unique situation which can only
23 be demonstrated by the following
24 misrepresentation of facts, which I'll
summarize.

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1 On Page 6-17, which is talked
2 about a lot, certain communities already
3 face traffic congestion at rail crossings
4 and, thus, it would be inappropriate to
5 hold CN responsible for traffic at these
6 grade crossings. This purports that
7 Barrington and the Barrington area
8 communities should have predicted a global
9 economy and known in advance that a major
10 international Class I railroad was about to
11 steamroll through its community with
12 international freight headed to Latin
13 America on a railroad built in 1891.

14 Going on, Page ES-18 states --
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16 and I quote -- "vibrations by even the
17 heaviest trains rarely cause structural
18 damage or even minor cosmetic damage." My
19 first-grader knows better than that. E&E
20 was never meant to be a Class I railroad.
21 You have not done your study of the threat
22 of the E&E. It is not appropriate and
23 will not -- And E&E does cause vibration,
24 and I have proof.

If you had done your analysis

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1 correctly, which you haven't, you would
2 have gone to the bridge -- the railroad
3 bridge at Hawthorne Lake and Otis Road.
4 This bridge is actually shut down by
5 vibration and is still subject to
6 structuring.

7 In summary, if the CN merger is
8 approved, the STB and U.S. Rep Lipinski
9 should be held accountable for the
10 destruction and deterioration of property
11 values. I take great issue with
12 Mr. Lipinski as the only Chicago area
13 member of the House Transportation
14 Committee which oversees the STB.

15 Mr. Lipinski and STB, the
16 Barrington area communities are not for
17 sale. We are not for sale for

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stockholders. We are not for sale to Latin
19 America and Asian freight. Thank you.

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1 MS. MAZURKIEWICZ: Hello. My
2 name is Donna Mazurkiewicz, and I'm the
3 President of the Concord Village Condo
4 Association. There are about 250 houses,
5 townhomes, and villas in this four to five
6 block square area. My unit and several
7 others in Concord Village who are in the
8 back, we face the railroad only 50 feet
9 away. How am I to protect myself when
10 these trains derail? We all know that CN
11 does not have a great safety record, and
12 I'm scared of that. Finally, I'm scared to
13 death if anything should happen.

14 Congestion -- and I'm going to
15 repeat a lot of what some of the other
16 people have said, which it still needs to
17 be said again and again. Congestion is
18 already a problem on Route 12 to get
19 around. We don't have a lot of alternative
20 streets to use. So, therefore, we run late

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to work. We run late to get the kids to
22 school. Mainly, it is going to really
23 interfere with our emergency services
24 trying to get to all of our people.

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1 We rely on Barrington and the
2 train station to get the people downtown.
3 As it stands now, Route 12 is also very
4 busy. When you hit Route 12 to Ela Road,
5 to turn left on Ela, the train would be
6 crossing that track. Traffic will also
7 back up onto Route 12, which makes it worse
8 than it is now.

9 Economics. Mr. Lipinski of the
10 Third District says the economy is going to
11 help us. Who is this going to help? Not
12 us. It's not ours, but big business will.
13 Not in America, though, but Canada and
14 China and other Asian countries who will be
15 transporting major goods on containers and
16 double containers, hazardous materials, et
17 cetera.

18 CN said that 60 percent of the
19 people are going to get relief from this
20 and the other 40 are going to have to live
21 with this quadruple congestion. Who?
22 We're all equal. I don't see how you can
23 determine that this person is better than

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the next person.

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1 Also, when those tracks become
2 available again, if CN is approved here,
3 the tracks to Chicago will certainly be
4 eaten up by another train company. So,
5 therefore, nobody wins.

6 We the people want to have
7 emergency protection to get to us as soon
8 as possible to save lives of our family,
9 friends, neighbors, and myself. The way
10 the roads are now, this cannot be done.

11 We the people, for those of us
12 who still have a job and has not lost
13 theirs, like to get to work on time. This
14 is only going to get worse. We have
15 problems now.

16 Economics again. CN is not
17 going to give us enough money to take care
18 of the infrastructure to make this work. I
19 know counties would pay. I'm already
20 paying enough for taxes. The counties get
21 money for transportation from the state and
22 the State of Illinois. The State of
23 Illinois does not have enough money to take
24 care of all the major problems they have.

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1 Police, regional commuter transportation,
2 the poor, and those who are mentally
3 challenged who are in state homes, which
4 some are facing major problems now getting
5 funding from the state to keep them open.

6 Help us little people. Don't
7 let business get in the way again and again
8 for their prosperity and not think about
9 the majority of people who make up this
10 country. This is not good economics for
11 Illinois.

12 MS. ADAMS: Douglas Rees, James
13 Perille, Kurt Marquardt.

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1 MR. REES: My name is Douglas
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2 Rees. I'm the president of American.

3 I'd like to remind the STB that

4 the Fifth Amendment of the United States

5 Constitution reads: No person shall be

6 deprived of life, liberty, or property

7 without the due process of law.

8 I'd also like to note that the

9 Fourteenth Amendment states that no state

10 shall deprive any person of life, liberty,

11 or property without, once again, the due

12 process of law.

13 To me, liberty and property also

14 equates to the right to a safe and

15 productive life. Prior speakers clearly

16 demonstrated the shortfalls of your study

17 and the resulting safety issues.

18 It seems to me your shortsighted

19 study and upcoming capitulation to Canadian

20 National is clearly a violation of the due

21 process protection afforded to the hundreds

22 of thousands of people who work and live

23 along this line.

24 That being said, what's the

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1 answer? Stop hiding behind this flawed

2 study and do it live. Pick a date in

3 October and pick a date in November -- not

4 when schools are out, not when people

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5 aren't working, but a full day -- and

6 without notice close those crossings all

7 the way up and down the line, reflecting 20

8 trains a day.

9 Then let's sit back and see how

10 those results compare to the results that

11 you've put out with a questionable

12 (applause) --

13 And then once you do that, then

14 you will be able to say, all right. Let's

15 have an honest and true discussion about

16 what this means to that area and stack that

17 up to the benefit that's going to come out

18 in effecting benefits under North American

19 Trade Agreement, et cetera.

20 That's the only way that you can

21 clearly say that under the oath that you

22 take, and all the politicians behind this,

23 about when they protect and serve the

24 Constitution of the United States. That's

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1 the only way to be consistent.

2 Thank you.

3 MS. ADAMS: James Perille, Kurt

4 Marquardt, Richard McDonald.

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1 MR. PERILLE: I'm James Perille.

2 I'm a 38-year resident of Fox Point

3 Barrington formerly and now a two-year

4 resident of Lake Barrington Shores. I was

5 the former secretary-chairman of Fox Point.

6 I was also vice president of land use for

7 the North Barrington Area Association, and

8 more recently I was the president of the

9 Barrington Enlightened Taxpayers

10 Association, known as BETA.

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11 The Surface Transportation

12 Board's Draft Environmental Impact

13 Statement fails to give a realistic picture

14 of the damage that the proposed CN purchase

15 of the E&E would bring to the outer ring

16 communities on the E&E line.

17 The greater train length and the

18 number of trains per day would increase the

19 train miles per day or traffic impact on

20 the E&E by more than ninefold -- that's

21 ninefold -- or 835 percent at each of the

22 eight Barrington area crossings. This is

23 based on the study assumption that the

24 number of trains per day would increase

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1 from 5.3 to 20.3 or by 15 trains. Also the

2 assumption is made that the average train

3 length will increase from 2,590 feet to

4 6,321 feet.

5 It is likely that the number of

6 trains per day will eventually increase by

7 20 rather than 15. Also, over time, the

8 average length of trains could reach

9 10,000 feet rather than 6,321 feet as now

10 expected. This would mean the

11 implementation of the proposal would result

12 in an 18-fold -- that is 18-fold -- or

13 1,700 percent increase in E&E train miles

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14 per day impacting each of our crossings.
15 Such horrendous increases are
16 difficult to comprehend in terms of health,
17 safety, welfare of the citizens of the
18 Barrington area.
19 Barrington is the hub of the
20 total BACOG area and is the center of
21 banking, shopping, commuting, church,
22 library, medical, cultural, and educational
23 activities. Police, fire, and emergency
24 paramedic access would be compromised by

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1 traffic gridlock. Commuters and school
2 buses would experience intolerable delays.
3 The quality of life for our entire
4 community would suffer.
5 The study only recognizes that
6 the proposal will result in a loss of
7 property value for homes within 250 feet of
8 the rail. I estimate the total value of
9 all property in the BACOG area is at least
10 \$15 billion. A loss in value of only
11 10 percent or 20 percent for the entire
12 BACOG area would represent a conservative
13 estimate and amount to 1.5 billion to
14 3 billion loss in property value. Contrast
15 this to the CN investment of \$300 million
16 for the purchase of the E&E.
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17 The CN proposal should be
18 denied.
19 MS. ADAMS: Kurt Marquardt,
20 Richard McDonald, Rob Sherman.
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1 MR. MARQUARDT: My name is Kurt
2 Marquardt, president of Marquardt Buick,
3 Pontiac, GMC, a business that's been active
4 in the Barrington community for almost
5 60 years.
6 This year I've been honored to
7 represent the Barrington area businesses as
8 chairman of the Barrington Area Chamber of
9 Commerce, an organization whose purpose is
10 to serve as an advocate for the greater
11 Barrington businesses in ways that enhance
12 the vibrancy of the business environment
13 and quality of life of our 800 members.
14 Never before have we as a
15 community been faced with a bigger threat
16 to the viability of our local economy than
17 the proposed acquisition by Canadian
18 National. Many real concerns have been
19 brought up this evening regarding safety,
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20 noise, property values, to name a few.
21 However, the economic impact of
22 this transaction as proposed would be
23 devastating, forever changing the landscape
24 of our downtown and surrounding areas.

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1 In preparation for this evening,
2 the Chamber of Commerce conducted a survey
3 of our area businesses to measure the
4 forecasted impact of the CN acquisition.
5 Overall, respondents represented almost
6 1.5 billion in 2007 revenues to our local
7 economy.
8 Among these Barrington
9 businesses, when forecasting what impact an
10 increase of only five or ten freight trains
11 per day would have on their business
12 revenues, with all economic and
13 environmental conditions remaining the
14 same, the forecasted reduction was over
15 \$14 million, an amount, again, that would
16 be devastating to our local economy.
17 Furthermore, a full 74 percent
18 of respondents expect a decrease in future
19 revenues as a result of this acquisition.
20 This survey also addressed the
21 likelihood of each of the businesses as to
22 whether they would consider relocating
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23 their place of business. Almost 46 percent
24 of the respondents indicated that they

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1 would strongly consider relocating, while
2 nearly 20 percent indicated that they
3 would, indeed, relocate their place of
4 business. Added together, this means that
5 two-thirds, or 66 percent, of our area
6 businesses will move or strongly consider a
7 move out of town.
8 If you take this one step
9 further, if the remaining businesses
10 experience that 7% percent reduction in
11 their revenues, and say only 50 percent of
12 the existing businesses seek relocation,
13 the resulting situation would leave
14 Barrington, as one respondent put it, a
15 ghost town.
16 I urge the Surface
17 Transportation Board to take the needed
18 actions to prevent this crushing blow to
19 our local economy.
20 Thank you.
21 MS. ADAMS: Richard McDonald,
22 Rob Sherman, Brian Deja.
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1 MR. McDONALD: My name is
2 Richard McDonald. I'm a retired North
3 Western Railroad --
4 MS. ADAMS: Could you move
5 closer to the microphone.
6 MR. McDONALD: I'm Richard
7 McDonald. I'm a retired North Western
8 Railroad transportation officer and a
9 Barrington resident.
10 Seven years ago, the board
11 approved CN's purchase of the Wisconsin
12 Central Railroad. This extended CN's reach
13 from Canada to the Gulf of Mexico.
14 Apparently it was close to a rubber-stamp
15 deal with very little fanfare. There
16 certainly wasn't much examination of CN's
17 proposed operation, particularly in
18 Chicago, which turned into a nightmare from
19 the start.
20 Customers began complaining
21 about service. The people in Chicago
22 started complaining about traffic
23 congestion. The other railroads started
24 complaining about rail congestion. Indeed,

1 it was taking CN cars longer to get through
2 the Chicago terminal than it took them to
3 get from Winnipeg to Chicago.
4 The likes of River Forest,
5 Forest Park, Riverside, Cicero, Riverdale,
6 and the City of Chicago itself complained
7 bitterly. They'd never seen such long
8 trains of Canadian traffic creeping through
9 their residential areas.
10 So what brought this all about?
11 When CN's predecessor railroad brought its
12 traffic from the Duluth Gateway, these
13 communities weren't complaining. They
14 didn't because they never even saw them.
15 WC's customers weren't complaining about
16 service either. So what did change?
17 In a nutshell, WC kept the cars
18 sorted by destination, and before they
19 arrived in Chicago. Then, after refining
20 its blocks at Schiller Park Yard, WC
21 delivered its transfer trains directly to
22 the receiving carriers in pre-blocked
23 run-through mode, so their traffic moved
24 swiftly through the terminal.

1 Less than 10 percent of WC's
2 traffic operated through the St. Charles
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4 Air Line and the City of Chicago. There
5 were relatively short -- these were
6 relatively short interchange moves to and
7 from the ICG. The other 90 percent was
8 delivered to connections with other
9 carriers via trackage rights on the IHB.
10 None of it moved through the aforementioned
11 inner suburbs.
12 Canadian National took over the
13 Wisconsin Central. Instead of pre-blocking
14 and maintaining those blocks upon arrival,
15 it literally dumped its mixed trains into
16 the terminal. First CN maneuvered its
17 lengthy trains through the aforementioned
18 inner suburbs to reach its Glenn Yard.
19 Then it switched and reswitched and then
20 made up other trains to get through the St.
21 Charles Air Line and dragged it down
22 through the City of Chicago.
23 Now, if the CN-WC merger of 2001
24 didn't negatively affect rail
transportation, what would? CN changed

1 everything WC was doing to provide good
2 service. Or, as the pundits would say, CN
3 did nothing to benefit our national
4 economy.
5 MS. ADAMS: Rob Sherman --
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6 MR. McDONALD: So what makes you
7 think --
8 MS. ADAMS: -- Brian Deja,
9 Maureen Roberts.
10 MR. McDONALD: -- they're going
11 to do it now?
12 MS. ADAMS: Rob Sherman, Brian
13 Deja, Maureen Roberts.
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1 MS. ROBERTS: Thank you. Good
2 evening. My name is Maureen Roberts.
3 MS. ADAMS: Could you move
4 closer.
5 MS. ROBERTS: My name is Maureen
6 Roberts, and I live in Barrington.
7 A few months ago, Harrison
8 Hunter, CEO of CN, said that the folks here
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10 in Barrington are selfish. Well, tonight I
11 want to talk about myself and my family,
12 and tonight I am going to be selfish.
13 My home is on the crossroads of
14 Route 59, Route 14, Cuba Road, and Lake
15 Zurich Road. If and when a 1- or
16 2-mile-long freight train comes through
17 Barrington 20 times a day, traffic will
18 stop and back up to my doorstep and beyond.
19 I will not be able to leave my
20 home to get to my office, to get to my
21 clients, to get to my post office, to get
22 to my library, to get to my grocery store.
23 I will not be able to get to the Metra
24 station here in the village.
My daughter, who is a high

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1 schooler here, has to cross the E&E tracks
2 not once, but twice, to get to the school.
3 In addition to that, she also crosses the
4 Metra line. Three railroad crossings that
5 she has to go over to get to school.
6 And in addition to my not being
7 able to get to destinations which are all
8 in walking distance to me -- the library,
9 the grocery store, my place of business --
10 the police department, the fire department,
11 and ambulances services will not be able to
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13 get to me if I need them.
14 A couple of weeks back at the
15 Lake Zurich meeting, I had an opportunity
16 to speak with a CN representative who told
17 me that opponents to this acquisition are
18 afraid of change. And I am here to tell
19 you tonight that I am not afraid of change,
20 but I am afraid of what is coming down
21 those tracks, and I am afraid of the damage
22 that is going to be left in its wake.
23 Right now the STB holds in its
24 hands all that is vital to myself and my
family: My livelihood, my well-being, my

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1 safety, my pursuit of happiness.
2 I hope that you all on the board
3 keep that in mind when the time comes to
4 decide whether or not 8,000 tons of metal
5 and steel should come rumbling through our
6 small town 20 times a day. Please consider
7 not allowing this purchase that would cause
8 such a hardship on my family.
9 Thank you.
10 MS. ADAMS: Paul Hunt, Roger
11 Owens, and Dan Strahan.
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1 MR. HUNT: Good evening. Paul
2 Hunt, trustee of Village of Barrington and
3 also chairman of public safety for the
4 village.
5 Imagine the audacity of the good
6 people of Barrington to question that the
7 word "benefit" be used in the transferring
8 of their operation from their existing
9 tracks to the E&E tracks.
10 Imagine the audacity of the good
11 people of Barrington, West Chicago, Aurora,
12 and Griffith, Indiana, well-known railroad
13 towns, that their sole existence started
14 with the railroad, be merely dismissed as
15 not-in-my-backyard opponents.
16 This, as the testimony has been
17 brought out, is something that doesn't
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19 belong anywhere near an urban populated
20 area. Some testimony has suggested that
21 this is a major railroad interfare. This
22 isn't something out west, west of Route 39,
23 perhaps the Mississippi River belt. This
24 is not something that should remotely come
close to either our community or any

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1 community in this Northeast Chicago area.
2 I'm also a recipient of being
3 served by the Barrington police and the
4 fire district when I needed medical help.
5 I'm a graduate of Good Shepherd cardiac
6 open-heart unit, a group of professionals
7 from the beginning to the end that not only
8 preserved my life, but also gave me great
9 comfort in knowing that my community is
10 being served by the best.
11 The three crossings that have
12 been pointed out in the village of
13 Barrington, along with the Ela Road
14 crossing at Lake Zurich, are major, major
15 roads, routes to Good Shepherd Hospital.
16 Despite still having the
17 environmental impact, the noise, just
18 damage to the environment, we need to
19 maintain public safety. That is something
20 we all have the right to, and we as a
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community have developed a very capable
22 system.
23 I implore this board, the staff,
24 to take into account these considerations.

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1 It is not worth \$300 million. It's not
2 worth a billion dollars. This is something
3 that must be considered, and CN and its
4 operations should go to a more appropriate
5 location.

6 Thank you.

7 MS. ADAMS: It is now 9:22.
8 We're going to take a ten-minute break.
9 We'll return at 9:32 according to the
10 gymnasium clock. Thank you.

11 (Recess taken.)

12 MS. ADAMS: Roger Owens. Roger
13 Owens, Dan Strahan.

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1 MR. STRAHAN: My name is Dan
2 Strahan, assistant village engineer for the
3 Village of Barrington Hills.

4 while the Draft Environmental
5 Impact Statement identifies several areas
6 in which the proposed transaction would
7 negatively impact the region as a whole,
8 such as air quality, noise, and fuel, the
9 focus of my comments will be three areas of
10 local concern identified in correspondence
11 to the STB during the scoping period, but
12 they were not addressed by the Draft
13 Environmental Impact Statement.

14 The Village of Barrington Hills
15 provided comments on the draft scope of the
16 EIS in February of this year. This letter
17 identified a key drainage structure located
18 under the current EJ&E tracks that
19 regulates the water level in Hawthorne
20 Lake. This outlet structure was
21 constructed in 1910, and documentation was
22 submitted to illustrate recent structural
23 deficiencies that had begun to surface.

24 The village requested that this

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1 structure be examined to confirm that the
2 increased frequency and magnitude of
3 loading that would result from the proposed
4 transaction would not result in failure of
5 this outlet structure. Such a failure
6 would result in the unrestricted release of
7 a 30-acre impoundment of Flint Creek,
8 similar to the Lake Delton failure in
9 Wisconsin in June of this year.

10 While the Draft EIS states on
11 page 4.10-15 that vibration by even the
12 heaviest freight trains rarely causes
13 structural damage, in the same section of
14 the report a detailed vibration analysis
15 was, in fact, conducted on the Prestwick
16 Dam in Frankfort, Illinois, an earthen dam
17 more than 1,500 feet away from the EJ&E
18 tracks, for the potential for vibration
19 damage, yet the report failed to consider
20 the impacts to a failing 100-year-old
21 concrete structure located less than
22 50 feet from the center line of the tracks.

23 Another area of concern to the
24 village is the intersection of Penny Road

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1 and Illinois Route 59. The EJ&E tracks
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2 cross Penny Road approximately 200 feet
3 west of the intersection. As a result,
4 there is a limited amount of vehicle
5 storage between the tracks and the
6 intersection.

7 This limited storage is of
8 particular concern, as Rose Elementary
9 School is located a short distance east of
10 the intersection, meaning school buses
11 frequently cross this intersection,
12 generally during peak hours.

13 The nearly 300 percent increase
14 in trains that is projected along with this
15 bus traffic creates a potentially dangerous
16 situation, tragically one that was made
17 very familiar to the Barrington area in
18 October of 1995 when seven students were
19 killed when a Metra train hit a school bus
20 in Fox River Grove.

21 This illustrates the need to
22 complete detailed studies on at-grade
23 crossings near major intersections.

24 Thank you.

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1 MS. ADAMS: Richard Kuhn, Kathy
2 Pinkus, Jamie Maravich. Richard Kuhn,
3 Kathy Pinkus.

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1 MS. PINKUS: Thank you. My name is
2 Kathy Pinkus, and I speak to you as the
3 past chairman of the North Shore-Barrington
4 Association of Realtors and also as an
5 active Realtor in Barrington and on behalf
6 of the over 400 active Realtors in
7 Barrington, approximately 100 of which have
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attended tonight's meeting. And I thank
them so very much for attending.
I've spoken to the majority of
these agents, and I speak for them. Let me
address the following points. We estimate
the property values in all of the
Barrington area will decrease by
approximately 15 percent for those homes
that are directly just in the vicinity in
the Barrington area, but those homes that
are directly in the vicinity of the train
will go down in value 20 to 30 percent, and
that's going to immediately decrease in
value. This will put so many people that
were in an appreciation track to immediate
decline in their finances.
This reduction of property

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1 values will also decrease far below the tax
2 base, which supports our schools, the
3 infrastructure, and area improvements.
4 we can't even afford to build a
5 middle school that didn't pass a referendum
6 several years ago, and now we have to --
7 and we need more elementary schools that
8 are already overcrowded, and now we have to
9 pay for the impact that the CN train will
10 come with us.
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This will radiate to so many
other aspects of our community, and it
will -- and as of right now, possible
newcomers to the area, they've chosen other
communities because of the possibility of
the train. This will kill a town that we
know today as the town of open spaces, a
little slow moving, yes, but a town that
has worked hard to keep its low profile.
The train will absolutely ruin that.

Thank you.

MS. ADAMS: Jamie Maravich, Neil
Morgan, Valerie Glimp.

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1 MS. MARAVICH: Good evening. My
2 name is Jamie Maravich. I'm a Lake Zurich
3 resident.
4 Thank you for your time here
5 this evening. I'm going to focus my
6 statements on the Transportation Systems
7 portion of the Executive Summary. I'm one
8 of the multitude of unfortunate people who
9 have been deemed in your study to be
10 substantially impacted by the proposal, not
11 by one of the 15 at-grade crossings that
12 have been identified to be substantially
13 impacted and require mitigation, but by two
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of those 15 crossings, along with the -- I
will suffer the conflicts on the Metra line
which runs in and out of the Barrington
train station.
Please don't misunderstand.
This is not by any stretch solely a
Barrington problem. The Barrington train
station serves as a vital transportation
hub for hardworking professionals from
several surrounding villages, including
Lake Zurich and Wauconda.

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1 From just about anywhere in
2 those villages, it is impossible to even
3 reach the train station without crossing at
4 least one EJ&E line. Not only will the
5 commuters have a much more difficult time
6 getting to the train station, but once
7 there, there is a strong likelihood that
8 they will experience delays getting to
9 their next destination because of conflicts
10 that Metra will have with CN trains.
11 And again, these delays won't be
12 confined to Barrington area residents.
13 They will impact thousands of other
14 commuters along the line with their
15 families. These commuters spend an average
16 of 3 hours a day presently commuting so
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17 that they can support their families and
18 preserve their quality of life that this
19 proposed acquisition so gravely
20 jeopardizes.
21 The time the families get to
22 spend together before and after work is a
23 most precious and valued commodity. Please
24 don't stand for this proposal that will

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1 take untold hours away.
2 The communities that currently
3 have to deal with CN have infrastructure to
4 handle that burden. The communities on the
5 E&E line do not.
6 Furthermore, I most respectfully
7 disagree with the board's finding that any
8 mitigation towards the devastating effects
9 resulting from the traffic delays caused by
10 the proposed action should be jointly
11 funded by the applicant and the taxpayers,
12 who will already be paying in many other
13 ways, including increased pollution,
14 increased noise, loss of sales tax revenue,
15 lower property values, increased property
16 taxes, substantially increased danger of
17 health hazards from train accidents,
18 dangers to those who fall prey to the newly
19 tremendous temptation to beat the train,
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20 and, yes, paying with that priceless and
21 precious commodity of time.
22 In the spirit of compromise, I
23 ask the board to reverse this assessment
24 and require the applicants to fully fund

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1 the design and construction of a minimum of
2 15 grade-separated highway-rail crossings
3 that this acquisition would require
4 throughout the study area.
5 In the spirit of the greatest
6 good, I ask that the board reject this
7 acquisition outright.
8 Thank you.
9 MS. ADAMS: Neil Morgan, Valerie
10 Glimp, Zina Jacque. Neil Morgan, Valerie
11 Glimp. Valerie Glimp, Zina Jacque. Zina
12 Jacque, Bruce Sauer. Bruce Sauer.

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1 MR. SAUER: Bruce Sauer. Good
2 evening. My name is Bruce Sauer. I'm the
3 village president of North Barrington.
4 I would like you, if you would,
5 to imagine the EIS report in your hands,
6 and I would like you to imagine writing on
7 the EIS report all of the questions that
8 have been asked by the people tonight, of
9 all the questions that will be asked by the
10 people of all the communities that you're
11 going to review this with over the next few
12 weeks.
13 I would ask that you write those
14 questions in red ink because I think when
15 you see the amount of red ink on that
16 paper -- and I think it's appropriate that
17 we're in a school. That amount of red
18 ink -- because you failed to answer those
19 questions in anticipation of the needs of
20 the citizens.
21 I ask not that you make a
22 judgment based on the information you have
23 today, but rather that you extend the
24 amount of information that you're

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1 gathering, that you answer these questions
2 specifically per community, that you answer
3 the questions of real estate value, that
4 you answer the question of business value,
5 that you answer the questions of safety.
6 Trains have been running in the
7 Chicagoland area for 140 years. The
8 decision that you make today will be
9 probably institute trains running for
10 another 100 years.
11 I think it would be wise and I
12 think it is appropriate that you take
13 additional months or time of unlimited
14 amount to answer the questions for each of
15 the communities before you make a final
16 decision.
17 Thank you.
18 MS. ADAMS: Mike Joyce, Scott
19 Gifford, Terry Jennings.

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1 MR. JOYCE: Hi, I'm Mike Joyce. I
2 had a prepared speech, but something was
3 brought to my attention in the other room
4 when I was talking to some of the folks
5 with white badges in back. I was in the
6 back room talking to some people with the
7 white badges and something came to my
8 attention. I had prepared an exactly
9 3-minute presentation, but I'm going to
10 change it.

11 A couple days ago I did some
12 internet research on CN's railway, the big
13 T that cuts across Canada with the bar that
14 goes down to Mexico that runs right through
15 Chicago, and I wanted to look at it from
16 the big picture what they were planning in
17 the future. I ran across -- again, this is
18 on the CN.CA web site plus some articles
19 written in the industry news publications
20 that were interviews with CN executives.

21 Their strategy, corporate
22 objective is to capture the growing Asian
23 market. We heard about that a little bit
24 tonight. The west Coast of the U.S. ports

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1 are fairly taxed right now with the amount
2 of commodities coming in. The Prince
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6 TEUS, when you do the math, you get to the
7 27 trains per day. So if you look at the
8 increase of 400 percent, we're exceeding a
9 hundred trains per day through Barrington.
10 That's one-way trains. The return trains
11 add up to 200 per day.

12 Thank you.
13 MS. ADAMS: Scott Gifford, Terry
14 Jennings, Mary Margaret Olson.
15 Scott Gifford.
16 Terry Jennings.

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1 MS. JENNINGS: Good evening. I'm
2 Terry Jennings, the executive director of
3 the Barrington Park District, and next to
4 me is Christine Carrie.

5 MS. ADAMS: Just one of you is able
6 to speak tonight, and that's you Terry
7 because you're registered.

8 MS. JENNINGS: Can we share?
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Rupert Sound is the project that I'm sure
4 you're aware of. It went on-line in 2007
5 with phase 1. Phase 1 have a yield of
6 500,000 TEUS which is -- I just learned
7 this recently. You put about two to four
8 TEUS on an REU, which is basically a rail
9 car.

10 Their stated plan, their
11 corporate objective called phase 2, which
12 is due in 2010, increases that yield from a
13 capacity of 500,000 TEUS to 2 million TEUS.
14 Nobody over there knew about this, and your
15 paper, your analysis seems to not include
16 this growth, 400 percent growth in phase 2
17 from the Prince Rupert Sound.

18 In a video provided by
19 CN.CA available on the internet, on U-Tube,
20 as well as on CN's web site is a very proud
21 video which talks about the Asian tiger
22 waking up and all these commodities coming
23 over to North America, and their Prince
24 Rupert terminal intends to capture that

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1 market.
2 So I would hope that you
3 guys would consider phase 2, which falls
4 within your study which increases the
5 through-put by 400 percent. The 500,000
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MS. ADAMS: No.
10 MS. JENNINGS: They told us we
11 could.
12 MS. ADAMS: No, you can't.
13 MS. JENNINGS: On February 18, 2008
14 the Barrington Park District Board of
15 Commissioners unanimously passed resolution
16 2008-1 opposing the Canadian Railroad
17 acquisition of the E&E railroad trackage.
18 Here are some of the reasons why.

19 Fact, the CN remains
20 under fire in Canada. A 2007 report by the
21 Canadian Parliament found a quote saying
22 "Disconnect on safety issues between
23 management and front line workers." That
24 report also highlighted what company

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1 employees called a culture of fear when it
2 comes to reporting safety-related problems.
3 Again, fact, a disconnect on safety issues.
4 Again, fact, a culture of fear by CN
5 employees.

6 Here we are at Langendorf
7 Park, Barrington's main recreational
8 facility located adjacent to the north
9 boundary of the E&E and west of the E&E
10 crossing on Northwest Highway, potentially
11 cutting us off from police and fire access

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13 in the event a train comes through blocking
14 both Northwest Highway and Route 59.
15 Please tell us what
16 happens to the young child who has had a
17 tragic accident in our swimming pool? What
18 do we tell the parents when on-site
19 resuscitation efforts failed and essential
20 transport of this child to the hospital
21 couldn't happen because the ambulance was
22 unable to get through? whose fault is
23 that?
24 Then what happens on Monday,
every Monday, every month, all year long

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1 when the seniors are at the park, when that
2 senior has a stroke? what do we tell that
3 senior's family when the ambulance can't
4 get to Langendorf Park to administer that
5 time- critical care for that life-changing
6 event?
7 And what about all the summer
8 long with the hundreds and hundreds of
9 children and adults in our camps, on
10 programs, playgrounds, softball leagues,
11 picnics, skate boarding, just to name a
12 few, when programming is at its height.
13 The line drive that hits a player in the
14 head, the skateboarder who falls off the
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16 ramp, or a child who slips off the top of
17 the playground, timing is of the essence to
18 get them care and our paramedics can't get
19 through.
20 We can tell you the Park
21 District will make every effort to take
22 care of the injured, we will call 191, and
23 our emergency vehicles can't get through
24 due to a train and it will not be the Park
District's fault. CN has to take

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1 responsibility for those issues. CN must
2 be responsible for the people of Barrington
3 and the users of our park.
4 Please reconsider those
5 real critical safety issues for all of us
6 involved. Thank you.
7 MS. ADAMS: Mary Margaret Olson,
8 Joyce Palmquist, Karen McCarthy.
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1 MS. PALMQUIST: My name is Joyce
2 Palmquist. I'm the executive director of
3 Barrington Area Council on Aging. We're
4 the primary organization serving senior
5 citizens and their family caregivers in the
6 Barrington area.
7 My primary concern would
8 be to some extent to those expressed by the
9 hospital and by the police and the fire
10 department. It's really around the ability
11 of emergency responders to be able to help
12 older adults who are in crisis.
13 You are probably not aware
14 that within a 4-mile radius of downtown
15 Barrington there are six facilities that
16 serve senior citizens or individuals that
17 are disabled. One of them is Alden Estates
18 of Barrington. That's a nursing home that
19 has 110 residents. We have Barrington
20 Horizons, which is a residential facility
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22 which has 59 residents. We have Green
23 Castle of Barrington. It's a subsidized
24 building. It has 103 residents.
We have the Garlands of

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1 Barrington. That's a continuing care
2 retirement community. It has 220 residents
3 and it's expanding. We have a new facility
4 called Sunrise Senior Living. It has a
5 capacity of 59 and currently has about 35
6 residents. We have Lake Barrington Woods.
7 It's a residential retirement assisted
8 living facility that has 220 residents.
9 We also have three areas
10 in the village where seniors tend to reside
11 in condos, Shorley Woods on Northwest
12 Highway, the Ela Street Apartments, the
13 Outlooks of Barrington.
14 When you look at these
15 facilities and where people reside, that's
16 at least 800 individuals who are at high
17 risk of needing some kind of emergency
18 medical care. In addition, 12 percent of
19 the population -- in the village of
20 Barrington, the population here is about
21 12,000 people. 12 percent are people that
22 are 65 and over. So some of them are in
23 addition to these individuals. Plus, there
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are other people with chronic illness

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1 conditions that cannot get out and about.
2 For older adults one of the
3 biggest concerns for them is access to
4 medical care, and having the E&E and the
5 concern about the ability of emergency
6 responders to be able to assist older
7 adults puts an unnecessary burden on them
8 as they already are anxious about their
9 health concerns.

10 Terry was talking about the
11 Park District. We have a meal program
12 there, again, with older adults every
13 Monday who are having a meal and may need
14 to have an emergency responder. We deliver
15 Meals on wheels, which sometimes you will
16 find a person who actually is lying on the
17 floor waiting to get a meal, and if there's
18 an emergency, we may not be able to get to
19 them. When we find them, the responders
20 won't be able to get to them. Plus, the
21 whole delivery is interfered with when we
22 have 3 point rail transportation.

23 Thank you for listening.
24 Thank you.

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1 MS. ADAMS: Karen McCarthy, Ed
2 Guntin, Bob Crowther.
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1 MS. MCCARTHY: Good evening.
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2 First I'd like to thank the Surface
3 Transportation Board for this opportunity
4 to speak and hopefully be heard on the
5 proposed purchase of the E&E railroad by
6 the Canadian National.

7 With a 3-minute limit I
8 will not repeat the numerous and obvious
9 detrimental effects your approval of this
10 deal would cause the Barrington area and
11 the entire Chicago regional area. Instead
12 I will ask you to consider why Canadian
13 National's right to purchase the E&E
14 should take precedence over the structure
15 of American communities.

16 Why does Chicago need to be
17 one of the major transportation hubs in
18 this country? Do the interests of the
19 Chicago area residents benefit more from
20 this deal than the interests of CN? I say
21 no. If the Chicago area rail lines are so
22 congested it is because they have met their
23 saturation point. Trying to force more
24 train traffic and congestion into this area

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1 solely serves only one interest, that of
2 the railroad industry.

3 As an agency of the federal
4 government paid by the American taxpayers
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5 you have a duty to perform and evaluate a
6 fair and complete environmental impact
7 report. Your evaluation of this report
8 will be grossly incomplete and negligent if
9 it does not include real mitigation
10 solutions and guarantee funding sources to
11 pay for the mitigation solutions before
12 this deal is approved.

13 My analogy to this deal
14 is a developer going out and buying a large
15 parcel of land with grand ideas what he's
16 going to do with it only to find out after
17 the purchase that it was a really bad idea
18 because the big ideas required improvements
19 that are physically or economically
20 feasible.

21 However, in this analogy the
22 only people hurt are the developers. In
23 the proposed Canadian National deal
24 Canadian National seems to think they have

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1 the right to demand whatever they want to
2 increase their profits and then pass the
3 destruction and cost onto the taxpayers.

4 You cannot approve this
5 deal without with real engineered and
6 finance mitigation solutions in place. Our
7 communities cannot survive through the
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8 years the planning and funding process will
9 take, if they occur at all. where do you,
10 the Surface Transportation Board, and
11 Canadian National think the funding is
12 going to come from?

On August 1, 2007
14 Interstate 35-w collapsed in Minneapolis.
15 If you will please remember the issues that
16 arose after this incident. we the people
17 of the United States, we the taxpayers
18 don't have the funding to repair and
19 replace our existing crumbling
20 infrastructure. so please explain how you
21 can justify approving this deal on the
22 backs of the American taxpayers.

Please do not insult my
24 intelligence by stating the overall benefit

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1 to the Chicago area will be greater than
2 the harm done to a few communities, because
3 anyone who believes that train traffic on
4 existing CN rail lines will be reduced in
5 the future must believe in Santa Clause,
6 the Easter Bunny, and the Tooth Fairy.
7 Unless it is in writing in a legal
8 document, it is a worthless rework.
9 This deal is bad for the
10 Barrington area, the entire Chicago
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14 things might change. The essence of the
15 argument is that individuals who come to
16 the nuisance have no rights. For obvious
17 reasons this form of reasoning is
18 ridiculous, and I would expect that you
19 would see the same.

It is one thing for a person
21 to choose to live near the E&E tracks with
22 no freight traffic whose presently is three
23 to five trains a day. It's another for CN
24 to propose a 400 percent increase in

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1 freight traffic with no end in sight.
2 I submit to you that it
3 is CN who is proposing to bring this
4 outrageous business level to Barrington,
5 neighboring communities, and the United
6 States collectively. I implore you to
7 consider the health and welfare of tax-
8 paying U.S. citizens above all you should
9 keep in minds.

The facts summarized by
11 many speakers this evening are clear. As
12 our representatives you must oppose CN's
13 proposed acquisition. There is no other
14 reasonable option. Do not support a
15 foreign national like CN who cares
16 exclusively about their bottom line and not
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11 regional area, and the American taxpayer.
12 Let the freight train traffic move outside
13 of the Chicago metro area where mitigation
14 solutions will be feasible and cost
15 effective and where future appropriate
16 development can occur around them because
17 overpasses and underpasses were designed
18 into the master plan from the beginning.
19 MS. ADAMS: Ed Guntin, Bob
20 Crowther, Peter Yates.

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1 MR. GUNTIN: Good evening. My name
2 is Ed Guntin, a resident of the Jewel Park
3 community in Barrington. I have three
4 young children who attend Barrington
5 schools. As such, what I can say about the
6 proposed CN transaction would fill volumes.
7 In the short time I have been allotted,
8 however, I will focus on one exclusive
9 topic.

CN and its supporters
11 have argued that those who choose to live
12 near or in any community with freight train
13 traffic should have expected that some
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17 the welfare of American citizens.
18 Thank you very much.
19 MS. ADAMS: Bob Crowther, Peter
20 Yates, Ed Springer. Bob Crowther, Peter
21 Yates, Ed Springer. Bill Palmer, Terry
22 O'Connor. Terry O'Connor, Robert Abboud.
23
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1 MR. ABBOD: Good evening. My name
2 is Robert Abboud. I'm the president of the
3 village of Barrington Hills.
4 The village of
5 Barrington Hills has about 6 miles of E&E
6 track running essentially north to south
7 from Lake Cook Road to Route 72. The
8 village of Barrington Hills of course
9 opposes this deal. We believe that the
10 deal is bad for the community. We believe
11 it's bad for the region. We believe it
12 will essentially institute a
13 2-billion-plus-dollar new cost to the
14 taxpayers of the State of Illinois just to
15 mitigate the initial impacts. In addition,
16 there will be another \$1 billion in
17 long-term mitigation costs that we'll have
18 to deal with.

I should point out that
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20 within the middle of that 6-mile section
21 which is in the village of Barrington Hills
22 it's a single track. Now, your EIS already
23 describes that you're going to have an
24 increase in accident frequency, you're

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1 going to have an increase in the severity
2 of accidents, and you indicated that you
3 would have a substantial increase in the
4 amount of hazardous materials which would
5 be carried along that track. That track is
6 a single track right there. If you walk
7 it, you'll see that in many cases you're
8 more than 50 feet off the natural grade.
9 So that the ballast, the part that holds
10 the track is more than 50 feet high at that
11 point.

12 You make the claim in the EIS
13 that the CN and its operating affiliates
14 will be able to properly and safely operate
15 the line and it should be able to respond
16 to any kind of hazardous material accident.
17 I'm an engineer. We do this kind of stuff
18 for a living. When I read the quality of
19 the analysis that was done in the EIS, I
20 was absolutely shocked, in particular
21 because it failed to do a comprehensive
22 analysis that was based on consequence.
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1 States. You need your data, not the data
2 from the CN.

3 Thank you.
4 MS. ADAMS: Keith Hunt, Richard
5 Burkhardt.

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23 You talk about accident
24 frequency. You only need one tank car of

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1 TCE to roll off that track. Based on the
2 accident frequency that you propose, we
3 should expect one of those tank cars to
4 roll off the track in the village of
5 Barrington Hills every 28 months. We need
6 one event to permanently damage the water
7 supply not just of Barrington Hills, but of
8 the entire Barrington region, which is some
9 50-square miles. Only one event will do
10 it, because there is no mechanism that you
11 have demonstrated -- that CN has
12 demonstrated, rather, to be able to process
13 and handle that kind of accident.

14 The last thing I want to
15 mention is all of the data that I saw in
16 the EIS appears to be provided by CN. It
17 doesn't appear that the STB did any of its
18 own independent analysis in terms of
19 getting the data, the underlying data to do
20 the analysis properly. I caution you about
21 that because the President appointed
22 you -- the President of the country
23 appointed you as a fiduciary responsibility
24 to protect the citizens of the United

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1 MR. BURKHART: Good evening. My
2 name is Richard Burkhardt. I'm a retired
3 vice president for Oracle Corporation and a
4 past member of the planning commission for
5 Deer Park and president of the area for
6 about 40 years.

7 I submitted on the 28th
8 of January a 26-page document that outlined
9 a number of issue that have not been
10 addressed by the STB or the DEIS, nor the
11 HDR people who are paid directly by CN
12 through the STB. So there's a direct
13 conflict of interest by having a consulting
14 company taking data as Bob just mentioned
15 and putting it into the record and then
16 making a decision.

17 Case in point is if you
18 triangulate the data from Costco, which is
19 the chinese shipping organization who
20 serves the port of Prince Rupert
21 exclusively, it's just recently launched
22 Costco America, that holds 12,500 TEUS and
23 you triangulate the data from Prince Rupert
24 Sound, which is exclusively served by CN,

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1 we determine from the CN.CA web site that
2 there is a seasonality factor that probably

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a hundred percent of the people in this room have experienced that the rush of finished consumer goods occurs in the period as defined by the CN web site as week 33. There are six days per week out of 53 that they represent.
The traffic in week 1 represents 19 million tons. If you triangulate the data back to the other two sources I mentioned, you can determine easily where that freight is coming from. It shows the class of freight, it shows the intermodal, et cetera.
The net result is that we are at four to five times the number of trains equaling 82 that would be coming through Barrington in the period of August for a period of 16 weeks for that seasonality rush.
The DEIS represents there's a 3-year buildout construction period and traffic would be running at

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lower speed and will have to go through the city. So for Mr. Harrison to represent the haves and have nots in this situation, downtown Chicago will continue to have the freight.

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What I would like to respectfully request is that the nine-page document that I'm putting into the record tonight will have some standing and it be addressed by the STB, not handed off to HDR. I spoke to six of the HDR representatives. None had read the document that I had presented earlier.
There are social issues that are represented by President Clinton's order of 1994 that represent 211 Latinos that are in four cities, and this is a key part of the under-representation of the social injustice issue.
MS. ADAMS: Bob Vitas, John Tolomei, Bill Medcalf.

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MR. VITAS: My name is Bob Vitas, and I'm the administrator for the village of Lake Zurich. I spoke yesterday. I'm speaking again this evening.

In the Draft Environmental Impact Statement the section on socioeconomics fails to clearly identify the physical impacts in each of the

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affected communities. If approved by the STB, the acquisition will have devastating impacts on all properties located within 500 feet of the rail line, not to mention beyond. In Lake Zurich alone there are 364 residential properties within 500 feet of the rail line. The total fair market value of the affected residential properties is slightly over \$110 million and the equalized assessed value for tax purposes it's about 37 million.
Based on table 4.6-3 in the Environmental Impact Study, we can fully expect to suffer significant negative adjustments to all property values within 500 feet of the rail line. The loss in

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taxable values can range from a low of 5.3 percent to as much as 15 percent depending on the proximity of the property to the rail line.

Using these percentages and applying them to existing known property values at 5 percent of the market value we'd see a reduction down to \$105 million or a loss of about 5.5 million. The corresponding equalized value at 5 percent would then be reduced by about \$35

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million which would result in a loss of about \$1.8 million. This would result in a direct minimum loss of revenue to the taxing bodies of Lake Zurich of a quarter million dollars.
On the high side at 15 percent the fair market value would have to be reduced to 93 or 94 million, which would be a loss of about 16.5 million. The corresponding equalized value at 15 percent would then be further reduced by 32 million, which would result in a loss of about 5.3 million. The end result is for

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the 15 percent loss scenario an annual loss of close to \$680,000.

Today's dollars, not future dollars. The village cannot and will not pass these losses on to the taxpayers in the community.

As for the total 40 million suggested by the Canadian National as fair compensation to mitigate the impact of their operations, this figure is both ridiculous and offensive. In Lake Zurich along a total of six at-grade crossing may require grade separation. Only two were identified. The Environmental Impact

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16 Statement specifically calls out that only
17 two of the six should require grade
18 separation.

19 At an average cost of 50 million
20 the CN would need to invest anywhere from a
21 minimum of 100 million up to 300 million
22 just in Lake Zurich alone and adjoining
23 Hawthorn woods.

24 All the adjoining
residential areas in the communities and

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1 the School District No. 95 property will
2 require some form of noise barriers and
3 vibration protection measures. Add these
4 costs to grade separation costs just in
5 Lake Zurich alone and there is no question
6 in my mind or anyone else's for that matter
7 that the Canadian National's offer of 40
8 million is nothing less than an insult to
9 the intelligence of all those affected by
10 these hearings.

11 who is going to replace
12 the valuable and needed tax dollars? Will
13 the Canadian National Railroad Company or
14 the U.S. government step up to the plate
15 and make Lake Zurich whole? Highly
16 unlikely. Let me assure you here today,
17 the property owners and local taxpayers of

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19 Lake Zurich will not and cannot afford to
20 bear these losses at the expense of the
21 Canadian National.

22 MS. ADAMS: John Tolomei, Bill
23 Medcalf, Daniel Peterson.
24

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1 MR. TOLOMEI: I'm John Tolomei,
2 president of the village of Lake Zurich.
3 Thank you for the opportunity to speak
4 again.

5 I don't envy the members
6 of the STB, who stated their three choices:
7 Approve, deny, or approve with required
8 conditions. To approve without conditions
9 or deny presents the dilemma of either
10 denying what many believe to be a needed
11 expansion of freight capacity and a vital
12 reason or significant diminishing the
13 quality of life in many communities over
14 200 miles of railroad line. There's no
15 point in denying that the acquisition will
16 change life for all communities along the
17 E&E. The only question is how bad will it
18 get.

19 Your agency must decide
20 the complex proposition that creates

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22 winners and loses with high stakes for any
23 parties. Although not in a decision I
24 would welcome, an approval with conditions
offers the only way to accommodate both

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1 needs. The question then becomes what
2 conditions and who pays for them.

3 We know that roads and
4 airports can no longer expand in
5 communities without providing significant
6 mitigation to abate noise and maintain
7 community connectivity. 2-mile-long trains
8 of large containers intrude no less
9 dramatically than cars, trucks, and
10 airplanes. Railroads must be brought into
11 the current age so that the public gets the
12 same protection from new traffic
13 that -- new train traffic that it now gets
14 from other expansion to transportation
15 facilities. Please condition any approval
16 and giving us as much protection as
17 neighborhoods now get with widening
18 expressways or enlarging airports.

19 Requiring such measures
20 for the CN acquisition will impose high
21 costs. However, we all know that the real
22 solution to Chicago's regional rail needs
23 carry a high price tag. That's why CREATE

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requires a 1.5-billion-dollar investment.

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1 Rather than wait for the government to come
2 to a comprehensive solution, the CN wants
3 to approve a quick fix shortcut to CREATE.
4 The problem is CN's solution is it fails to
5 fix reasonable problems with the needed
6 steel and concrete, but instead profits the
7 CN by putting a Band-aid on regional rail
8 problems at the cost of or quality of life.

9 If you choose to approve
10 this acquisition, at least add all the real
11 costs that deal with requiring extensive
12 mitigation that includes sound barriers,
13 underpasses, and other needed facilities.
14 Sure it may delay the acquisition, but in
15 the long run it will generate a true
16 solution that establishes the policies
17 needed to deal with an expanding railroad
18 industry.

19 If rail truly carries
20 the freight it touts, then it can pay the
21 full cost for the burdens it imposes, and
22 if CN can't do it on its own, such action
23 will provide time for creative solutions
24 such as freight surcharges or other means

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1 to provide the funds for full modern-day
2 mitigation as a condition to the expansion
3 of the operations along the EJ&E.

4 Thank you.
5 MS. ADAMS: Bill Medcalf, Daniel
6 Peterson, Vijay Gadde. Daniel Peterson.

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1 MR. PETERSON: Good evening. Daniel
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2 Peterson, Village of Lake Zurich, Director
3 of Building and Zoning.

4 Last night I spoke to
5 you about land use and the flaws in the
6 Draft Environmental Impact Study and how it
7 did not truly address the socioeconomic
8 impacts that each community along the EJ&E
9 will absorb and face if this transaction
10 goes through.

11 I spoke last night to the
12 fact that you will limit the municipality's
13 ability to control land use along the EJ&E
14 corridor. I highlighted a loss of a
15 22-million-dollar construction project, a
16 loss of 45 full-time jobs related to that
17 project, and the loss of business in our
18 downtown.

19 Subsequently going
20 through notes of a discussion we had with
21 CN earlier this year, with the increase in
22 freight traffic there is no guarantee that
23 our industrial park will get the same level
24 of service that passes currently on the E

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1 related to goods and services being brought
2 in. One such company could in effect lose
3 176 employees from our community should
4 they leave town if they lose service there.
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5 So the 280 potential direct or indirectly
6 reduced job losses highlighted in the draft
7 EIS is false. (Inaudible) are calculating
8 216 potential job losses related to this
9 transaction. Where is that going to be
10 made up? How is that going to affect our
11 community and the jobs.

12 Again to land use, we will
13 have to readdress our master plan, our
14 comprehensive plan, and our downtown
15 redevelopment at a potential cost estimate
16 right now of over a quarter million
17 dollars. Again, not being addressed
18 through the Environmental Impact Statement.

19 Now, that's just one
20 community. Multiply that by 36 communities
21 along the EJ&E and that is a substantial
22 impact that has been ignored.

23 Thank you.

24

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1 MR. GADDE: This is a further
2 expansion on my comments regarding noise
3 and vibration presented on August 27 at the
4 public meeting in Mundelein, Illinois.

5 The EJ&E tracks primarily about
6 quiet residential neighborhoods and
7 school properties that will be impacted
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8 negatively by increased sound, noise, and
9 vibrations caused by the increase in
10 train traffic. These areas include:
11 Concord Village, Wicklow Village,
12 Braemar, Carolyn Court, Hillman's, Bruce,
13 Mionske, Prospect Park, and Hefler's
14 subdivisions, The Landings, and Terrace
15 Lane Apartments, School District 95 (Lake
16 Zurich High School, May Whitney), and the
17 entire downtown Lake Zurich redevelopment
18 area.

19 In the DEIS, the SEA stated
20 that: SEA concludes that requiring
21 mitigation for all of the noise sensitive
22 receptors predicted to experience a Ldn of
23 70 dBA or greater may unreasonably burden
24 the applicants. The Ldn of 70 dBA is an

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1 unsubstantiated threshold for the
2 consideration of mitigation for noise
3 impacts that has no technical basis, which
4 no other agency uses, and that has been
5 roundly criticized by the U.S.
6 Environmental Protection Agency.

7 The DEIS uses a methodology for
8 generating noise contours and accounting
9 for building shielding that is outdated and
10 was used prior to the advent of high speed
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11 personal computers. This methodology is
12 too generalized and could result in
13 inaccurate inclusion or exclusion of
14 impacted homes that could require
15 mitigation for noise impacts. This
16 threshold is higher than the widely
17 accepted threshold at which impacts are
18 deemed significant. For example, IDOT uses
19 66 dBA as a base threshold for
20 consideration mitigating measures. Other
21 flaws in the assessment methods include the
22 following: while the DEIS acknowledges
23 that this can be intrusive and annoying to
24 the occupants, the report focused only on

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1 the potential perceptions of vibrations and
2 interference with vibration sensitive
3 equipment.
4 The DEIS included a Lake Zurich
5 monitoring location, 437 Elm Place. We do
6 not have such an address in Lake Zurich.
7 We question the location and
8 validity of the vibration test performed in
9 the backyard of a residence in Carolyn
10 Court, where the equipment malfunctioned
11 after the first two trains because of
12 sub-zero temperatures.
13 In its environmental justice
Page 233

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14 analysis, the DEIS fails to include a map
15 showing low income and minority homes that
16 would be impacted by noise.
17 while the DEIS concludes that a
18 noise wall in the propagation path could
19 potentially abate the predicted noise
20 level, the DEIS does not identify any
21 mitigation measures at all.
22 The public perception of
23 validity for this DEIS must be based on an
24 acceptable level of data validity and

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1 transparency. In this document, these
2 characteristics are spotty at best and the
3 region cannot accept the DEIS conclusions.
4 The SEA should perform a more
5 detailed noise and vibration analysis as
6 part of their final environmental study and
7 should contact every property owner
8 residing in the subdivisions and adjoining
9 areas noted below, all located within
10 500 feet of E&E tracks to discuss noise
11 walls and additional landscape buffers.
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16 Page 234

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1 MR. TARBET: My name is Jim
2 Tarbet. I'm a resident of Lake Zurich.
3 On a professional basis, I dealt
4 with computer systems from all technical
5 aspects. In the field repairing them
6 amounted to friction with laws of
7 engineering. Analytical, yes.
8 Most last night after the
9 meeting and all day today I sat trying to
10 analyze the comments and information and
11 that was after my questions based upon what
12 I had read in this document.
13 There are no less than eight
14 areas where real circumstances seem to
15 deviate extremely from the analytical
16 engineering data that you have, which, at
17 best, demonstrates the computers are
18 garbage in, garbage out. Everything from
19 public health safety, welfare, quality of
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20 life, economics, social life regarding our
21 community.
22 I looked at the circumstances of
23 the track and all of the safety issues
24 related to it, and, quite frankly, I think

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1 that the mayor of Barrington Hills is
2 underestimating things when he said
3 28 months between major accidents.
4 U.S. Agency has direct authority
5 over this, yet according to your brochure,
6 you're advocating most of the
7 responsibility that you have to the public.
8 You are responsible for the public health,
9 safety, welfare.
10 when we get to the point of each
11 of these communities having facilities and
12 having school facilities so close to the
13 railroad tracks and everything else, I
14 wonder what the price of a life is. And I
15 guarantee that Hunter Harrison does not
16 have the desire to go putting things in to
17 protect the public health, safety, welfare,
18 which is your primary responsibility, not
19 the corporate.
20 I hope you look at your
21 brochure, look at the consequences on that.
22 I hope that you look at your methodology
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23 and the consequences associated with that.
24 Throw out most of what you have, get back

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1 into the real world with real measurements
2 and stop dealing with a computer. Your
3 computer system has failed just as badly as
4 the FAA failed last time.

5 Thank you, and good evening.
6 MS. ADAMS: This concludes the
7 public comment portion of our meeting
8 tonight.

9 We want to thank everyone for
10 their comments.

11 The next public meeting is
12 tomorrow evening in Bartlett with 4:00 to
13 6:00 p.m. open house followed by public
14 comment. Thank you.

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D.4 Bartlett, Illinois

082808 Public Meeting (4)

1 SCOPING MEETING FOR THE PROPOSED CANADIAN NATIONAL
 2 RAILWAY COMPANY ACQUISITION OF THE ELGIN, JOLIET
 3 AND EASTERN RAILWAY COMPANY
 4 BARTLETT HIGH SCHOOL
 5 701 SCHICK ROAD
 6 HANOVER PARK, IL 60103
 7
 8 CHIMNIAK REPORTING & VIDEO
 9 Telephone: 312-781-9111
 10 REPORTED BY: Dyann L. Berndt, CSR, RPR; Heather
 11 Reiva, CSR; Barbara Polke, CSR;
 12 Robin Chimniak CSR, RMR
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1 MS. ADAMS: If everyone can please
 Page 1

082808 Public Meeting (4)

2 take your seats, we're about to begin the
 3 public comment portion of the meeting.
 4 Good evening, ladies and gentlemen. Thank
 5 you for attending tonight's meeting. We
 6 are here tonight to hear your comments on
 7 the draft Environment -- draft
 8 Environmental Impact Statement that was
 9 released July 25th regarding Canadian
 10 National Railway's proposed acquisition of
 11 the E&E Railroad. My name is Tina Marie
 12 Adams, and I will be facilitating the
 13 meeting tonight.
 14 Before we get started, I'd like to
 15 take this opportunity to review some
 16 protocol for tonight's meeting. For
 17 starters, I would ask that everyone please
 18 turn off your cell phones and please
 19 refrain from interrupting any of the
 20 speakers or commenters. In a moment I will
 21 introduce those presiding over the meeting,
 22 and there will be a short presentation on
 23 the findings of the draft Environmental
 24 Impact Statement. Immediately following

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

082808 Public Meeting (4)

5 in the center of the stage, and a yellow
 6 card will be shown and will be right in
 7 front of you at the microphone at two
 8 minutes and 30 seconds, with a red card
 9 shown at three minutes.
 10 You will also see a list of speakers
 11 in order displayed on the screen. I will
 12 call forward the next two speakers in line
 13 after each speaker so we can be as
 14 efficient as possible. As you can see,
 15 there are two microphones set up in each
 16 aisle so move to the one closest to you.
 17 If you are interested in speaking and you
 18 haven't registered yet, you can still
 19 proceed to the registration table in the
 20 lobby here outside the auditorium.
 21 Alternatively, I just wanted to remind
 22 you that you can submit comments to the
 23 Surface Transportation Board through the
 24 toll-free number, Web site, or the mailing

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1 address, all of which are located in the
 2 program of the meeting that you received
 3 tonight. There are also comment forms and
 4 drop boxes in the lobby, and you can record
 5 your comments with the court reporters that
 6 are also located in the lobby. Again, just
 7 to remind you that all methods of comment
 Page 3

082808 Public Meeting (4)

8 are -- that are received by September 30th
 9 will be taken into consideration and
 10 weighed equally.
 11 Tonight we are here to listen to your
 12 comments on the draft EIS. This is not a
 13 question and answer session, but we invite
 14 you to return to the open house area if you
 15 have questions or if you would like to
 16 provide your comments in a more private
 17 setting with one of the court reporters.
 18 We appreciate your courtesy as we work
 19 to create an environment where everyone can
 20 be heard tonight. If you disagree with the
 21 speaker, we ask that you not express your
 22 disagreement out loud. Likewise, we know
 23 that interrupting a speaker during his or
 24 her remarks would give that person less

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1 time to speak, and this is a time for
 2 everyone. So please just be considerate of
 3 all the speakers in that regard.
 4 If we have anyone needing a Spanish
 5 translator, we do have someone here to
 6 assist you with that. She'll be available
 7 and around the room; but, also, you can
 8 look for someone with one of our tags that
 9 represents a staff person. In general if
 10 you have any questions, we have staff
 Page 4

082808 Public Meeting (4)
11 around the facility to help. One quick
12 housekeeping matter in terms of emergency
13 exits, we have two located to your right
14 and to my left; and we have three emergency
15 exits to the right, to your left.
16 I'd now like to introduce to you the
17 people on stage with me. Victoria Rutson,
18 chief -- chief of the section of
19 environmental analysis for the Surface
20 Transportation Board, and John Morton, the
21 team leader supporting the Surface
22 Transportation Board's section of the
23 environmental analysis. Victoria Rutson
24 will now make some remarks about the draft

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1 EIS.
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082808 Public Meeting (4)
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1 MS. RUTSON: Thank you, Tina Marie.
2 Can everyone understand what I'm saying?
3 If you can't hear me or understand me,
4 please just put your hand up; and I'll try
5 to slow down a bit or be a little more
6 clear.
7 Thank you so much for coming this
8 evening. It's a pleasure for me to be with
9 you here tonight. As Tina Marie explained,
10 the purpose of tonight's meeting is for us
11 to hear you. We're here to listen, take
12 notes, and carefully understand the
13 comments that you would like to make to us
14 on the draft Environmental Impact
15 Statement.
16 I am the chief of the section of
Page 6

7

082808 Public Meeting (4)
17 environmental analysis at the Surface
18 Transportation Board. Again, my name is
19 Vicki Rutson, R-u-t-s-o-n. I've received
20 letters from thousands and thousands of
21 people in the Chicagoland area, and I'm
22 sure many of you have written to me, as
23 well. I've read the letters, and I
24 understand what you're saying to us. I'm

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1 very eager to hear what you have to say to
2 us tonight.
3 As Tina Marie explained, there are
4 many ways to submit public comments on the
5 draft EIS. You may speak tonight in
6 public. If you feel less comfortable
7 speaking in public, you may write your
8 comments down and mail them to the Surface
9 Transportation Board. As long as they're
10 postmarked by September 30th, those
11 comments will be considered. You may meet
12 privately with one of the court reporters
13 that are available in the hall area. You
14 may e-file your comments following the
15 directions in the materials that have been
16 provided. You may also call the board's
17 toll-free environmental hot line number and
18 record your message. You may do all of
19 those things all at the same time. If you
Page 7

8

082808 Public Meeting (4)
20 think of a comment later on and want to add
21 to what you've said, please don't hesitate
22 to take some extra comment forms home with
23 you to add to what you thought and said
24 earlier.

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1 Now, what are we going to do with all
2 of your comments? Everything that we
3 gather by September 30th or, in the case of
4 letters, that are postmarked by September
5 30th will be read, reviewed, considered,
6 and responded to in a final Environmental
7 Impact Statement. That final Environmental
8 Impact Statement will be issued sometime
9 between December 1st and January 31st.
10 That document will set forward the
11 recommendations of the environmental staff
12 to the decision-maker in this case.
13 Who is the decision-maker? It's the
14 three men who comprise the Surface
15 Transportation Board.
16 The board is an agency located in
17 Washington, DC. The board was created by
18 Congress and given by Congress the job of
19 ensuring a strong national freight rail
20 transportation system. The board members
21 are appointed by the President and
22 confirmed by the Senate for standard
Page 8

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082808 Public Meeting (4)
23 five-year terms. That's explained on page
24 5 of your materials. The board is a

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10
1 bipartisan, neutral body that will consider
2 whether to approve this transaction, deny
3 this transaction, or approve this
4 transaction but only with the addition of
5 mitigating conditions. Again, the board is
6 neither an opponent or a proponent of this
7 proposed acquisition. It is a neutral
8 decision-maker. All your comments
9 are very important to us, and each is
10 considered equally. So if you don't feel
11 like speaking tonight, please don't feel
12 bad about that. You may comment in one of
13 the many other ways I've suggested.
14 With that, I'll turn the microphone
15 over to John Morton, who will talk about
16 the findings of the draft Environmental
17 Impact Statement. Thank you so much for
18 being with us here tonight, and I thank you
19 in advance for your respect and courtesy to
20 other speakers. You have shown courtesy
21 and respect to me throughout this very
22 difficult process, and I am so appreciative
23 to you for that; and I would ask you when
24 people are saying things that you may not

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11

1 necessarily agree with -- we understand you
2 don't agree with the things that everyone
3 says but please be respectful to those
4 people. It's hard to speak in public, and
5 it's really hard when people are saying
6 things while you're trying to do it. So
7 thank you for your courtesy, and we're so
8 pleased to be here.
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082808 Public Meeting (4)

12

1 MR. MORTON: Thank you, Vicki. If
2 it's okay, I -- I would -- I would just
3 plan on speaking down here on the floor. I
4 wanted to quickly go through some of the
5 findings from the -- the Environmental
6 Impact Statement. It's a -- it's a large
7 document. I know you have a lot of
8 questions. I'm only going to cover a few
9 areas. We've set up some of the tables and
10 the displays that were in the open house
11 and set them up in the -- in the back
12 corridor right behind the auditorium, and
13 the staff that was manning -- maintaining
14 and manning the displays down there are
15 available back there to answer your
16 questions. So I encourage you at any time
17 just to go ahead and -- and ask your
18 questions to the staff that's -- that's
19 back in -- in the back.
20 First, I'd like to talk briefly about
21 the -- the applicant. CN is a class one
22 railroad, and it -- it basically is a major
23 shipper, both, you know, foreign and -- and
24 domestic freight. They have five rail

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13
1 lines that -- in the Chicago area that
2 converge on -- oh, I'm sorry -- that

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082808 Public Meeting (4)

3 converge on Chicago. And if I can get this
4 -- I'm sorry. My hand does -- it shakes a
5 little bit. But those are the five
6 dark-colored rail lines that -- you know,
7 and they come into Chicago. They operate
8 about 150 miles of rail line in the Chicago
9 area.

10 EJ&E is a regional rail line that --
11 that starts up in the north by Waukegan,
12 comes down to the -- the Joliet area pretty
13 much due south, and then across the, you
14 know, southern part of the Chicago area,
15 due east into Indiana and then up to -- to
16 -- to Gary, Indiana. The EJ&E has two
17 major rail yards; that is, the east Joliet
18 rail yard in Joliet, Illinois, and the Kirk
19 yard in -- in Gary, Indiana.

20 CN has identified three primary
21 purposes for the -- the acquisition.
22 First, they'd like to combine, you know,
23 their five rail lines and -- and improve
24 their operations around the city. Second,

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14
1 they'd like to acquire the use of EJ&E's
2 Kirk yard; and, third, they'd like to
3 develop a more extensive relationship with
4 the shippers on the -- the EJ&E.
5 The -- the draft EIS evaluated a lot

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6 082808 Public Meeting (4)
of -- of issues, and we did it by -- and we
7 -- we organized it by resource category;
8 and these are the -- these are the areas
9 that are discussed in the draft
10 Environmental Impact Statement. What I'd
11 like to do is briefly go through the
12 findings in a -- in a couple of these
13 areas. Once again, I'm not going to cover
14 everything that's -- that's in the
15 document, and we -- and we do have people
16 if you have questions on anything we talk
17 about, they'll be -- feel free to ask the
18 people back in -- in the hallway.
19 First, the -- the proposed transaction
20 would have a number of changes. I'm going
21 to talk about the rail line operational
22 changes in just a second. The -- the --
23 the -- CN also proposes to construct six
24 new connections. One is -- is fairly close

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1 to here at Munger, and they also propose to
2 construct 19 miles of a second parallel
3 track in four specific areas that we've
4 listed here. Once again, you have charts
5 and maps located in the hallway that can
6 show you the specific locations of those
7 connections and where they're going to
8 construct the second track.

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9 082808 Public Meeting (4)
From a traffic change standpoint, this
10 is -- this is a density chart; and I know
11 it's a -- it's a little hard to read, and
12 it could be -- what it is is the outer area
13 is -- is the E&E ring, you know, or arc.
14 The inner lines are the -- the CN lines.
15 The light blue color is the current traffic
16 levels. The dark blue color is the
17 proposed traffic levels should the
18 transaction be approved.
19 So you can see that primarily what the
20 -- what the operation plan includes is
21 shifting traffic from the interior of the
22 arc to the arc in -- in -- in coming around
23 the -- the Chicago area. The expected
24 increase on the E&E is anywhere from 15

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1 to, you know, 24 trains per day. What that
2 means and -- in -- in what the EIS
3 evaluated is that in some areas the -- the
4 practical capacity of the E&E rail line,
5 you know, that will be at or near that
6 practical capacity.

7 As a result, you know, the EIS
8 indicates that we don't really expect any
9 higher volumes of trains than -- than what
10 was proposed in the Canadian National's
11 operating plan. In addition, Metra does

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12 082808 Public Meeting (4)
cross the E&E in a number of areas, and
13 coordination between Metra and CN will be
14 required.
15 We -- the EIS evaluated train and
16 roadway's safety. On -- on the E&E rail
17 line itself because of the increased number
18 of trains, the probability of -- of train
19 accidents does increase, and the
20 probability of a highway rail accident also
21 increases. On the CN rail lines inside the
22 arc because of the decreased train traffic,
23 the probability of a freight accident
24 decreases, and the probability of a highway

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17

1 rail accident -- accident also decreases --
2 decreases. In addition, the EIS identifies
3 three intersections that -- where there
4 would be a substantial increase in -- in
5 the potential for an accident, and those
6 are Woodruff Road in Julia, Illinois, and
7 then Lake and Miller in Griffith, Indiana.
8 The EIS also looked at passenger rail
9 and hazmat. There is no passenger rail
10 currently operating on the -- the E&E.
11 There is passenger rail operating on the CN
12 rail line segments inside the arc. Because
13 of the reduced number of freight trains,
14 there would be an improvement in passenger

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15 082808 Public Meeting (4)
rail safety there. There will be a
16 substantial increase in the movement of
17 hazardous material on the -- the E&E arc
18 and a corresponding decrease in the
19 movement of hazardous material on the CN
20 rail lines inside the arc.
21 The EIS looked at 155 highway
22 crossings on the CN rail line segment.
23 There's -- 125 of those would have reduced
24 freight train -- and then -- you know,

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18

1 activity and thus a reduced delay at those.
2 The EIS looked at 112 highway at-grade
3 crossings on the E&E. Of those, 87 did
4 meet the board's threshold for analysis.
5 In the analysis, the -- the EIS concluded
6 that without mitigation, 15 of those
7 highway rail at-grade crossings would be
8 substantially affected.

9 And those 15 are shown, once again, in
10 the little diamonds up there; and if you
11 want to know the specific locations, we do
12 have a map, once again, in the back in the
13 hallway. We'd be happy to show you where
14 that is and actually show you where it is
15 on -- on the -- the map that we have back
16 there, too.

17 The -- the draft EIS looked at air

Page 16

18 082808 Public Meeting (4)
19 quality. There would be increased mileage
20 because of the longer route around the arc,
21 but there's increased efficiencies, also.
22 The -- the net result is that the --
23 overall there would not be -- the -- the
24 air emissions increases it -- by 2015 would
not exceed current regulations or

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19

1 jeopardize the air quality -- the region's
2 air quality compliance.

3 The -- the draft EIS looked at
4 emergency service providers, evaluated all
5 the emergency service providers in -- in
6 the vicinity of the EJ&E arc and identified
7 that the documentation of level would --
8 would be substantially affected. That
9 would be nine fire stations and two
10 hospitals. Once again, the locations are
11 shown up there, and the -- and the details
12 on that are in the -- on the maps in the --
13 in the hallway in the back.

14 The -- the EIS looked at noise. There
15 would be about 3,000 residences that would
16 experience -- would be now within the 65 db
17 contour on the EJ&E arc. There would be
18 about 2700 that would no longer be within
19 that contour on the CN rail line segments.
20 Also, the Barrington area quiet zone would

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21 082808 Public Meeting (4)
22 -- because of the increase in freight
23 traffic would no longer be able to maintain
24 its quiet zone status without some type of
mitigation.

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20

1 The EIS also looked at mitigation for
2 -- for a number of activities. The CN
3 provides 76 voluntary mitigation measures.
4 They're -- they -- they're shown in the
5 various classes here. They're listed in
6 the -- both the draft EIS and in -- the
7 executive summary to the draft EIS lists
8 all 76 of the measures.

9 In addition to that above and beyond
10 those 76, CN identified 72 proposed
11 mitigation measures; and it's certainly one
12 of the things that they were hoping for
13 comments on to also address a number of --
14 of -- of issues there. And, once again,
15 those 72 measures are located in the -- in
16 the executive summary of the EIS and also
17 in the EIS itself.

18 And with that I'd just like to remind
19 you that, as Vicki mentioned, there's a
20 number of ways to provide comments. We
21 encourage you to use all those forms, and
22 I'd like to turn it over to Tina Marie.
23

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24 082808 Public Meeting (4)

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21

1 MS. ADAMS: We will now begin the
2 comment portion of our meeting. Let me
3 remind you that we will adhere to the
4 three-minute rule, which begins as soon as
5 you start speaking. If three minutes is
6 not enough time for you, please feel free
7 to speak with a court reporter out in the
8 lobby to complete your remarks.

9 We'd also invite you, if you have
10 written remarks if you're speaking tonight,
11 to provide those to the court reporter
12 located to my right, to the audience's
13 left, as you complete your speaking. If
14 you speak beyond the three minutes, I will
15 have to announce the next speakers. I
16 would now like to ask the first commenter,
17 Janet Andrew, to approach one of the
18 microphones followed by Catherine Melchert
19 and Michael Blazer. Please state your name
20 and who you represent and the town that
21 you're from.
22
23
24

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082808 Public Meeting (4)

22

1 MS. ANDREW: My name is Janet
2 Andrew. I live at 109 Forest View Drive in
3 Elgin in unincorporated Cook County. I'm
4 an officer of the Rolling Meadows
5 Homeowners Association, and I represent the
6 concerns of 57 homeowners, about half of
7 whom own homes that are within
8 approximately 300 feet of the EJ&E tracks.

9 Of the many concerns that I would like
10 to comment on --

11 MS. ADAMS: Would you get a little
12 closer to the microphone? Thank you.

13 MS. ANDREW: -- there are two specific
14 that I want to talk about right now. My
15 neighbors and I believe that the SEA has
16 made a gross oversight in failing to
17 estimate the loss of property values.
18 Although the study referenced in the draft
19 is stated as recent, it is from 2004 and
20 cites home values in Cuyahoga County, Ohio,
21 where the median home price last year was
22 \$154,000. The average age of the homes in
23 the study was 60 years. The study did not
24 address the impact of increased rail

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1 traffic on newer neighborhoods at all.
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2 In contrast, the median home price in
3 Cook County in 2007 was \$449,000. We
4 believe it's preposterous to suggest that
5 the study is representative of homes along
6 the E&E today. Plus current median home
7 values are shown in the draft for only six
8 of the 60 affected communities, and no
9 estimated counts are provided for how many
10 homes will actually be impacted. The
11 comparison of our homes to this
12 four-year-old study in Ohio is highly
13 questionable.

14 Since the draft fails to estimate
15 property loss values for any of the
16 impacted areas, we've come up with our own.
17 Using home values in Rolling Knolls as
18 listed on Zillow and Cyberhomes, we
19 estimate the loss of property value in my
20 neighborhood alone to be in the range of
21 three to three-and-a-half million dollars.
22 This comes to about an average of \$60,000
23 per home.

24 These are seriously large numbers and

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1 considering the shockingly high foreclosure
2 activity we're seeing today, it's a glaring
3 shortfall on the part of the SEA to not
4 have comprehensively addressed the impact
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5 on property values. If I can come up with
6 a dollar estimate, surely the SEA should
7 have been able to come up with a dollar
8 estimate.

9 The safety of our ground water is also
10 a serious concern for my neighbors. None
11 of the 57 homeowners in my neighborhood
12 have access to municipal infrastructure;
13 rather, we rely on private wells for our
14 water. While the draft suggests that the
15 likelihood of a hazardous materials spill
16 is remote, the risk does still exist and,
17 in fact, has occurred on CN rail lines in
18 the past.

19 Should a hazmat incident occur along
20 our stretch of rail, all of our wells would
21 likely become contaminated.

22 CN has been shown in recent years to
23 have a deplorable safety record and has
24 proven to be profoundly insufficient in

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1 their response to hazardous spills. The
2 fact that the SEA has not considered the
3 impact of this risk to our private water
4 supply is an egregious omission and should
5 be rectified in the final study. Thank
6 you.

MS. ADAMS: Catherine Melchert,
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8 followed by Michael Blazer and Danny
9 Simpson.

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11 Had Canadian National and its sister
12 railroad company embraced the concepts of
13 CREATE with full vigor from the beginning,
14 the congestion on existing lines could have
15 been mitigated and could be mitigated; but
16 the problem seems to be that the railroad
17 companies, the CN in this instance, are not
18 looking for long-term solutions to existing
19 problems but, rather, short-term answers to
20 their long-term profits. This purchase
21 will add nothing to the communities along
22 this line. There is no benefit which would
23 improve our communities, only problems; and
24 we know something about these problems.

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1 MS. MELCHERT: Good evening. My
2 name is Catherine Melchert, and I am the
3 village president of Bartlett. The point
4 has been made by the Canadian National
5 Railroad Company and some communities that
6 this purchase would be good for the region,
7 and that point is false. Creating new
8 problems without fixing the old is neither
9 good for sustainable growth, nor does it do
10 anything to promote regional cooperation.
Page 23

1 There is an existing CN line that runs
2 east-west of our community. Although this
3 is one of the lines which will see less
4 traffic, it is because of this line that we
5 have experienced difficulties with this
6 railroad company. This line has caused
7 serious disruption to our community and the
8 travelers on state Route 59 for many years,
9 and until recently there has been no effort
10 to respond to the correction of problems
11 which speak to the issues of air quality,
12 traffic congestion, and quality of life for
13 our residents.

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14 I refer you to the posters that we
15 have in the hallway with information
16 regarding the delays over the period of the
17 last 18 months. Think about this: You
18 have a major highway blocked; the closest
19 north-south arterial in either direction is
20 two miles away; access to police, fire, and
21 ambulance is cut off; police officers taken
22 away from the normal duties to cover major
23 traffic issues; and there is no
24 communication from CN. Equally

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1 frustrating, there is no recourse.
2 We are afraid that if this purchase is
3 approved without federal regulations
4 prohibiting such practice, it will begin
5 again after the purchase is approved. This
6 cannot be allowed to occur. It seems that
7 regulations or agreements must have strong
8 consequences in order for the railroad to
9 be a good neighbor.
10 Let me go back once again to regional
11 planning and a topic of which you are well
12 aware. The STAR line, an innovative idea,
13 would be good for the region in many ways,
14 not the least of which is improvement in
15 congestion and air quality. This purchase
16 all but brings the death knell to that
Page 25

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17 project, and that would be unforgivable.
18 That would be so 19th century.
19 Sacrifice a modern day, light rail
20 commuter line that daily benefits thousands
21 of the region's commuters, creates less
22 road congestion for thousands more,
23 attracts new businesses and jobs because of
24 these improvements to the quality of life

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1 in our area and for what? A foreign-owned
2 company able to swiftly move foreign
3 goods through our region to be transported
4 to the gulf and on to other foreign
5 countries which in the end results in the
6 loss of business and jobs at our own west
7 Coast ports.
8 There are far too many unintended
9 consequences to this purchase for it to be
10 quickly approved. There are far too many
11 unintended consequences that need to be
12 mitigated for this purchase to be approved.
13 We need a plan that addresses all the
14 issues, not just for today for this
15 purchase, but for the region and for the
16 future. Thank you.
17 MS. ADAMS: Michael Blazer followed
18 by Danny Simpson and Michael Airdo. Folks
19 in the back of the auditorium, are you
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082808 Public Meeting (4)
20 hearing the speakers okay?
21 MS. ADAMS: Rob Sherman?
22
23
24

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30
1 MR. SHERMAN: Good evening, Tina
2 Marie. Good to see you, John. Nice to see
3 you all survived Barrington last night.
4 I'm Rob Sherman, the green party
5 candidate for state rep in such communities
6 as Buffalo Grove, Wheeling, and Prospect
7 Heights where the Metra north central line
8 runs and where the current freight trains
9 run. I wanted to add five quick points to
10 my comments from Tuesday night.
11 First, I continue to hear that this
12 proposal is a catastrophe but only if it
13 affects the people along the E&E rail. If
14 it affects my communities, then it's okay.
15 So if -- if these trains are a problem, if
16 these trains really weren't that big of a
17 problem, then there would be a problem all
18 over, not just in the E&E ring.
19 Zoning, I want to talk about zoning
20 mitigation meetings and Metra STAR line.
21 Regarding zoning, I go to a lot of Buffalo
22 Grove village board meetings, as well as
Page 27

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23 village board meetings in other
24 communities, and I hear this all the time

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1 where residents say, hey, I don't want a
2 business to go in in a particular location,
3 or I don't want something built in a
4 particular spot where it's zoned for that.
5 And the municipal officials always say,
6 well, there's nothing we can do because the
7 property owner has the right to use his
8 property for what it's zoned for.
9 So this sounds basically like a zoning
10 dispute. Ladies and gentlemen, this is
11 zoned for rail; and just because the
12 property owner didn't fully do the license
13 resource, doesn't mean he should be denied
14 the opportunity to fully utilize it now.
15 It -- it's not like they're asking for a
16 zoning variance. It's not like they want
17 to, you know, shoot fireworks off. They're
18 asking to use their property for what it's
19 zoned for. How can you or the communities
20 say that a property owner should be denied
21 the right to use his property for its
22 intended purpose?
23 Next, in regard to mitigation, the
24 only mitigation that I think is
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1 appropriate, the only key piece of
2 mitigation, one, rush hour. Perhaps there
3 can be a moratorium during rush hour so it
4 doesn't mess up, you know, the Metra trains
5 that cross and also the street traffic when
6 people are -- are trying to get through and
7 in a hurry to get to the -- to -- to work
8 or school. But, also, if that kind of
9 moratorium is put in, then in regards to
10 the forest preserve where they want to link
11 somewhere in DuPage County forest
12 preserves, they should be given that option
13 to do that.

14 Meetings, I've heard a lot about how
15 the meetings are along the EJ&E
16 communities. We should have meetings; and
17 as a procedural question, can we get some
18 meetings along the -- where the line is,
19 not on the freight line?

20 And the last thing in regards to the
21 Metra STAR line, I hear that 20 freight
22 trains a day would be catastrophic; but 40
23 Metra trains, that would be okay. And the
24 freight trains, they wouldn't run during

1 rush hour but the Metra trains would. So
2 if -- if 20 freight trains would be
3 catastrophic, 40 Metra trains would be
4 terrible. Thank you for your time.
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1 MR. SIMPSON: The first thing I want
2 to talk about is the CN's desire to
Page 30

3 082808 Public Meeting (4)
4 short-circuit this entire process. They
5 have filed a petition asking for early
6 approval of the stock purchase agreement
7 with U.S. Steel.

8 They want you to decide by
9 October 15, only 15 days after the public
10 comment period, and they want you to decide
11 whether you will do that by September 15,
12 before this public comment period is even
13 concluded, and if you don't do it, they say
14 they will take this to the appellate court.

15 Now, why are they in such a
16 hurry? They say this is a "minor
17 transaction" because any anticompetitive
18 effects of the transaction will clearly be
19 outweighed by the transaction's anticipated
20 contribution to the public interest in
21 meeting significant transportation needs,
22 and they say that there is a risk that U.S.
23 Steel will walk away from the deal if this
24 isn't done by December 31.

Now, I don't know about you, but

1 I haven't heard of a lineup of other buyers
2 for the EJ&E waiting in the wings if this
3 deal falls through.

4 So what's the real reason? Why
5 do they want a rush to judgment? Because
Page 31

6 082808 Public Meeting (4)
7 they have failed to adhere to recognized
8 engineering principles; because they ignore
9 pending projects that dramatically alter
10 the results of their faulty analysis;
11 because the data they've submitted is just
12 plain false.

13 This is not just theoretical.
14 We are not here opposing just for the sake
15 of opposing. This isn't "minor" to the
16 Village of Bartlett. We are dealing with
17 significant life, health and safety issues.

18 There are two at-grade crossings
19 in Bartlett, as you know, West Bartlett
20 Road and Stearns Road. The current
21 conditions are already untenable. I have
22 here almost 250 pages of police reports in
23 one 12-month period, resulting from extreme
24 delays at the grade crossings in Bartlett,
all far in excess of the ten minutes that

1 the CN says should be the standard. They
2 propose a 400 to 500 percent increase in
3 rail traffic at these two crossings, but
4 according to the CN, 22.5 plus 23.4 equals
5 zero.

6 The CN effectively ignores the
7 Stearns Road Bridge over Fox River, and
8 then there is the new fire station being
Page 32

9 082808 Public Meeting (4)
built, recognized in the draft EIS (p.
10 ES-44, Table ES-2) as an Emergency Service
11 Provider Potentially Substantially Affected
12 under the Proposed Action.
13 What does the CN say about such
14 a direct and substantial impact on the
15 residents of Bartlett? They don't put
16 forth a single specific mitigation
17 proposal. Instead, what we get is
18 generalities like VM 21: Applicants shall
19 notify Emergency Services Dispatching
20 Centers for communities along the affected
21 segments of all crossings blocked by trains
22 that are stopped and may be unable to move
23 for a significant period of time.
24 Now, I suppose that could work

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1 if fires will cooperate and not start while
2 trains are blocking the road, and if
3 accidents won't happen at those times, and
4 if people will also cooperate and have the
5 courtesy to not have heart attacks or
6 strokes at the wrong time.
7 We are dealing with situations
8 where seconds matter and where minutes can
9 mean the difference between life and death.
10 But to the CN this is a minor matter and
11 they are making a contribution to the
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1 Unfortunately, despite best
2 efforts, incidents do sometimes occur in
3 the rail industry. However, CN's emergency
4 response plan is designed to allow seamless
5 integration of federal, state and local
6 governments before, during and after
7 emergencies. CN works with communities to
8 ensure a high level of emergency
9 preparedness. In addition, our system
10 protection plan ensures distribution of
11 resources aimed at prevention,
12 preparedness, and emergency response
13 capability.
14 Training is an important aspect
15 of our efforts. CN's dangerous goods group
16 conducts outreach training programs in
17 communities across the system, resulting in
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12 082808 Public Meeting (4)
public interest.
13 Why is the CN doing this, what
14 is, in fact, a conscious effort to avoid,
15 to evade grade separation requirements?
16 Now, I will close in reminding
17 you of your obligations. What is the STB
18 duty here? That you not be swayed by false
19 and misleading information and that you do
20 your job and not rush to judgment.
21 Thank you.
22 MS. ADAMS: Daniel Simpson, followed
23 by Michael Airdo and Brent Coulter
24

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1 MR. SIMPSON: My name is Danny
2 Simpson. I'm assistant vice president of
3 safety and environmental proceedings. I
4 appreciate the opportunity to present CN's
5 perspective on safety and emergency
6 response issues here this evening.
7 You probably heard some people
8 raise concerns about CN's corporate
9 culture, saying it would lead to decrease
10 in safety levels if this transaction were
11 approved. These suggestions aren't
12 supported by the facts. Safety is one of
13 CN's core values since CN operates one of
14 the safest railroads in North America
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18 082808 Public Meeting (4)
better trained global responders, working
19 safely and efficiently with CN personnel
20 should emergencies arise.
21 Some have made much of the
22 findings in the draft relating to increased
23 frequency of train accidents and increased
24 risk of accidents at rail crossings. The
possibility of any accident is a serious
2 matter, but what people seem to forget is
3 in the draft finding the likely number of
4 rail accidents from CN's existing lines, if
5 such changes are made, would decline 77
6 percent compared to current operations, and
7 the grade crossing accidents in the region
8 overall would decrease by 8 percent.
9 Also, as the draft pointed out,
10 while the number of major key routes of
11 hazardous material shipments on the E&E
12 line would increase from 2 to 14, the
13 number of major key routes on CN's existing
14 lines through downtown Chicago would fall
15 from 23 to 3. The DIS shows the risk of
16 adverse safety impacts along the E&E line
17 are more than offset by the safety benefits
18 for the communities located along the CN's
19 existing lines.
20 CN recognizes the potential
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21 082808 Public Meeting (4)
22 adverse safety impact along the C&E must
23 be addressed. CN proposed a number of
24 voluntary mitigation measures relating to
ER and haz mat transportation, which were

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1 included in the DIS. In addition, as my
2 colleagues testified earlier this week, CN
3 has been actively engaged in outreach
4 efforts to communities along the E&E line
5 in an effort to develop comprehensive
6 voluntary mitigation measures and to
7 address community concerns.

8 I'm happy to discuss these
9 related issues with any and all communities
10 along the line, and I have already done so
11 with numerous within the community.

12 Thanks again for the opportunity
13 to speak before you this evening.

14 MS. ADAMS: Michael Airdo, followed
15 by Brent Coulter and Alan Murphy.

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24 082808 Public Meeting (4)

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1 MR. AIRDO: Good evening. Michael
2 Airdo, Bartlett Village Trustee.

3 There are three concerns that I
4 would like to focus my comments on this
5 evening; safety, air quality and noise.
6 I'm narrowing my comments to these areas
7 because these will have the greatest
8 negative impacts on the residents of
9 Bartlett.

10 These three issues; safety, air
11 quality and noise, are also the impacts
12 that the draft DIS has provided little hope
13 for meaningful mitigation by CN.

14 The first issue is safety. With
15 the huge increase in freight volume, as
16 well as an increase in hazardous cargo
17 loads, the risk to safety is very real.
18 The draft DIS indicates the total number of
19 train accidents on the E&E will likely
20 increase by 28 percent, and the number of
21 major key routes, key routes being aligned
22 with the trains that carry more than 20,000
23 car loads per year of hazardous materials,
24 will increase from 2 to 14. A greater

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1 potential of train accidents coupled with a
2 dramatic jump in loads carrying hazardous
3 material is a dangerous combination, that
4 what does the Draft EIS say to communities
5 faced with this increase?

6 It tells us not to worry, that
7 hazardous material would remain remote
8 because of the regulatory and other
9 safeguards already in place. Such a
10 statement does little to ease the concerns
11 of our residents living along the E&E.

12 This is especially worrisome
13 given CN's deplorable safety record in
14 Canada. In a report released this year by
15 the Canadian Parliament, CN received the
16 lowest grade possible on implementing
17 safety management systems designed to
18 offset accidents and other safety hazards.

19 But we need not rely on the
20 Canadian Parliament to tell us the
21 priorities of CN when safety is involved.
22 We can look to the company's response to a
23 \$130 million hazardous material spill in
24 Canada caused by a defective rail.

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1 According to that account, CN
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2 still faces charges from Alberta's
3 Environment Ministry that it failed to act
4 properly to confine the spill. But those
5 charges don't raise red flags as fast as
6 the fact that within 48 hours the big
7 rail's trains were moving again, while the
8 townspeople had to physically block the
9 tracks to get the attention of CN
10 officials, who would not meet with local
11 citizens impacted by their spill.

12 The assurance that CN will
13 operate in a safe manner is met with
14 skepticism here in Bartlett, and
15 justifiably so. That the SEA decided not
16 to look at CN's Canadian safety record in
17 developing the draft EIS is remarkable and
18 needs to be rectified.

19 The second issue is the
20 increased freight traffic. CN argues the
21 more rail traffic means fewer trucks on the
22 road, improving the local environment. The
23 traffic idling, while waiting for two-mile
24 long trains to pass at grade crossings,

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1 will negatively impact local air quality.
2 The crossings in Bartlett and Route 59 and
3 Munger Road were blocked 120 times.

4 The final issue is noise. The
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5 CN locomotives have stopped in Bartlett in
6 the past, and we read about it in the
7 Chicago Tribune, from 36 to 48 hours
8 straight, less than a hundred feet from the
9 Woodland Hills subdivision, and CN has done
10 nothing about it and refuses to do anything
11 about it.

12 MS. ADAMS: Bret Coulter, followed
13 by Alan Murphy and Joseph Fink.

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1 MR. COULTER: Good evening. My name
2 is Brent Coulter. I'm a registered
3 professional engineer in the State of
4 Illinois and hold a national certification
5 as a professional traffic operations
6 engineer.

7 My testimony tonight is on
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11 that implement the full Highway Capacity
12 Manual indicate that both delay and queuing
13 in the Draft EIS are underestimated by 50
14 percent or more, with both the Stearns Road
15 and West Bartlett Road arterial at-grade
16 crossings exceeding the 40 daily vehicle
17 hours of delay criterion used in the Draft
18 EIS for grade separation consideration.

19 In the absence of additional
20 lanes crossing the E&E on West Bartlett
21 Road, peak hour vehicle queues could exceed
22 4,000 feet and would block all access
23 points serving nearby residential
24 neighborhoods just east and west of the

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1 crossing, as well as access to Bartlett
2 Fire Protection District Station No. 3.

3 In addition, the adverse or
4 extra travel distance that fire department
5 vehicles would be forced to travel to
6 access a grade separation or open crossing
7 to serve the area west of the E&E ranges
8 from 2.1 miles to over 4.2 miles. That's 3
9 to 5 times the 3/4-mile threshold that
10 defines a substantial impact used by the
11 Illinois Commerce Commission for at-grade
12 crossing closures in urban areas.

13 In some cases, projected year
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8 behalf of the Village of Bartlett, and I
9 will be following up on the introductory
10 comments of Mr. Blazer earlier.

11 The CN proposes to increase
12 train traffic fourfold in a section of the
13 E&E rail corridor that already experiences
14 excessive at-grade crossing blockage by
15 train activity, and where no alternative
16 highway/rail grade separation exists for a
17 length of nearly seven miles. This action
18 is of great concern to the Village of
19 Bartlett with respect to increased highway
20 delay and queuing, and significantly slower
21 vehicle response times to a large
22 residential and employee population west of
23 the E&E.

24 Equations for delay and queuing

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1 for rail/highway at-grade crossings used in
2 the Draft EIS were developed based on
3 rudimentary concepts borrowed from highway
4 traffic signal theory and reference the
5 nationally recognized Highway Capacity
6 Manual. While I agree with this analogy to
7 highway traffic signal control, the simple
8 equations used in the Draft EIS fail to
9 incorporate many critical factors.

10 Application of computer models
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14 2015 highway traffic volumes used in the
15 draft EIS for evaluation of the proposed
16 action have been significantly
17 underreported. On top of that, use of the
18 seven-year horizon for impact evaluation is
19 unacceptable and out of step with the
20 typical 20-year design horizon mandated by
21 the Illinois Department of Transportation
22 and the Federal Highway Administration.
23 The draft EIS analysis crossing
24 delay in queuing is based upon assumptions

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1 favorable to the proposed acquisition in
2 terms of train operating speeds, no
3 bunching of train traffic during the
4 highway peak hours, and no excess crossing
5 blockage due to train switching activity.
6 Such an environment is contradicted by a
7 history of extremely long delays and
8 blockages along E&E crossings in the
9 Bartlett area.

10 In conclusion, I believe that
11 the draft DIS method for estimating delay
12 and queuing is flawed, and, in combination
13 with low estimates of future highway usage,
14 significantly underestimates at-grade
15 crossing delay and queuing. The Draft DIS
16 also fails to estimate the adverse travel
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17 distance for police, fire and ambulance
18 vehicles to provide emergency service to
19 the Bartlett area west of the EJ&E railroad
20 when crossings are blocked by trains.
21 MS. ADAMS: Alan Murphy, followed by
22 Joseph Fink and Karen Wojciechowski.
23
24

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1 MR. MURPHY: Good morning. My name
2 is Alan Murphy. I'm here represent the
3 people of the Du Page Group. If you are
4 not familiar with us, we led the fight and
5 defeated the transfer station in West
6 Chicago. We also do other charitable
7 activities in western Du Page.
8 As you are possibly aware or
9 becoming aware, we provided the signs out
10 in front of the high school tonight, the
11 nice yard signs. Our group is formed to
12 help the local people in western Du Page
13 County, and I think it is a life safety
14 issue, the whole CN proposal.
15 One of the things you have got
16 to realize is what happens if you have a
17 heart attack and you are on the wrong side
18 of the tracks? What happens if you live
19 west of Bartlett and have a heart attack?
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20 What happens if you live downtown Wayne and
21 there is a UP train and a CN train? Wayne
22 becomes an island. How do you get help to
23 that person? Three minutes, four minutes;
24 how long does it take for you to expire?

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1 People's lives are more important.
2 West Chicago spent a lot of
3 money on redeveloping its downtown. What
4 will the CN do to West Chicago's traffic
5 patterns? Will it put a stranglehold on
6 our town's development, our time, our
7 money, our citizen's way of life? It will
8 affect everybody along the whole route.
9 One of the things you must
10 realize is West Chicago is at a junction;
11 the Union Pacific west line, Canadian
12 National, or the EJ&E. This point where
13 the junction meets, if all the proposals go
14 through, will be the busiest train
15 intersection in the United States. With
16 all the projections, there will be over 200
17 trains a day at that intersection. What is
18 the railroad industry and what is the CN
19 doing to help the community of West Chicago
20 and the residents?
21 The other thing I would like to
22 address is the Petitioner filed a
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23 1,000-page document, and I'm given, what,
24 three minutes to respond to 1,000 pages?

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1 You know, we teach our kids to
2 say no to drugs. Why doesn't the National
3 Transportation Board take a lesson from
4 that and just say no? Thank you.
5 MS. ADAMS: Joseph Fink, followed by
6 Karen Wojciechowski and Michael Kwasmann.
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1 MR. FINK: My name is Joe Fink. I
2 live at 617 Rose Lane in Bartlett, and I'm
3 just here to speak for me, and not other
4 organizations.
5 I do appreciate the fact that
6 officials from Bartlett have taken the
7 position that this is not good for our
8 area. I was quite surprised when we came
9 here tonight to find that at a grade
10 crossing about a mile from my house, the
11 number of hazardous car loads would go from
12 29 to 209. That concerns me, and the name
13 and number of trains at that same grade
14 crossing goes from five to 22.
15 That grade crossing is very
16 close to the new fire station that has just
17 been built here on West Bartlett Road, and
18 a train, if you try to get across west from
19 there, you would have a very difficult time
20 if the train is going across that crossing.
21 I can appreciate personally how
22 important it is, when you call for
23 emergency service, you need it. This is a
24 personal thing for me. My wife has needed

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1 that a number of times. We had a wonderful
2 response from the Bartlett police and the
3 fire department, and I just think that that
4 would be jeopardized.

5 The last thing I'm concerned
6 about is the length of the trains. These
7 two-mile trains, possibly two-mile trains,
8 traveling in the Chicago area and in the
9 Bartlett area, it just doesn't make sense
10 to me. Thank you very much.

11 MS. ADAMS: Karen Wojciechowski,
12 followed by Michael Kwasman and Ruben
13 Pineda.
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1 MS. WOJCIECHOWSKI: Hi. I'm Karen
2 wojciechowski, and I'm a concerned resident
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4 If this deal were only about
5 interstate commerce or transportation
6 efficiency, we probably wouldn't be here
7 tonight because there wouldn't be much to
8 talk about; however, there is one very
9 important issue, and that is safety, the
10 seriousness of which is minimized by the
11 study.

12 I'm not here because I'm worried
13 that I will be late for an appointment to
14 the beauty salon due to a train blocking
15 the road or because I'm annoyed by trains
16 going at all hours. What keeps me awake at
17 night is the risk of being cut off from
18 emergency services, which would be four or
19 five times more likely to happen if this
20 deal goes through.

21 Like thousands of Bartlett
22 residents, I live west of the E&E tracks.
23 Unfortunately, all of the services that my
24 neighbors and I potentially need during an

1 emergency situation are located east of the
2 tracks, including a new fire station, the
3 two existing fire stations, the police
4 station, and the nearest hospitals.

5 Seconds count in an emergency
Page 50

6 082808 Public Meeting (4)
7 situation. The fact of the matter is if
8 your house is on fire, if your husband is
9 having a heart attack, or your baby can't
10 breathe, you don't have time to wait for
11 that fire engine, for that police car, or
12 for that ambulance to turn around and take
13 an alternate route because a freight train
14 is blocking the only path to your house.

15 The STB study has already
16 identified the impact of the emergency
17 services in Bartlett as a substantial
18 potential problem area, and, with all due
19 respect, approving this deal without having
20 effective mitigation in place would be the
21 height of irresponsibility. I'm aware that
22 a level of risk exists today because of the
23 existing freight traffic, but let me give
24 you an analogy here: Increasing the risk
to public safety by allowing freight

1 traffic on the line to quadruple is like
2 dealing with a few drops of spilled milk by
3 dropping the entire pitcher on the floor.
4 It only makes the situation worse.

5 No one can and no one should
6 attempt to put a price on a human life.
7 The risk to public safety is too serious
8 and can't simply be dismissed for those of
Page 51

9 082808 Public Meeting (4)
10 us living along the E&E tracks. Public
11 safety is not a game of number crunching,
12 or regional averages, or comparing the
13 number of towns that will and won't be
14 impacted. It is about preserving human
15 life and nothing is more important.

16 That's why I urge the STB
17 members to imagine themselves in a similar
18 position and truly evaluate the serious
19 safety risks this deal poses.

20 Thank you.
21 MS. ADAMS: Michael Kwasman,
22 followed by Ruben Pineda and Jesse Felix.
23
24

1 MR. KWASMAN: Good evening. I'm
2 Mike Kwasman, mayor of West Chicago, the
3 community that has its tradition of a
4 railroad town.

5 However, we were stricken when
6 representatives from the STB came to my
7 community, looked at what we had to offer,
8 and they were a little bit stumped about
9 the train-to-train roadblock. We are not
10 talking just commuters. We are talking the
11 CN versus the UP. You don't think that the
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12 082808 Public Meeting (4)
UP would let the CN get an upper hand when
13 it comes to competition? I think not.

14 So when most trains bottleneck
15 in an area, what are we to do in our town
16 of west Chicago? Miles and miles of
17 stopped trains. Your plan, it wasn't even
18 mentioned in your plan.

19 Number two, you say, about fire
20 stations, sure, we are building new fire
21 stations in west Chicago, not due to
22 growth. We are building fire stations due
23 to rail traffic.

24 The CN wants to increase their

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1 capacity. Their capacity is for repayment
2 to their stockholders. Well, my
3 stockholders are the citizens of west
4 Chicago. They have already dug into their
5 pocket and raised their property tax to as
6 far as 25 percent, not due to them, but due
7 to the railroads.

8 In today's times, how much can
9 we keep asking our constituents to go into
10 their pocket? There has to be some sort of
11 balance between commerce and the safety of
12 our public. Your job is to weigh that
13 balance. We come from the community that
14 is a railroad town. We have no intention

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15 082808 Public Meeting (4)
of being enslaved by a railroad.

16 Thank you.

17 MS. ADAMS: Ruben Pineda,
18 followed by Jesse Felix and Randy Ramey.

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1 MR. PINEDA: I'm alderman Ruben
2 Pineda from the City of West Chicago, Third
3 ward. The Third ward is exactly right
4 where these railroad tracks are. It runs
5 right along the border of the Second and
6 Third ward. My ward is going to be greatly
7 impacted.

8 Right now we have five at-grade
9 crossings in west Chicago. With the length
10 of the trains, if this acquisition happens,
11 at any time all five of those grade
12 crossings can be stopped at one time. So
13 nobody would be able to get to the eastside
14 of west Chicago.

15 I kind of like the eastside of
16 west Chicago, and I would kind of like to
17 be able to visit once in a while. with all

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18 082808 Public Meeting (4)
these trains coming through here, five
19 at-grade crossings, we really wouldn't have
20 a chance to get across there.

21 Right now we have one at-grade
22 crossing that is going to be greatly
23 impacted; it is called Aurora Street, and
24 there that is completely landlocked, and

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1 that is the only way in and out to those
2 four or five homes. We already had one
3 house fire that our fire department was not
4 able to get to in time, and we lost two
5 lives, two small young children. So we
6 have an issue there if there is a train
7 stopped in front of Aurora. There is no
8 way in and out of that little tiny
9 subdivision.

10 We have got about 300 or 400
11 students that are on the west side of the
12 tracks in my ward that have to cross three
13 grade crossings there to get to high
14 school, either in a vehicle or walking.
15 There are a large percent of pedestrians
16 that are students and are walking, and of
17 course students, when they start hearing
18 those bells, the first thing they are going
19 to try to do is try to beat that train, and
20 I find that very disturbing because we have

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21 082808 Public Meeting (4)
already had one death this year, within the
22 last six months. It was a small child
23 trying to beat the train. If we have more
24 trains running through there, the averages

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1 are going to go way up as far as possible
2 fatalities.

3 with the impact that these
4 trains could possibly cause, we have only
5 got a couple of options as far as my ward,
6 and that's going out on Tower Road or Pearl
7 Road. Those are two very critical
8 intersections that a lot of people
9 literally don't go that way because,
10 Roosevelt Road, we have got two blind spots
11 there to try to get out on the track. If
12 these trains start coming through, they
13 have no option but to go out there and try
14 to get through there. There is no
15 stoplight. There is nothing there.

16 So that's a huge concern because
17 of the amount of traffic accidents at that
18 crossing there would be incredible.

19 This acquisition could literally
20 cut my community in half. The City Council
21 has worked very hard to make it a better
22 community, and it will completely destroy
23 our community, and I would hate to see

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24 082808 Public Meeting (4)
something like that happen.

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1 Thank you very much.
2 MS. ADAMS: Jesse Felix followed
3 by Randy Ramey and Hugh Stott.
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082808 Public Meeting (4)

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1 MR. FELIX: My name is Jesse
2 Felix. I am a resident of the Community of
3 Bartlett, and I am the superintendent of
4 parks for the West Chicago Park District.
5 A key factor when one decides to move a
6 corporation or, most important, a family to
7 a community is the quality of life.

8 Parks, I have always
9 felt, demonstrate community pride and give
10 the residents and visitors a positive
11 impression to what a community has to
12 offer. Active and passive recreation are
13 important factors for the quality of life
14 in a community. They are important factors
15 to remember when considering this proposal,
16 however minor the Board may feel this that
17 transaction may be.

18 We are very proud of our
19 parks in West Chicago. They are more than
20 just athletic fields and open spaces. Our
21 parks contain plants, animals, and the
22 inanimate.

23 If I do not object to
24 this proposal, which will bring additional

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1 train traffic to the community and
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2 082808 Public Meeting (4)
negatively influence the parks, I would be
3 doing a disservice to the community I work
4 for and the community I live in.

5 Commissioner Buttrey is
6 correct in his concern and assessment that
7 even the most far-reaching mitigation would
8 be enough to offset or balance the
9 environmental detriments that would flow
10 from this proposal.

11 No one came to West
12 Chicago Park District and asked about our
13 adjacent properties or future plans for
14 development. Reed-Keppler Park has 500,000
15 visitors annually that use it for
16 recreation and special events.

17 Reed-Keppler Park contains 20 acres of high
18 quality wetlands that run along the E&E.

19 Pioneer Park has a
20 master plan to redevelop the existing park
21 amenities and the land that was acquired by
22 E&E. This park will see an increase in
23 usage once the redevelopment has occurred
24 beginning in 2009. Pioneer Park is our hub

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1 park for the south side of West Chicago.

2 One major park that was
3 missed in the report was Manville Oaks
4 Park. Manville Oaks is a 184 park site
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082808 Public Meeting (4)

5 that runs along the east side of the E&E
6 across from Fermi Lab. This park has a
7 master plan for redevelopment that has
8 recently been completed. We would
9 anticipate at least 250,000 visitors to the
10 park to attend concerts, play disc golf,
11 attend sporting events, or walk, jog, and
12 bike.

13 Within Manville Oaks is
14 Kress Creek, which was recently cleaned up
15 by the Kerr-McGee Corporation under the
16 watchful eye of the EPA, and please note
17 that Wilson Street was vacated by the
18 Winfield Township and is not the property
19 of the park district.

20 When the ICC approved
21 the purchase of the Chicago Northwestern by
22 the Union Pacific, no environmental impact
23 statement was ever done.

24 Vibration by the

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1 additional train traffic may have an
2 adverse effect on our building at 157 West
3 Washington Street. The increased train
4 traffic after the purchase has had an
5 adverse effect on our location also.

6 Chicago landscape
7 planner, Jens Jensen, wrote that, "Everyone
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082808 Public Meeting (4)
8 is entitled to a home where the sun, stars,
9 open fields, giant trees, and smiling
10 flowers are free to teach an undisturbed
11 lesson of life."
12 We have strayed from
13 that vision by not properly planning for
14 expansion, not only in the city, but as far
15 west as you can imagine. Thank you.
16 MS. ADAMS: Randy Ramey,
17 followed by Hugh Stott and Joe Modrich.
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1 MR. RAMEY: Thank you. I am
2 Randy Ramey. I represent the 110,000
3 people of District 55 and, specifically,
4 the residents of West Chicago, Wayne, and
5 Bartlett.
6 I have a brief statement
7 from Senator John Millner, who couldn't be
8 here this evening. He has served as a
9 police officer and leader of many law
10 enforcement organizations for over 30 years
Page 61

082808 Public Meeting (4)
11 and has a complete understanding of
12 life-threatening situations.
13 Under the current
14 situation with the few trains that move
15 through the communities, we have had
16 situations where the public safety officers
17 could not reach those in need, i.e.,
18 choking, heart attacks, serious accidents,
19 et cetera.
20 If we increase train
21 traffic from 4 trains a day to 20 or more
22 even longer trains, these situations would
23 only multiply.
24 Our communities are

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1 expected to build additional public safety
2 facilities, hospitals, and other
3 multimillion dollar infrastructure
4 improvements to prevent dangerous and
5 tragic situations from occurring.
6 I understand the
7 importance of efficiently utilizing our
8 rail lines to move goods throughout our
9 state and country, but if you balance it
10 out, I believe that this sale would cause
11 more harm than good.
12 The Village of Wayne
13 would -- has a unique situation where a
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082808 Public Meeting (4)
14 good portion of the community is built
15 between two rail lines. If those
16 additional trains would start to roll, a
17 large part of the community would be
18 trapped between the two trains where
19 police, fire, and ambulances would not be
20 able to attend to those in need until the
21 train has passed.
22 In West Chicago
23 ambulances are located on one side of the
24 train tracks, and in Bartlett emergency

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1 personnel won't be able to reach the
2 emergency in a timely basis because rail
3 lines run through their major throughways.
4 In a choking or heart attack situation,
5 seconds count, and those situations would
6 statistically be more prevalent than they
7 are today.
8 Even the STB report
9 concluded that fire and emergency medical
10 service providers near the E&E rail line
11 would potentially experience substantial
12 effects as a result of the proposed action.
13 why would we take such a risk?
14 Additionally, the
15 traffic congestion would be so onerous that
16 the local economy may be adversely impacted
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082808 Public Meeting (4)
17 with these additional trains.
18 I am appealing to you
19 and the officials of the Surface
20 Transportation Board to weigh this decision
21 carefully and urge you to consider concerns
22 of residents and communities on both sides
23 of this issue.
24 So as you have seen

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1 throughout this evening, a lot of what we
2 are talking about is public safety. I am
3 concerned that the STB predicts a
4 28-percent increase in accidents along the
5 E&E line. My wife just got a job at the
6 Community High School in West Chicago,
7 which runs right by that line. I certainly
8 hope she is not part of the 28-percent
9 increase in accidents. Thank you.
10 MS. ADAMS: Hugh Stott, Joe
11 Modrich, followed by Vicky Lenahan.

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20 082808 Public Meeting (4)
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1 MR. STOTT: My name is Hugh
2 Stott. I'm deputy fire chief of the West
3 Chicago Fire Protection District. The West
4 Chicago Fire Protection District protects
5 the lives and properties of approximately
6 35,000 residents of the towns of West
7 Chicago, Wayne, and Warrenville.
8 Our population rises
9 during the daytime to approximately 50,000
10 residents, visitors, and travellers.
11 The area that we protect
12 is literally divided by the presence of
13 railroad tracks. The Union Pacific
14 right-of-way divides us from east to west.
15 The current E&E right-of-way divides us
16 right down the middle from north to south.
17 We are subject to the presence of
18 approximately 68 Metra trains and upwards
19 of the 80 to 100 freight trains on any
20 given day.
21 As in any movement of
22 freight by rail or truck, a concern in the
Page 65

23 082808 Public Meeting (4)
24 West Chicago Fire District includes the
potential for grade-crossing accidents and

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1 the potential release and management of
2 hazardous materials.
3 But, even more
4 importantly, is the increased obstruction
5 of six grade crossings by the potential
6 acquisition of the Canadian National. It
7 was mentioned there were five crossings.
8 Those were within the City of West Chicago.
9 We have one that is outside of the city
10 limits.
11 At the present rail
12 traffic density, we estimate that on an
13 average, 20 minutes out of each hour
14 results in the most critical downtown grade
15 crossing being obstructed by a train. With
16 the increase from the current 6 E&E trains
17 to a potential of 22 or more CN trains,
18 this delay can only increase.
19 There is only one grade
20 crossing separation that allows us to
21 access that area that is potentially cut
22 off by E&E or CN rail traffic. This adds
23 4.6 miles of travel to our response. This
24 will undoubtedly increase the emergency
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082808 Public Meeting (4)
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1 response times, and as any public safety
2 professional will tell you, response times
3 are critical.
4 Our community has
5 supported our ability to deliver quality,
6 professional emergency service. The West
7 Chicago Fire District sees the acquisition
8 of the E&E and the resulting increased
9 rail traffic as a threat to that ability to
10 deliver those services promptly and with
11 limited delay during critical moments.
12 I would also like to
13 point out that the charts of the study
14 failed to identify the six grade crossings
15 within the district and the district at all
16 being impacted by this acquisition. Thank
17 you.
18 MS. ADAMS: Joe Modrich,
19 followed by Vicky Lenahan. Is Joe Modrich
20 here? If not, Vicky Lenahan. Vicky
21 Lenahan? Is Frank Napolitano here? Okay.
22 Frank Napolitano?
23 Thomas Ashton. We will
24 have Thomas Ashton, followed by Ken

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1 Kaczynski and Candice Grace.
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1 MR. ASHTON: My name is
2 Thomas Ashton, and I represent myself and
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3 082808 Public Meeting (4)
4 200 other homeowners near me. My home,
5 along with some 200 other homes, is located
6 squarely in what I am calling the Canadian
7 National/UP Triangle. I live in the
8 Village of Wayne, the center of which is
9 bound on the north, south, east, and west
10 by rail lines with five at-grade crossings
11 separated by less than two miles at most
12 and less than half a mile at the closest.
13 We are likely to be trapped on all sides by
14 trains; to the north at the Powis Avenue
15 crossing, to the west at the Army Trail
16 Road crossing, to the east at the other
17 Army Trail Road crossing and at the Smith
18 Road crossing, and to the south at the
19 other Smith Road crossing. Like the
20 infamous Bermuda Triangle, the CN Triangle
21 could make many aspects of my life in my
22 community disappear.
23 Look at the map and the
24 aerial photos. With 5 at-grade crossings,
my family and the 200 other homeowners

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1 trapped by trains are going to suffer real
2 losses. Trapped in the CN Triangle, we
3 will suffer a loss of safety.
4 Wayne does not have a
5 public water supply, so we do not have fire
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6 082808 Public Meeting (4)
7 hydrants in our community. A house fire
8 can double in size every minute, so every
9 minute counts, especially with no fire
10 hydrant system to put out the fire. With
11 an average of 4 minutes for a train to
12 clear an at-grade crossing, if one of those
13 200 homes catches fire, the delays from a
14 fivefold increase in freight traffic each
15 day will be devastating.
16 Likewise, the crossing
17 delays will have catastrophic effects on
18 EMS response times where every minute delay
19 results in greater loss of life.
20 School safety is also a
21 major concern. Wayne Elementary School,
22 with over 600 grade-school students, is
23 also in the middle of that triangle. From
24 bus delays to classroom interruptions as
freight trains barrel past with noise,

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1 smoke, vibration, and hazardous cargo, the
2 exposure is simply unacceptable.
3 We will suffer financial
4 loss. CN's acquisition of the line will
5 have a huge impact on home values for my
6 family and the 200 others in the triangle.
7 To add insult to injury,
8 my village of 2700 residents is expected to
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9 082808 Public Meeting (4)
10 help pay to mitigate the impacts it will
11 have on our community. The costs would
12 include not only crossing corrections, but
13 emergency service personnel, school buses,
14 bus drivers, in addition to the
15 incalculable impact on the local
16 environment.
17 We would have a loss of
18 cultural heritage. The quaint little
19 village of Wayne where we hear the sound of
20 train whistles numerous times a day, from
21 the 6:00 a.m. train when I get up in the
22 morning to the 11:15 when I go to bed, will
23 now be inundated with freight trains at all
24 hours. The town will be split east and
west. It will lose its shared sense of

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1 community.
2 The move will only
3 invite other rail carriers to fill the void
4 CN leaves in Chicago. Please look at your
5 maps and don't leave me on an island.
6 MS. ADAMS: Ken Kaczynski,
7 followed by Candice Grace and Jim McCarthy.
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12 082808 Public Meeting (4)
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1 MR. KACZYNSKI: Good evening.
2 My name is Ken Kaczynski, and I am the
3 president of the Board of Education of
4 School District U-46, Illinois' second
5 largest school district. Joining me here
6 this evening is Dr. Jose Torres,
7 superintendent of schools.
8 On behalf of our Board
9 of Education, let me first thank the U.S.
10 Surface Transportation Board for holding
11 this forum in Bartlett High School, which
12 is one of the five high schools in our
13 school district.
14 The School District U-46
Page 72

15 082808 Public Meeting (4)
16 serves many communities, including
17 Bartlett, Wayne, Elgin, Hanover Park,
18 Hoffman Estates, South Elgin, and
19 Streamwood.
20 As you know, E3&E
21 Railway runs through the eastern portion of
22 U-46, including the villages of Bartlett
23 and Hoffman Estates.
24 I am here this evening
to express the concerns of School District

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1 U-46 regarding the proposed acquisition of
2 the E3&E Railway Company by the Canadian
3 National Railway.

4 First, the anticipated
5 increase of 15 to 24 trains per day will
6 pose a problem for the safety and timely
7 transportation of our students. Our
8 transportation department conducted an
9 analysis that shows there are 4 grade
10 crossings where the E3&E railroad crosses
11 our bus stops, including West Bartlett
12 Road, Sterns Road, Army Trail Road, and
13 Smith Road.

14 Last year we had 55
15 buses that crossed on West Bartlett Road,
16 16 buses that crossed at Army Trail, 14 on
17 Smith Road, and 4 buses that crossed on
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1 Elementary, is approximately two miles from
2 the rails. Please consider the impact that
3 any spill of hazardous materials could have
4 on nearly 3200 students who are being
5 served in these buildings. Again, thank
6 you for taking the time to hear the
7 concerns of School District U-46.

8 MS. ADAMS: Candice Grace,
9 followed by Jim McCarthy and Colleen Mullen.

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18 082808 Public Meeting (4)
19 West Sterns Road.
20 Without question, the
21 anticipated increase in rail traffic during
22 the day will have a negative impact on our
23 ability to safely and timely transport the
24 students on these 89 buses to and from
school.

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1 Secondly, the increase
2 in rail traffic could impact the emergency
3 response times of local police, fire, and
4 ambulances to our schools. While local
5 authorities are extremely cooperative and
6 have plans in place to ensure that they are
7 able to respond to an emergency despite any
8 obstacles, the timeliness of their response
9 will be affected by the increase in rail
10 traffic.

11 What I did not see in
12 your presentation was the impact it might
13 have on mutual-aid responses from
14 surrounding communities.

15 Finally, we are
16 concerned about the increase in hazardous
17 waste material that may be transported near
18 several of our schools. School District
19 U-46 has four schools that are within one
20 mile of the E3&E lines, including Wayne
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24 082808 Public Meeting (4)
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1 MS. GRACE: Good evening. My
2 name is Candi Grace, and I am a trustee in
3 the village of Riverside, and I feel very
4 strongly about this issue, the issue before
5 us, which is should the CN Railway be
6 allowed to purchase the E3&E in order to
7 move freight traffic through our region
8 more efficiently.

9 I am disappointed that
10 no public hearings were available in the
11 communities that are going to benefit from
12 this acquisition.

13 In making this important
14 decision, I would hope that the STB would
15 look at the bigger picture for northeastern
16 Illinois and northwest Indiana, not just
17 what municipalities along the E3&E have
18 said.

19 Mayor Melchert of
20 Bartlett has been quoted as saying, "we
21 have to find a new approach to traffic
22 congestion," in reference to the STAR line
23 project. The purchase of the E3&E is part
24 of that answer for us in my village.

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1 Mayor Melchert is
 2 correct. We do need to find new approaches
 3 to address traffic congestion, and the
 4 railroads are a solution to meeting the
 5 nation's growing freight mobility needs.
 6 Railroads can haul a larger volume of goods
 7 than trucks while using less fuel. The
 8 land needed to haul freight on a railroad
 9 versus a road is much less, and
 10 improvements to rail are often much cheaper
 11 than expanding or building new roadways.
 12 We have capacity
 13 challenges and transportation congestion in
 14 this region that needs to be moved. The
 15 country's economy depends on it as much as
 16 our region does.

17 The goal of this project
 18 is to make freight move much more
 19 efficiently through or region and to reduce
 20 freight congestion in areas that have been
 21 impacted for decades.

22 The draft EIS talks
 23 slightly about the benefits to the other
 24 communities in the inner ring suburbs. I

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1 wish the Environmental Impact Statement had
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5 sure that the voice of the inner ring
 6 suburbs was heard, because we are impacted
 7 by this in ways that, while it's negative
 8 here, it's also positive for us, and you
 9 need to look at those just as closely as
 10 you listen to the comments tonight. Thank
 11 you.

12 MS. ADAMS: Jim McCarthy,
 13 followed by Colleen Mullen and Jim
 14 Plonczynski.

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1 MR. MCCARTHY: My name is Jim
 2 McCarthy. I'm a trustee for the Bartlett
 3 Fire Protection District.
 4 My comments this evening
 5 are out of concern for our residents living
 6 west of the EJ&E tracks along West Bartlett
 7 Road. Approximately 11 percent of our
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2 looked more closely at that.
 3 Riverside has two train
 4 lines. We have 150 to 160 trains per day.
 5 If this deal goes through, we'll lose 8 to
 6 10. That's not a huge percentage; but in
 7 terms of the public safety impact, it's
 8 enormous.

9 The CN trains block our
 10 access to Loyola University Medical Center,
 11 which is a Level I trauma center in that
 12 area, and there is no way around it for
 13 miles.

14 North Riverside, which
 15 is just to the north of us, their train
 16 station is right next to the tracks. The
 17 tracks bisect the town. They require
 18 mutual aid from their neighbors to fight
 19 fires. If there is a train across the
 20 tracks, we deal with it.

21 I'm running out of time.
 22 If I thought the status quo was best for
 23 the region, I wouldn't be here speaking
 24 tonight; but I think we have to look at

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1 this as a regional solution and not just
 2 look at the effects on the communities
 3 nearby. You will also be hearing us from
 4 in written comments, but we wanted to make
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8 45,000 residents live west of these tracks.
 9 As a point of reference, we responded to
 10 almost 3300 calls last year.

11 On October 1st the
 12 district will open our third station, which
 13 is located on West Bartlett Road less than
 14 1/2 mile east of the EJ&E tracks. The
 15 location of this station was based on a
 16 very fundamental strategy: Lower the
 17 response times to all of our west-side
 18 residents.

19 In the fire service,
 20 response time is critical. We are all
 21 aware that cardiac tissue begins to die
 22 after 4 minutes without blood flow, but did
 23 you know that fire doubles in size every
 24 minute? In other words, after 4 minutes, a

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1 fire is 16 times its original size.
 2 I am very concerned with
 3 the drastic increase in the number and
 4 overall length of the trains crossing West
 5 Bartlett Road.
 6 Additionally, I am
 7 concerned with the trains moving through
 8 this crossing at a reduced speed and/or
 9 stopping as they switch tracks at Randall
 10 Road. Both of these scenarios greatly
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11 increase the possibility of these residents
12 being faced with extended emergency
13 response times.
14 While we have mutual-aid
15 agreements with surrounding communities,
16 these do not meet the critical response
17 times I spoke of earlier.
18 Assuming the best-case
19 scenario, a blocked grade crossing at West
20 Bartlett Road would likely result in an 8-
21 to 10-minute total response time for a
22 resident living west of the EJ&E line.
23 After 4 minutes, the
24 chance of survival decreases by 50 percent

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1 for every minute that critical care is
2 delayed.
3 I appreciate CN's offer
4 of an alerting system to allow our dispatch
5 personnel to know when a train is blocking
6 West Bartlett Road. While this is helpful,
7 it really only provides minimum mitigation
8 towards meeting those critical response
9 times.
10 I strongly believe the
11 5,000 residents west of this grade crossing
12 need something more than an at-grade
13 crossing and the lengthy emergency response
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082808 Public Meeting (4)
14 times that would go along with it.
15 They need a commitment
16 from the STB that they will be mindful of
17 the emergency response times that they
18 deserve. Thank you.
19 MS. ADAMS: Colleen Mullen.
20 Is Colleen Mullen here? If not, Jim
21 Plonczynski. Is Jim Zay here? Okay. We
22 have Jim Zay followed by Eileen Phipps and
23 Representative Mike Fortner.
24

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1 MR. ZAY: Good evening. My
2 name is Jim Zay. I am a DuPage County
3 Board member, and I represent parts of
4 Bartlett, Wayne, West Chicago, and
5 Warrenville, which is greatly affected by
6 this acquisition.
7 As a local elected
8 official, when you have to make decisions
9 regarding zoning or development, you have
10 to look at the benefits; but, also, you
11 have to look at the negatives that affect
12 the community and the region. This greatly
13 affects our region and our quality of life,
14 which I don't think EIS has taken a look
15 at.
16 We have heard many
Page 82

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082808 Public Meeting (4)
17 statements today about public safety. I'm
18 not going to get into this. On the EIS it
19 says that 125 grade crossings will benefit
20 from this. The County of DuPage has
21 recently done studies, which we will be
22 submitting, talking about the 18 grade
23 crossings that are in DuPage County.
24 Through our study, out of those 18, 7 of

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1 those will qualify for grade separations.
2 Of those 7, we estimate the cost at
3 \$700 million for this. That is
4 \$400 million in the total acquisition of
5 the EJ&E.
6 The EJ&E was very nice,
7 originally offering \$30 million for grade
8 separation. \$30 million will not build you
9 a grade separation.
10 The county did a grade
11 separation on County Farm Road near the
12 complex with Central DuPage Hospital five
13 years ago, and it cost \$50 million. That
14 would mitigate the UP and Canadian National
15 running through that area. So \$30 million
16 might get you a grade separation of one
17 lane each, so their offer is very short.
18 The County will be
19 submitting this to you during the process.
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082808 Public Meeting (4)
20 When we talk about public safety, U-46 came
21 here tonight. It has not been brought up.
22 You have the second largest school district
23 in the State of Illinois sending kids
24 across these tracks every day. Now you're

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1 increasing that fourfold and putting kids
2 at risk every day, and it's unfortunate,
3 but these accidents do happen. You have to
4 look at that as parents in the
5 neighborhoods.
6 I would hope that the
7 EIS would not rush to judgment, would take
8 their time and not move this forward, as
9 has been asked by the Canadian National.
10 This needs a full process and needs to be
11 looked at completely while the public
12 hearings are going on and every statement,
13 pro and con, is looked at during the
14 process. Thank you.
15 MS. ADAMS: Eileen Phipps
16 followed by Representative Mike Fortner and
17 Michael Anastasio.
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22 Page 84

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082808 Public Meeting (4)

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1 MS. PHIPPS: Thank you. My
 2 name is Eileen Phipps. I have had the
 3 honor and the privilege of serving as Mayor
 4 of the village of Wayne since 1995. Wayne
 5 is a one-of-a-kind community. It's located
 6 in both Kane and DuPage County, and we are
 7 approximately 35 miles west of Chicago.
 8 Our population is in the range of 2500
 9 people, all of whom strongly support our
 10 rich heritage of volunteerism, historic
 11 preservation, and equestrian activities.
 12 We are home to the
 13 Wayne-DuPage Hunt, and it is a most
 14 spectacular sight to see the riders in
 15 their scarlet colors, majestic horses
 16 riding out of the mist on a Sunday morning
 17 following the hounds as they track the
 18 scent of a fox.
 19 Our community is home to
 20 two National Register of Historic Places:
 21 Oak Lawn Farm, which includes the Dunham
 22 Castle at Army Trail and Dunham Roads, and
 23 our downtown center on Army Trail Road
 24 where you will find the Little Home Church

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1 by the Wayside. This historic church,
 2 which recently celebrated over 125 years,
 3 is the gathering place for large community
 4 events as well as our annual Flag Day
 5 Parade and Ice Cream Social.
 6 We are extremely
 7 fortunate to have Pratt-Wayne Woods Forest
 8 Preserve and the newly acquired Dunham
 9 Marsh Forest Preserve in our community.
 10 Ours is one of the few towns where one can
 11 regularly observe nature in all of its
 12 abundant glory.
 13 I wanted to take a few
 14 moments to give you a feel for our
 15 community. We have a small yet very
 16 professional police department with five
 17 full-time officers and several part timers.
 18 Most of our roads are
 19 private and maintained by the homeowners'
 20 associations. Every home is on private
 21 well and septic. We have no commercial
 22 base.
 23 The people that choose
 24 to make Wayne their home do so because of

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082808 Public Meeting (4)

1 the uniqueness and the character and the
 2 peace and tranquility; an oasis, if you
 3 will, in the center of urbanity.
 4 Adding an additional 20
 5 trains per day would have a devastating
 6 socioeconomic impact on and no benefit to
 7 our residents, neighboring towns, or
 8 industries. This transaction will not
 9 bring new jobs or better lives. It will
 10 destroy the quality of life the families
 11 that have made Wayne home came out here
 12 looking for.
 13 We all know that an
 14 increase in traffic translates into an
 15 increase in potential accidents. Should
 16 there be a hazardous waste spill, with the
 17 types of soils we have, our wells would
 18 become contaminated. We have absolutely no
 19 way to get fresh water to our homes.
 20 What will the STB or
 21 Canadian National offer as assurance to our
 22 families that a catastrophe of this nature
 23 will not happen?
 24 I will cut short my

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1 comments. It is extremely important that
 2 the scope of the EIS take into
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3 082808 Public Meeting (4)
 4 consideration the socioeconomic impacts on
 5 our communities. This process must be
 6 extended to allow the time necessary to
 7 give full and equal weight to our concerns.
 8 The decision that you make is one that we
 9 will have to live with. Thank you.
 10 MS. ADAMS: Representative
 11 Mike Fortner, Michael Anastasio, Jim
 12 Morris.
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1 MR. FORTNER: Thank you. I
 2 am State Representative Mike Fortner of the
 3 95th District, which includes the
 4 communities of West Chicago, Warrenville,
 5 Aurora, and Naperville along E3&E.
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Page 88

6 082808 Public Meeting (4)
7 I want to address a
8 number of omissions and inconsistencies
9 that I have found in the draft EIS.
10 I want to reserve those
11 comments about public transit, traffic
12 congestion, and safety to written comments
13 I will be submitting later.
14 Tonight I'm going to
15 address some of the issues on hazardous
16 material transport. Chapter 4 gives the
17 impression that this is merely a trade-off
18 of hazardous material as it is being
19 carried on lines more towards the center of
20 the city and moving them out to the
21 suburbs. John said as much in his opening
22 comments, that this was a corresponding
23 decrease matching the increase.
24 Those are not the case,

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1 based on the numeric facts that are in the
2 EIS. For instance, if you look at
3 Figure 4.2-6, up in Lake County where the
4 current waukesha Subdivision shows a
5 decrease of about 150 hazardous material
6 cars per day, there's an increase right
7 nearby, if this acquisition goes through,
8 of about 165.

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9 082808 Public Meeting (4)
10 The situation gets much
11 worse as you get into western DuPage
12 County. There you see West Chicago rise
13 from about 30 to 315 hazardous material
14 cars per day. That's an increase of almost
15 300. It gets even worse as you get to
16 Naperville where the increase is 350.
17 When one goes to look
18 for a decrease, it's not there at that
19 level. There is a decrease, but if I look
20 at all of the north-south entry points on
21 the north side, I can only come up with
22 about a decrease of 220. So it's not a
23 match, and, on top of it, that's multiple
24 lines. You're seeing a concentration of
that material along the western DuPage

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1 corridor; much greater risks that will come
2 about not balanced by a decreased risk
3 further in.

4 The final point I'm
5 going to raise that I think is a glaring
6 omission is the lack of anything in the
7 draft EIS that relates to the requirements
8 of the Congressional Act passed last year
9 that recognizes there may be alternative
10 non-target railroads. What's that? That
11 is about results from the 9/11 Commission

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12 082808 Public Meeting (4)
13 that were enacted by Congress last year
14 that said there must be attempts to move
15 hazardous materials out of the metropolitan
16 areas. Find alternative routes.
17 The Canadian National
18 has certainly used agreements in the past
19 to route things around Chicago. As
20 recently as 2004 there has been such an
21 agreement. That's been missing in the EIS.
22 It certainly needs to be addressed that
23 this type of traffic needs to get out of
24 the metro area, and moving to the E&E does
not solve that problem. Thank you. ^^^

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1 MS. ADAMS: Michael Anastasio,
2 followed by Jim Morris, and Alderman James
3 Beifuss.

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15 082808 Public Meeting (4)
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1 MR. ANASTASIO: My name is Michael
2 Anastasio. I'm the president of the North
3 Country in Wayne Community Association,
4 which comprises approximately 46 homes and
5 about 150 Wayne residents, including
6 children. And I'm here on their behalf, as
7 well as myself.

8 We vociferously object to the
9 proposed action and support only the
10 no-action alternative because approval of
11 the proposed action, with or without the
12 proposed mitigation efforts, would be
13 arbitrary, capricious, and illegal and,
14 among other things, place a highly
15 disproportionate and illegitimate adverse
16 impact on our safety, air quality,
17 environment, productivity, and quality of

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18 082808 Public Meeting (4)
19 life.
20 The three-minute time allotment
21 for comment doesn't allow me sufficient
22 time to point out all the inadequacies and
23 illegalities, but here are some examples.
24 The study predicts that the
proposed action would lead to upwards of

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1 150 percent increase in the annual number
2 of highway/rail accidents in at-grade
3 crossings on the EJ&E rail line. Refer to
4 page 12 of the summary, if you'd like.
5 It would also increase the risk
6 for pedestrians and bicycles at the
7 railway. Our residents and their children
8 pass over those crossings on a daily basis,
9 and that increase poses an outrageous and
10 unacceptable risk to our community.
11 Particularly troubling is that
12 the study notes the EJ&E rail line has more
13 public highway/rail at-grade intersections
14 than the current CN lines. It's simply
15 incomprehensible to us how any action that
16 will lead to a more than quadrupling of
17 traffic over at-grade crossings is
18 acceptable, especially when it's clear the
19 number of accidents we experience will
20 increase.

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21 082808 Public Meeting (4)
22 The analysis done by the study
23 relative to hazardous materials releases
24 has absolutely no credibility. The study
admits that the report of hazardous

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1 material increases would increase and there
2 would be a large percentage increase in the
3 volume of hazardous materials that would be
4 transported on the EJ&E line. However, the
5 study only focuses conclusorily on the
6 likelihood of an accident being remote and
7 does no analysis whatsoever of the extent
8 of damage, personal injury, and death that
9 have been caused by such a release. A
10 proper risk analysis factors in not only
11 probability, but also the magnitude of
12 damage that could be caused.
13 By way of example, in 1984 the
14 Union Carbide chemical release in Bhopal,
15 India, that killed nearly 4,000 people.
16 That was a remote likelihood, but the
17 damage was catastrophic.
18 The study also erroneously
19 relies on historical data while ignoring
20 the added operational safety risks that
21 will arise from the EJ&E line operating at
22 or near capacity. Such operation levels
23 makes useless any historical data.

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24 082808 Public Meeting (4)
Further, the study admits that

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1 emergency services response times would
2 experience substantial delays, and these
3 delays were not factored into the risk
4 analysis relative to the damages and harm
5 that can be caused by the releases.

6 My time has run out. I'll
7 submit the rest of my comments on-line.

8 MS. ADAMS: Jim Morris, followed by
9 James Beifuss, and Robert Schoen.

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1 MR. MORRIS: My name is Jim Morris,
2 and I am here with my wife, Michelle. We
3 own a home in Wayne, which we are here to
4 protect tonight.

5 I want to thank these three
6 folks up here -- Vicky, Tina Marie, and
7 John -- for their time they spend here in
8 what has got to be some very trying
9 meetings. But more than that, I want to
10 thank those of you who came here tonight,
11 and certainly those of you who have spoken
12 in opposition to what is trying to be done
13 to us tonight. So thank you.
14 But this discussion is more than
15 just about safety, the environment, and the
16 other negative aspects of this situation.
17 The discussion is about more than just home
18 values in Wayne or in West Chicago or
19 Bartlett or Barrington. It's about
20 preserving a way of life for which many of
21 us in here have spent time, energy, and
22 love to preserve and to keep, to enjoy now
23 and to pass it down later.

24 Earlier tonight I was called a

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1 NIMBY. For those of you who are uneducated
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2 in that type of lingo, that means "not in
3 my backyard." That means I don't want it
4 in my backyard. I would rather give it to
5 somebody else. That's not true. I don't
6 want anybody to have this in their
7 backyard.

8 Now, I was told that we can't
9 stop progress of the CN railroad. Well, I
10 am amazed that a foreign company can come
11 to this country and dictate to us what
12 we're going to do with our property. These
13 proposals offer no benefits to anybody
14 within this region and offers no -- almost
15 nothing to ease the disastrous effects on
16 what their railroad would do.

17 I am concerned about American
18 bureaucracy endowed with the power to make
19 decisions that ignore and minimize
20 individual investment of the love and the
21 efforts and the treasures that we have in
22 this part of this country.

23 So my wife and I want to
24 personally thank all of you for showing up

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1 tonight and all of you that hold a stake in
2 the results of these ongoing discussions
3 because only by turning out to make these
4 lively, energetic, and committed comments
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5 do we have a chance of winning this battle.
6 One more comment before I leave.
7 I've got 22 seconds.

8 My NIMBY guy also said, you
9 know, "The railroad was here first."

10 You know what? It was here
11 first. The E&E was here first. So let's
12 keep it the E&E, and kick the CN out.

13 Thank you.

14 MS. ADAMS: James Beifuss followed
15 by Robert Schoen and Jerry Nordengren.

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1 MR. BEIFUSS: I am Jim Beifuss,
2 alderman for the City of west Chicago. I'm
3 a 15-year resident for the City of west
4 Chicago and have served on the city council
5 for about 7 years.

6 I have been a member of our
7 council's infrastructure and development
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8 committees and have served as chairman of
9 the infrastructure committee. As such, I
10 have developed a substantial understanding
11 of our transportation needs and challenges
12 and the importance of mitigating adverse
13 impacts in connection with transportation
14 projects.

15 My interest here is in the
16 health, welfare, and safety of the
17 residents of west Chicago. West Chicago
18 was incorporated more than 150 years ago
19 and has a long history with the railroads.
20 The E&E railroad and the Union Pacific
21 lines intersect in the geographic center of
22 our town, in our historic downtown in the
23 middle of Washington Street, the primary
24 collector street. Those two rail lines

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1 box off the residents of the southeast
2 corner of town from the main fire station
3 located on Fremont Street directly north of
4 our downtown.

5 The consequences of track
6 blockage to fire and ambulance response are
7 well known to our first responders and
8 residents. It is notable that the study
9 did not consider the cumulative effect of
10 two intersecting lines in the calculation
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11 of total delay hours and the determination
12 of "substantial affected crossings."

13 We have, during two different
14 administrations, commissioned engineering
15 studies to come up with plans to bridge or
16 go under the tracks to address public
17 safety concerns associated with fire,
18 police, and ambulance response.

19 The first study came up with
20 various grade separation options on
21 Washington Street that entailed wrecking a
22 substantial portion of downtown and cost
23 about \$20 million. This was done years
24 ago.

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1 The second, more-recent study
2 looked at a bypass option a few blocks
3 north of Washington Street. The
4 engineering consultants' design, taking
5 into account all of the main track, spur,
6 and terrain features, entailed a monstrous
7 bypass four lanes wide, about a mile long,
8 most of it elevated about 30 feet high.

9 The railroad contribution to
10 building such overpasses in either
11 scenario, just 5 percent, the rest of the
12 cost to be borne by the taxpayers.

13 Given the crippling blockage
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14 caused by the combined traffic of the rail
15 lines, imagine our shock when we read that
16 the Washington Street crossing did not make
17 the list of intersections meriting
18 mitigation.
19 On the subject of environmental
20 justice, the draft report indicates that
21 the most densely populated areas along the
22 line are West Chicago and Park Forest. The
23 population of West Chicago is 26,000
24 persons, and approximately 48 percent of

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1 those persons are Hispanic. In West
2 Chicago the E&E right-of-way is directly
3 adjacent to dense residential
4 neighborhoods, including many thousands of
5 school children and senior citizens. Those
6 residents will be disproportionately
7 adversely impacted by the 12-fold increase
8 in train traffic along the track.
9 First, combined with the UP
10 traffic, the increase will effectively wall
11 off a quarter of our town from emergency
12 response and services. This will
13 materially adversely impact their health
14 and welfare, and the impact --
15 MS. ADAMS: Robert Schoen, followed
16 by Jerry Nordengren, and Elizabeth Regan.
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082808 Public Meeting (4)
17 MR. BEIFUSS: Thank you. I have
18 additional comments, which I will provide
19 to the court reporter.
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1 MR. SCHOEN: Thank you. My name is
2 Bob Schoen. I am here with my wife,
3 Debbie. We're residents of Wayne,
4 Illinois.
5 When we moved to Wayne, we moved
6 to that oasis we thought we had. Now we're
7 stuck on this island, and it's only going
8 to get really bad apparently.
9 We moved out there because of
10 the parks, because of the prairie path,
11 because of Pratt's Wayne Woods. This is
12 devastating. I feel like I'm in a horror
13 movie right now. I was nervous before --
14 upset before I got here tonight. Now I'm
15 hearing all the -- all the reality of the
16 CN Railroad, all the problems they're
17 having in Canada.
18 My house, by the way, our house,
19 is 46 feet -- our property line is 46 feet
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082808 Public Meeting (4)
20 from the tracks behind our house. Our pool
21 that we thought we could come and enjoy
22 with our grandkids is 66 feet from the
23 tracks. These four trains a day that we
24 get to come, two of them during the middle

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1 of the night, that's okay. Now we're going
2 to get 24 or more?
3 There is no way we're going to
4 be able to have any quality of life living
5 in this home, let alone the concerns of,
6 you know, safety, my wife's heart problems,
7 getting to a hospital. It's a lot worse
8 than I even thought it was with this coming
9 to our area.
10 So we're here simply to voice
11 our opposition of what's going on. It's
12 going to absolutely totally destroy our
13 property values and our way of -- our way
14 of life.
15 Thank you.
16 MS. ADAMS: Jerry Nordengren,
17 Elizabeth Regan, Tim Schneider.
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082808 Public Meeting (4)
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1 MR. NORDENGREN: Thank you. I'm
2 Jerry Nordengren. I'm from West Chicago.
3 I've been there for about 40 years.
4 Much of what I was going to talk
5 about has already been said, and so I'm not
6 going to be redundant.
7 But I will say that, oh, about
8 40 years ago we came in with an emergency,
9 possible emergency. My wife had a very bad
10 heart, and whether or not she could make it
11 when she delivered was another question.
12 But the big thing is living in West Chicago
13 and west of Main Street, well, trying to
14 get to Elmhurst Memorial Hospital at any
15 time of the day could be very difficult
16 because the railroads. And we're lucky, we
17 made it.
18 But it's extremely risky when
19 you've got a situation like that. And now
20 you have quadruple the situation. It's
21 hard to see. And, again, since I'm one who
22 lived through it, I really dread this
23 happening.
24 And, again, much of what I was
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1 going to say was already said. But to me,
2 I live, let's say, a good Chicago city
3 block from the railroad, and it's enough
4 where it shakes the house. And I feel so
5 bad for those -- like the man in Wayne who
6 lives just -- well, 60 feet away, it's
7 extremely dangerous in a situation like
8 that. And I just can't see how they want
9 to propose this.

10 I have a question for you people
11 up there. How many of you live within 60
12 feet of a railroad line? None of you, or
13 you would not be up there.

14 So you see, it's extremely
15 important for you to consider. We live
16 here. These towns were set up with the
17 railroad to be a part of them. These towns
18 were not set up by the railroads to be us a
19 part of a town with them leading a way.
20 There is a big difference. We really are
21 the town, and you're part of the town.
22 We're not a part of the railroad. That's
23 extremely important.

24 By the way, I used to work for a

1 railroad, and no one has talked about the
2 money bit, but, you know, you're losing an
3 awful lot of money with those lines in
4 Chicago, where the cars can't get out of
5 there, and you're losing a lot of money,
6 too, because you've got to pay rental on
7 the cars.

8 Folks, I used to be an
9 accountant with the railroad, and it's
10 something else when you stop and think
11 about the fact that, say, Milwaukee Road
12 was using Canadian -- a hundred cars from
13 them, and Canadian only used 50 of the
14 Milwaukee. Well, that means that they're
15 going to have to pay for 50 cars, the
16 rental. So it's a case of money, folks.

17 Thank you. Bye now.

18 MS. ADAMS: Elizabeth Regan,
19 followed by Tim Schneider, and Cathy
20 Scanlon.
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1 MS. REGAN: Hello. My name is
2 Elizabeth Regan. I'm a resident of Wayne
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3 082808 Public Meeting (4)
4 and one of the people who will be living in
5 this island that everyone keeps referring
6 to. I'll be brief.

7 I agree many people have already
8 stated everything I had intended to say
9 tonight, but basically I believe there are
10 two things that every human being fights
11 for; home and country. I deliberately put
12 home first, and I believe myself and
13 everybody here tonight agrees with that.

14 Homes are supposed to provide
15 security, safety for our families. All of
16 these things will be taken away from all of
17 us with this move.

18 I think the solution is that the
19 railroad should take that \$30 million that
20 they're offering and provide it to the
21 unfortunate people who already have these
22 issues and make their problems better,
23 instead of moving it to a new location and
24 increasing the possibility of destroying
many, many lives.

1 Thank you very much.
2 MS. ADAMS: Tim Schneider, followed
3 by Cathy Scanlon, and Mike Kelly.
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1 MR. SCHNEIDER: Good evening. I
2 would first like to thank you for your
3 professionalism this evening.
4 My name is Tim Schneider, and
5 I'm a resident of Bartlett. I serve as a
6 member of the Cook County Board of
7 Commissioners and represent 325,000 people
8 in the northwest suburbs of Cook County.
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9 082808 Public Meeting (4)
10 We debated this issue at length
11 during the recent Cook County board
12 meeting. At the end of the meeting the
13 board voted in favor of the CN proposal.
14 All of the commissioners who felt they
15 would get relief from rail traffic voted
16 for it, and those suburban commissioners
17 like myself who would get stuck with
18 additional traffic voted against it.
19 This is absolutely
20 a not-in-my-backyard situation. They don't
21 want it in their backyard, and they're
22 trying to stick it in ours, and I really
23 don't get it.
24 Even CN has stated that within
three years after purchasing E3&E, the

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1 number of trains running on the Chicago and
2 eastern lines will be back to their
3 previous levels. Mind you, this is freight
4 from China, shipped to a Canadian port,
5 transported by Canadian rail, bypassing
6 Chicago on its way to Memphis, and destined
7 for Europe.
8 This will create no new jobs.
9 In fact, E3&E workers will lose their jobs
10 and create devastating effects up and down
11 the E3&E line.

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12 082808 Public Meeting (4)
13 Residents and Metra riders will
14 suffer, not to mention the proposed STAR
15 line that the local, state, and federal
16 officials have been working on for over ten
17 years. And yes, the quality of our lives
18 will suffer, along with the safety of our
19 family.
20 I thought I knew what audacity
21 was. Canadian National has elevated it to
22 an art form. They come in and try and tell
23 us what is best for us and for the greater
24 good. And what is best for us? Apparently
they want us to believe that poor air

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1 quality and exposure to hazardous waste,
2 longer travel times, and decreased safety
3 conditions are what is best.
4 And what do they offer?
5 Essentially nothing in the way of
6 mitigation or improvements. They want
7 taxpayers to pay for the infrastructure and
8 residents and commuters to suffer forever.
9 We've all heard of the audacity
10 of hope. Well, Canadian National needs to
11 understand the audacity of nope, n-o-p-e.
12 But at the end of the day, when Canadian
13 National tries to encroach on our
14 communities, lower safety, environmental,
Page 110

15 082808 Public Meeting (4)
16 and quality of life standards and then
17 expect us to foot the bill, the only
18 responsible answer should be of the
19 four-letter variety; nope.
20 Thank you.
21 MS. ADAMS: Cathy Scanlon, followed
22 by Mike Kelly, and Terry Witt.

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1 MS. SCANLON: Hi. I'm Cathy
2 Scanlon, and I'm a BRAT, a Bartlett
3 resident against trains.
4 STB cannot ignore CN's total
5 safety record. Only considering CN's
6 record in the U.S. is half the picture.
7 Consider the CN derailment in
8 August 2005 in Lake Wabamun, Canada.
9 700,000 liters of oil spilled into that
10 lake. That's almost 4,700 barrels of oil.
11 Faulty track laid back in 2003, only
12 two years earlier, was the blame.
13 At the February scoping meeting
14 that was held here in Bartlett, I asked a
15 CN official what happened. Normand
16 Pellerin told me "shit happened" and
17 laughed.

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18 082808 Public Meeting (4)
19 I asked him pointed questions
20 such as what was CN doing about the rest of
21 that faulty track. He explained that there
22 was a five- to seven-year phased
23 replacement plan in progress. I find that
24 time line unacceptable.
Canada charges CN failing to

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1 take all reasonable measures to remedy and
2 confine the spill, \$500,000 fee.
3 I implore the STB to further
4 analyze CN's ambitions to move manufactured
5 goods from Asia, through Canada, into
6 Chicago, through Bartlett, on to Memphis.
7 CN's VP of sales and marketing, James
8 Foote, refers to that as the Midwest
9 Express.
10 The real capacity and growth
11 that CN is pursuing strategically with
12 shipping these containers from Asia through
13 Canada and through Bartlett, it needs to be
14 analyzed and included more accurately in
15 the scope of this study. Rerouting trains
16 on the E3&E will create capacity for them
17 to do this, additional capacity beyond what
18 is noted.
19 Once Phase II of CN's growth
20 strategically -- the Midwest Express part
Page 112

21 082808 Public Meeting (4)
22 of it -- is achieved, I would guesstimate
23 more than 100 trains will be coming through
24 Bartlett.

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1 line linking Chicago and the Midwest areas.
2 It was not intended nor should it be an
3 international line.

4 Thank you.

5 MS. ADAMS: Mike Kelly, Terry Witt,
6 and Matt Fuesting.

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24 082808 Public Meeting (4)

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1 MR. KELLY: I'm Mike Kelly; Hanover
2 Township supervisor.

3 Hanover Township north of here
4 has about 76,000 residents; contains Cook
5 County-Bartlett, Cook County-Hanover Park,
6 Cook County-Elgin, all of Streamwood,
7 portions of Schaumburg, and Hoffman
8 Estates.

9 As the STB knows, our board
10 passed a resolution back in January
11 opposing this acquisition, and rather than
12 read it back in the record, just looking I
13 see No. 35. There is many more to come
14 after me. By my count, I think I'm the
15 33rd person who has opposed the acquisition
16 here this evening.

17 I will not attempt to
18 extrapolate on the eloquence of our
19 previous speakers; our mayors, our state
20 representatives, our fire board members,
21 our school board members. Hanover Township
22 stands firmly with all of those individuals
23 to oppose the acquisition, and we urge you
24 to block it.

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082808 Public Meeting (4)

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1 Thank you.

2 MS. ADAMS: Terry Witt, Matt
3 Fuesting, and Joe Modrich.

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1 MR. WITT: My name is Terry Witt.
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082808 Public Meeting (4)

2 I'm a 5-year resident of Bartlett, a
3 27-year resident of Des Plaines before
4 that, one of those towns in favor of this.

5 I just want to give a little
6 perspective from when I was in business for
7 about 30 years. I did a lot of business
8 with the railroads, and I found them to be
9 firmly entrenched in the 1800s. And I
10 think they're still there. And when they
11 had to expand through the country, that was
12 maybe good.

13 A couple of examples. We would
14 get sugar from the Dakotas. It took seven
15 days to get a railcar in. We could have
16 put it down to five, but the railroads
17 would not make a switch in Minneapolis,
18 where it was less crowded. So not only did
19 we have longer to wait, we were also having
20 an extra day of unknown on the switch.

21 We would also get corn syrup.
22 We got it from 15 miles away. It took 7 or
23 8 days to get that from the railroad; 15
24 miles.

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1 And when we were nine days, one
2 day late, we would call them up real quick,
3 and in 30 minutes we could have a truck.

4 So I'm a little skeptical about
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082808 Public Meeting (4)
5 the railroad and how good they can do
6 business. I think they need to take a
7 great big step back and see what's
8 important for a hundred years from now.
9 They're looking for a "right now," "money
10 right now."
11 well, how should we expand this
12 country? How are we going to become energy
13 independent? Let's put a big broad plan
14 together, get them totally out of Chicago.
15 I agree take them out of that
16 inner ring, but don't just go ten miles.
17 Go a hundred miles, and make the thing work
18 for the whole country.
19 And then I just have one
20 other -- just a local comment. I noticed
21 on the map you were missing one of the
22 crossings of the E&M Railroad. In Pratt's
23 wayne woods there is a trail. It's about
24 midway between Army Trail and the Chicago

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1 Central Railroad. And to cross that, you
2 just pick up your bicycle, walk up the
3 berm, cross the tracks, and down the other
4 side. There is no signal, but it's there.
5 It's official, and it should be provided
6 for.
7 Thank you.
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082808 Public Meeting (4)
8 MS. ADAMS: Matt Fuesting, followed
9 by Joe Modrich, and Rob Sherman.
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1 MR. FUESTING: Good evening. I'm
2 Matt Fuesting from the City of West
3 Chicago, on behalf of Nick Dzierzanowski,
4 my co-alderman from the City of West
5 Chicago.

6 I want to express our
7 displeasure and our opposition to the plan
8 that's possibly being proposed. Our ward
9 is at the intersection of Powis and Smith
10 Road. Norton Creek Elementary School sits
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082808 Public Meeting (4)
11 there. Those aren't statistics. They are
12 children. It's within a chip shot of 755
13 homes and an elementary school. We're
14 vehemently opposed to the plan that's
15 possibly being proposed here.
16 In addition, I served as
17 chairman of the transportation task force
18 in 2003, 2004 for the City of West Chicago.
19 One of the things we did during this time
20 when I was chairman was to study an
21 at-grade separation and the cost and the
22 engineering situation.
23 Our county board members talked
24 about the \$15 million aspect of what went

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1 on at County Farm in wheaton. I know about
2 that. That is simplistic in nature
3 comparatively speaking. I know about the
4 studies because I served as chairman.
5 The other -- to try to
6 reconfigure and do the necessary steps for
7 an at-grade separation in downtown west
8 Chicago would be herculean. It would not
9 cost \$20 million. It would be more along
10 the lines of the gross national product of
11 a third-world nation.
12 Once again, we're dealing with
13 people's lives, people's situations, where
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082808 Public Meeting (4)
14 we don't have the aspect of getting from
15 one side of the tracks to the other for
16 purposes of emergency response.
17 These are not statistics.
18 They're hard-core people, hard-core issues
19 that need to be addressed. They have not
20 been addressed in the mitigation aspect
21 with the study.
22 One of the things you will not
23 see in that study is the maintenance of an
24 at-grade separation. who is going to do

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1 that? who is going to be responsible for
2 that? CN comes in, they take over, it's
3 going to be borne by all of the
4 municipalities, specifically west Chicago.

5 So I ask you to take that into
6 consideration and consider that when you're
7 making a decision.

8 Thank you.
9 MS. ADAMS: Joe Modrich, followed by
10 Rob Sherman.
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17 082808 Public Meeting (4)
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1 MR. MODRICH: Good evening. My name
2 is Joe Modrich. I'm a director of the park
3 district in Franklin Park.
4 From our perspective -- we have
5 four facilities in Franklin Park; two
6 parks, and two -- our community center, and
7 our pool right on the railroad tracks. And
8 in Franklin Park there are as many as 100
9 to 150 trains a day; commuters and freight.
10 From our perspective in Franklin
11 Park, the regional rail system in the
12 Chicago area is antiquated and
13 overburdened. In its current state it's
14 not capable of sustaining the area's needs
15 for freight transit, much less for the
16 expected growth.
17 Over the past several years
18 Franklin Park and many other communities
19 have experienced a significant increase in
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20 082808 Public Meeting (4)
21 train traffic and vehicle congestion.
22 Many communities have suffered
23 for decades with the pollution caused by
24 idling trains.
The CN acquisition will bring

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1 environmental justice in the area while
2 maintaining Chicago as a major rail hub;
3 fewer idling trains and less traffic
4 delays, as well as decreased fuel
5 emissions.
6 CN is offering a fair and
7 reasonable solution to the rail congestion
8 in Chicago. While some suburban
9 communities will see an increase in trains,
10 many more will see a decrease.
11 Motorists and homeowners would
12 see a significant reduction in truck
13 traffic on roads and highways in the
14 Chicago area. Fewer trucks on the road
15 means cleaner air.
16 weaknesses in the current rail
17 system affect more than just freight
18 traffic. Metra and Amtrak trains are
19 delayed and disrupted because of jockeying
20 the position with the backlog of freight
21 trains trying to get through the area.
22 This plan will -- will be funded
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23 082808 Public Meeting (4)
24 mostly by private money. In this day and
age, with government shortfalls, this is a

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1 significant benefit.
2 AS a member of the S.T.A.R.T.
3 coalition, I am interested in supporting
4 the goals of the Chicago Region Environment
5 and Transportation Efficiency Program and
6 protecting the Chicago region's status as
7 transportation hub of North America.
8 It is important to look at the
9 big picture when looking at this proposal.
10 It is the best solution for the entire
11 area.
12 There is a not-in-my-backyard
13 component to all these things. We
14 experienced it in the park district all the
15 time. No one wants a facility in their
16 neighborhood; for example, a skate park for
17 the children.
18 In this situation we believe
19 that the region benefits economically from
20 the transport of the rail situations that
21 we have, and the best way to share that is
22 to spread the responsibility of providing
23 the land and the infrastructure for the
24 freight systems.
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1 Thank you.
2 MS. ADAMS: We have one more
3 speaker, Frank Napolitano.
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1 MR. NAPOLITANO: My name's Frank
2 Napolitano. I live at 1048 Webford Road in
3 Bartlett, Illinois. I'm sorry I wasn't
4 able to speak earlier when I was -- I had
5 to duck out for a few minutes, but I'm glad
6 I'm able to speak at this time.

7 I've heard a -- you know, a lot of
8 things discussed for people that are for
9 it. The last two speakers, they would like
10 to see perhaps the EJ&E line take over this
11 committee, national traffic, because
12 national traffic is in their backyard now.
13 The bottom line is the infrastructure is
14 not here. It's not presently here, and
15 there's no -- nobody willing to take
16 ownership for building the infrastructure
17 to support that, be it building underpasses
18 and things like that.

19 Clearly, we have a school
20 district that's the second largest school
21 district in the state that straddles this
22 EJ&E line. You have 40,000 students, a
23 good portion of them going east and west
24 across major -- many of these roads here

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1 in -- in Bartlett, part of U46. That's a
2 hazard to their health with -- without
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4 having these underpasses built currently
5 and not having the -- anybody taking
6 ownership to build that, the underpasses
7 and things like that.

8 You have a -- in Bartlett they
9 have a train station that's almost
10 completed that is really close to the --
11 the -- the tracks, EJ&E line, and obviously
12 this congestion would put major delays.
13 I'm sure you've heard all heard all these
14 things already.

15 One of the first things we learn in
16 life about making decisions is make a list
17 of the pros and the cons. It's pretty
18 simple. You've got your positives on one
19 side to do something; you've got your
20 negatives on the other. When it outweighs
21 it so significantly one way or the other,
22 that's the decision you make. Clearly,
23 maybe there's one or two pros to the other
24 areas that are affected by the Canadian
National at this point; but there are so

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1 many negatives in moving this to our
2 community, with our region, that the cons
3 and the negatives totally outweigh this.
4 It should be a no-brainer to not allow
5 this purchase to go through at this point.
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6 Again, Canadian National, they're not
7 bringing enough to the table. There's no
8 positives for the region for them to move
9 out here. They're not going to add the
10 infrastructure we need to support that, and
11 the negatives are endless.

12 Obviously, I'm not in favor of
13 this purchase going through, and as I said,
14 I think it's a no-brainer to deny this
15 purchase. Thank you for your time.

16 MS. ADAMS: Do we have any more
17 registered speakers at this time? We would
18 like to invite any additional commenters to
19 go ahead and register in the lobby. In the
20 meantime, we would invite everyone to
21 return to the open house area if you'd like
22 to review the boards or ask questions. The
23 court reporter and at least one member of
24 the STB team will remain here in the public

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1 meeting area to receive additional comments
2 should we have any additional registration
3 during this hour. Thank you for your
4 comments tonight that everyone provided,
5 and the next public meeting is in Chicago,
6 September 8th, from 4:00 to 9:00 p.m.
7 (Brief pause.)
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1 MR. BRUNO: My name's Tom Bruno.
2 I'm a resident of Hoffman Estates. I did
3 not hear Hoffman Estates mentioned in
4 tonight's meeting. Most of the speakers
5 are from West Chicago, Bartlett, those
6 areas. There are at least three to five
7 hundred homes that back up to the EJ&E
8 line. Our house backs up directly to the
9 EJ&E line. We take three to five trains a
10 day. Our property is within 50 feet of the
11 line. We are very -- I'm very, very
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12 082808 Public Meeting (4)
concerned about 20 to 25 trains a day.
13 The biggest concern by far is
14 hazardous waste. We would have absolutely
15 no time to escape if there was a
16 derailment. This line -- this Canadian
17 National, I know they tout a good safety
18 record; but I've done some digging and
19 researching accidents in Canada. They had
20 a lot of accidents in Canada.
21 They had one in Illinois -- in
22 southern Illinois just three years ago. It
23 was shown to be -- the conclusion of the
24 study was shown to be faulty weld marks or

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1 faulty welding on the rails that caused the
2 derailment. A three-mile area had to be
3 evacuated. That type of accident would
4 wipe us out. Literally we would be -- we
5 could be killed from something like that.
6 The hazardous waste issue very much
7 concerns us, all the residents along that
8 section of the line.

9 I also want to mention Shoe Factory
10 Road. Shoe Factory Road gets blocked by
11 these trains already, but they are
12 infrequent now. If you let a -- 20 or 25
13 trains a day and longer trains, Shoe
14 Factory Road will be severely impacted; and

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15 082808 Public Meeting (4)
there will be buses that go down that road
16 to the schools that were mentioned tonight.
17 There's also a bike path that crosses
18 that same intersection, and the bike path
19 is used frequently. I'm one of the users
20 of that bike path. There's absolutely no
21 mention of mitigation in the study that I
22 saw, and that concerns me a lot.
23 I would love to see Canadian National
24 put forward much better mitigation --

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1 self-mitigation options. We'd be more --
2 more than willing to entertain that, but
3 they're only willing to put forward 130
4 million for a few sites. That just
5 absolutely does not work for the
6 infrastructure that we have. We don't have
7 enough infrastructure to accommodate that
8 many trains.

9 The other thing I want to mention is
10 that we really don't believe that the
11 traffic in the inner city is going to go
12 down. Give it three years. The traffic's
13 going to be back up to where it was, and
14 those people are going to be right back
15 where they started. So thank you for
16 accommodating my comments.

(End of statement.)

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18 082808 Public Meeting (4)
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1 MS. CATALANO: I'm Marilyn Catalano.
2 On August 23rd, 1993, my family celebrated
3 a great celebration of the baptism of our
4 grandson. My mother, that night we took
5 her home. She lived in Berwyn, and as soon
6 as I got home to Glen Ellyn we got a call
7 from her, please come back to the house;
8 something's wrong with me. So I called my
9 son who lived upstairs; I said, get down by
10 grandma. He called for an ambulance right
11 away.

12 Ambulance came within minutes, took
13 her to MacNeal Hospital -- tried to take
14 her to MacNeal Hospital; but because of all
15 the railroads that are there and all the
16 trains that stop through there, they were
17 unable to get her into that hospital for
18 quite awhile until the railroad -- the
19 train passed.

My mother had a massive stroke. It

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21 082808 Public Meeting (4)
hit at the base of her brain into both
22 sections of her -- her brain from the base,
23 hit both sides of her brain. She's still
24 alive at the age of 95, paralyzed on the

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1 left side, blind, and unable to swallow.
2 Had we been able to get her there quicker,
3 we would have been able to prevent what
4 took place with her, not the stroke; but
5 she would have had the medical aid that she
6 needed.

7 As a result of this, it compounds
8 because now my husband and I are just
9 retiring; but we are her caretakers. So
10 now our lives are on hold until God decides
11 to take her. I watch; I look at my mother
12 who had the most beautiful blue-violet eyes
13 you ever wanted to see, and there's no
14 color in her eyes. I want to hear her
15 voice, to be able to talk to me and can't.
16 I want to be able to eat the meals that she
17 made for my family. I want to see her
18 crochet; I want to see her do her artwork.
19 She was a talented woman. She's vegetated
20 because of the railroad, because we
21 couldn't get her into MacNeal Hospital
22 because of a train that was stopped there.

That's all I have to say. That's

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24 reality; that's what can happen. And we

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1 live in wayne. I am so scared of what's
2 going to happen because I have the same
3 heart problems she has, the blood pressure
4 problems she had; and I don't want to have
5 to leave my house. You know, all our life
6 savings is invested in that house. This is
7 where we wanted to spend our retirement;
8 and it -- nothing's working out, absolutely
9 nothing. This scares the living daylights
10 out of me not being able to get to a
11 hospital if we need it. That's my story.
12 Thank you.

(End of statement.)

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1 MR. KOZIAL: My name is George
2 Kozial, K-o-z-i-a-l. Like so many of my
3 friends and neighbors I'm very concerned
4 about the attempts by the railroad to
5 purchase for a number of reasons. Today
6 five to six trains pass through Bartlett.
7 After the sale 20 to 25 trains will pass
8 through, a potential increase of 400
9 percent. With the increase comes longer
10 trains. This will create times when it
11 might be impossible to get across either of
12 the two crossings in Bartlett. Trains of
13 two miles in length will make this very
14 difficult.
15 All in all they may become a serious
16 health and safety issue. Police cannot get
17 to where they need to be while they wait
18 for a train to pass by. This applies east
19 to west and west to east. And heaven
20 forbid somebody's sitting on the other side
21 of the west side of the tracks and they
22 need to -- and they're in an ambulance and
23 they need to get to the east side.
24 What about the children who are being

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1 bused to and from South Elgin to the
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082808 Public Meeting (4)
2 tracks? My community of Walnut Hills, all
3 the children of high school age bused to
4 South Elgin. What happens when the bus
5 sits and this is what causes students to be
6 late? U46 has indicated that as many as 45
7 to 60 buses will pass this way every day.
8 Just a little logic says more longer trains
9 will lead to more congestion and idling as
10 trains pass.

11 What happens if a derailment occurs in
12 this area? More trains increase this
13 possibility. I am concerned when a foreign
14 company asks to have the approval process
15 sped up to be completed sometime in
16 October. Why? I do not want discussions
17 about remediation to occur after the sale.
18 If that occurs, we have lost a great amount
19 of leverage to get environmental human and
20 community issues discussed and resolved.

21 I'm afraid their remediation issues
22 will never be agreed to should CN be
23 allowed to purchase the railroad.
24 Remember, if we rush into and through this

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1 process, we just might miss something very
2 important and make a decision on a very
3 important matter that will affect us, our
4 children, our environment, our health, our
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5 way of life for many, many years. We
6 cannot afford to make the wrong decision.
7 In closing I must say that I must ask that
8 the Surface Transportation Board deny CN's
9 proposal to purchase EJE at this time.
10 Thank you for letting me speak tonight.
11 (End of public meeting
12 speakers.)
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D.5 Chicago, Illinois

090808 Public Meeting

1 SCOPING MEETING FOR THE PROPOSED CANADIAN NATIONAL
2 RAILWAY COMPANY ACQUISITION OF THE ELGIN, JOLIET
3 AND EASTERN RAILWAY COMPANY
4 LOYOLA UNIVERSITY
5 25 EAST PEARSON STREET
6 CHICAGO, IL
7 SEPTEMBER 8, 2008

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9
10 CHIMNIAK REPORTING & VIDEO
11 Telephone: 312-781-9111
12 REPORTED BY: Dyann L. Berndt, CSR, RPR
13 Donna Kazaitis, CSR, RPR, CLV
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1 MS. TARCZAN: Good evening, ladies
Page 1

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2 and gentlemen. Can everybody hear me?
3 Thank you all for attending tonight's
4 meeting. We are here tonight to hear your
5 comments on the draft Environmental Impact
6 Statement that was released on July 25th
7 regarding Canadian National Railway's
8 proposed acquisition of the E&E Railroad.
9 My name is Heather Tarczan, and I will be
10 facilitating this meeting.

11 Before we get started, I'd like
12 to take this opportunity to review some
13 protocol for tonight's meeting. For
14 starters, I would like to ask that
15 everybody please turn off your cell phones
16 and please refrain from interrupting any
17 speakers or commenters. In a moment I will
18 introduce those presiding over the meeting,
19 and there will be a short presentation on
20 the findings from the draft Environmental
21 Impact Statement.

22 Immediately following this we
23 will hear your comments. Each commenter
24 will be given up to three minutes to speak.

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1 The time clock will be displayed on the
2 screen, and a yellow card will be held up
3 at two minutes and 30 seconds and a red
4 card at three minutes. A list of speakers
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5 in the order will be displayed on the
6 screen. Also, I will call forward the next
7 two speakers in line after each speaker so
8 we can be as efficient as possible. There
9 is one microphone in this aisle.

10 If you are interested in
11 speaking and haven't registered yet, please
12 proceed to the registration table just
13 outside this venue or see a staff member
14 who's identified with a name tag who can
15 assist you.

16 Alternatively, included in the
17 program you received tonight you may make
18 comments to the Surface Transportation
19 Board through a toll-free number, Web site,
20 or mailing address, all of which are in the
21 program you received tonight. There also
22 comment forms and drop boxes, as well as
23 court reporters located in the open house
24 area. You may record your comments with

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1 them throughout tonight's meeting. Please
2 recognize that all methods of comment
3 received by September 30th will be taken
4 into consideration and weighed equally.

5 Tonight we are here to listen to
6 your comments on the draft EIS. This is
7 not a question and answer session, though
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8 we invite you to return to the open house
9 area if you have any questions or would
10 like to provide your comments in a more
11 private setting with a court reporter
12 there.

13 We appreciate your courtesy as
14 we work to create an environment where
15 everyone can be heard. If you disagree
16 with a speaker, we ask that you not express
17 your disagreement out loud. Likewise,
18 please note that applause for a speaker
19 during his or her remarks gives that person
20 less time to speak and ultimately limits
21 the time for everyone else to speak. In
22 the event that anyone is in need of a
23 Spanish translator, please let a staff
24 person know. If you have any questions, we

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1 have a number of staff available to assist
2 you. Again, staff are identified with name
3 tags and are located throughout the venue;
4 and one quick -- quick housekeeping matter,
5 emergency exits are located behind you.

6 I'd now like to introduce the
7 people on stage with me. Phillis
8 Johnson-Ball is the deputy chief of the
9 section on environmental analysis for the
10 Surface Transportation Board. John Morton
Page 4

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11 is the team leader supporting the Surface
12 Transportation Board's section of
13 environmental analysis. Phillis
14 Johnson-Ball will now make some remarks
15 about the draft EIS.
16 MS. JOHNSON-BALL: Good evening.
17 Thank you all for coming out. I'm glad to
18 see that the weather didn't deter you all
19 from coming to the meeting tonight. I'd
20 like to start by saying I'm Phillis
21 Johnson-Ball. I know many of you have
22 submitted comments, and you're probably
23 very familiar with my name; and we
24 appreciate the comments and the suggestions

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1 that you provided to the board so far. So
2 I know many of you are concerned about what
3 types of impacts this proposed acquisition
4 may have on your community, so tonight
5 we're here to hear your issues and to
6 record your comments.
7 I'd like to -- to start off by
8 talking a little bit about who is the
9 Surface Transportation Board, what we do,
10 and what the board's function is with
11 regard to this proposed acquisition.
12 The basic function of the
13 Surface Transportation Board is to
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14 authorize carrier actions. We authorize
15 mergers, acquisitions. We authorize
16 abandonments and a host of other activities
17 for minor carriers such as bus, truck, and
18 -- and pipeline.
19 The board also has an office
20 that resolves carrier disputes. We conduct
21 rule-makings and proceedings. We
22 adjudicate rates. We monitor carrier
23 activity and industry performance. We have
24 an office that deals with enforcement

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1 actions, and we have an office that
2 provides information to the public; and
3 many of you have already taken advantage of
4 -- of that particular office.
5 The board is made up of three
6 members. Those are our decision-makers.
7 They're appointed by the President, and
8 they're confirmed by the Senate. Our
9 chairman is Charles Nottingham,
10 Vice-Chairman Mulvey, and Commissioner
11 Douglas Buttrey.
12 Now, who is the section of
13 environmental analysis? The section of
14 environmental analysis is an office within
15 the Surface Transportation Board that is
16 the environmental arm. We direct the
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17 environmental review process for all
18 actions within the board that requires an
19 environmental review. Our analyses are
20 independent. We provide technical
21 assistance to the board and to the public.
22 The purpose of the environmental
23 review is not just to advise the Surface
24 Transportation Board's decision-makers

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1 about the environmental process but to also
2 -- to make the public aware of the
3 environmental impacts associated with
4 various projects that come before the
5 board; and the board also ensures that we
6 comply with NEPA or the National
7 Environmental Policy Act.
8 And the most critical part of
9 the environmental review process is public
10 participation. We want your comments.
11 It's very important that you tell us for
12 our draft Environmental Impact Statement
13 what we did well, anything -- what we did
14 poorly, or the types of actions or types of
15 issues that you -- you think that we have
16 not addressed. So those are the types of
17 things we would like to hear in your -- in
18 your comments.
19 The responses -- as -- as
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20 Heather said, the comment period is a
21 60-day comment period; and the comment
22 period is over September 30th. Your
23 comments, if they're written comments, must
24 be postmarked by -- did I say December? I

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9
1 meant September 30th. Your comments, if
2 they're written, must be postmarked by
3 September 30th.
4 If you provide comments either
5 by phone, by e-mail, and through other
6 electronic ways at the board, those
7 comments have to be in by September 30th;
8 and as you can see, you can do it by phone.
9 We have a 1-800 number that's located on
10 the -- the brochure that you received
11 tonight; and please make sure that
12 everybody receives a copy of that brochure
13 because it gives you more detailed
14 information about who is the board, the
15 section on environmental analysis and our
16 function, and I'm just doing this very
17 briefly tonight. You can submit it in a
18 letter or comment form, e-mail, speaking
19 tonight. We have a couple -- we have a
20 recorder, and she can take your comments,
21 the court reporter, and you can talk to the
22 court reporter outside.
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23 Now, people have asked us as
24 part of the -- the process exactly how does

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1 this process work, and what does the -- the
2 board consider? And the -- when Canadian
3 National filed an application with the
4 board, the process began by them simply
5 filing an application. The board then set
6 the procedural schedule in which we
7 consider the transportation or the merits
8 and the environmental issues.

9 Just to talk a little bit about
10 what does the board consider in terms of --
11 we look at it in two parallel fashions.
12 The board considers the merits, and the
13 merits consist of economics, competitive
14 issues, and transportation; and the board
15 also considers the environmental impacts,
16 and those things are weighted equally in
17 the process. The board -- our
18 decision-makers do not make any decision
19 until both of those processes have been
20 completed, so they have the full benefit of
21 the entire record.

22 The board then can take three
23 actions: The board can deny the
24 acquisition; the board can authorize the

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11

1 acquisition; or the board can authorize the
2 acquisition with conditions. The board can
3 place conditions on the merit section,
4 which is competitive, economic, and
5 transportation; and the board can impose
6 conditions on the environmental part of it.

7 We also have heard lots of
8 questions about the third-party contractor
9 project -- process and who exactly is HDR
10 and why is HDR working with the board to
11 prepare this document. We are -- we're a
12 very small federal agency. We have
13 approximately 150 people in the entire
14 agency. We have about nine people on the
15 environmental staff. We have about 22
16 projects that are currently before the
17 board, ten of those are about -- are EISS.
18 So as other small agencies -- federal
19 agencies, we use the third-party contractor
20 process to assist us; and HDR, who has
21 worked with us on many projects, is our
22 third-party contractor.

23 Now, John Morton is -- who's the
24 project manager, will give you a little

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12

1 more detail on the project. Thank you.
2 John?

3 MR. MORTON: Thank you, Phillis.
4 First, I'd -- I'd like to talk a little bit
5 about, you know, kind of who Canadian
6 National is, the -- the applicants, and
7 then talk some about the process that --
8 that we're going through and there -- and
9 some of the results.

10 If you have any questions, I --
11 I would encourage you to -- to talk to one
12 of the team members, look at the maps, look
13 at the information that we have in the open
14 house. The open house portion of this is
15 still going on, and it's still staffed; and
16 so if -- so if -- if -- I know I'm going to
17 go through this rather fast. So if you
18 have questions, you want to, you know, find
19 out a little bit more, feel free to -- to
20 -- to step into the other room and -- and
21 ask one of the staff members back there.

22 CN is a Class 1 railroad and a
23 major shipper. They -- they operate five
24 rail lines, as you can see in -- in the

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13
1 dark colors, that -- that radiate out from
2 the Chicago area. They operate about 150

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3 miles of -- of rail line in Chicago.

4 E&E is -- is a regional
5 railroad that operates in generally an arc
6 around the outside of Chicago. E&E has
7 two major rail yards, one in -- East Joliet
8 rail yard in Joliet, Illinois, and Kirk
9 yard in Gary, Indiana. CN's purpose for
10 acquiring the E&E -- they stated three
11 purposes in their applications: First is
12 to increase their operational flexibility
13 by combining or -- or providing a
14 continuous route connecting their five rail
15 lines.

16 The -- the second purpose is --
17 is to make available E&E's Kirk yard and
18 East Joliet yard to their operations.

19 And the third is to -- to
20 develop a more extensive relationship with
21 the shippers on the -- the E&E.

22 The draft EIS analyzed a number
23 of -- of topics and resources. I want to
24 talk about just a few of them tonight. The

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1 rest of them, if you have questions, once
2 again, we have staff members available in
3 the open house that would be more than
4 happy to walk through any -- any of these
5 resource areas with you.

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7 There's some major operational
8 changes resulting from the -- the proposed
9 transaction, and I'll talk about those in a
10 minute. In addition to those changes, the
11 CN proposes to construct six new
12 connections. We've listed them there. We
13 -- we have graphics and -- and displays in
14 the other room if you want to look
15 specifically at those connections, and they
16 also propose to -- to construct about 19
17 miles of new parallel track along their
18 existing track.
19 This is an output from -- from
20 some of the modeling and the work that --
21 that we've done, and I know it's a little
22 difficult to -- to read; but essentially
23 the -- the -- this is a schematic of the --
24 the EJ&E and CN's five rail lines. The --
the light color, the light blue is the --

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1 represents the current traffic that's on
2 those rail lines today. The dark blue
3 represents the proposed traffic, you know,
4 should CN acquire the EJ&E and -- and
5 change its operations. And so you can see
6 in general they're shifting traffic from
7 the interior of the -- on the CN rail lines
8 inside the arc to outside of the arc. The
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17

1 would be a reduction of freight traffic on
2 the CN rail line segments inside the arc
3 and, consequently, an improvement in
4 passenger rail safety there. There would
5 also be a substantial increase in the
6 shipment of hazardous materials on the --
7 the EJ&E rail line and a reduction of the
8 shipment of hazardous materials on the CN
9 rail lines within the arc.

10 The EIS also looked at the --
11 the transportation systems. The -- the --
12 evaluated 155 at-grade crossings on the CN
13 rail lines, that's 125 of which would have
14 reduced delays because of the reduction in
Page 15

9 090808 Public Meeting
10 -- the -- it -- the expected volume changes
11 is somewhere between 15 and 24 trains per
12 day.

13 The analysis that was done in
14 the EIS concluded a couple -- three things,
15 basically, on the operations. First, that
16 the EJ&E rail line would be operating at or
17 close to its maximum capacity in -- in
18 several key locations. As a result, the --
19 the EIS concluded that it would be unlikely
20 that -- that the -- there would be more
21 traffic on the EJ&E than the -- than the
22 traffic levels estimated by CN in their
23 applications.

24 And, third, that Metra's on-time
performance can be maintained through

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1 effective cooperation with CN.

2 The EIS also evaluated train and
3 roadway safety. On the EJ&E arc because of
4 the increased number of train miles, the --
5 the probability of a train accident would
6 go up, as would the probability of a
7 highway rail accident. On the CN rail line
8 inside of the arc, the -- there would be a
9 reduction in the train miles and a
10 reduction in the probability of a train
11 accident and the probability of a highway
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16 the number of trains. They looked at 112
17 crossings -- highway rail at-grade
18 crossings on the EJ&E rail line. Of those,
19 87 of them actually met the board's
20 threshold for environmental analysis. Of
21 those 87, there -- that without mitigation,
22 15 of those grade crossings were identified
23 as being substantially affected by the --
24 the acquisition; and those 15 are shown on
the map here. They're listed on a board on

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18

1 the outside in the hallway, and -- and
2 they're described on the maps in the open
3 house area if anybody wants to -- to look
4 at any specific railroad highway at-grade
5 crossing.

6 The EIS also evaluated air
7 quality issues. Because of the longer rail
8 line -- rail route around the city --
9 around the -- the Chicago area, there would
10 be an increase in fuel use. However, that
11 increase in fuel use would be offset by a
12 -- by a more free-flowing operation and
13 more efficiencies and less trains idling.
14 Therefore, the -- the overall emission
15 changes in 2015 would not exceed, you know,
16 current regulations or would not impact the
17 region's air quality compliance.

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The EIS looked at emergency
19 response and concluded that there would be
20 11 emergency service providers that -- that
21 would be impacted. There would be nine
22 fire stations and two emergency medical
23 facilities that -- that would be
24 potentially substantially affected; and,

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1 once again, those are shown on the -- the
2 graphic here. They're listed on the -- on
3 the board in the -- outside in the hallway,
4 and you're more -- and they're listed and
5 identified specifically on -- on the maps
6 that we have in the open house section.

7 The EIS evaluated noise. There
8 would be about 3,000 residences along the
9 E&E rail line that -- that would see an
10 increase at noise levels above 65dba. In
11 -- on the CN rail line there would be about
12 2700 residences that would show a reduction
13 in the -- the noise levels. In addition,
14 the -- the Barrington area quiet zone,
15 because of the increased freight traffic
16 without mitigation, it would lose its quiet
17 zone status.

18 The EIS also identified a number
19 of mitigation measures. CN provided a set
20 of voluntary mitigation measures that are

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all listed in the -- the EIS. They -- they
22 provided 76 in these subject areas. In
23 addition to that and on top of that, Steve
24 recommended 72 additional measures in those

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1 topic areas and, once again, be more than
2 happy to -- to talk or show you the -- the
3 specific mitigation measures. I have them
4 in the -- the executive summary and also
5 chapter 6 of the draft EIS.

6 And with that, I'd like to turn
7 it back over to Heather. Thank you.

8 MS. TARZAN: We will now begin the
9 comment portion of our meeting. Let me
10 remind you that we will adhere to the
11 three-minute rule which begins as soon as
12 you start speaking. If three minutes is
13 not enough time for you, please feel free
14 to speak with a court reporter in the open
15 house area to complete your remarks. We
16 also invite you to submit your full written
17 remarks to the court reporter located here.

18 To be fair and consistent if you
19 speak beyond three minutes, I will begin to
20 announce the next speaker. I would now
21 like to ask that the first speaker, Fred
22 Millar, please step forward and come to the
23 microphone. In the que behind him is Jim

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Foote and Christopher Berry. Jim Foote?

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1 Okay. We're going to go ahead and start
2 with Jim LaBelle. Again, once you hear
3 your name, please proceed to the
4 microphone. So we'll go ahead and start
5 with Jim Foote, to be followed by
6 Christopher Berry, followed by Jim LaBelle.
7 So if you can go ahead and take your que,
8 that would be terrific. Go ahead.

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1 MR. FOOTE: Thank you. My name is Jim
2 Foote. I'm executive vice president, sales
3 and marketing, for CN with my primary
4 office here in Chicago. I've worked in the
5 railroad industry for over 35 years and
6 have also lived in Chicago for much of the
7 past 30 years. Thank you for this
8 opportunity to -- to speak with you tonight
9 about the important benefits that the
10 CN-E&E transaction will bring to the
11 Chicago region.

12 Chicago-area rail congestion is
13 well -- is a well-documented problem.
14 Diverting most of our trains that currently
15 operate through downtown Chicago onto the
16 underutilized E&E line will streamline
17 CN's operations in the region and reduce
18 regional rail and related vehicular
19 congestion. In fact, roughly 60
20 communities inside the E&E arc will
21 benefit from reduced train traffic as a
22 result of the transaction.

23 Despite the important benefits
24 this transaction would bring to the city of

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1 Chicago and surrounding communities, there
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2 has been an astounding amount of
3 misinformation disseminated about this
4 transaction. Allow me to focus on the
5 facts.

6 First, safety overall will
7 improve. The D -- draft EIS project --
8 projected an overall eight percent
9 reduction in crossing accidents. Further,
10 while the DEIS projected that train
11 accidents on the EJ&E line would increase
12 by 28 percent, it also found that train
13 accidents on the CN lines inside the arc
14 would decline by 77 percent. The net
15 impact is an important and safe -- in --
16 the net impact is an improvement in safety
17 that could save lives in the Chicago area.

18 Second, C found that no
19 additional hazardous material accidents are
20 anticipated as traffic shifts from CN's
21 downtown line to the J. The transaction
22 actually addresses an important objective
23 of the federal government, namely, that
24 certain hazardous materials should be

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1 routed away from heavily populated urban
2 corridors such as Chicago to less populated
3 areas whenever possible. CN's line
4 currently runs through the heart of Chicago
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5 under McCormick Place and past Soldier
6 Field. CN also has committed to providing
7 full training for municipal first
8 responders and will offer more
9 comprehensive emergency response
10 capabilities than exist along the J today.

11 We respect the noise impacts.
12 The draft stated that 1,160 so-called
13 sensitive receptors would be affected.
14 CN's voluntary mitigation plan addresses
15 these noise impacts. Notably, however, CN
16 did not -- C did not quantify the
17 significant noise benefits for communities
18 inside the -- the J arc, even though it's
19 safe to assume that these benefits are far
20 greater than the noise impacts from added
21 traffic on the J. With the reduced noise
22 the transaction would bring for millions
23 inside Chicago and CN's commitment to
24 mitigate noise impacts affecting the fewer

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1 people on the J, the transaction can only
2 bring about undeniable benefits for train
3 noise in the Chicago region. Thank you
4 very much.

5 MS. TARCZAN: Thank you. Christopher
6 Berry, Jim LaBelle, Gordon McCoy.

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1 MR. BERRY: Hi. I'm Chris Berry from
2 the University of Chicago. I'm here today
3 to speak to you not as a professor but as a
4 citizen who has a stake in the outcome
5 here. I live on the near South Side, and I
6 work in Hyde Park, which are two of many
7 neighborhoods in the city that will be
8 affected by this acquisition and will
9 benefit from it. We expect improvements in
10 pollution, noise, safety, congestion, and
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11 also increases in property values; and it
12 seems the benefits to city neighborhoods
13 are being almost entirely ignored in this
14 debate.

15 Instead, the debate is being
16 framed as one between overall benefits to
17 the region versus community impacts in the
18 suburbs, but this is a false juxtaposition.
19 In fact, the CN's deal can be justified
20 solely on the basis of community impact if
21 the positive impacts in Chicago's
22 neighborhoods are counted.

23 Suppose we look at the
24 acquisition solely in terms of community

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1 impact. Ignore for the moment the regional
2 and national economic benefit. Being an
3 academic, I collected some data along with
4 my colleague Ethan Bueno de Mesquita, who
5 will speak later.

6 They clearly show that there are
7 far more people who will benefit from this
8 deal than will be harmed by it. The
9 suburbs, where train traffic would
10 increase, have a combined population of
11 900,000 people. Looking at all Chicago
12 neighborhoods that would see a reduction in
13 freight traffic, we find a population of
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14 1.25 million people. Moreover, the
15 population density near the tracks in the
16 city is more than twice as high as in the
17 suburbs, meaning that more people will be
18 directly affected.
19 There are, however, some notable
20 differences between the people in the city
21 who will benefit from the plan and those in
22 the suburbs who would be negatively
23 affected. The suburbs, where rail traffic
24 would increase, have a median income of

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1 \$76,000 and are 76 percent white. The city
2 neighborhoods have a median income of
3 \$46,000 and are 70 percent minority. Just
4 because the people in the city have less,
5 doesn't mean they should count for less in
6 this process.
7 Yet, there are some disturbing
8 signs that the people in the city are not
9 being treated equally. Of seven STB
10 scoping meetings, six were held in the
11 suburbs and only one was in Chicago. Of 39
12 poster locations announcing those meetings,
13 only one was in the city; and it was not
14 even in a neighborhood that would have been
15 affected. Of 22 outreach meetings for
16 minorities, only one was in Chicago; and of
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17 eight public hearings on the draft EIS of
18 which this is one, this is the only one in
19 Chicago, and this is not even in an
20 affected neighborhood.
21 Yet there are more people in Chicago who
22 would benefit from this plan than would be
23 harmed by -- by it in all the suburbs
24 combined.

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1 If all the affected communities
2 are counted equally, then the acquisition
3 can easily be justified on community impact
4 grounds alone; and I haven't even mentioned
5 the 1.2 million people living in other
6 suburbs where rail traffic would decrease.
7 Factor in the overriding regional and
8 national economic and environmental impact,
9 and the case in favor of this deal is
10 overwhelming.

11 Now, I am not suggesting that
12 the negative impacts in some suburbs should
13 be ignored. A central tenet of good
14 government is that policies whose benefits
15 outweigh the costs should be approved, and
16 the losers should be compensated. In the
17 present case, the STB, along with state and
18 local governments, have many tools
19 available to mitigate negative impacts in
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20 the suburbs.
21 Every important policy decision
22 creates winners and losers, but the mere
23 existence of adverse impacts should not
24 derail this deal because if the deal is not

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1 approved, someone will have to explain why
2 the negative impacts for a few outweigh the
3 positive impacts for the many.

4 MS. TARCZAN: Thank you. Jim LaBelle,
5 Gordon McCoy, Jim Giblin.

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1 MR. LABELLE: Good evening. My name
2 is Jim LaBelle. I'm vice president of
3 Chicago Metropolis 2020. We're a
4 business-led civic organization that was
5 created in 1999 by the Commercial Club of
6 Chicago to promote sound growth. The -- I
7 just have one main comment, and that's that
8 the draft Environmental Impact Study
9 focuses solely on the direct impacts that
10 were being anticipated from the -- the CN
11 acquisition of the EJ&E; and as it shifts
12 much of its traffic to the EJ&E, the draft
13 EIS does not address the regional or
14 national economic impact of the proposed
15 acquisition.

16 We believe it's important that
17 the STB, as well as the region's residents,
18 understand how this transaction will affect
19 production, income, and jobs in the region
20 and the nation. Therefore, Chicago
21 Metropolis 2020 is undertaking an analysis
22 of the regional and national economic
23 impacts. We will consider the economic
24 impact of changes that can reasonably be

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1 expected in such things as rail operations,
2 shipping time, business investment, and
3 other quantifiable factors. We've retained
4 an economic development research group to
5 assist us in this.

6 When the economic analysis is
7 completed this fall, we intend to present
8 it to the Surface Transportation Board for
9 consideration in making its decision on the
10 matter. We may have this before the end of
11 September; but if -- if we don't, we'll
12 submit it directly to the Surface
13 Transportation Board for consideration.
14 Thank you.

15 MS. TARCZAN: Gordon McCoy,
16 Jim Giblin, David Betlejewski.

1 MR. GIBLIN: Jim Giblin.
2 MS. TARCZAN: Okay. Go ahead.
3 MR. GIBLIN: Good afternoon. My
4 name is Jim Giblin. I am a transportation
5 consultant that lives and works in Downers
6 Grove, Illinois.

7 We have approximately 150
8 freight and passenger trains per day
9 operating through our town on one of the
10 busiest rail main lines in the world with
11 absolutely no grade separations. And I am
12 here to tell you that the quality of life
13 in our town is just fine.

14 According to a 2002 study by the
15 Illinois Commerce Commission, there are
16 over 1,700 public highway grade crossings
17 in the six counties of northeastern
18 Illinois.

19 Every weekday approximately half
20 a million motorists are delayed at these
21 crossings for a cumulative total of some
22 11,000 hours.

23 Frankly, being surprised at
24 finding railroad grade crossing delays in

1 the Chicago region is like being surprised
2 to find gambling in the back room of Rick's

3 The projected grade crossing
4 delays along the EJ&E after the CN
5 acquisition would still represent a
6 relatively small portion of the region's
7 overall total.

8 According to the ICC study in
9 2002, the region had 30 grade crossing
10 locations, count them, 30, where delays
11 exceeded any of the projected crossing
12 delays on the EJ&E. Thus, one is tempted
13 to ask "What's the big deal?"

14 Much has been made about the
15 impact of CN/EJ&E on the proposed Star line
16 commuter route. Yet comments made by EJ&E
17 management in the 1999 Metra feasibility
18 study clearly indicate that the future of
19 the Star line has been in serious jeopardy
20 for some time.

21 Quoting directly from that
22 report: "EJ&E management indicated that
23 specific long-term levels of freight
24

1 traffic are difficult or impossible to
2 predict at this time, but they will need to
3 retain their existing trackage and other
4 infrastructure to conduct their future
5 business, allowing EJ&E exclusive use of

6 090808 Public Meeting
7 their present physical plant without
8 interference from Metra commuter
9 operations. EJ&E management reiterated
10 that their existing track capacity would be
11 required for present and future freight
12 operations."

13 Finally, we would like to remind
14 all parties involved here of the larger
15 issues at stake. According to STB Chairman
16 Charles D. Nottingham, in sworn
17 congressional testimony March 5, 2008,
18 "Given the magnitude of rail infrastructure
19 needs and the lack of alternative sources
20 of funding, Congress and the STB should be
21 very careful to avoid sending signals to
22 the financial market that we do not welcome
23 and encourage investment in the
24 privately-owned rail system. Freight
25 railroads in the U.S. are in reasonably

1 good financial shape and are attracting
2 investors of all types and sizes. The rail
3 industry's ability in future years to
4 continue this trend will largely determine
5 whether the rail sector will have the
6 resources needed to meet growing demand for
7 rail service."

8 Thank you.

9 090808 Public Meeting
10 MS. TARCZAN: We do have a number of
11 people who have arrived since we started,
12 and I certainly would like to invite those
13 of you who wish to speak before us tonight
14 to register outside this room. You're
15 welcome to do that.

16 At this time I'd like to call
17 David Betlejewski, Representative Karen
18 Yarbrough, village President Harold
19 Wiaduck, Representative Ken Dunkin.

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1 MS. YARBROUGH: Good evening. I'm
2 State Representative Karen Yarbrough. I
3 represent the 7th District and also the
4 Democratic Committeeman for Proviso
5 Township, one of Cook County's largest
6 townships just west of Chicago.
7 I support the CN/EJ&E
8 transaction.

9 You already have data from a
10 number of sources about this matter, so my
11 focus is on the bigger picture. And that
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12 090808 Public Meeting
13 is how this transaction impacts the lives
14 of my constituents, the lives of those
15 living along the EJ&E, and how it impacts
16 all of us in the greater Chicago region.

17 I fully understand why the
18 residents along the EJ&E are resistant to
19 what they perceive is an infringement on
20 their daily lives.

21 I live in the village of Maywood
22 which is cut in half by the UP railroad. I
23 have more commuter trains alone passing
24 daily through my village than the total
trains the communities on the EJ&E will see

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1 in one day.

2 We have 59 commuter trains and
3 40 to 60 freight trains daily. Clearly, I
4 get impatient and frustrated when I'm
5 blocked by a train, but I also realize that
6 those trains are moving people to and from
7 work, moving freight, which is the backbone
8 of our economy, and let's not leave out the
9 jobs.

10 I have several crossings in my
11 district that will see a reduction in rail
12 traffic including one near the huge Loyola
13 Medical Center that's often blocked by CN.

14 I am told that this transaction
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16 could result in a net reduction of grade
17 crossing delays of 174 hours per day. I
18 understand the vast majority of those
19 reductions will occur in the City of
20 Chicago and its border towns.

21 Your task is to measure the
22 environmental impact of this transaction,
23 and I commend that effort. But please
24 don't tell my constituents the disruption
to their lives from train congestion is

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1 less important than disruption to the lives
2 of those along the EJ&E. And don't tell
3 them that an improvement for them somehow
4 should not be measured equitably against
5 the inconvenience to others.

6 It is neither appropriate nor
7 fair to tell the people of my district that
8 because they're used to it, any relief to
9 them is somehow less relevant, when there's
10 a solution out there that begins to address
11 the problem for the entire region.

12 CN should not be penalized for
13 looking beyond the confines of the City of
14 Chicago and revitalizing an existing,
15 underutilized segment of rail
16 infrastructure that will help unstrangle an
17 urban legend, the Chicago rail hub.

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18 090808 Public Meeting
19 I leave you with the words of
20 Victor Hugo who said, and I quote, "There
21 is nothing more powerful as an idea whose
22 time has come," end of quote.

23 The time is now and the idea
24 positively makes sense.

Thank you.

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1 MS. TARCZAN: Village President
2 Harold Wiaduck, Representative Ken Dunkin,
3 Reggie Greenwood.

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1 MR. WIADUCK: Good evening. My name
2 is Harold Wiaduck. I'm the President of
3 the Village of Riverside, a community of
4 about 9,000 residents located in west
5 suburban Cook County.
6 I'm the past president of
7 the West Central Municipal
8 Conference, an association that
9 comprises 38 municipalities in
10 western Cook County representing a
11 population of over 500,000.
12 I am here tonight to express our
13 Village's support for this transaction.
14 The West Central Municipal Conference also
15 supports the purchase.
16 We in western Cook County are
17 disappointed that our area has been ignored
18 in this process. All of these meetings
19 have been held in areas that will be
20 affected in a negative way.
21 Only tonight's meeting is in a
22 location where the region will see
23 benefits. This makes it difficult for our
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1 time to get across the City of Chicago than
2 it does to send a train between Winnipeg in
3 western Canada and Chicago.
4 Without question, when we
5 consider what we have to gain and what we
6 would lose, we cannot afford inaction or a
7 missed opportunity.
8 Arguments have been made that
9 the corridor needs to be preserved for
10 transit service. The rail lines in our
11 region need to be used to their fullest
12 potential and that means moving people and
13 freight. Our region has a long history of
14 transit operating on freight and rail
15 lines, and we need to continue that
16 tradition.
17 The Metropolitan Planning
18 Council has estimated that a billion
19 dollars is lost annually by the freight
20 industry due to congested condition. Who
21 pays that cost? The citizens of the
22 region, the nation. The cost of shipping
23 goods is passed on to the consumer.
24 Keeping the cost of goods down is critical

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1 if we can find a way to do it, and we must.
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supporters to come and attend and gives an

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1 unfair advantage to the opposition.
2 More than 60 communities
3 throughout the metropolitan area will see
4 freight traffic reduction as a result
5 compared with fewer than 30 communities
6 that will see an increase. Less rail
7 traffic in our communities means less road
8 congestion, freer flow of goods, services,
9 and people within our communities.
10 The Draft EIS does not discuss
11 in detail the benefits that will be derived
12 from this transaction; however, much
13 attention has been given to the issues
14 raised by those who oppose the transaction.
15 On the economic side, the recent
16 CREATE feasibility study suggested over
17 \$780 billion of output and \$217 billion of
18 wages are affected in this area. What
19 happens in our region impacts the entire
20 nation and arguably the entire continent.
21 Being a transportation hub is a
22 double-edged sword. Congestion is a
23 problem. It takes a long time to get
24 people across this area. In fact, a longer

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2 Finally, the opposition talks
3 about safety. Safety is important to all
4 of us. In the inner ring it's suggested
5 that 77 percent of the accidents will go
6 down 77 percent. This is an amazing
7 statistic. I ask that the STB keep these
8 in mind. Thank you.
9 MS. TARZAN: Representative Ken
10 Dunkin, Reggie Greenwood, Don Jaburek.
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1 MR. GREENWOOD: Thank you. Good
2 evening. My name is Reggie Greenwood. I
3 represent a group called the Chicago
4 Southland Economic Development Corporation,
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5 which is an economic development
6 organization with public and private
7 members promoting economic development in
8 south Cook and east Will Counties.
9 One of the main economic
10 development activities in our region is
11 branded the I-80 East Logistics Corridor.
12 We have just completed a
13 comprehensive freight study that identifies
14 our region's unique freight assets for
15 economic development. Two of those key
16 assets are the EJ&E line and the Canadian
17 National line and the Canadian National
18 intermodal site.
19 These assets are already leading
20 to significant new development in our
21 region such as the five million square feet
22 logistic center in Sauk Village.
23 There's also a lot of potential
24 now for industrial development in the

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1 inner-ring suburbs of Harvey around the CN
2 intermodal site.
3 This proposed acquisition of
4 EJ&E by the CN will substantially benefit
5 the industrial development opportunities in
6 our region.
7 Our region will indeed, however,
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8 be substantially impacted by increased rail
9 traffic at four crossings along the EJ&E.
10 One of our biggest potential
11 problems of course is access to, as pointed
12 out earlier, fire and hospitals.
13 Our organization recently had
14 gotten together with several other
15 institutions, for example, the Will County
16 Center for Economic Development and the
17 Will County Intergovernment League, to
18 develop a proposal to take to the State of
19 Illinois so that the new Capital Bill will
20 hopefully include a separate line item for
21 freight investments so that we can
22 encourage and pressure the State to
23 recognize that they have to play a role in
24 funding the mitigation measures for the

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1 crossings in our region.
2 However, I do want, even though
3 we have these potential, we do have these
4 negative impacts in our region, we must
5 also recognize that our area would greatly
6 benefit from the potential of increased
7 jobs from the industrial/warehouse
8 development that would be spurred by this
9 acquisition. Thank you.
10 MS. TARCAN: Don Jaburek, Ethan
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11 Bueno de Mesquita, Patricia Harthun.
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1 MR. JABUREK: Good evening. My name
2 is Donald Jaburek. I'm a resident from the
3 inner area here in Chicago that would be
4 greatly affected by this acquisition.
5 I live in the area near
6 the St. Charles Airline near 16th
7 and Clark Street or 16th and the
8 Chicago Metra Rock Island line
9 intersection with the current CN
10 line.
11 I echo many of the other
12 comments that people have made and will
13 make, but I don't want to give a lot of
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14 numbers and so forth.
15 I want to just give you a little
16 bit of information about a particular area
17 and how it's impacted in terms of air
18 quality.
19 Westbound trains on the
20 St. Charles Airline of the CN line idle for
21 three to five hours every day while they
22 wait for passage across the Metra line and
23 go south. Every day myself and my
24 neighbors watch and breathe as these

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1 locomotives spew their fumes into the air
2 waiting in this congested bottleneck that
3 currently exists.
4 The ongoing impact of this air
5 quality in that area is terrible and has
6 many of course immeasurable health
7 negatives to communities such as ours. And
8 this is of course duplicated all across the
9 region.
10 I would hope that you would take
11 this into consideration, particularly the
12 air quality, in just this one area where
13 these trains sit every day two, three, and
14 four locomotives for three to four hours
15 every day. Sometimes more hours than that,
16 but every day that. That's significant and
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17 it can be alleviated by this acquisition.
18 Thank you.
19 MS. TARCZAN: Ethan Bueno de
20 Mesquita, Patricia Harthun, Michael Mini.
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1 MR. BUENO DE MESQUITA: Hi. I'm
2 Ethan Bueno de Mesquita. I'm a professor
3 of public policy at the University of
4 Chicago.
5 I'm presenting my
6 personal views as a resident of the
7 City of Chicago who lives and works
8 in the neighborhoods that would be
9 positively affected by the CN
10 acquisition.
11 It's clear from a strict sort of
12 cost benefit perspective that this
13 acquisition is a good idea. As my
14 colleague Christopher Berry already
15 emphasized, the number of people who would
16 benefit far exceeds the number of people
17 who would be inconvenienced. And when you
18 add in the regional benefits, this seems
19 like a no-brainer.
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20 And yet, the merits not
21 withstanding, the regulatory approval
22 process frankly seems to be getting bogged
23 down in a political debate pitting regional
24 interests and regional benefits against the

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1 Local and parochial interests of suburban
2 residents who want to avoid an increase in
3 rail traffic in their communities.
4 In my view the reason that the
5 Service Transportation Board, nonelected
6 federal officials, is making this decision
7 is precisely because your status allows you
8 to be insulated from these local concerns
9 and consider the regional and national
10 benefits and weigh the cost and benefits.
11 With many of the economic and environmental
12 benefits, this is a fairly straight forward
13 exercise.
14 But in thinking about the impact
15 on communities, you have to assess the
16 impact on people's lives. And it's
17 important that in doing so the quality of
18 life of people in the suburbs and the
19 quality of life of people in the city get
20 equal weight. And it's to this point I
21 want to speak.
22 My concern is that suburban
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23 interests opposed to the deal seem to be
24 getting significantly more attention than

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1 the city interests in favor of the deal.
2 My guess is this is the case for
3 two reasons: First, as my colleague Chris
4 already detailed, the STB process for
5 assessing community impact has been
6 seriously biased in favor of soliciting
7 suburban concerns. There has not been a
8 single one of these meetings, including
9 this one, held in an area that's going to
10 be positively affected.
11 Second, the suburban interests
12 opposed to the acquisition have been better
13 organized and more vocal than the city
14 residents.
15 You might naturally assume from
16 this that the negative impact on the
17 quality of life in the suburbs must be
18 qualitatively larger than the positive
19 impact of quality of life in the city. I
20 would caution you against reaching that
21 conclusion.
22 As my colleague described
23 earlier, the demographics of these two
24 communities is quite different.
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1 In particular, suburban
2 communities opposed to the acquisition are
3 on average 65 percent more affluent and
4 have half the number of underrepresented
5 minorities when compared to urban
6 neighborhoods that will benefit from the
7 acquisition.
8 Like in any American inner city,
9 the residents of the south side of Chicago
10 that stand to benefit from this acquisition
11 have a lot of issues to occupy their
12 attention. Many are concerned about
13 whether their children will return safely
14 from schools, whether those schools will be
15 properly funded, when the next set of
16 foreclosures will hit, and so on and so on.
17 Train traffic may be pretty far down the
18 list of things that they need to solicit
19 their government about.
20 Meanwhile, in some of the
21 Chicago suburbs the prospect of an increase
22 in rail traffic may actually be the biggest
23 problem their community has faced in quite
24 some time. But this does not mean that the

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1 city residents don't have serious interests
2 at stake.

3 You should not discount the
4 interests of city residents simply because
5 those citizens have larger issues occupying
6 their attention and as such have not been
7 as vocal on this issue, the turnout tonight
8 notwithstanding.

9 In conclusion, let me note that
10 this is a rare opportunity for you to
11 support a policy that will both benefit the
12 economy and the region and members of an
13 urban community that have long borne more
14 than their fair share of the cost of our
15 region's economic activity. Thank you.

16 MS. TARCZAN: Patricia Harthun,
17 Michael Mini, Jacquelyn Paine.

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1 MS. HARTHUN: Hi. My name is
2 Patricia Harthun. I'm here as a citizen of
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6 on the overall impact. However, I have
7 seen ambulances sitting, waiting to cross
8 the tracks, to the nearest trauma center.

9 Christ Hospital is the only
10 trauma center in the area, and there are
11 two rail lines between the east side and
12 Christ Hospital in Oak Lawn.

13 In addition, the congestion on
14 the city rail lines often causes the trains
15 to stop, and that further delays any type
16 of life-saving measures.

17 It's understandable that the
18 communities that will be impacted
19 negatively would speak up. These
20 communities have strong voices, but the
21 number of people who may be inconvenienced
22 by the proposal is less than those who will
23 benefit.

24 I heard a complaint on the news

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1 that school buses have to cross the tracks
2 and that they were afraid of accidents.
3 But if the drivers heed the crossing
4 signals, that shouldn't be an issue.

5 However, in the city children
6 walk to school, and it's tempting for a
7 child who may be late to school to try and
8 cross through that stopped train. And we

the south side of Chicago in the Beverly
4 neighborhood, and I am speaking in support
5 of the proposal to allow the Canadian
6 National Railway to use the old Elgin
7 lines.

8 As many people have already
9 detailed in their numbers, the measure
10 would reduce congestion on the overburdened
11 city rail lines.

12 Our neighborhood is surrounded
13 by busy rail lines. There's rarely a trip
14 that I take that doesn't result in waiting
15 for a train.

16 My statistics are on a much more
17 personal level. I plan my routes
18 frequently around whether the train line is
19 open. Oh, 99th Street is open, cross now,
20 because there are so many trains that go
21 through the neighborhood that they congest
22 traffic, people sit with their engines
23 idling and further pollute the air.

24 There are two sets of tracks

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1 between my house and the grocery store,
2 three on my way to exercise, two between my
3 house and the nearest trauma center.

4 Obviously, some of these are
5 very personal and somewhat inconsequential

9 have lost children to rail accidents trying
10 to cross the tracks.

11 On a larger scale, obviously the
12 increased amount of time the train takes
13 increases transportation costs which are
14 then passed on to the consumers.

15 I would urge you to consider the
16 greater good rather than the local
17 objections of those few who have enjoyed
18 relatively little train traffic up to this
19 point.

20 I don't see how the
21 Transportation Board could turn down the
22 proposal that would reduce this freight
23 train congestion.

24 So please support the measure to

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1 grant access to the Canadian National
2 Railway. Thank you.

3 MS. TARCZAN: Michael Mini,
4 Jacquelyn Paine, Robert W. Trowther.

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1 MR. MINI: My name is Michael Mini.
2 I'm the Government Relations Director at
3 the Chicagoland Chamber of Commerce.
4 We represent over 2,600
5 businesses throughout the
6 Chicagoland region. Our mission is
7 to make Chicagoland the most
8 business-friendly region in America.
9 Chicagoland Chamber of Commerce
10 strongly supports the CN acquisition of
11 E&E Railway.
12 We believe that this proposed
13 acquisition is key to ensuring the
14 long-term health and well being of our
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16 regional economy. We urge the STB to
17 approve the transaction without further
18 delay.
19 Industrial and manufacturing
20 businesses in the Chicagoland region depend
21 on good transportation, and freight rail
22 plays a major role in their success.
23 However, quite often the railroads serving
24 our shippers encounter severe congestion
that is an adverse impact on our economy.

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1 CN's acquisition of certain E&E
2 assets is an important step toward
3 improving that situation.
4 Without question, our rail
5 shippers will benefit from the streamlined
6 rail operations and reduced congestion
7 resulting overtime as well as the new
8 efficiencies and operating improvements the
9 acquisition will bring to CN's network.
10 In addition, the acquisition
11 will be another step forward in CN's
12 long-term commitment to reduce costs,
13 improve service, and provide customers with
14 more single-line market opportunities, all
15 of which will benefit the Chicagoland
16 region and our businesses.
17 Finally, we urge the STB not to
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19 burden this transaction with unrealistic
20 mitigation requirements and approve it as
21 soon as possible so that Chicagoland and
22 regional businesses, as well as the
23 community in general, can begin realizing
24 the benefits of this important transaction.
Thank you.

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1 MS. TARCZAN: Jacquelyn Paine,
2 Robert W. Trowther, Bob Crowther.
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1 MS. PAINE: Hello. I'm Jacquelyn
2 Paine, and I live in Riverside, Illinois.
3 I have 25 years
4 experience in rail transportation
5 with a Class I railroad, CSX, and
6 also as Director of Rail
7 Transportation for a Fortune 500
8 company.
9 When I started with CSX, my
10 first day on the job my boss and I flew
11 from Baltimore to Chicago and we visited
12 the CSX bar yard. It was full of cars.
13 The problem was trying to get the cars out
14 and get them to other railroads so they
15 could complete their journeys.
16 Since then I've been to many,
17 many rail yards, and it's the same problem
18 everywhere here in the Chicago area.
19 Rail cars don't spend a lot of
20 time moving. They spend a lot of time
21 sitting. We call that the dwell time. In
22 a 24-hour period, typically a car will only
23 move six or eight hours maximum, unless
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it's coming from the west coast or

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1 something like that.

2 The way this impacts us is in
3 several different ways, and I tend to take
4 a more regional look and a more national
5 look than I would had I not worked for a
6 railroad. However, what you want to do is
7 move the cars as quickly as possible.

8 If you can improve that, you can
9 reduce congestion simply because you don't
10 have as many rail cars sitting in the yard
11 clogging them up making it difficult to
12 move them to their next destination.

13 I have personally experienced
14 delays of up to three weeks on cars coming
15 into Chicago from a western road trying to
16 get to the CSX yard or perhaps the NS on
17 the other side of Chicago. The reason for
18 lengthy times is weather conditions,
19 flooding, et cetera.

20 It's not a pleasant thing to
21 have your customer calling you every day
22 hounding you about when they're going to
23 get their rail car. And you're absolutely
24 powerless because it's sitting, it's stuck

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1 maybe in the clearing yard, the yard is
2 full of cars, and the belt railroad just
3 can't get it out.

4 Do you know who pays for this?
5 All of us here in the room pays for this
6 because those transportation costs are
7 passed onto us through the products we buy.

8 I am supporting this acquisition
9 because of the economic benefits that it
10 would bring to us personally and also to
11 the manufacturing companies we have in this
12 area.

13 Manufacturers can reduce the
14 size of their car fleets, which is a huge
15 drain. They can provide better service.
16 And, you know, the productivity wouldn't be
17 bad either because I really got tired of
18 having to call the railroads and beg and
19 plead and scream and yell just to get my
20 cars to move. Thank you.

21 MS. TARCZAN: Robert W. Trowther,
22 Bob Crowther, A. Johnson.

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1 MR. CROWTHER: I may be No. 17 and
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2 090808 Public Meeting
18, but it's Bob Crowther.

3 I've come from Barrington
4 down here to see, I'm opposed I must
5 say to the railroad increases in our
6 town. We have a ton of them now on
7 the commuter line.

8 The interesting thing about
9 Barrington is that these tracks cross each
10 over in our town. One train, one freight
11 train, can block all four intersections in
12 our town. So the fact that they mentioned
13 on the chart outside that there's one
14 mitigation point in Barrington isn't really
15 true. There's four.

16 So anyway, I thought I should
17 come down and see your turnout. We had
18 over five thousand. I counted at best 72
19 here and even with the nice court
20 reporters, verbatim reporters, and your
21 nice board.

22 We opposed it for a couple of
23 simple reasons: First of all, our tracks
24 are crossed by school buses 840 times a day

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1 now, okay, without increased train traffic.
2 That's significant.

3 The other thing is that our 90
4 square miles of the Barringtons are
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5 serviced by wells, not deep wells, shallow
6 aquifers. So that hauling chemicals and
7 petro chemicals and the like doesn't appeal
8 to us that much, as it doesn't to you I'm
9 sure.

10 So that's all I basically had to
11 say. I don't like the idea of transferring
12 problems from one area to the other.

13 I respect the gentlemen from the
14 University of Chicago, but some of the
15 names in Barrington are on those walls at
16 both the hospital and the university, as
17 you know, and they were at this meeting and
18 they don't like it. So we don't think it
19 impacts too much.

20 U.S. Steel, \$300 million is a
21 pittance to them in selling this railway.

22 We also don't think it's the
23 Service Transportation Board's role to
24 enhance the future profits or whatever of

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1 an international railway.

2 I want to thank Ms. Ball for her
3 time and you guys, all your patience. I
4 noticed that in the document it says that
5 your board and the previous Interstate
6 Commerce Commission, which was before you,
7 has in the past denied mergers.
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8 I hope you will deny this one.
9 Thank you for your time.
10 MS. TARCZAN: A. Johnson, John
11 Ehlers, Patrick Spiroff.
12 MR. JOHNSON: I'm A. Dwight Johnson,
13 and I'm a consultant for Canadian National
14 Railroad. Now I'm retired from Canadian
15 National Railroad. I have 42 years of rail
16 experience, and I did written comments so I
17 don't want to repeat those.
18 What I want to talk about now is
19 the -- is -- they complain about the other
20 -- the E3&E acquisition because who's going
21 to pay for overpasses because of additional
22 freight service on the E3&E? Well, I have
23 a source for their funding, and that is the
24 additional property taxes that Canadian

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1 National's going to pay because when that
2 happens in my experience -- and I've been
3 involved in three different mergers -- and
4 to pay -- the property taxes for the
5 railroad, they will triple immediately. So
6 that will be a definite source of funding
7 for their overpasses that they're all
8 worried about.
9 Another thing, and I did write
10 this in my written testimony. I want to
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11 mention about Barrington. Barrington has a
12 commuter rail station on Union Pacific.
13 They voluntarily decided to build it
14 downtown, blocking both Route 59 and Lake
15 Cook Road for -- for an average of four
16 minutes every time a train stops. They are
17 crying crocodile tears.
18 They also -- another thing, when
19 there was a brand new schedule out that
20 Union Pacific put out, one train did not
21 stop in downtown Barrington; and they had
22 service every -- an average of every 15
23 minutes at that time, and they forced that
24 train to stop there. If they care about

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1 crossings being blocked, they should have
2 not stopped that train at Barrington.
3 MS. TARCZAN: John Ehlers, Patrick
4 Spiroff, Bill Wendt.

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1 MR. EHLERS: Good evening,
2 everybody, ladies and gentlemen, the
3 Surface Transportation Board, and other
4 interested -- other interested parties. My
5 name is John Ehlers. I'm owner and
6 president of Rail 1 Media. I'm here to put
7 on the public record our extended automatic
8 warning system. Just to clarify, Rail 1 is
9 not part of any news organization, however
10 kindred to outdoor advertising. Both Rail
11 1 -- but Rail 1 does have -- have multiple
12 divisions that are involved in highway rail
13 safety. Our second division is design and
14 installation.
15 My company has designed an
16 extended warning system that could be
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17 installed and connected electrically from
18 the grade crossing to an LED lighting
19 system along the road. With the roadside
20 message, both the LED and roadside message
21 are Federal Highway
22 Administration-approved.
23 The warning system is
24 multifunctional. That is, with a standard

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1 grade crossing vehicles react to the action
2 of the -- to the lights and the gates and
3 in some instances take a gamble, for lack
4 of a better word, to drive around the gates
5 to beat the lights -- beat the lights
6 through the -- through the grade -- through
7 the right-of-way.
8 On the other hand, there are
9 those that respond to the stop and --
10 respond and come to a stop at the stop
11 zone. As we go -- as we know, this -- this
12 entire action works around time. We feel
13 that there is a need for transition time.
14 This is where we feel our warning system
15 applies and comes into effect.
16 How our warning system works is
17 connected at -- to the grade crossing
18 directly when the train shunts the -- the
19 relay through a series of connections and
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20 directly activates the lights -- the LED
21 lights. This with the roadside message
22 when lights are flashing, trains operating
23 through the right-of-way, which would
24 provide the transition time for those

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1 vehicles that are on the roads.
2 As I said, it's a
3 multifunctional system as a constant
4 reminder, as well as the LED system
5 providing a greater distance of visual
6 contact from the LED lights that a train is
7 operating through the right-of-way. This
8 provides emergency services, police, fire,
9 and EMS to use an alternative route to
10 respond and find a different means to
11 respond to an emergency.
12 To conclude, I hope that you --
13 you take a closer look at Rail 1's extended
14 warning system, that the Surface -- Surface
15 Transportation Board determines as a result
16 of these meetings -- determines that as a
17 result of these meetings, provides certain
18 recommendations, as I hope we become one of
19 them. Furthermore, extended warning system
20 -- our extended warning system sheds new
21 light on the Surface Transportation Board
22 and the communities of this acquisition
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1 MR. SPIROFF: I want to thank you
2 for allowing me to come here to speak
3 tonight. I'm just an ordinary citizen. I
4 live in Frankfort, Illinois. The train's
5 going to be running through my backyard.
6 Obviously, I'm not thrilled about that,
7 just, you know, want -- imagine that you
8 moved, and you're living on a small country
9 road; and the next thing you know, it's
10 going to be turned into a superhighway.
11 But, you know, so obviously it's going to
12 affect my property values, those personal
13 issues. But that's not really why I came
14 down here on this rainy Monday night.
15 In December of 2006, my oldest
16 daughter was diagnosed with type one
17 diabetes. It's also known as juvenile
18 diabetes. And, you know, all the other
19 factors I understand; but I -- I'm just
20 coming here as a concerned father. You see
21 I don't have prepared notes; I'm just kind
22 of winging it.
23 But what concerns me is, you
24 know, I live at an at-grade crossing, up --

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23 that it affects.
24 MS. TARZAN: Patrick Spiroff, Bill

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1 Wendt, Michael Howard.
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1 you know, up the street from it; and I'm
2 very concerned that it's going to be
3 blocking emergency vehicles making it to my
4 home. You know, so I'm just here as one
5 individual father speaking out for his
6 daughter.
7 I'm very -- you know, the -- the
8 impact of type one diabetes is you can
9 suffer a coma due to low blood sugar and so
10 every second would count getting my
11 daughter to an emergency room to bring her
12 back up and have her regain consciousness
13 and not affect, you know, her brain. So,
14 obviously, I'm not going to explain any --
15 any kind of mitigating factors. It's just
16 kind of well, you know, you lived on a
17 railroad track. You should just have to
18 deal with that.
19 So I just -- you know, I just
20 want to say here that, you know, with no
21 mitigating factors to take in account that
22 crossing, there's also -- not only just to
23 my home, but there's -- she also lives --
24 I'm sorry. She goes to school, and there's

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1 a railroad crossing just to the north of
2 her; and this crossing does not even have a

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4 signal or lights or anything, and it's the
5 first crossing right behind the school.

6 So not only is it going
7 to affect emergency vehicles coming to my
8 home; it will also affect emergency
9 vehicles access to that school; it's
10 Hickory Creek. And that's why I'm here.
11 Thank you very much for your time.

12 MS. TARCZAN: Just to confirm, it's
13 Patrick Spiroff?

14 MR. SPIROFF: Yes. Thank you very
15 much.

16 MS. TARCZAN: Bill Wendt, Michael
17 Howard.

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1 MR. WENDT: Yes, my name is Bill
2 Wendt. I live in the city, and for quite a
3 few years I have thought that the railroads
4 are running too much freight through
5 Chicago when they would have a shorter,

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6 090808 Public Meeting
7 more direct route outside the city; and
8 along the bypasses of Chicago would be the
9 Elgin, Joliet and Eastern. Having said
10 that, it's not like -- my written remarks
11 might -- might seem like I'm more of a
12 friend of thinly populated suburban sprawl
13 than I am, but there are very valid
14 concerns about these emergency vehicles
15 being blocked; and I haven't heard any real
16 mitigation of that concern. And the
17 railroad, I think, is kind of blowing its
18 own credibility on that in not proposing at
19 least something like a dozen separated
20 crossings to alleviate this particular
21 concern.

22 As far as the STAR line is
23 concerned, now Metra is talking about
24 20-minute commuter train service, which is
incompatible with freight service. I do

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1 think there is a better approach than -- to
2 -- to public transportation needs in that
3 area, and that would be -- well, we've had
4 these van pools for over 20 years,
5 computer-matched van pools. We could have
6 computer-matched bus pools of 50 or more.

7 And there are about 500,000
8 people in that area west of O'Hare, working

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9 090808 Public Meeting
10 in that area. It's what -- about the same
11 as downtown Chicago except over at least 10
12 times the land area. You need rubber tire
13 distribution there anyway, and if you have
14 to have rubber tire distribution, well,
15 there's not much point in running an
16 expensive, disruptive railroad down the
17 middle of an expressway when there is a
18 railroad just a couple miles north of
19 there.

20 But still, I think the better
21 solution would be a bus rapid transit, and
22 we -- that would be with or without a
23 monorail that could really put the rapid in
24 bus rapid transit, suspend a monorail in
which a vehicle is simply a skid that a bus

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1 drives on and drives off and the stations
2 need be little more than a bus turnaround.

3 It doesn't matter too precisely
4 where they are. But figure the great
5 unemployment center in the southern suburbs
6 is about 35 miles as the crow flies from
7 the great employment center in the
8 northwestern suburbs. And we could have
9 one seat rides in -- in an hour or less
10 between the two with that kind of
11 technology.

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13 I think the Grand Trunk Western
14 lines in the city could be used for Metra
15 commuter trains, save about 400 million in
16 rerouting the Metra southwest service. And
17 I would be opposed to abandoning the rail
18 lines -- these rail lines in the city
19 because with traffic increasing the way it
20 is, we just might need them again before
21 too terribly long.

22 MS. TARCZAN: Michael Howard, Jim
23 Domiano, Steve Mannos.

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1 MR. HOWARD: Good evening. I'd like
2 to say thank you very much for offering the
3 opportunity for us to come. I represent
4 the community of Fuller Park, 4500 families
5 that are most affected by all the growth
6 and commerce that's been mentioned here
7 tonight. I just want you to know that the
8 impact from all of the profit and all the
9 growth that hasn't -- has happened in the
10 rail system over the last three to four
11 decades has impacted our community to a
12 greater extent than those that are worried
13 about being affected if this acquisition
14 goes forward.

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16 We suffer from the largest
17 asthma population in the city of Chicago
18 due to all of the congested locomotives in
19 those switching yards and those side rails
20 that have been built to -- to handle the
21 increase of traffic through the city
22 itself. Our -- our -- our properties are
23 rattled daily, 24 hours a day, by the
24 banging of those cars being switched from
track to track and being loaded and

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1 unloaded. Our children have so much
2 asthma. Our senior citizens have a large
3 increase of respiratory ailments due to all
4 of the diesel and traffic emissions that
5 encompass our community.
6 We're surrounded on both sides
7 by major hubs. Not only do we get the CN
8 traffic and others. We have the Amtrak,
9 the Metra traffic. All of that has to
10 share the same lines through our
11 neighborhood on both sides of the
12 neighborhood every day. I want you to
13 imagine not being able to open your windows
14 on a -- on a hot summer night because you
15 cannot afford to breathe that heavy diesel
16 fumes that's coming from those 15 engines
17 that are just sitting there waiting to
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1 MR. DOMIANO: Hi. I'm Jim Domiano,
2 and Michael stole my notes, I think; but I
3 am here to speak as an individual who lives
4 in the near South Loop at 15th and State.
5 I live approximately that far from the rail
6 line, and my situation and my building
7 situation, Dearborn Towers, is aggravated
8 by the fact that we live above this. In
9 our neighborhood you have canyons of
10 concrete, and the noise issues that we're
11 talking about here are significantly
12 exacerbated by the problems with having
13 huge tunnels of buildings that the noise
14 reverberates through.
15 We moved in in 2001 and during
16 one of the first nights that we stayed
17 there, I was awoken at about 2:30, 3:00
18 o'clock in the morning by what I thought
19 was someone throwing giant aluminum boxes
20 down a concrete stairwell. I said to my
21 wife, what is that? She said, oh, those
22 are the coal cars. The train just stopped
23 over there where Dan was mentioning earlier
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19 switch their load through the city.
20 So, for us, I -- I'm really in
21 support of this move because the mission of
22 our organization -- I'm executive director
23 of Fuller Park Community Development -- is
24 to improve the quality of life for our
constituents, and this move to relieve the

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1 congestion through the city of Chicago
2 would indeed improve the quality of life
3 for our constituents. So we would say yes,
4 vote yes for this expansion for our health.
5 We're not here -- we're not
6 gaining economically. We're not gaining
7 for jobs. We don't have any economic
8 benefit from this pollution that -- that
9 affects our lives daily, but it has
10 ruined the quality of life for many of the
11 seniors that are in this room tonight and
12 then it also affects our children every
13 day, as they can't even open up the school
14 room windows on certain summer days, and
15 even during the coldest day of the year
16 we've had some heavy diesel fumes that
17 float through. They had to -- everyone
18 closed their windows because the children
19 were choking.
20 So it's matter of life and death
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where the crossing is over by Clark and

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1 16th, crashing together 300 times.
2 I invite any of you to spend
3 some time in my guest bedroom because I'll
4 tell you; I'm still not used to the noise.
5 The vibration is so intense, and I live on
6 the 10th floor, that things will be moved
7 off of shelves. I feel very badly for
8 people who live on the fourth floor, which
9 is about 30 feet above this.
10 We're a small community of about
11 315 units, so you're looking at about 600
12 people; but multiply this by the tens of
13 thousands of people who live along the
14 lines from the south side. And one of the
15 reasons that you don't see some of these
16 people here is because -- I found out about
17 this meeting Thursday, and I'm pleased to
18 see two other members of Dearborn Tower
19 here. But the disenfranchised of those
20 neighborhoods haven't been made known and
21 aware of this particular situation.
22 They look to you for their
23 assistance and your wisdom and your
24 guidance to look at the situation and say,

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1 the needs of more people who will benefit
 2 outweigh the needs of some communities.
 3 And with proper guidance and proper holding
 4 accountable of CN, which I know is part of
 5 this plan, we can mitigate the issues that
 6 will potentially occur in the suburban
 7 areas; and everyone will benefit
 8 significantly from situations like this.
 9 Part of the challenge in this type of a
 10 situation is everyone wants the benefit of
 11 this type of arrangement. Everyone wants
 12 the benefit of rail traffic and the
 13 decrease in costs, but nobody wants it in
 14 their backyard.

15 So I think at the end of the day
 16 it is really important about the individual
 17 personal stories that we're seeing here;
 18 but more so, we need to look at the overall
 19 financial impact on the greater area and
 20 the impact on the number of families,
 21 positively and negatively. Add that up and
 22 determine at the end of the day what the
 23 best decision is to make. Thank you.

MS. TARCZAN: Steve Mannos, Mike

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1 Joyce, Representative Ken Duncan.
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1 MR. MANNOS: Good evening. My name
 2 is Steve Mannos. I'm president of the
 3 Dearborn Tower Condominium Association,
 4 along here with Jim and another one of our
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5 residents. I'm here tonight to strongly
 6 back the proposal and to give you some
 7 reasons why.
 8 Economic, but not -- but more
 9 importantly than that, we -- we have a
 10 severe problem in our neighborhood with
 11 noise and pollution. When those trains
 12 idle for three, four hours at a time at
 13 State and 16th, the -- the fumes and the
 14 pollution are unbelievable. We, therefore,
 15 are strongly supporting the -- the
 16 railroad's move; and we're also going to do
 17 everything we can to notify more people in
 18 our neighborhood because we weren't
 19 notified until very recently, and it's a
 20 travesty that there's only one meeting in
 21 the city of Chicago which has a
 22 million-and-a-half people. You know, I
 23 know Barrington is growing rapidly; but
 24 they're nowhere near a million-and-a-half

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1 people.
 2 I've also lived -- I have a
 3 perspective of living in the suburbs. I
 4 lived in LaGrange for several years; and,
 5 believe me, waiting for the train an extra
 6 four, five minutes is a hell of a lot
 7 easier than sitting and listening to
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8 banging and banging for two, three hours at
 9 a time. That's all I have to say.
 10 MS. TARCZAN: Mike Joyce,
 11 Representative Ken Duncan.
 12 I would like to take this
 13 opportunity again to ask anybody who's
 14 interested in speaking tonight to please
 15 step outside the room and register. We
 16 have no more registered speakers at this
 17 time. We certainly invite any additional
 18 commenters again to register now. In the
 19 meantime, we invite everyone to return to
 20 the open house area if you would like to
 21 review the boards or ask questions. The
 22 court reporter and at least one member of
 23 the Surface Transportation Board team will
 24 remain here in the public meeting area to

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1 receive additional comments from newly
 2 registered speakers should we have any
 3 additional registration before 9:00 p.m.
 4 This concludes the public comment portion
 5 of the meeting. Thank you all for coming.
 6 (Brief pause.)
 7 (whereupon the audience took its
 8 leave.)
 9 MS. TARCZAN: Representative
 10 Ken Dunkin.
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1 MR. DUNKIN: Hi, thank you. I'm Ken
2 Dunkin, Illinois State Representative.
3 I represent the 5th District
4 where there's a considerable amount of
5 transportation that has been a major issue
6 of concern as voiced to my residents on the
7 southern end of my district, particularly
8 around 39th and Shield and Princeton, that
9 area.
10 Even before I was elected they
11 had discussed and talked about how the
12 trains often sat idle for a number of hours
13 and sometimes throughout the night over
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around 43rd and Princeton, 45th and Normal.
They said there were a number of fumes that
would be emitted there. Not to mention the
rumbling of the engines for quite some
time, for some extended period. They
believe it was or is sort of a yard where
they just had a long freeze or pause.
So I recall that at least
almost, wow, over six years ago now when I
was actually a candidate, and to have this
issue close to being rectified or at least

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1 pushed or moved further away from the
2 community will be a big value add for my
3 constituents over in the 3rd ward of the
4 5th District.
5 Some of the areas that were
6 discussed or issues that I recall, and
7 again, I'm going way back six years now,
8 were issues of possible asthma,
9 environmental racism because it was a
10 predominantly poor, predominantly black
11 community, certainly on one side, and the
12 community just tended to take it for
13 granted that there was nothing anyone could
14 do about it or even consider moving it
15 along.
16 I believe Michael Howard, who's
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a strong voice and advocate against this
particular idling of trains, I'm sure he
gave voice to this as well.
Just some of the points that I
wanted to make. The residents of the 5th
District have had to deal with the burden
of bottlenecks on rail lines. Chicago's
rail line is one of the most important in

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1 the nation but it's in desperate need of
2 improvement.
3 In fact, dozens of residents
4 from the 5th District will be attending
5 today's hearing just to give voice to their
6 support for CN's proposed acquisition of
7 the E&E line and to explain how their
8 communities will benefit greatly from the
9 streamlined rail operations.
10 Again, we know that St. Louis
11 almost took the place, the center hub of
12 the country of Chicago years ago. But
13 Chicago became that strong hub where there
14 was a lot of interchange, and we appreciate
15 that, but we have to do just mass
16 improvement, as voiced, of trains idling in
17 any particular community for a given time
18 so we can avoid the possible negative
19 affect such as hazardous air quality and
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sort of some of the other issues that
affect our constituents.
So please give this great
consideration. I wish I had more time to
discuss this issue. And I'll be supporting

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1 them moving along away from our particular
2 area. Thank you.
3 MS. TARCZAN: Thank you.
4 I do want to point out to you if
5 you'd like to make your remarks, continue
6 them with the Court Reporter outside, we
7 can certainly have you do that, or we can
8 also record your remarks on paper through
9 our hotline on our website.
10 MR. DUNKIN: I can leave something
11 in writing?
12 MS. TARCZAN: Yes.
13 (End of statement.)
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D.6 Aurora, Illinois

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SCOPING MEETING FOR THE PROPOSED CANADIAN NATIONAL RAILWAY COMPANY ACQUISITION OF THE ELGIN, JOLIET AND EASTERN RAILWAY COMPANY

AURORA WEST HIGH SCHOOL
1201 WEST GALENA BOULEVARD
AURORA, ILLINOIS
SEPTEMBER 9, 2008

CHIMNIAK REPORTING & VIDEO
Telephone: 312-781-9111

REPORTED BY: Nicole M. Breyspraak, Janice M. Koczek, Joanne Brogan, Laura Locascio,

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MS. ADAMS: We will begin the Page 1

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public comment portion of the meeting in about half a minute if folks would like to take their seats.

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

My name is Tina Marie Adams, and I'll be facilitating the meeting tonight. Before we get started, I'll review some protocol for tonight's meeting. For starters, I would ask everyone to please turn off their cell phones and please refrain from interrupting any speakers or commenters.

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

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

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

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

Alternatively, included in the programs that you received tonight, you may submit comments to the Surface

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Transportation Board through a toll free number, website, or mailing address, all of which are also in the programs that you've received. There are also comment forms and drop boxes and court reporters located in the open house area. You may record your comments with them throughout the night.
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Please recognize that all methods of comment will be -- received by September 30th will be taken into consideration and weighed equally.

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

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

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

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

If you have questions about Page 4

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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
Page 5

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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
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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

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11

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.

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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.

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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

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7 from some of the analysis that was done.
8 The light blue color is -- shows the trains
9 today, the thickness is indicative of the
10 number of trains; the dark blue color shows
11 the proposed trains should the Surface
12 Transportation Board approve the
13 acquisition. So what you can see is that
14 much of the traffic that currently operates
15 inside the E&E yard will be shifted to the
16 E&E yard. There will be a total change of
17 about 15 to 24 trains.
18 As a result of those changes,
19 the analysis indicates that the E&E rail
20 line in some parts will be at or near
21 existing capacity. As a result, it's
22 unlikely, you know, that there will be more
23 trains operated on the E&E than those that
24 were estimated by CN in their application.
In addition, one of the conclusions of the

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

5 The EIS looked at roadway and
6 train safety information. On the E&E arc
7 because of the proposed increase of the
8 train activities, there will be an increase
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1 The E&E route is a longer route,
2 therefore, there would be increased fuel
3 use. However, because of the efficiencies
4 and the more free-flowing operation, it
5 would be a more efficient operation and,
6 therefore, air emissions in the year 2015
7 would not exceed current regulations or
8 impact the region's air quality compliance.

9 The EIS also looked at emergency
10 response. Without mitigation, there would
11 be eleven fire and emergency medical
12 service providers that would be
13 substantially effected. The nine fire and
14 two hospitals are shown on the graphic,
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10 in probability of train accidents and also
11 an increased probability of a highway/rail
12 accident.

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

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

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

11 Transportation findings. The
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18

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

19 The EIS looked at noise.
20 There's about 3,000 residences that would
21 exceed the 65 dba noise on the E&E. About
22 2700 would show an improvement on the CN
23 Rail Line inside the arc, and one quiet
24 zone, Barrington area quiet zone, because
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.
17

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

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

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

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

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

20 When you come to the microphone
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19

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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 SENGER: 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 Waubonsie 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.

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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 Hafenricter 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 Hafenricter 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
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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
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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.

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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
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14 becomes fiscally as well as logistically
15 impossible.
16 Without access to the E&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 E&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 --
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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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19 Page 26

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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.
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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 E&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.
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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 wiett,
18 followed by Lynda Elmore and Keith Leroy.

1 MS. LYNDA ELMORE: Good evening, my
2 name is Bill weitt and the I'm chief of
Page 30

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

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

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

18 The computer rail line would run
19 along the E&J Railroad and connect to a
20 new rail line that would run along the
21 northwest corridor next to the Tollway
22 connecting with four existing Metra lines.
23 Nearly 100 communities would be

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

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

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

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

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

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

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

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 090908 Public Meeting
10 local parks, water conservation areas, fire
11 and emergency medical providers, and
12 fifteen grade crossings being substantially
13 affected.

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

17 MS. TINA-MARIE ADAMS: Lynda Elmore,
18 followed by Keith Leroy and Rick Mervine.

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1 MS. LYNDA 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
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12 090908 Public Meeting
13 of those in a most severe manner. The
14 draft EIS substantially fails to report on
15 the overall community impact of noise, on
16 the community's quality of life, property
17 values or how the impact varies across
18 communities or different types of land
19 uses.

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

23 The city of Aurora has already
24 spent hundreds of thousands of dollars
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 090908 Public Meeting
16 mitigation thresholds for noise and
17 hazardous materials that are actually
18 unsubstantiated and have been sharply
19 criticized by the United States
20 Environmental Protection Agency and the
21 United States Department of Transportation
22 in the previous environmental impact
23 studies that have been prepared by the SEA.
24 And the Draft Environmental
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
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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.

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21 090908 Public Meeting
22 Then I was going to speak about
23 the Canadian government's recent report on
24 CN's lack of a viable safety management
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
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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,
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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
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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.
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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 E&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 E&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 E&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 Carrie 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 E&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.

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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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4 further.
5 So earlier we heard Mayor
6 Weisner say there was between 120 and \$180
7 million to mitigate the impact in traffic
8 alone here in Aurora, and he asked the
9 question who should pay for it. Well, the
10 state of Illinois through IDOT has made it
11 clear that they're in no position to fund
12 this. Earlier today in fact the
13 congressional budget office estimated that
14 the federal deficit budget will soar above
15 \$400 billion before the end of this month.

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

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1 asking for U.S. taxpayers to subsidize
2 their expansion plans, and then found out
3 that last year they posted a net profit in
4 excess of \$2 billion.
5 MS. ADAMS: Duncan Russell,
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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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9 that mitigate the noise and interchange
10 transitions? The answer is no, they have
11 not. In fact one of the communities I
12 contacted laughed at me when I asked if any
13 negotiations were ongoing with the CN. The
14 CN has no intention of being a good
15 corporate citizen.

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

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1 to continue to talk to Aurora? None.
2 More, much more must be demanded of the CN
3 before anything is approved.
4 Third pertains to the quiet zone
5 opportunity. Some towns including Aurora
6 are pursuing a quiet zone status. My
7 question is what good is a quiet zone
8 status if the volume of rail freight
9 increases to the point where whistles
10 become necessary to protect the public?
11 The answer is none. A quiet zone status
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12 becomes 090908 Public Meeting
13 redundant.
14 Last question. In your EIS you
15 state that mitigation at 15 grade crossings
16 would appropriately be funded by a
17 combination of entities and not by the
18 applicant alone. My question is why? Who
19 benefits from this takeover? Is it the
20 public, or is it a private Canadian
21 enterprise? The answer is a private
22 Canadian enterprise. Without mitigation
23 the situation in Aurora with a 600 percent
24 rail freight increase is going to be a
nightmare.

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

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

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16 something we live with. However, after
17 rail freight increases 600 percent,
18 mitigation will be necessary.
19 This proposed 300 million
20 acquisition by the CN is really not a \$300
21 million project. It's closer to a \$2
22 billion project when all the environmental
23 fixes are included. If the CN had to pay
24 their fair share of the mitigation
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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22 have risen up and said that's not the case.
23 Somebody wants to leave us to
24 our own problems to solve 400, 500, 600
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

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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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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 E&J
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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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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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
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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
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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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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.

11

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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.
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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

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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

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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.

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4 To the members of the STB, you
5 have a great responsibility to make this
6 decision. I understand the limitations
7 policed on you in the narrow scope of the
8 charter.
9 I ask that you step back and
10 view it in a broader context, limiting it
11 from just a business point of view, which
12 is just not a good deal for hundreds of
13 thousands of people.
14 When you commit yourself to a
15 career in public service, I'm sure one of
16 the reasons is that positive impact on the
17 way of life. I suggest you acknowledge the
18 impact of this decision in the broader
19 mission of the STB. So take it up to
20 Congress for denial or, please, just don't
21 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 E&E.
5 The draft EIS does not
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7 adequately speak to the impacts of our
8 community in critical areas such as noise
9 and hazardous materials, traffic delays and
10 safety risk, as well as impacts to
11 emergency service providers, school
12 districts and to our property values.
13 Prospects of rail traffic
14 growing from 15 trains per day to more than
15 40 per day with 100 to 125-car trains.
16 Immediately after the acquisition is an
17 action that requires a much more in-depth
18 look at the factors, as well, to some level
19 of examination of what's going to incur in
20 10 to 20 years.
21 The CN estimated that CN will
22 incur 337 additional car levels that will
23 travel E&E each day if the proposed
24 acquisition is approved. Imagine having
that running past your backyard.

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1 How would it impact your daily
2 life? A major attribute of the City of
3 Naperville is its quality of life. The
4 impacts of additional noise and traffic
5 delays from increased trains will have a
6 negative impact on our residents' quality
7 of life, which is not acceptable as a
8 counselman in the City of Naperville.
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10 The noise associated with the
11 proposed increase in train traffic in an
12 area concerns the residents of Naperville.
13 The establishment of quiet zones is
14 important to the quality of life issue.
15 And the city has begun working with our
16 neighboring communities to establish these
17 quiet zones.
18 It is important then that the
19 city of Naperville and residents who live
20 adjacent to these tracks, that the process
21 to establish quiet zones is not hindered by
22 the CN acquisition of E&E.
23 In addition to the increased
24 noise, it would seem that the potential for
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 E&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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13 enhancements related to schools,
14 pedestrians and bicycle traffic.
15 A significant area of concern in
16 the draft EIS does not include structured
17 emergency response plans that detail how
18 the CN is going to respond to emergencies
19 and specific hazardous waste.
20 Even more importantly, the draft
21 EIS does not conform to the 2008 emergency
22 response guide, which recommends an
23 evacuation distance of one mile or more for
24 chemicals such as anhydrous ammonia.
The draft EIS fights that they

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1 only identify schools in one-half mile but
2 for around the E&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
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19 that's easily ignored. And it shouldn't
20 be.
21 This map solely accounts for the
22 change in traffic based on the number of
23 trains. But it is ineffective at
24 representing this size of change.
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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22 would use 84,239 gallons of gasoline and
23 8,179 gallons of diesel per year over the
24 nonaction alternative for increasing idle
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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Thank you for your time.
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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.
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1 We have to cross the track at
2 least once a day going to and from work and
3 to church. If there's an increase in
4 traffic, guess what, I'll have to leave an
5 extra 10 or 15 minutes early.

6 I intentionally build time into
7 my schedule for something like this,
8 because you never know when something is
9 going to slow you up. Say an accident on
10 the interstate or just slow traffic in
11 general.

12 The other thing I hear is
13 concern about safety and pollution. To the
14 pollution, the air pollution isn't really
15 changing much. Trains are there. There's
16 not increase in traffic. No real increase
17 in air pollution.

18 To the noise pollution, yeah,
19 that's annoying. I understand it. You
20 with your little beeper thing, I lived next
21 door to a crossing for many years. I got
22 used to it. After three or four weeks I
23 started telling time by it. Yes, I did.
24 And to safety concerns, the

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1 crossings here need upgrading now. Ours
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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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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. Page 78

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.
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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
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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
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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

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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

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

I would like to see all of that
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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4 the City of Warrenville. I'm here tonight
5 on behalf of hundreds of households that
6 border the E&E tracks through Warrenville.
7 Many of those homes have the tracks
8 literally in their backyards.

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

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

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

4 Not only does this disrupt the
5 quality of life of local homeowners because
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7 of noise and vibration, it increases the
8 diesel pollution in the air. More frequent
9 idling will certainly make these
10 homeowners' property values decrease as
11 well.

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

12 How does CN plan to mitigate
13 that.

14 The City of Warrenville has
15 taken a position of formal opposition to
16 the proposed transaction because of its
17 severe negative impact on the property
18 values, safety, and quality of life for
19 thousands of residents who live along the
20 tracks.

21 Thank you for your time and
22 consideration.

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

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

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

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

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

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

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

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19 take a considerable amount of time when
20 seconds are critical.
21 In some cases it may make more
22 sense to just wait for a train to clear the
23 roadway, a very difficult request of our
24 officers when we have to respond to maybe
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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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
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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
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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
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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 E&E Railway to Canadian
12 National will significantly increase area
13 freight rail traffic posing transportation
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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
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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
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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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1 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

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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.

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

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7 sort of compliments what Kathleen Smith
8 said.

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

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

15 MR. JOE HARRINGTON: Yes.

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

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

As citizens of the United States

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

3 I submit that the sale of the
4 E&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
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been raised regarding negative effects on
safety, effects on emergency response,
capability, noise, property values, lost
time commuting and so on.
What I submit is that there will
also be a large negative effect on energy
utilization due to forced diesel idling and
grade-level crossings.
What I've done is I've gotten
kind of technical on this, and I've made
some calculations on the amount of fuel
that gets wasted per car, per train at each
grade-level crossing.
The calculation relates fuel
consumed while vehicles wait for a train to
pass at a two-lane grade-level crossing.

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The Liberty crossing has been mentioned a
couple times, and that's one I use daily.
For this calculation I chose a
6-cylinder engine, and this will get a
little technical, and I referenced a
vehicle, that the gate-down time would be
five minutes, and I want to determine how
long the vehicle will idle. You know, this
wastes gas unless everybody shuts the car
off.
I've chosen the number of
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waiting vehicles to be fifteen, which is
lower than what I normally encounter at
that crossing.
with such referenced conditions
I calculated the amount of fuel consumed
while idling at the crossing to be
0.31 gallons per vehicle per minute, and
this is for a vehicle that's actually
undersized relative to what one normally
uses. This is a small car, not an SUV.
For a two-lane grade-level
crossing with fifteen vehicles waiting for
five minutes, the amount of fuel wasted is

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5 gallons at that particular crossing.
We now consider that this event
will occur at each grade level crossing
along the E&E, which is -- I took, like,
120 crossings. That's, like, close to
600 gallons it wasted.
with this cost -- and this is
per train. If you multiply this cost by
the number of trains per day, you arrival
at a fairly large number of trains.
This is referencing only the
E&E, and this comes out to about \$2,100
worth of fuel wasted per day.
If you take into consideration
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the fact that the CN acquisition will
increase this by approximately fifteen
times, two to three times train length,
five times as many trains, you're going to
end up with pretty large numbers just in
wasted fuel.
I thank you for your attention.
MS. TINA-MARIE ADAMS: Dean
Johnson, followed by Steve Keca, Mike
Anastasio and Stan Mrizek.

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MS. DEAN JOHNSON: Hi, my name is
Dean Johnson. I'm chairman of the Big
woods Marmion Neighborhood Association in
the city of Aurora.
we've heard some comments about
some fuzzy math being used. Some fuzzy
math that I found in the draft of the EIS
was that the CN would be operating at or
near full capacity, yet it also stated that
the STAR Line could also be implemented
along the same tracks.
This to me just doesn't add up.
I want to try for some unfuzzy
math. Increased road traffic plus
increased train traffic equals more
accidents. That's not fuzzy. That's life
and death.
It is time for a new standard in
safety requirements. It is time for a new
precedent in the financial participation
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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
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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
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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
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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
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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
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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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7 department's been called, help is on its
8 way.
9 I wish to present to you tonight
10 several resolutions opposing the CN
11 purchase of the E&E Railroad.
12 The first one is from the
13 Village of Wayne, the second resolution is
14 from the West Chicago Fire Protection
15 District, the third is from the West
16 Chicago Park District, the fourth is from
17 Winfield Township, the fifth is from
18 Lake Eleanor Estates Homeowners Association
19 in Wayne, Illinois. The next one is from
20 Churchill of Wayne Homeowners Association,
21 Wayne, Illinois. The next one is from
22 Honey Hill Community Association, Wayne,
23 Illinois.
24 I'm going to present them and
give them to the court reporter here so

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1 that they'll be entered into the record.
2 I would like to talk to you
3 about noise pollution and the mitigation.
4 There are several residents in my town that
5 are within the 80 decibel noise limit.
6 What will be done to take care
7 of those homeowners that are going to be
8 afflicted by that?
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10 Are they going to experience the
11 same things as the homeowners around O'Hare
12 Airport?
13 There are many things that come
14 into play with the Canadian National
15 purchase of the E&E.
16 Life safety issues: Remember,
17 Mr. Wego has had a heart attack.
18 If the Canadian National goes
19 through with their purchase of the E&E,
20 they will institute two-mile long trains.
21 A two-mile long train in my town
22 will block all five grade crossings forcing
23 the fire department to take a route all the
24 way out to Roosevelt Road. That's a
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 E&E, and now the potential Canadian
10 National Railway.
11 If everything goes through as
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13 proposed, there will be more than 200
14 trains crossing through my town a day.
15 That's eight an hour.
16 Mr. Wego doesn't have long. It
17 takes seven minutes for the fire department
18 to reach him. Funny thing is it's ironic,
19 you gave us three minutes to talk, it takes
20 a person three minutes to die.
21 Mr. Wego just passed away.
22 Thank you.
23 MS. ADAMS: Mike Anastasio, Jim
24 Morris and Richard Mikel.

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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
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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.
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16 profits at the expense of our health and
17 safety and our property. And I appeal to
18 you with all my -- with whatever I can, the
19 government to protect us from this and take
20 action and not approve this.
21 I also want to make a record --
22 comment for the record for Mr. Creel and
23 everybody else from the Canadian National
24 Railway. We appreciate your concerns over
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
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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 states 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 E&E rail line. This brings
22 along with it a substantial increase in
23 hazardous materials that will be shipped
24 along the E&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
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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
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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
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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; E&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 E&E. They offer 40
21 million in mitigation, not enough for even
22 one overpass. They do not believe
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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

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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 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
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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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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
Page 147

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

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

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1 MR. LADNER: I'm Lawrence
2 Ladner. I'm a ten-year resident of the
3 east side of Aurora. I'd like to thank the
4 Board for giving us the opportunity to
5 speak against this acquisition of the EJ&E
6 by CN.
7 I'm here to talk against the
8 acquisition for a variety of reasons.
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12 as long as they are now.
13 Now, I live near Liberty Street.
14 And I cross that grade crossing sometimes
15 many times a day. I get struck by the
16 train; I live with it. That's just too
17 bad.
18 Now, I have to ask who is going
19 to benefit from this? The citizens and the
20 tax payers or a foreign corporation?
21 If they want to buy EJ&E, if
22 infrastructure upgrades have to be done,
23 they should pay for it. Not 50 percent,
24 but 100 percent.

1 Now, for benefits, the Star Line
2 would never be built. The Star Line is a
3 rail commuter line that would be of genuine
4 benefit to the people of the effected area.
5 Me, I'm going to vote for
6 something that's actually going to be a
7 benefit to the people who are here in the
8 area.
9 And am I to understand that the
10 environmental impact studies have not yet
11 been completed? Well, if they're not
12 substantially completed, read that 80
13 percent, 90 percent, they're not going to
14 be finished by the end of the year.
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15 090908 Public Meeting
16 And if they're not finished by
17 the end of the year and they're not nearly
18 finished now, they won't be believable. I
19 ask the Board to reject the acquisition of
20 E&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.

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18 090908 Public Meeting
19 I plow snow in the winter.
20 Ambulances and hospitals are in Aurora,
21 Naperville, Plainfield area and all of
22 Illinois. What can we do or what do we
23 want as a citizen of the United States of
24 America?

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 E&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 090908 Public Meeting
22 that don't understand what we go through
23 living by the railroads.

Thank you.

24

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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.

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24 090908 Public Meeting
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.
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And thank you for your time.

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

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

One last point, fortunately I've
been able to provide for my family and my
wife doesn't have to work now. Of course
with the taxes that I pay and I can justify
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
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090908 Public Meeting
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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090908 Public Meeting
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

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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

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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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1 MR. DAVIS: My name is Jeff
 2 Davis. I live in Naperville, Illinois. I
 3 work for a company called Phoenix Closures.
 4 I've been there for 14 years. And they're
 5 a significant user of the railroad freight.
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6 090908 Public Meeting
7 So we -- and that's critical to our
8 company.
9 Although this acquisition really
10 has no effect on Phoenix Closures, although
11 there's 250 people that work in
12 manufacturing. And one of the things we
13 haven't heard here tonight is really the
14 whole story.
15 A lot of what we've heard is
16 what affected us grossly. But on a
17 national basis, the national chamber of
18 commerce has supported this acquisition.
19 And why do they support the
20 acquisition? Because it's jobs and it's
21 commerce. And it's jobs and commerce on
22 manufacturing.
23 Manufacturing has lost a lot of
24 jobs. The state chamber of commerce has
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.
Page 165

9 090908 Public Meeting
10 They have a triple line main. I
11 don't know how many trains they run, but
12 it's way, way, way more than the Canadian
13 National. They have hazardous waste. They
14 block crossings. They do all that stuff.
15 We have a great quality of life here.
16 So do not paint this all the
17 doom and gloom. Before I got with Phoenix
18 Closures -- and again, I've been there for
19 14 years, I spent seven years from '81
20 through 1988 with the Chicago Northwestern
21 Railroad.
22 I was in the sales and marketing
23 department selling railroad freight. I was
24 in
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
Page 166

12 090908 Public Meeting
13 like what I had when I was a younger man.
14 So I applaud this public
15 meeting. And I know you will take those
16 other considerations. There's local
17 issues, too.
18 But what you don't hear tonight
19 is solutions. I know there's other cities
20 that have supported this acquisition.
21 Villages such as Schiller Park, Des
22 Plaines, Vernon Hills, Buffalo Grove.
23 And there is a lot of things
24 here and not just a local issue. So don't
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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15 090908 Public Meeting
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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 E&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
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18 090908 Public Meeting
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.

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21 090908 Public Meeting
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,
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24 090908 Public Meeting
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 E&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 E&E acquisition is a minor transaction.
12 Hundreds of millions of dollars,
13 possibly billions of dollars, 2, maybe
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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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D.7 Gary, Indiana

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SCOPING MEETING FOR THE PROPOSED CANADIAN NATIONAL RAILWAY COMPANY ACQUISITION OF THE ELGIN, JOLIET AND EASTERN RAILWAY COMPANY

PUBLIC HEARING
September 10, 2008
6:00 P.M.

Conducted by:
Heather Tarczan, Meeting Facilitator - MWW Group Public Relations
Phyllis Johnson-Ball, Deputy Chief of Staff, The Section of Environmental Analysis - STB
John Morton, Project Manager - HDR Engineering

INDIANA UNIVERSITY NORTHWEST
3400 BROADWAY
GARY, ILLINOIS

CHIMNIAK REPORTING & VIDEO
Telephone: 312.781.9111
Reported by: Rachel F. Gard, Sharon Stuckly

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MS. TARCZAN: Good evening, ladies and gentlemen. Can everybody hear me? Thank you for attending tonight's meeting. We are here tonight to hear your comments on the Draft Environmental Impact Statement that was released July 25th regarding Canadian National Railway's proposed acquisition of the E&E Railroad. My name is Heather Tarczan, and I'll be facilitating the meeting tonight. Before we get started, I would like to take this opportunity to review some protocol for tonight's meeting. For starters, I would like to ask that everyone please turn off your cell phones and please refrain from interrupting any speaker or commenter. In a moment, I will introduce those presiding over the meeting, and there will be a short presentation on the findings from the draft Environmental Impact Statement. Immediately following this, we will hear your comments. Each commenter

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will be given up to three minutes to speak. The time clock will be displayed on the screen behind me; and a yellow card will be shown at 2 minutes and 30 seconds and a red Page 2

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card shown at 3 minutes. A list of speakers in the order they will speaking in will be displayed on the screen. Also I will call forward the next two speakers in line after each speaker so that we can be as efficient as possible. If you are interested in speaking tonight and haven't yet registered, please proceed to the registration table located just outside this venue. A staff person will be able to assist you. Alternatively included in the program you received tonight, you may submit comments to the Surface Transportation Board through a toll-free number, website, or mailing address. There are also comment forms and drop boxes as well as court reporters located throughout the venue. Please recognize that all

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methods of comment received by September 30th will be taken into consideration and weighed equally. Tonight we are here to listen to your comments on the draft EIS. This is not a question-and-answer session, though we invite you to return to the open house Page 3

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area if you have any questions or you would like to provide your comments in a more private setting with a court reporter there. We appreciate your courtesy as we work to create an environment where everyone can be heard. If you disagree with a speaker, we ask that you not express your disagreement out loud. Likewise, please know that applause for a speaker may cut into that person's time and ultimately gives everybody less time to speak. In the event that anyone is in need of a Spanish translator, please let a staff person know. If you have any questions, we have a number of staff available to assist

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you. Staff are identified with name tags and located throughout the venue. One quick housekeeping matter: Emergency exits are located directly behind you. I'd now like to introduce the people with me on stage: Phyllis Johnson-Ball, deputy chief of the Section of Environmental Analysis for the Surface Transportation Board and John Morton, team Page 4

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11 leader supporting the Section of
12 Environmental Analysis.
13 Phillis Johnson-Ball will now
14 make some remarks about the Draft EIS.
15 MS. JOHNSON-BALL: Welcome to our
16 public meeting. My name is Phillis
17 Johnson-Ball, and I'm with the Surface
18 Transportation Board's Section of
19 Environmental Analysis. The purpose for
20 our meeting tonight is to receive your
21 comments. This is your opportunity for
22 your voice to be heard. I know many of you
23 have concerns about this proposed
24 transaction, so please use this opportunity

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1 to tell us exactly what you want us to
2 hear.
3 I would like tonight to give a
4 brief overview of the functions of the
5 Surface Transportation Board, what the role
6 of the Section of Environmental Analysis
7 is, and a little brief overview about the
8 acquisition process.
9 The functions of the Surface
10 Transportation Board is to authorize
11 carrier actions, resolve carrier disputes,
12 to conduct rule-makings, adjudicate
13 reasonableness of rates, to monitor carrier
Page 5

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14 activity and industry performance, to take
15 enforcement actions, and to provide
16 information assisting to the public.
17 Many of you have already taken
18 advantage of the board's consumer
19 assistance project of office by calling in
20 and asking questions and providing us with
21 information. The Surface Transportation
22 Board is made up of three members. They
23 are appointed by the president, our
24 chairman. And these people are our

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1 decision-makers. Our chairman is Charles
2 Nottingham; vice chairman, Francis Mulvey;
3 commissioner Douglas Buttrey.
4 The Section of Environmental
5 Analysis is the board's environmental arm.
6 We conduct independent environmental review
7 for the Surface Transportation Board. We
8 provide technical advice to the board, and
9 we provide advice to the public. We also
10 ensure that the agency complies with the
11 National Environmental Policy Act, or NEPA.
12 Public participation, and that's
13 why we're here tonight, this is the most
14 critical part of the NEPA process. This
15 is the opportunity for the public to have
16 its voice heard. So please, and again I
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17 say, take this opportunity to tell us what
18 you want us to know. Tell us what we did
19 in the Draft Environmental Impact Statement
20 that was good, if any. Tell us what we did
21 wrong. Tell us what we need to improve,
22 and tell us what is yet to be done.
23 Responses or comments to the
24 Draft Environmental Impact Statement must

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1 be submitted to the board by
2 September 30th. If your comment is
3 written, if it's mailed, it must be
4 postmarked by September 30th. If you
5 provide another of the methods such as the
6 phone, we have a 1-800 number, which is 1
7 (800) 347-0689. You can email comments to
8 the Surface Transportation Board. You can
9 provide comments by speaking tonight, and
10 you can also speak to the court reporters
11 out in the hall. All comments received
12 bear equal weight whether they're spoken
13 tonight or whether you provide them to us
14 in writing.
15 A bit about the application
16 process. The process begins when an
17 application is received at the board. The
18 board sets a procedural schedule to
19 consider the merits and the environmental
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20 issues. The merits consist of the
21 economics, competitive issues, and
22 transportation issues. Parallel with that
23 process, we consider the environmental
24 impacts of a proposed transaction. These

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1 considerations and the environmental
2 process must be completed before the board
3 can make a decision on any transaction.
4 The board has three options in
5 response to a transaction filed with the
6 board. The board can deny; the board can
7 approve; the board can approve with
8 conditions on the merits and on the
9 environmental issues.
10 The board is a very small
11 agency. We have approximately 150 people;
12 nine of them compose the environmental
13 staff. So the board retains third-party
14 contractors to assist us in the preparation
15 of our environmental documentation.
16 This is not a unique process.
17 Most federal agencies also use this
18 process. The third-party contractor works
19 under the sole control and supervision of
20 the Surface Transportation Board. HTR is
21 the board's third-party contractor for this
22 propose. John Morton, our third-party
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23 contractor, will give us a brief overview
24 of the results of the DEIS. Thank you.

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1 MR. MORTON: Thank you, Phillis.
2 I'd like to briefly cover some of the
3 results of the matters listed in the draft
4 environmental statement. I know that the
5 documents is a very voluminous document and
6 there's a lot of information in there. But
7 I'm only going to touch the surface of some
8 of those.

9 If you have questions, if you
10 want to, you know, look into any of the
11 issues we talk about tonight in more
12 detail, we're leaving the open house
13 portion of it, and the displays and the
14 maps are still out in the lobby. We have
15 staff out there identified by the name tags
16 that would be more than happy to answer any
17 questions that you might have.

18 First, today is to talk about
19 the applicant. CN is a Class 1 railroad.
20 It is a major shipper of freight, both
21 domestic and foreign. It operates five
22 rail lines that converge in the Chicago
23 area. Those are shown in this map in the
24 dark color. They operate about 150 miles

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1 of rail line in the Chicago area.
2 EJ&E is a regional rail line
3 that operates in an arc around Chicago.
4 I'm sorry. It's in the orange color around
5 here (indicating). EJ&E has two major
6 yards: The East Joliet Yard in Joliet,
7 Indiana, and -- I'm sorry, Joliet Illinois,
8 and Kirk Yard in Gary, Indiana.

9 CN has identified three primary
10 purposes for acquiring the EJ&E. One is to
11 connect their five rail lines and provide a
12 continuous route around Chicago. The
13 second one is to get the paying control and
14 get use of Kirk Yard and East Joliet Yard.
15 And the third is to develop a more
16 extensive relationship with the shippers on
17 the East Joliet Yard, EJ&E.

18 The Draft EIS evaluated a number
19 of issues and information, and these are
20 the resource categories. I'm only going to
21 touch on just a few of those tonight.

22 First, the changes in the operations: I'm
23 going to talk about train traffic changes
24 in just a moment. But in addition to the

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1 train traffic changes, CN also proposes to
2 construct six new connections. Three of
3 those connections are here in Indiana: one
4 at Griffith, one at Ivanhoe, and one at
5 Kirk Yard. They also propose to construct
6 19 miles of new parallel second track along
7 the existing main line. And actually all
8 of that is going to be constructed in
9 Illinois.

10 From an operational side, this
11 is a density map, and I know it's a little
12 hard to read. But I'll kind of walk
13 through it. The CN rail lines are the ones
14 converging in the center. This is a
15 schematic of the map I showed you earlier.
16 The light blue color shows the current
17 train traffic levels. You know, it's
18 indicative of the number of trains per day.
19 The dark blue color shows the proposed
20 train traffic. So from the map, it's easy
21 to show that what CN proposes to do is
22 divert some of the traffic moving through
23 the city today to the EJ&E and going around
24 the city. The expected increases are

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1 somewhere between 15 and 24 trains per day.

2 As a result of the analysis, a
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4 couple of conclusions is that in certain
5 areas, the EJ&E rail line would be at or
6 very near its practical capacity. As a
7 result, the EIS concludes that it's very
8 unlikely that CN would operate -- or that
9 more trains or that the train traffic would
10 be higher than that estimated by CN.

11 The other finding from the EIS
12 is that Metra on-time performance can be
13 maintained with effective coordination.

14 The EIS evaluated train and
15 roadway safety issues. On the EJ&E arc,
16 because of the increased number of train
17 miles, there would be an increased
18 probability of train accidents and an
19 increased probability of highway accidents.
20 By the same token, on the CN rail lines
21 inside the arc, because of the reduced
22 number of freight trains, there would be a
23 reduced -- a decreased probability of train
24 accidents and highway accidents.

There are three roads or

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1 highways that the EIS identified as having
2 potential safety concerns, two of which are
3 Indiana; and that's Lake Street and Miller
4 Street in Griffith, Indiana.

5 The EIS evaluated passenger rail
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and haz-mat safety. There's no passenger
rail operating today on the EJ&E. There is
passenger rail operating on the CN rail
line segments. And because of the reduced
number of freight trains, there would be an
improvement or an increase in passenger
rail safety. There will be a substantial
increase in the amount of hazardous
material shipped on the EJ&E rail line.
The EIS looked at transportation
systems. It evaluated 155 highway rail
at-grade crossings on the CN rail line
segments inside the arc. Of those 125 --
Of those 155, 125 would show -- would have
a reduced number of trains crossing them.
The EIS evaluated 112 highway
at-grade crossings on the EJ&E. And of
those 112, 87 of them met the board's
threshold for environmental analysis. Of

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those, 15 the EIS identified as being
substantially affected; and those 15 are
shown on the maps. And it includes Broad
Street in Griffith, Indiana.

The EIS looked at air quality.
The EJ&E rail line is a longer route and,
consequently, there would be increase in
fuel use. But that increase in fuel use

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would be offset by a more efficient route
and a freer flowing system. Consequently,
the EIS concluded that the air emission
changes in 2015 would not exceed current
regulations and would not impact the
region's air quality compliance.

The EIS also looked at emergency
response and identified 11 emergency
service providers: nine fire stations and
two, you know, medical services providers
that would be affected by the transaction;
and those are shown on the map behind me.
And we also identified them specifically on
the boards out in the hallway, if you want
to look at them.

The EIS looked at noise. There

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would be about 3,000 residences that now
would have a noise level above 65 dBA near
the EJ&E. There would be about 2700 that
would have less noise along the CN rail
line segments. In addition, one quiet
zone, the Barrington area quiet zone,
without mitigation would lose its quiet
zone status.

The EIS identified a number of
mitigation measures, and these are listed
both in the executive summary of the EIS as

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well as in Chapter 6 of the Draft EIS.
Part of that is that CN provided 76
voluntary mitigation measures. Those are
all listed in there. Here are the
categories that the mitigation falls in.
But in addition to that and on top of that,
CN identified 72 additional mitigation
measures.
And, once again, those are the
categories that those additional mitigation
measures fall into. All the mitigation
measures are listed in the Draft EIS in
Chapter 6 and also in the executive

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summary, which is once again available in
the open house area in the lobby.

Finally, as Phillis and Heather
noted, there's a number of ways to provide
comments. And I encourage you all to take
advantage of each and every one of those.

with that, I'd like to turn it
back over to Heather.

MS. TARCZAN: We will now begin the
comment portion of our meeting. Let me
remind you that we will adhere to the
three-minute rule, which begins as soon as
you start speaking. If three minutes is
not enough time for you, please feel free

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to speak with the court reporter in the
open house area to complete your remarks.
We also invite you to submit your full
written comments to the court reporter
located on the left-hand side of the stage.
To be fair and consistent, if
you speak beyond three minutes, I will
begin to announce the next group of
speakers. I would now like to ask the
first commenter, Mark Lopez, to please come

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to the microphone. Following Mr. Lopez
will be Ann Valentine and Senator Karen
Tallian.

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1 MR. LOPEZ: On behalf of Congressman
2 Pete Visclosky, I would like to read the
3 following remarks in for the official
4 record: I would like to thank the Surface
5 Transportation Board's Section of
6 Environmental Analysis (SEA) for hosting
7 today's public meeting, and I would like to
8 thank the residents and elected officials
9 of Northwest Indiana for their attendance.
10 Since CN first announced its
11 intention to acquire the E3&E which will
12 result in a three-fold increase in train
13 traffic in the fall of 2007, I have
14 sincerely tried to find a silver lining in
15 the transaction for the people of Northwest
16 Indiana. After months of fruitless
17 searching and after reading the Draft
18 Environmental Impact Statement, I have to
19 concede there's not one benefit to be
20 found.

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22 There is no economic benefit to
23 the region. The DEIS states that this
24 transaction will result in a loss of 300
jobs in the region. There's no energy and

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1 environmental benefits. The DEIS states
2 that this transaction will not take trucks
3 off the road and result in more burning of
4 fuel and gasoline and diesel. There's no
5 public safety benefit. The DEIS states
6 this transaction will increase the
7 likelihood of a train accident on the E3&E
8 line by 28 percent, which our area can ill
9 afford.

10 while the DEIS identifies some
11 major environmental detriments that will
12 result from this acquisition, it in no way
13 provides matching solutions. The
14 Mitigation section of the 9-inch thick,
15 multiple-volume DEIS is a meager 32 pages
16 and is sorely lacking in detail and real
17 relief for the citizens on the E3&E line.

18 CN is quick to state that
19 taxpayers should foot the bill for any
20 necessary mitigation. The taxpayers should
21 not be held financially responsible for
22 mitigation expenses, which in this
23 transaction could be in the hundreds of

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millions of dollars.

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1 So as it currently stands, this
2 transaction will have absolutely no
3 positive impacts on the communities on the
4 E3&E, and we are expected to merely accept
5 that our lives will be dramatically altered
6 for no reason other than it is good for
7 CN's bottom line.

8 Congressman Visclosky urges the
9 SEA to strengthen the DEIS and impose
10 mitigation conditions on CN that will
11 ensure the quality of life for Northwest
12 Indiana.

13 In addition, the Congressman
14 requests the SEA to hold an additional
15 hearing in Northwest Indiana and to extend
16 the public comment period an additional 30
17 days to allow the residents of the region
18 ample opportunity to express their concerns
19 with the impact of this transaction.

20 To that end, I would like to
21 submit a letter from myself, Senator Lugar,
22 Senator Bayh, Governor Daniels requesting
23 that the STB take these actions.
24 Congressman looks forward to continuing to

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1 work with community leaders in Indiana to
2 hopefully prevent this transaction from
3 occurring and, at the very least,
4 alleviated the burden the affected
5 communities bear.

6 Thank you again for the
7 opportunity to share my remarks on this
8 very important matter.

9 MS. TARZAN: Ann Valentine, Senator
10 Karen Tallian, Mike Mohan. And let me ask
11 everybody to please be sure to state your
12 name, the office that you represent, or the
13 city that you're from. Thank you.
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1 MS. VALENTINE: I'm Ann Valentine,
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2 Policy Director for Transportation with the
3 Office of Indiana Governor Mitch Daniels.
4 The following is the statement of Indiana
5 Governor Mitch Daniels: Thank you for the
6 opportunity to provide comments, and thank
7 you to Congressman Visclosky for his
8 leadership and engagement with the local
9 community on this issue.
10 As the "Crossroads of America,"
11 Indiana has a particular interest in
12 ensuring adequate infrastructure to
13 maintain a vibrant economy. For
14 transportation -- and specifically rail --
15 this means balancing the need to move
16 people and freight safely and rapidly while
17 ensuring Hoosiers have safe and livable
18 communities.
19 First, despite the enormous
20 concern about this transaction
21 (unprecedented according to the Surface
22 Transportation Board staff) and its
23 significant impact on Northwest Indiana, I
24 am disappointed the Surface Transportation

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1 Board has seen fit to conduct only one
2 public meeting in Indiana during this
3 comment period. The proposed
4 purchase by Canadian National of the Elgin,
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5 Joliet & Eastern Railroad has a significant
6 impact on Northwest Indiana. While the
7 majority of the rail crossings in this
8 transaction are in Illinois, virtually all
9 of the rail traffic will run through
10 Northwest Indiana. Communities such as
11 Griffith, Dyer, and East Chicago will see
12 more trains more frequently and will
13 experience longer delays at crossings.
14 Economic development projects such as the
15 expansion of the Gary Airport and extension
16 of the South Shore Line are also impacted
17 by this transaction.
18 After reviewing the STB's Draft
19 Environmental Impact Statement, too many
20 questions are left unanswered and
21 significant safety and congestion concerns
22 remain. This morning, I submitted detailed
23 written comments on this matter to the STB.
24 Chief among my concerns is that the DEIS

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1 contains voluntary mitigation measures.
2 without specific mandatory mitigation
3 measures (and accompanying deadlines and
4 financial commitments) and without a
5 legally binding commitment from Canadian
6 National to complete the mitigation
7 measures, the burden of this transaction
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8 will rest entirely on affected communities
9 and the State of Indiana.
10 This is not acceptable to the
11 citizens and communities of Northwest
12 Indiana, nor is it acceptable to me. I
13 commit the expertise and service of the
14 Indiana Department of Transportation to
15 serve as a resource for CN and local
16 communities as they determine appropriate
17 safety improvement measures and congestion
18 mitigation. I ask the STB to require CN to
19 commit to mitigate at its own expense the
20 safety and congestion impacts caused by
21 this transaction. Thank you.
22 MS. TARCZAN: Senator Karen Tallian,
23 Mike Mohan, Stan Hendricks.
24 Senator Tallian?

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1 Mike Mohan, Stan Hendricks, Fred
2 Millar.
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1 MR. MOHAN: My name is Michael
2 Mohan, and I am CN's vice president of
3 service. Thank you for the opportunity to
4 speak this evening about CN's proposed
5 acquisition of the major portion of the
6 E&E.
7 CN is the fifth largest railroad
8 in North America. In addition to our
9 transcontinental operations across Canada,
10 we operate in 16 states in the United
11 States, including Indiana. CN currently
12 has more than 250 employees in Indiana with
13 an annual payroll of nearly \$16 million,
Page 24

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14 and we spend another roughly \$22 million
15 annually in the state.
16 Our proposed acquisition of the
17 major portions of the EJ&E is intended to
18 help address the severe rail congestion
19 plaguing the Chicago and Northwest Indiana
20 regions. This transaction would enable CN
21 to divert most of our trains that currently
22 operate through downtown Chicago onto the
23 underutilized EJ&E line. By doing so, this
24 transaction would streamline CN's

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1 operations while also providing a privately
2 funded, partial remedy to the costly and
3 inefficient rail congestion in Chicago.
4 Importantly, roughly 60
5 communities inside the EJ&E would also
6 benefit from reduced train traffic as a
7 result of the transaction, including the
8 towns of Munster and Highland in Indiana.
9 In addition, Gary will see
10 millions of dollars in new private
11 investment to upgrade Kirk Yard to a major
12 railcar classification facility. The
13 related employment potential provides new
14 opportunities for Gary and the region.
15 Finally, since filing our
16 application last year, CN worked closely in
Page 25

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17 supporting the EJ&E in discussions with the
18 Gary Chicago International Airport and
19 other railroads regarding the airport's
20 expansion plans. Those discussions
21 successfully produced a signed four-party
22 agreement that provides the framework for
23 relocating the EJ&E line so that the
24 airport may fully carry on its plans. Even

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1 though CN was not signatory to the PMU, we
2 will honor the agreement if the transaction
3 is approved.
4 CN understands the concerns
5 about increased train traffic that have
6 been raised by communities along the EJ&E.
7 CN has been an active participant in the
8 SEA environment review process, and CN had
9 done everything possible to help facilitate
10 this process. CN has also undertaken an
11 extensive community outreach effort with
12 the goal of developing voluntary mitigation
13 agreements with communities along the EJ&E.
14 My colleague, Eric, and I have
15 met with every community located along the
16 EJ&E line willing to meet with us including
17 Gary, Griffith, Schererville, and Dyer. We
18 have been successful in reaching agreements
19 with other communities like Joliet, and we
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20 have productive discussions ongoing with a
21 number of other communities.
22 There's no dispute about the
23 transportation benefits of the transaction
24 and the lack of serious competitive issues.

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1 What I want to emphasize this evening is
2 CN's commitment to addressing legitimate
3 environmental concerns related to train
4 traffic increases.
5 At the same time, we are hopeful
6 that people will recognize the benefits
7 this transaction will bring to the Chicago
8 and Northwest Indiana region generally as
9 an important step to solving the rail
10 congestion that plagues the region and to
11 the more than 60 communities that will see
12 train traffic decreases.
13 I thank you again for the
14 opportunity to provide CN's perspective on
15 this transaction.
16 MS. TARCZAN: Stan Hendricks. Fred
17 Millar, Cheryl Satkus.
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1 MR. HENDRICKS: Good evening. My
2 name is Stan Hendricks. My property is
3 located at 1832 Hart Street in Dyer,
4 Indiana.
5 I've corresponded with this body
6 on several occasions, and I appreciate the
7 opportunity to voice my concern here.
8 I previously documented some of
9 this information as it appears in the Draft
10 Environmental Impact Statement, and I am
11 here today to state why I feel that
12 statement is flawed.
13 At the January 16th meeting, I
14 spoke with someone who identified himself
15 as an employee of the HDR Engineering firm.
16 At that time, I verbally granted him access
17 to my property for the purpose of placing
18 vibration and noise-monitoring equipment.
19 The person took my name and address. I was
20 led to believe that this would be done.
21 Upon reviewing the Draft
22 Environmental Impact Statement, I found
23 that the monitoring equipment was placed
24 nowhere near my building. My building sits
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1 10 feet from the center of the rail line,
 2 not 200 feet as indicated by the Draft
 3 Impact Environmental Statement.
 4 As mentioned in my original
 5 documentation, not only is there a major
 6 concern with noise and vibration levels but
 7 there's added concern with safety.
 8 Derailment, which causes an accordion
 9 effect, or cars being knocked into my
 10 building is a real and serious concern.
 11 The increase in rail traffic
 12 will not only negatively impact my building
 13 but will also negatively impact the ten
 14 people that work at the two companies that
 15 occupy that space.
 16 Noise, vibration, and safety are
 17 three major issues which should have been
 18 addressed in the Draft Impact Statement at
 19 the Hart Street location, but they were
 20 not. These concerns, and I'm sure there
 21 are others, bring into question the
 22 reliability and validity of the statement.
 23 Also in recent litigation, it's
 24 been found that local governments do not

1 have authority over problems resulting in
 2 this type of infrastructure. Only the
 3 federal government can take the best
 4 interests of individuals such as myself
 5 into concern.
 6 Therefore, I would ask that the
 7 Surface Transportation Board review the
 8 Draft Impact Statement for its validity and
 9 deny the Canadian National proposed
 10 purchase E&E rail line. Thank you.
 11 MS. TARCZAN: Fred Millar, Cheryl
 12 Satkus, George Van Til. Fred Millar?
 13 Cheryl Satkus.
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1 MS. SATKUS: Hi. My name is
 2 Cheryl Satkus, and I live at 330 North
 Page 30

3 I've lived at 330 North Indiana
 4 for 23 years. Across the street from my
 5 home is Tot Park. Tot, that's T O T,
 6 as in kiddie park. For 23 years I've
 7 watched small children play in that park.
 8 I've seen parents push their little ones in
 9 baby swings and watched kids play on the
 10 teeter-totters.
 11 Currently, on some afternoons,
 12 you can see four-year-olds practicing
 13 soccer. Kids of all ages, and older kids
 14 too, play basketball at the basketball
 15 court there. And I've seen senior citizens
 16 come and go at the senior citizen center
 17 located just north of the basketball court.
 18 On the other side of the park is
 19 the set of E&E Railroad tracks. And for
 20 23 years, I've watched as the E&E hauled,
 21 and continues to haul, all kinds of
 22 hazardous materials along these tracks.
 23 Just last night at 8:20 p.m. two trains

1 hauling various materials came rolling by
 2 at a pretty fast clip -- so fast I could
 3 barely read the placards.
 4 I'd like to comment on just two
 5 of those hazardous materials that were on
 Page 31

6 those trains last night. Chlorine,
 7 according to the 2008 Emergency Response
 8 Guidebook, is placarded at 1017 and is
 9 toxic and may be fatal if inhaled.
 10 According to this Guidebook, "if tank, rail
 11 car, or tank truck is involved in a fire,
 12 consider initial evacuation for one-half
 13 mile radius."
 14 Butane was another material I
 15 observed last night. Butane is placarded
 16 as 1075 and has a red placard to indicate a
 17 fire hazard. Butane is extremely flammable
 18 and can be easily ignited by heat or
 19 flames. Evacuation in this case would be a
 20 one-mile radius.
 21 Members of the STB, the town of
 22 Griffith has a volunteer fire department
 23 and is already unprepared to appropriately
 24 respond to an incident from a leak or spill

1 or derailment. Now the Canadian National
 2 Railroad wants to increase these hazards
 3 that are rolling past our parks, our
 4 children, and our senior citizens by four
 5 times what we already can't handle. With
 6 your permission, Canadian National will
 7 increase the chances of an incident at Tot
 8 Park by 30 percent.
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That's -- Please do what's right
10 and moral and deny the Canadian National
11 requests to bring even more hazards and
12 poisons through our residential communities
13 and past our kids. Thank you.
14 MS. ADAMS: George Van Till.
15 Stan Dobosz. Karen Kroczek.
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1 MR. VAN TIL: My name is George Van Til.
2 I'm a Lake County surveyor. My job
3 involves dealing with quality of life
4 issues for the people of Lake County. But
5 what I'm here for tonight is the fact that
6 my people, my family have been in the area
7 that we're talking about, in the affected
8 area, for more than 100 years and myself
9 more than 50.
10 I found out tonight earlier that
11 the railroad tracks that I live several
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1 It's just north and south is
2 enough split up the way it is. You know, I
3 was thinking, and you might -- think about
4 this. Our steel mills are now owned out of
5 England. Our tollway, Spain, Australia.
6 Even our beer, by Belgium. And now we're
7 talking about our good friends in Canada.
8 It's not so much that they're foreign
9 countries, but the farther away that you
10 are from where we are here locally, the
11 more you care about the profit margin
12 instead of the quality of life. It's just
13 human nature.
14 I beg you. The quality of life
15 that we're talking about is something that
16 would change dramatically, change
17 traumatically in our area.
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hundred feet away from are going to lose
13 traffic, maybe down to only two or three
14 trains a day. But I don't care. I'm still
15 here because I totally, totally oppose this
16 because of the quality of life that we're
17 talking about.
18 The booklet says -- the STB says
19 this is a minor transaction. Not for us
20 it's not. Not for tens of thousands of
21 people.
22 I go to work every day like so
23 many thousands and tens of thousands of
24 people do or come back. That will be

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1 absolutely affected by this. Our
2 recreation, our socialization, so many
3 things will be affected by it.
4 You talk about the environment.
5 Well, there is a lot of things that have
6 been brought up here. Noise. Air
7 pollution. Safety. What about the wasted
8 time?
9 We're talking about going from
10 eight or ten trains a day to 28 or 30 or
11 more. That's an incredible amount. It's
12 difficult now. The way that I travel and
13 all the people in the west middle part of
14 the county, we all the time are held up by
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I believe this is one of the
19 biggest threats that I have ever seen as a
20 citizen or as an elected official for the
21 west middle part of our county. I'm very
22 worried about it. Please stop.
23 MS. ADAMS: Stan Dobosz. Karen Kroczek.
24 B. Jackson.
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1 MR. DOBOSZ: My name is Stan Dobosz.
2 And I'm a councilman in the town of
3 Griffith. We have filed our comments with
4 the board many months ago, so we need the
5 concerns of our public to be heard.
6 Also I'd like to thank the STB
7 for rejecting the Canadian National
8 requests to approve pending acquisition of
9 the EJ&E before completing the
10 environmental review process which is
11 required by the National Environmental
12 Policy Act.
13 Yesterday I was in Washington,
14 D.C., and attended a hearing by the
15 committee on transportation and
16 infrastructure chaired by Chairman James
17 Oberstar. They were hearing testimony on
18 HR 6707 which is taking responsible action
19 for community safety acts. The bill is
20 sponsored also by Pete Visclosky.
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The bill requires the STB to
22 reject proposed acquisition if it finds the
23 transactions have adverse impact on
24 affected communities that outweigh the

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1 transportation benefits of the transaction.
2 What I see now is that they're
3 moving one problem to another problem without a
4 solution.
5 With the proposed sale, the
6 increased traffic, it appears the town of
7 Griffith will be the most severely impacted
8 community in Northwest Indiana going from
9 nine trains a day to 38.
10 There are no economic benefits
11 for the town of Griffith with this
12 increased train traffic. The transaction
13 would have an adverse effect on property
14 values.
15 The environmental impact, noise,
16 vibration, whistle blowing, air quality
17 will be disruptive to those neighborhoods.
18 A derailment would be catastrophic for
19 those residents.
20 Trains reported to be 8,000 feet
21 long would cut our town in two. In an
22 emergency, the delay response time would
23 double for police and fire department and
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1 MS. KROCZEK: Hello. My name is
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ambulance service with the total of these

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1 trains coming from this area.
2 All three fire stations and
3 police stations in the town of Griffith are
4 located on the west side the tracks. If
5 the crossings are blocked, response time
6 could double.
7 The town of Griffith to protect
8 their citizens would need to consider
9 building a fire station on the east side of
10 town, hire addition police to cover that
11 side of town, a solution that we cannot
12 afford.
13 The Broad Street crossing is a
14 major north-south thoroughfare with 25,000
15 vehicles daily. It has been singled out by
16 the transportation board that it will be
17 seriously impacted by the proposed sale.
18 Delays at the Broad Street
19 crossing will only aggravate a bad
20 situation adding to a serious air quality
21 situation, causing additional traffic
22 problems for our downtown area which we're
23 trying to revitalize.
24 Thank you for your time.

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1 MS. ADAMS: Karen Kroczek. B. Jackson.
2 Anne D. Collins.
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2 Karen Kroczek. I'm from Munster, Indiana.
3 I want to thank you for hosting this public
4 hearing and for refusing to approve sale
5 prior to the DEIS report.
6 I would like first and foremost
7 to say that the human cost does not seem to
8 be reflected in the DEIS report. And I'd
9 like to see more attention paid to the
10 issues of health as a consequence of
11 increased diesel fuel and time spent
12 waiting for the trains. We are going to
13 have health impacts. And I think that that
14 is a very tangible cost which needs to be
15 measured in some positive sense.
16 Newspapers and periodicals now
17 are talking more about incidents of chronic
18 bronchial problems, cancer, et cetera, in
19 areas on the east and west coast where
20 we've had increased amounts of
21 transportation. That needs to be measured
22 and we need to gauge that down the line
23 somewhere.
24 We live in cancer alley. From

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1 Joliet through Gary, Indiana, there are
2 higher rates of chronic and awful diseases
3 like cancer than there are in the rest of
4 the state. In our area, we already suffer
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5 from industrial pollution. This is just
 6 another nail in our coffin.
 7 I also feel that the hazardous
 8 material question needs to be considered
 9 very carefully since Canadian National does
 10 not have the best track record on that. I
 11 understand that they have a lawsuit against
 12 them right now in Canada for some area that
 13 they have not cleaned up after a hazardous
 14 spill. As Mr. Dobosz mentioned, that would
 15 be a tragedy in Griffith especially since
 16 emergency vehicle response times would be
 17 problematic.
 18 Second, I want to emphasize this
 19 plan pits one northwestern Indiana
 20 community against another. This area is
 21 trying to recover from some very serious
 22 economic problems over the last 20 years.
 23 We need the network opportunity that were
 24 envisioned in the Marquette plan and the

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1 Northwest Indiana Regional Planning
 2 Council.
 3 This plan works against both of
 4 those opportunities. If this area is to
 5 thrive, we must work together to create a
 6 better economy, not be at loggerheads to
 7 snare a few jobs in Gary.
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8 The motley crew of people that
 9 are supporting this from Mitch Daniels to
 10 Vislosky and Dick Durbin suggest that
 11 generally speaking we see no benefit to
 12 this program for Northwest Indiana and we
 13 really appreciate it if you would at least
 14 expand the number of meetings and the
 15 amount of time to study the problem.
 16 Thank you very much.
 17 MS. ADAMS: B. Jackson. Anne D. Collins.
 18 Steven Kramer.
 19 B. Jackson. Anne D. Collins.
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1 MS. COLLINS: Good evening. I came
 2 tonight to point out something that's been
 3 a problem in my town and I've learned a lot
 4 which I appreciate very much both from the
 5 presentation that you have made and from
 6 the information provided by Canadian
 7 National.
 8 I was inspired to come because I
 9 had a problem in Merrillville for the last
 10 five years. I do live in Merrillville by
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11 the way. When I go north, we have to go
 12 across the Canadian National tracks.
 13 For five years, they were in the
 14 most deplorable condition. At times, you
 15 had a half mile at least back waiting to
 16 cross the tracks because the tracks were in
 17 such terrible condition, you had to just
 18 ease yourself across.
 19 Merrillville schools, the
 20 Merrillville town, the Merrillville fire
 21 department and citizens begged for relief.
 22 Most of the time when we call the number we
 23 found for that, we had a busy signal or
 24 just a response that we will look into

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1 that.
 2 And I'm not kidding about the
 3 condition of the tracks. They were just
 4 absolutely horrible. And I'm not joking
 5 about easing across.
 6 We run 78 school busses across
 7 that track every day. Some of our schools
 8 are on the north side of town and they have
 9 to cross those tracks. And needless to say
 10 that required a lot of maintenance.
 11 My feeling on this is that if
 12 you have a neighbor who doesn't take care
 13 of his property, you don't want him buying
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14 up other property in the neighborhood. And
 15 this is -- this is a strong feeling I have
 16 about this.
 17 If they couldn't maintain the
 18 railroad tracks on 53 and 55 in the town of
 19 Merrillville which are our main north-south
 20 passages through town and also the
 21 evacuation route for the cities of Gary,
 22 Griffith and Highland, you cannot expect --
 23 you have doubts about their ability to
 24 provide for these many, many more crossings

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1 that they will be responsible for.
 2 And I really do mean I
 3 appreciated the information from both
 4 groups tonight. It's very helpful. I am
 5 still against the acquisition because I
 6 think the mediation you were talking about
 7 and others have spoken to are something you
 8 really need to have an absolute guaranteed
 9 writing before you allow any acquisition at
 10 all.
 11 There should be no question of
 12 who pays for what and what needs to be
 13 done.
 14 Thank you very much.
 15 MS. ADAMS: Steven Kramer. Joseph
 16 Svetanoff. Joseph Gomeztagle.
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1 reduction of congestion with favorable
 2 economic and environmental impact upon
 3 northwest Indiana.

4 Moreover, the Canadian National
 5 has indicated that there will be no
 6 anticipated adverse safety impact
 7 concerning the potential increase in train
 8 traffic.

9 The town completely disagrees
 10 with the above-mentioned claimed benefits
 11 presented by the Canadian National and has
 12 consistently raised the following concerns
 13 regarding this acquisition to the Surface
 14 Transportation Board which are as follows:
 15 The increase in train traffic upon the
 16 safety of the citizens within the town of
 17 Schererville. The impact and delay upon
 18 transportation systems specifically
 19 concerning our most important emergency
 20 responders. The increase of noise and
 21 vibration. The increase of air pollution.
 22 The increase of hazardous waste transport.
 23 And mitigation steps requested
 24 of Canadian National Railway by the town

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1 are namely a grade separation of Kennedy
 2 Avenue, acquiring a train location
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 4 monitoring system for the town and creating
 5 a new quiet zone corridor for the 213th
 6 Street crossing.

7 Furthermore, Schererville town
 8 officials along with their attorneys have
 9 identified definite impacts which will
 10 occur affecting the quality of life of the
 11 town resident citizens based upon the
 12 above-mentioned concerns.

13 Moreover, the town council has
 14 passed two town council resolutions and
 15 collected approximately 6,352 signatures of
 16 citizens in and around the town which have
 17 opposed this acquisition and its negative
 18 effects.

19 Additionally, the town while
 20 voicing its concerns directly to the
 21 Canadian National has never been
 22 approached, contacted or presented any type
 23 of mutually-acceptable agreement which was
 24 encouraged by the Surface Transportation
 Board within the DEIS.

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1 In closing, we encourage the
 2 Surface Transportation Board to review our
 3 environmental response and attached
 4 exhibits. Thank you.
 5 MS. ADAMS: Joseph Gomeztagle. Judi
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 7 Schoon. Dennis Ruthrauff.

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1 MR. GOMEZTAGLE: Thank you very much
 2 for --
 3 MS. ADAMS: Please state your name.
 4 MR. GOMEZTAGLE: Joe Gomeztagle.
 5 Just today, September the 10th, a local
 6 newspaper announced that Lear, a plant
 7 located in Hammond will lay off
 8 approximately 121 workers. That's due
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9 091008 Public Meeting
 10 November the 3rd.

11 Several months prior to that,
 12 Union Tank located in East Chicago closed
 13 its plant laying off approximately 400
 14 employees.

15 Canadian National Railroad
 16 Company provides Lake County with an
 17 opportunity we have all been waiting for.
 18 The opportunity. On October 30th, we all
 19 know that Canadian National Railway Company
 20 and Grand Trunk filed application with
 21 Surface Transportation which is STB seeking
 22 the board's approval to acquire control of
 23 the EJ&E.

24 On July 23rd, STB provided a
 draft of the environmental impact statement

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1 which is the EIS.
 2 This potential purchase provided
 3 Northwest Indiana with an opportunity to
 4 first understand what is EIS study. How it
 5 affects not only one community in regards
 6 to jobs but how it enhances our quality of
 7 life. We must learn to collaborate and
 8 cooperate, to mediate issues in an
 9 effective and efficient method.
 10 America and Indiana is faced
 11 with a global economy, a competitive
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13 market. Location, location, location is
14 the most important element in real estate.
15 Northwest Indiana is in a
16 pivotal position because of its location.
17 We must understand rights and
18 responsibilities to our communities.
19 To be competitive and provide a
20 future for our children and capitalize on
21 this opportunity, we must make an effort to
22 understand our rights and responsibilities
23 associated with them. We can relate to our
24 rights the right to speak, the right to
live in any way we want and the right to

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1 vote. But all too often we forget about
2 our responsibilities.
3 In this case, our responsibility
4 is to be well informed about EIS, to
5 participate in a dialogue, not discussion.
6 I often see discussions as concussions. To
7 listen and learn about issues that bring an
8 opportunity to the community. A big part
9 of this communication -- a big part of
10 this. Communication. It's important in
11 order to achieve our goal. Complaining
12 does not work as a strategy. We have to
13 work as a community.
14 Northwest Indiana has an
Page 53

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16 opportunity to provide awareness about the
17 possibilities that are before us. Thank
18 you very much.

19 MS. ADAMS: Judi Schoon. Dennis
20 Ruthrauff. Ron Bartnicki.
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1 MS. SCHOON: Hi. My name is Judi
2 Schoon. I live at 304 North Wiggins,
3 Indiana -- Griffith, Indiana. I'd like to
4 thank the board today for giving me the
5 opportunity to speak to you.
6 After listening to the comments
7 out there and listening to the boards and
8 seeing all the maps and everything, I felt
9 compelled that I really needed to get my
10 comments out to you today.
11 I come to you today as a
12 concerned mom. I live on Lake Street in
13 Griffith. That is -- you literally -- if
14 these tracks go through, they will
15 literally separate us from the community
16 that we live in.
17 When I bought my house, we spent
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19 a great deal of time researching the
20 communities, the emergency services and
21 everything that each community had to offer
22 to us. Because at that time I had one
23 child with insulin-dependent diabetes, so
24 making sure that I had emergency services
close to me was probably one of the most

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1 important things that I asked for. And the
2 schools. We researched all of this.
3 If you put those railroad tracks
4 between us, that's going to separate us
5 from the schools, from the emergency
6 services, from everything else.
7 Shortly after we moved into our
8 house, our second child got
9 insulin-dependent diabetes. Now the
10 emergency services became so vital it was
11 ridiculous.
12 Shortly after that, our third
13 child then developed juvenile diabetes.
14 Now emergency services are so vital, it's
15 unbelievable.
16 You asked today when the
17 comments were made what have we missed,
18 what can we do to make this better. The
19 one thing that you missed is how are the
20 emergency services going to get from on
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22 that side of those railroad tracks to on my
23 side. How is my children going to be
24 protected. How are the children that are
playing in Tot Park, how are they going to

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1 be protected.
2 I have literally witnessed where
3 the police officers have had to take
4 children out from underneath the trains
5 that were stopped on those tracks waiting
6 to get in to exchange. These children get
7 bored. They're kids. They're going to
8 play. They literally pulled them from out
9 underneath those trains that are sitting on
10 those tracks. That is not safe.
11 I disagree. I think our fire
12 department is an extremely, extremely good
13 fire department. But if you separate us
14 from those -- from that fire department,
15 how are our firemen on this side of the
16 tracks supposed to get to those fire
17 stations that are on that side of the
18 tracks. They can't. You're literally
19 dividing our town.
20 I agree with Congressman
21 Visclosky. This will dramatically affect
22 our lives for no important reason. I beg
23 you today as the board please deny this
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24 091008 Public Meeting
petition. Thank you very much.

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1 MS. ADAMS: Dennis Ruthrauff. Ron
2 Bartnicki. Joreen Decker.

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1 MR. RUTHRAUFF: Hello. My name is
2 Dennis Ruthrauff. I live in Schererville,
3 Indiana. My home is located at the Auburn
4 Meadow subdivision at Janice Drive and Deer
5 Creek Drive. This is one quarter mile
6 south of the E&E Railroad Line. The only
7 area between my home and the railroad
8 tracks is a wild life area and wetlands.
9 Since 2002, the train traffic on
10 E&E Line has already increased by four
11 times the amount of trains. The noise and
12 vibrations and horn blowing are already a
13 very big nuisance, not to mention the
14 safety issues and the hazardous material
15 concerns.

16 I cannot imagine these amounts
17 being quadrupled again. The E&E make up
18 their trains on this line all day and all
19 night with banging noise and horn blowing.

20 For these reasons alone, I am
21 against the acquisition of the E&E and
22 Canadian National railroad. Please deny
23 this acquisition. Thank you.

24 MS. ADAMS: Ron Bartnicki. Joreen

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1 Decker. Carolyn Marsh.
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091008 Public Meeting

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1 MR. BARTNICKI: I'm Ron Bartnicki.
2 I'm the president of the Emergency Medical
3 Services Board of Control for Griffith. I
4 have been in that position for almost 15
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5 years. And never have I come across a more
6 vexing and important issue than this. And
7 like Cheryl Satkus and Judi Schoon before
8 me, I'd like to represent not only the
9 Board of Control's concern but also
10 citizens of Griffith.

11 There are many issues that I
12 think would affect Griffith if this
13 acquisition went through. Environmental
14 issue would be the No. 1 concern on my
15 part. It would have a critical impact on
16 the emergency ambulance services for
17 Griffith.

18 Right now currently we only have
19 one dedicated ambulance in our town at any
20 one time. An ambulance is there 7 11. If
21 an ambulance is stopped by a 200-car train,
22 it will entail a delay to get a back-up
23 ambulance from elsewhere to the scene on
24 the other side of the tracks.

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1 Prompt Ambulance has even said
2 that if we wanted to purchase or contract
3 another second ambulance, and it wouldn't
4 be justified because of the volume of calls
5 that we have, it would cost up to \$400,000
6 a year for that second dedicated ambulance
7 in our town.

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091008 Public Meeting

8 Now our current contract with
9 our emergency services provider is good for
10 nine more years. It stipulates that Prompt
11 will average less than four minutes for
12 emergency calls to the scene for every
13 month.

14 This will become impossible in
15 some critical situations if there's a
16 200-car train going by. And when a patient
17 that needs advanced life support, a heart
18 patient comes and needs help, that
19 ambulance is going to be delayed extra
20 minutes. For every minute that that
21 ambulance is delayed, that person has a 10
22 percent less chance of survival.

23 Even though we do not have the
24 call volume to justify that contracting an

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1 additional ambulance in our town, we would
2 be forced to actually renegotiate our
3 contract and add an ambulance at that cost
4 that I mentioned. And still have to remove
5 response time criteria in the contract
6 which is currently at less than four
7 minutes average per month.

8 Now, the second issue is
9 quality. I know I'm getting -- my time is
10 short, but it will literally cut our town
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091008 Public Meeting

14 caboose, you couldn't wait to see it
15 because a lot of times it would be quite
16 long.

17 And I would -- also as everybody
18 has stated today that not only would you
19 have delays for school and work but also
20 for emergencies which would be quite
21 frightening in a lot of situations.

22 The noise factor of course would
23 be unbearable at that amount of trains
24 being quadrupled like that. I'd hate to

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1 see that. I'd be concerned about like
2 senior citizens and people like that.

3 Another thing I haven't heard
4 brought up but that I would also be a
5 little frightened of is maybe the
6 possibility of more fatal accidents. As a
7 person, a member of the family -- a member
8 of my family that was killed by a train
9 many years before I was born, but a
10 possibility would definitely increase with
11 having that amount of train traffic. And I
12 certainly wouldn't want another family to
13 have to go through that.

14 Basically it's just a matter of
15 noise and also environment. I'm sure there
16 would be some kind of pollution coming with
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11 in half. It will have -- it will increase
12 the noise and vibration by six times
13 because the proposal is for three times the
14 number of trains and they would be double
15 the length.

16 Safety has been covered
17 substantially by others.

18 Thank you for the opportunity to
19 express these issues.

20 MS. ADAMS: Joreen Decker. Carolyn
21 Marsh. Leonard Tomaszewski.

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1 MS. DECKER: Hello. My name is
2 Joreen Decker. And I'm here -- I'd sort of
3 like to represent the south side of town
4 near the South Park. That would definitely
5 be very negatively impacted.

6 I remember as a child going to
7 Franklin School, and once in a while you'd
8 get held up. And I know there's high
9 school students, the bus comes down there a
10 lot and students I believe probably still
11 walk to Franklin over there. And I just
12 remember being late. A few times you
13 couldn't wait -- back in the days of the
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17 that. And I'm sure that's why most of us
18 are here because we don't want to see, you
19 know, this mass increase in the train
20 traffic.

21 You know, you'd probably have
22 people maybe trying to go around the train
23 tracks or something like that that of
24 course none of us would like to see. They

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1 might also try to go through other towns or
2 something like that. And I just don't
3 think any of us really want to see this
4 great increase in the amount of train
5 traffic going through our town.

6 I think it would have nothing
7 but a negative impact and it sounds like
8 they're basically trying to divert the
9 traffic from maybe the Chicago area to
10 Griffith. And I just don't want to see
11 that.

12 As somebody that grew up around
13 there, went to school there, I just don't
14 want to see that happen to the town. Thank
15 you.

16 MS. ADAMS: Carolyn Marsh. Leonard
17 Tomaszewski. Thomas Frank.

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1 MS. MARSH: Carolyn Marsh. I live
2 in Whiting, Indiana. And there is an EJ&E
3 spur that runs along the lake front into
4 Chicago, 87th Street, US Steel, the old US
5 Steel plant.
6 Now, this spur is basically
7 inactive, but it is close to four other
8 major rail lines that run along the Indiana
9 shoreline. I live there. I know what
10 vibrations are. I know what noise is
11 because of these four major lines that run
12 through there. There is a lot of hazardous
13 waste already on these existing lines. I'd
14 like to know how much hazardous waste is
15 also coming from these other rail major
16 rail lines.
17 In regards to the Marquette
18 plan, I'd like to know why this spur
19 along -- it's called the -- I find out it's
20 called the Lake Shore Line, what exactly
21 does Representative Visclosky -- what is
22 his problem with this CN purchase of the
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23 EJ&E, how it conflicts with the Marquette
24 plan because I see the Marquette plan as a

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1 polluter as something degrading our quality
2 of life.
3 They want to take away our
4 Whiting Park for a marina. And you have to
5 remember, I live next to British Petroleum.
6 I have not heard any politicians concerned
7 about the pollution coming out of British
8 Petroleum as they are concerned about this
9 acquisition. I find there's some hypocrisy
10 going on here when it comes to pollution.
11 But I really would like to know more what
12 Visclosky -- what his objections are that
13 is going to hurt his Marquette plan because
14 his Marquette plan hurts the communities of
15 East Chicago, Gary, Whiting and Hammond,
16 and it encloses and privatizes that lake
17 shore. So I wonder why it is not in the
18 environmental assessment. They pulled it
19 out because they said it's inactive, but I
20 think that there should be an environment
21 assessment if they make a lake shore drive
22 there instead because there are plans to
23 make -- where they want that moved, that
24 EJ&E line moved so they could put a lake
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1 shore drive there so that there is a way of
2 getting to condos and marinas along the
3 shoreline which is going to add pollution
4 to our communities. It threatens our
5 quality of life.
6 So I think there's another angle
7 here that people have to consider why
8 Visclosky is opposing this acquisition.
9 It's not just about the quality of life as
10 he claims because he's threatening our
11 quality of life in Whiting, Hammond and the
12 shoreline communities.
13 MS. ADAMS: Leonard Tomaszewski.
14 Thomas Frank.
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1 MR. TOMASZEWSKI: My name is
2 Leonard Tomaszewski. I'm a resident of
3 Gary, Indiana, for 77 years and two months.
4 This is a long history of an EJ&E and US
5 Steel over the years. It was 59 years ago
6 and four months that I began at US Steel.
7 It was a good industry to work for. The
8 EJ&E was owned originally by US Steel.
9 In 1896, my grandfather lived in
10 South Chicago, Illinois, and come to Gary
11 to help build that slip. And I look at
12 this whole situation. My question is
13 economically how many jobs will this
14 produce. I haven't heard that brought up
15 this evening. If this acquisition would go
16 through, I would like to know how many jobs
17 are they going to produce, and good paying
18 jobs in this community.
19 We look on the lake front like
20 the lady stated coming from Whiting, East
21 Chicago, Gary and so forth. The long-term
22 plan over the next 25 years, this going to
23 be what they call a gambling mecca. Have
24 you folks been in Vegas? You know what

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1 it's all about. The steel mills are going
2 to close down. They're going to sell those
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3 091008 Public Meeting
4 steel mills. And they're going to let them
5 go. And they're going -- people are going
6 to be bidding for them like on the stock
7 market. You are going to bid for these
8 jobs.

9 And the people don't know what's
10 going to go on in this community in the
11 next 25 years. I'll be resting over at
12 Calvary, but my grandchildren and my great
13 grandchildren, I'd like to see them have a
14 quality of life.

15 And if this is in the interest
16 of jobs and also the people in Griffith,
17 the people in Dyer and so forth, the
18 hospital over there, this all has got to be
19 taken into consideration.

20 I live two blocks away from the
21 railroad tracks and I time it at night. I
22 sleep during the day. Every 20 minutes a
23 train is going by in 24 hours plus in the
24 day time. And all this rail traffic that
they went to the government in the last 20

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1 years and had a subsidy because they're
2 going broke. Now they're making million of
3 dollars and they want to come from Canada
4 and buy into the E&E Railroad.

5 Why is E&E selling it and for
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1 MR. FRANK: Hello. I'm Thomas
2 Frank from East Chicago, Indiana, and I
3 just want to mention that in the last
4 decade Northwest Indiana suffered from
5 enormous amount of economic depression from
6 the industries that have reaped a lot of
7 benefit for the last hundred years.

8 The challenge for us in
9 Northwest Indiana is to revitalize the
10 region, retread our economy and that means
11 attracting new types of investment,

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6 091008 Public Meeting
7 what price are they asking for that steel
8 and the railroad. What is that railroad
9 worth to them. What is it worth to the
10 community. What is it worth to the people
11 and the quality of life and the children
12 going to the schools and so forth.

13 Like the lady said, the children
14 are waiting in anticipation to go to the
15 park and going onto that railroad tracks.
16 They got automated systems where they don't
17 have switchmen anymore. They turn around.
18 They switch those cars from track and
19 another track. And I've seen a number of
20 fatalities because of automation. They
21 took these people and they lost their lives
22 because of that.

23 So I would ask the board to
24 consider this very seriously as to what is
being created here. Is this a monopoly or

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1 is this something of interest for the community as a
2 whole. Thank you.

3 MS. ADAMS: Thomas Frank.

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12 091008 Public Meeting
13 residential, retail, commercial, office, et
14 cetera, et cetera.

15 Right now Northwest Indiana is
16 presently home to one of the densest
17 highest volume corridor of freight in the
18 world actually. And yet Northwest Indiana
19 benefits very little from this. We have
20 criss-crossed with enormous amount of rail
21 lines all the way through the region that
22 stops economic development in those
23 communities.

24 Presently we're engaged and in
the last 10 years have been engaged in an

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1 effort to relocate and consolidate numerous
2 number of rail lines off of at-grade
3 crossings to begin to allow for inner city
4 cores to revitalize. Right now if you go
5 through our inner city cores -- let me give
6 you an example. The CSX line that goes
7 through East Chicago east west presently
8 has I believe 56 trains per day. Now the
9 train purchase of this line going through
10 East Chicago will add an additional 39.

11 The aggregate number of trains
12 that run through the corridor stops
13 economic development in all different
14 areas. And it's a challenge for us as

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16 we're looking to revitalize the area and
17 rationalize this poorly-designed
18 infrastructure that we presently have and
19 we wouldn't want to have CN be committed to
20 this type of infrastructure before we're
21 able to rationalize it. It is a
22 poorly-designed system at present. And we
23 need to alleviate much of that traffic off
24 of the lake front and off of the inner city
communities that are presently negatively

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1 impacted enormously.

2 I want to thank you for this
3 opportunity. Thank you.

4 MS. ADAMS: We have no more
5 registered speakers at this time. We
6 invite any additional commenters to
7 register now.

8 In the meantime, we invite
9 everyone to return to the open house area
10 to review the boards and to ask questions.

11 The court reporter and at least
12 one member of the Surface Transportation
13 Board will remain here in the public area
14 to receive additional comments from
15 newly-registered speakers should we have
16 any before 9:00 p.m. tonight.

17 Thank you all for your comments.

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18 091008 Public Meeting
19 Our next public meeting and our final
20 public meeting is in Joliet tomorrow from
21 4:00 to 9:00 p.m.
22 (WHEREUPON, the meeting
23 adjourned at 7:13 p.m.)
24

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D.8 Joliet, Illinois

091108 Public Meeting

1 SCOPING MEETING FOR THE PROPOSED CANADIAN
 2 NATIONAL RAILWAY COMPANY ACQUISITION OF THE
 3 ELGIN, JOLIET AND EASTERN RAILWAY COMPANY
 4
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 7 PUBLIC MEETING
 8 SEPTEMBER 11, 2008
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 11
 12 HOLIDAY INN HOTEL & CONFERENCE CENTER
 13 411 SOUTH LARKIN AVENUE
 14 JOLIET, ILLINOIS
 15
 16 Conducted by:
 17 Heather Tarczan, Meeting Facilitator - MWW Group
 18 Public Relations
 19 Phillis Johnson-Ball, Deputy Chief of Staff, The
 20 Section of Environmental Analysis - STB
 21 John Morton, Project Manager - HDR Engineering
 22
 23 CHIMNIAK REPORTING & VIDEO
 24 Telephone: 312.781.9111
 Reported by: Nicole M. Breyspraak, 084-003835

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1 MS. TARCZAN: Thank you for
Page 1

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5 speakers in the order they will be speaking
 6 in will be displayed on the screen. I will
 7 call forward the next two speakers in line
 8 after the speaker so that we may be as
 9 efficient as possible.
 10 If you are interested in
 11 speaking and haven't registered yet, please
 12 proceed to the registration table or see a
 13 staff member who can assist you.
 14 Alternatively, included in the program you
 15 received tonight, you may submit comments
 16 to the Surface Transportation Board through
 17 a toll-free number, website, or mailing
 18 address. There are also comment forms and
 19 drop boxes as well as court reporters
 20 located in the open house area. Please
 21 recognize that all methods of comments
 22 received by September 30th will be taken
 23 into consideration and weighed equally.
 24 Tonight we are here to listen to

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1 your comments on the Draft EIS. This is
 2 not a question-and-answer session, though
 3 we invite you to return to the open house
 4 area if you have any questions or you'd
 5 like to provide your comments in a more
 6 private setting with a court reporter
 7 there.

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2 attending tonight's meeting.
 3 We are here tonight to hear
 4 your comments on the Draft Environmental
 5 Impact Statement that was released on
 6 July 25 regarding Canadian National
 7 Railway's proposed acquisition of the
 8 E&E Railroad.
 9 My name is Heather Tarczan, and
 10 I will be facilitating tonight's meeting.
 11 Before we get started, I would
 12 like to take this opportunity to review
 13 some protocol for tonight's meeting. For
 14 starters, I would like to ask everyone to
 15 please turn off your cell phones and please
 16 refrain from interrupting any speakers or
 17 commenters.
 18 In a moment I will introduce
 19 those presiding over the meeting and there
 20 will be a short presentation on the
 21 findings from the Draft Environmental
 22 Impact Statement. Immediately following
 23 this, we will hear your comments. Each
 24 commenter will be given up to three minutes

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1 to speak. The time clock will be displayed
 2 on the screen and a yellow card will be
 3 shown at two minutes and 30 seconds and a
 4 red card shown at three minutes. A list of
 Page 2

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8 We appreciate your courtesy as
 9 we work to create an environment where
 10 everyone can be heard. If you disagree
 11 with a speaker, we ask that you not express
 12 your disagreement out loud. Likewise,
 13 please note that applause for speakers
 14 during his or her remarks gives that person
 15 less time to speak and, ultimately, limits
 16 the time for everyone else to speak.
 17 In the event anyone is in need
 18 of a Spanish translator, please let a staff
 19 person know.
 20 If you have any questions, we
 21 have a number of staff available to assist
 22 you. Again, staff are identified with a
 23 name tag and they're located throughout our
 24 venue.

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1 One quick housekeeping note, in
 2 an event of an emergency, exits are located
 3 on both sides of the room.

4 I'd now like to introduce the
 5 people with me on stage. Phillis
 6 Johnson-Ball, deputy chief of the Section
 7 of Environmental Analysis for the Surface
 8 Transportation Board. John Morton, team
 9 leader supporting the Surface
 10 Transportation Board's Section of
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Environmental Analysis.
Phillis Johnson-Ball will now
make some remarks on the Draft EIS.
MS. JOHNSON-BALL: Good evening, and
welcome to our public meeting.
My name is Phillis Johnson-Ball,
and I'm with the Board's -- Surface
Transportation Board's Section of
Environmental Analysis.
I know many of you have concerns
about this proposed transaction on the
community, and we're here to hear your
comments and to record them. This is your
opportunity to have your voice heard, so

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6
1 please take the opportunity to sign up,
2 speak tonight, or to leave us written
3 comments.
4 I'd like to begin by giving a
5 brief overview of the functions of the
6 Surface Transportation Board. The Board
7 authorizes carrier actions, resolves
8 carrier disputes, conducts rule makings,
9 adjudicates reasonableness of rates,
10 monitors motor carrier activity, and it
11 takes performance action, and, importantly,
12 it provides assistance to the public. I
13 know many of you have contacted our office
Page 5

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14 of assistance to ask questions and to
15 receive information.
16 The Board is composed of three
17 bipartisan members that are appointed by
18 the President. The members are Charles
19 Nottingham, who is our chairman;
20 vice-chairman, Frances Mulvey; and
21 Commissioner, Douglas Buttrey. These are
22 our decision makers.
23 The Section of Environmental
24 Analysis is the environmental arm of the

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1 Board. We direct the Board's environmental
2 review. We conduct independent analysis of
3 all environmental data. We provide
4 technical advice and recommendations to the
5 Board and assistance to the public and
6 information on the various environmental
7 issues. The Section of Environmental
8 Analysis also ensures that the agency
9 complies with the National Environmental
10 Policy Act or NEPA.
11 Public participation, which is
12 why we're here tonight, is one of the most
13 critical aspects of the process. This is
14 your opportunity to have your voice heard.
15 This is the time that we want you to tell
16 us what we did well, what we did not so
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17 well, and what we still need to do. So,
18 please, I ask again, take the opportunity
19 to speak with us tonight or to leave
20 comments.
21 Responses to our Draft
22 Environmental Impact Statement are due to
23 the Board by September 30th. If you mail
24 in your comments, they must be postmarked

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1 by September 30th. If you provide them by
2 phone, you can dial -- we have a 1-800
3 number, 1 (800) 347-0689. You can provide
4 a written comment, again, that has to be
5 postmarked by September 30th; you can email
6 them to the Board; you can speak publicly
7 tonight; or you can speak to one of the
8 court reporters out in the hallways.
9 I'd like to talk a little bit
10 about the acquisition process, what happens
11 and how does this process get started.
12 First, an application is received by the
13 Board, it's received at the Board by an
14 applicant. The Board then sets a
15 procedural schedule where the Board
16 considers the merits and the environmental
17 issues.
18 The merits consist of
19 competitive issues, economic issues, and
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20 transportation. In a parallel, the Board
21 considers the environmental impacts of the
22 proposed transaction. So the Board is
23 looking at the transaction from the merits
24 and the environmental process at exactly

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1 the same time. The Board cannot issue a
2 decision until the process for analyzing
3 the merits and the environmental process
4 has been completed.
5 The Board, after reviewing all
6 of the information from the merits and the
7 environmental process can take three
8 actions. The Board can deny the process,
9 the Board can approve the transaction, or
10 the Board can approve the transaction with
11 conditions on the merits or conditions on
12 the environmental part of it.
13 The Board -- we've had a lot of
14 comments about the third-party process and
15 exactly who is HDR. The Surface
16 Transportation Board is composed of
17 approximately 150 people, nine of those
18 people work on the environmental staff. So
19 the Board, like other small Federal
20 agencies use the third-party process to
21 assist us in the preparation of our
22 environmental documentation. And in this
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23 particular case, HDR is the Board's
24 third-party contractor. The third-party

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1 contractor works under the sole supervision
2 and direction of the Surface Transportation
3 Board. They report directly to the Board
4 on all environmental matters.

5 John Morton, who is with HDR,
6 will give you an overview of the results of
7 the Draft EIS.

8 Thank you.

9 MR. MORTON: Thank you, Phillis.

10 I'd like to talk a little bit
11 about the Draft EIS and the conclusions of
12 the Draft EIS, but before I do that, I
13 would like to let you know that there is a
14 lot of information in the EIS, and I
15 understand that we're only going to touch
16 on just a little bit of it tonight, I would
17 encourage you to if you have questions, if
18 you want to find out more, we're going to
19 leave the open house portion of it back
20 behind the divider there and those staff
21 members will be back there, they'll be more
22 than happy to answer any questions you
23 might have, either as a result of the
24 presentation that I give or as speakers

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11

1 come up tonight, if there are questions
2 that, you know, occur to you, feel free to
3 go back to the open house portion, look at
4 the maps, and talk to any of the staff
5 members, you know, that are wearing a name
6 tag.

7 We encourage you to move forward
8 if you can't see the slides, and if you,
9 you know, need to have a better view, do
10 have seats up front.

11 CN is the applicant. CN is a
12 major shipper of both domestic and foreign
13 freight. They have five rail lines that
14 converge on the Chicago area. Those rail
15 lines are shown in the dark color on these
16 maps. They operate about 150 miles of rail
17 lines in the Chicago area. E&E is a
18 regional rail line. They operate a rail
19 line that covers an arc in the lighter
20 brown color that -- around the city. They
21 also operate two main rail yards, one is
22 East Joliet Rail Yard here in Joliet and
23 the other one is Kirk Yard in Gary,
24 Indiana.

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1 CN has indicated three primary
2 purposes for acquiring the E&E. The first
3 is to increase the CN's operational
4 flexibility by, essentially, providing a,
5 you know, a continuous rail route around
6 the city by connecting their five rail
7 lines. The second reason is to make Kirk
8 Yard and East Joliet Yard available to
9 their operations, and the third is to
10 develop a more extensive relationship with
11 the various shippers on the E&E rail line.

12 The EIS evaluated a number of
13 resource categories and a number of issues.
14 I'm only going to talk about just a few of
15 them tonight. If you have any questions
16 about remaining issues, anything that I
17 don't talk about, feel free, once again, to
18 talk to anybody with a tag and look at the
19 maps and the information back in the open
20 house section.

21 The application included a
22 number of changes in rail traffic, and I'll
23 talk about those in a second. They also
24 included six new connections, one, you

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1 know, is here in Joliet, and it included
2 19 miles of a second, you know,

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3

4 construction of a second parallel track
5 along the existing track, and, once again,
6 a portion of that, you know, runs from East
7 Joliet Yard to Frankfort.

8 From an operations standpoint,
9 the EIS looked at a number of changes in
10 CN's operating plan. This is a schematic,
11 and I know it's a little difficult to read,
12 but it's a schematic output from the
13 analysis. The lines coming in are the five
14 CN rail lines that we showed on the earlier
15 map. The thick line on the outside is the
16 E&E arc around the city. The light blue
17 color is the current number of trains
18 operating on those rail lines today. The
19 thickness of the line indicates the number
20 of trains per day. The darker blue color
21 is the proposed changes from the operating
22 plan. It's pretty easy to see that the
23 major change is they're taking traffic
24 that's operating through the city today and
putting it on the E&E arc on the outside.

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1 They're looking at about 15 to 24 trains a
2 day change.

3 As a result of the analysis that
4 we did, the EIS concluded that in some
5 sections the E&E rail line would be at or

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7 near its practical capacity. The result of
8 that is that it's unlikely that CN would
9 operate more trains or that the traffic
10 levels would be higher than estimated by CN
11 in their operating plan. In addition, one
12 of the conclusions is that Metra's on-time
13 performance can be maintained with
14 effective coordination between CN and
15 Metra.

16 The EIS evaluated train and
17 roadway safety. On the EJ&E arc because of
18 the increased number of train miles
19 operated on the EJ&E arc, there would be an
20 increased probability of train accidents
21 and an increased probability of
22 highway/rail accidents. Conversely, on the
23 CN Rail Line segments inside the arc, there
24 would be a reduction of train miles and a
reduction for the potential for train

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1 accidents and highway/rail accidents.

2 The EIS identified three road
3 crossings that would see a substantial --
4 potentially have a substantial increase in
5 accident risk. One of them is Woodruff
6 Road here in Joliet.

7 The EIS also evaluated passenger
8 rail and hazmat safety. There is no
Page 13

9 091108 Public Meeting
10 passenger rail that operates on the EJ&E,
11 but there is passenger rail that operates
12 on the CN Rail Lines where the traffic will
13 go down improving passenger rail safety.

14 The transaction would result in a
15 significant increase in hazardous material
16 transportation on the EJ&E Rail Line.

17 The EIS also looked at
18 transportation systems. It evaluated 155
19 at-grade crossings on the CN Rail Line
20 segments inside the arc, and of those, 125
21 would experience reduction in train
22 traffic. It looked at 112 crossings on the
23 EJ&E, of those, 87, you know, met the
24 Board's criteria for analysis. Of those
87, 15 were considered to be, you know,

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1 substantially affected. The 15 crossings
2 are listed on a board back in the open
3 house section, identified on the map in the
4 open house section. I would encourage you
5 that if you wanted to talk to any --
6 specifically about any of those, they, you
7 know, talk with one of the staff members
8 back in the open house section.

9 The EIS also looked at air
10 quality findings. Because of the longer
11 rail route used in the EJ&E, there would be
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13 an increase in fuel use, but because of the
14 more free-flowing aspects of it, it would
15 be more efficient and there would be less
16 idling time for locomotives; therefore, the
17 conclusion was that the air emission
18 changes in 2015 would not exceed current
19 regulations or jeopardize the region's air
20 quality compliance.

21 The EIS also looked at emergency
22 response and emergency response providers
23 and identified 11, you know, emergency
24 service providers that would be affected.
There's nine fire stations and two

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1 hospitals that the EIS identified. Once
2 again, those are listed specifically on a
3 board back in the open house section and
4 identified on the maps.

5 The EIS looked at noise. There
6 would be about 3,000 homes/residences that
7 would be within the 65 dba contour as a
8 result of the transaction. On the EJ&E
9 Rail Line there would be about 2700 on the
10 CN Rail Line segments inside the arc where
11 you would have a reduced noise level. In
12 addition, the one quiet zone, the
13 Barrington area quiet zone, without
14 mitigation would lose its quiet zone status

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16 because of the increased freight activity.

17 The EIS also identified a number
18 of mitigation measures to offset the
19 impacts identified. The applicant, CN,
20 provided a list, 76 voluntary mitigation
21 measures. Those are identified -- I'm
22 sorry -- identified in the -- by topic
23 there. We -- they are listed in the
24 executive summary of the EIS and they're
also listed in chapter 6 of the EIS if you

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1 wanted to look at any one of those 76. In
2 addition to that and on top of the 76, SEA
3 identified 72 mitigation measures, and,
4 once again, we identified the specific
5 resource category of those 72 measures.

6 Finally, I, once again,
7 reiterate that there are a number of ways
8 to file comments, and I encourage you to
9 use all of those methods for filing
10 comments.

11 Thank you.
12 Heather?

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1 MS. TARCZAN: We will now begin the
2 comment portion of our meeting. Let me
3 remind you that we will adhere to the
4 three-minute rule, which begins as soon as
5 you start speaking. If three minutes is
6 not enough time for you, please feel free
7 to speak with the court reporter in the
8 open-house area to complete your remarks.
9 We also invite you to leave your full,
10 written comments with the court reporter
11 located in the front of the stage.
12 To be fair and consistent, if
13 you speak beyond the three minutes, I will
14 begin to announce the next speakers.
15 I would now like to ask that the
16 first speaker, Margie Almanza, please come
17 to the microphone. Margie will be followed
18 by George L. Cutright, Jr., and Lee Ann
19 Goodson. Each commenter should begin by
20 stating their name and who you represent or
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22 the town you are from.
23
24

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1 MS. ALMANZA: My name is Margie
2 Almanza, and I am here representing
3 Congressman Jerry Weller. Congressman
4 Weller regrets that he is unable to attend
5 tonight but would just like to offer the
6 following comments: He believes that
7 events like these give representatives and
8 other bodies a sense of public opinion on
9 an issue, and the proposed acquisition of
10 the E&E railroad is no different.
11 He understands that there are
12 many concerns by members of the public that
13 this proposed deal will have, the end
14 result of which will undoubtedly be
15 substantially increased train traffic, and,
16 with it, an increase in traffic gridlock,
17 noise pollution, and a decrease in the
18 overall quality of life for the people
19 living along the E&E railroad.
20 He is also concerned with the
21 unknown environmental risks of this deal.
22 He believes we cannot be too careful in
23 protecting our environment for future
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generations.
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1 His desire is for Canadian
2 National to spend quality time with each
3 community affected by their proposal to
4 learn of their negative impacts, and he
5 urges the Surface Transportation Board to
6 be extremely thorough in their review of
7 this deal so that no problem is left on the
8 doorsteps of our communities or our future
9 generations. Thank you.
10 MS. TARCZAN: Thank you. Again, I
11 would like to ask each speaker who is next
12 in line to please form a line behind each
13 microphone.
14 George L. Cutright, Jr., Lee Ann
15 Goodson, Alex Harris. Mr. Cutright.
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1 MR. CUTRIGHT: Yes. Good evening.
2 My name is George Cutright, Jr. I
3 appreciate the opportunity to come here
4 tonight and voice my comments.
5 I have an entire folder here of
6 pros and cons concerning this proposed
7 acquisition. There is much talk about
8 two-mile trains, several other things, who
9 is going to pay for it, much conflict about
10 how this should be done. There are some
11 statements that are being made that, you
12 know, the people who wish to have this go
13 through have not been able to have their
14 voices heard as well, and I'm hopeful that
15 is not the case. I'm hopeful they, too,
16 will be able to speak their side.
17 I will not take up time or
18 anyone else's possible subject matter,
19 being the second one called, and will speak
20 strictly about the event of September 7th
21 where the Surface Transportation Board was
22 able to explain to Canadian National that
23 they would not agree to go ahead with a
24 final decision without the full impact of

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23

1 the environmental study to be made
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2 available to the board. I fully agree with
3 that. I'm not talking tonight about the
4 economics. I'm talking about the
5 environment. I live next to a federally
6 protected wetlands. I currently have frogs
7 in my backyard. There's a lot of things
8 that are causing this. The train
9 track is right there. There's been
10 encroachment of -- there's been some people
11 moving in the subdivision.

12 I am an advocate for the
13 environment. I know that if this goes
14 through, one man says you will lose --
15 100,000 homes will lose value. That would
16 be a very difficult thing. I have been in
17 my home for 21 years; but, at the same
18 time, I understand that hopefully some kind
19 of a provision can be made, if it does go
20 through, that enough mitigation is done so
21 that the effects to the environment are
22 actually taken care of.

23 I do know that Canadian National
24 is an organization that is in the

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1 transportation stocks and is making good
2 money. Their largest shareholder is Bill
3 Gates. I'm not -- I thought he was more
4 interested in the environment.
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5 I am, again, encouraged that we
6 will -- everyone will be able to be heard
7 and that other people other than just
8 myself will talk about the environmental
9 impact. Thank you.

10 MS. TARCAN: Lee Ann Goodson, Alex
11 Harris, Eric Jakubowski.
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1 MS. GOODSON: My name is Lee Ann
2 Goodson. I serve as legislative
3 coordinator for House Republican Leader Tom
4 Cross, and I am elected to the Will County
5 Board and serve as a commissioner for the
6 Forest Preserve District of Will County.
7 My comments will be submitted in
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8 greater detail in a letter from
9 Representative Cross and myself, but I
10 would like to thank you, thank the STB, for
11 taking the time to conduct these hearings.
12 I appreciate your recognition that this is
13 a transaction of major concern for all of
14 the citizens as well as the local county,
15 state, and federal elected officials of
16 this region.

17 Historically, the rail industry
18 seems to have been given a pass on
19 transparency all in the name of protecting
20 information from competitors.

21 Now, the price of fuel in the
22 U.S. is rapidly rising, with little relief
23 in sight. As our federal elected officials
24 search for alternative sources of energy,

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1 the demand for cost-efficient methods of
2 transport to transport good across the
3 country has revived the rail industry.
4 Projections show a growing demand for rail
5 transport for the foreseeable future. With
6 that increase in demand on rail services
7 comes greater responsibility to all
8 railroads and the STB to address the big
9 picture.

10 CN's proposal to redirect some
Page 23

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11 trains from the densely populated suburbs
12 of Chicago to the densely populated region
13 of the collar counties is short-sighted.
14 Shifting the burden of rail congestion from
15 one community to another falls short of a
16 real long-term solution.

17 This transaction benefits CN and
18 their customers with faster service and
19 delivery while increasing their bottom
20 line, but it places a major burden on the
21 backs of taxpayers unless CN is responsible
22 for the challenges they create.

23 The DEIS fails to address the
24 indirect and cumulative impacts of this

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1 transaction, nor does it hold anyone liable
2 for proper mitigation. Communities are
3 encouraged to work with CN, yet CN has
4 stated publicly and privately they will do
5 only what is required of them and will not
6 invest more than the customary 5 to
7 10 percent of the acquisition.

8 Costs for mitigation are
9 estimated at several million dollars. CN
10 has been quoted as saying we will have to
11 look to our state and federal government
12 for funds to mitigate. We all know, we are
13 all well-aware of the financial status of
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14 our state and federal government.
15 While we scramble to get costs
16 and figures to substantiate our concerns,
17 the DEIS provides for just three years of
18 oversight following approval of this
19 transaction. With all of the state and
20 federal mandates on road projects, three
21 years is barely enough time to conduct
22 Phase I and Phase II engineering to split
23 grade crossings.
24 The application is for the

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1 purchase of approximately 198 miles of
2 track with the capacity to hold two or more
3 rails beside it. After three years of
4 oversight, CN is free to develop these beds
5 as they see fit.

6 I would encourage a minimum of
7 5, 10 years or even longer of the STB
8 oversight. While this is not a common
9 practice and demand, the rail
10 transportation -- the demand for rail
11 transportation necessitates the change.

12 House Republican Leader and I
13 stand as opposed to this transaction and
14 urge the STB to deny its approval without a
15 long-term solution that can be found to
16 mitigate the problems it creates.
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17 MS. TARCZAN: Alex Harris, Eric
18 Jakubowski, James Moustis.
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1 MR. HARRIS: Thank you very much.
2 Alex Harris, the village administrator for
3 the Village of Plainfield, here on behalf
4 of Mayor Waldorf, our trustees, and the
5 38,000 residents of the Village of
6 Plainfield.

7 One, we want to thank the STB
8 for coming back to Will County, HDR for
9 their explanation this evening, and
10 encourage you to visit the Village of
11 Plainfield and sit down with us to
12 understand the issues that we will address
13 here this evening.

14 We were asked to summarize our
15 comments, and we will submit from our Mayor
16 Waldorf formal engineering and concerns
17 regarding traffic counts; but tonight we
18 wanted to, first, highlight the Village of
19 Plainfield, talk about planning and then
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20 the quality-of-life issues.
21 First, the Village of Plainfield
22 is the oldest as well as the fastest
23 growing community here in Will County. The
24 Village of Plainfield was actually here

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1 prior to the railroad, and it's something
2 that we are very proud about. The fastest
3 growing portion is something that we
4 sincerely hope that the Surface
5 Transportation Board takes a closer look at
6 than just current projections that they
7 have in the draft EIS.

8 To that end, we want to
9 highlight planning. The Village of
10 Plainfield has its future land-use plan as
11 well as comprehensive plan approved, nearly
12 ten years of how our community will grow.
13 This does not incorporate the current
14 transaction for Canadian National. As a
15 matter of fact, we have looked at rail as
16 recently as this year and addressed how we
17 would handle future growth of rail but not
18 to the degree that Canadian National is
19 looking to represent.

20 Secondly, the county that we are
21 in, Will County, actually has a
22 transportation plan going out to 2030. In
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23 that, they have not accounted for the
24 Canadian National growth along the E&E

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1 and, again, a great concern to us.

2 Finally, the state that actually
3 has Route 30, Route 59, Route 126, as well
4 as I-55 all through the Village of
5 Plainfield that has not only its five-year
6 plan but its engineering plan in place, all
7 of that we strongly encourage the Surface
8 Transportation Board and its consultants to
9 take a closer look and make sure that,
10 indeed, you are representing the good
11 planning that has happened in this region
12 and how best we address that with the
13 current transaction.

14 Finally, quality of life. Two
15 quick stories: we had a fire recently in
16 the Village of Plainfield and our fire
17 district, something that's completely
18 separate as a taxing body, could not get to
19 the house because of existing rail.

20 Then, secondly, we have one of
21 the largest school districts, the fifth
22 largest in the state, and with their 400
23 buses we feel that is a grave concern of
24 getting kids to school on time and safely.

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1 Finally, all of this comes
2 together with H.R. 6707. All of the
3 legislators in this area as well as across
4 the country are looking very closely,
5 including Chairman Oberstar. We strongly
6 support that you look at the support we see
7 on planning, quality of life for the
8 village of Plainfield and our region.
9 Thank you.

10 MS. TARCZAN: Eric Jakubowski, James
11 Moustis, Lawrence Walsh.

1 MR. JAKUBOWSKI: Good evening. I am
2 Eric Jakubowski. I am a director with the
3 CN. Thank you for the opportunity to
4 present CN's perspective on the draft EIS.

5 This evening I would like to
6 focus on CN's commitment to the
7 environmental review process and our
8 efforts with communities along the EJ&E
9 line to reach voluntary mitigation
10 agreements.

11 As you have heard from CN
12 witnesses throughout these hearings on the
13 draft EIS, CN has been taking very
14 seriously the concerns of communities along
15 EJ&E lines related to increased train
16 traffic. We began meeting last fall with
17 municipal leaders and staff and then
18 launched substantial environmental outreach
19 meetings earlier this year in an effort to
20 construct voluntary mitigation agreements
21 that will be responsive to community
22 concerns now and into the future.

23 After identifying the unique
24 characteristics and environmental concerns

1 of each community, we have explored with
2 them proposals covering a range of issues,
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3 091108 Public Meeting
4 including safety, noise, rail operations,
5 emergency response training, and
6 coordination of emergency communications.

7 CN is committed to this effort,
8 and the agreement that we have reached in
9 late August with the City of Joliet is
10 evidence of the fact that community
11 concerns related to increased train traffic
12 can be successfully mitigated.

13 CN is willing to address
14 legitimate environmental concerns with
15 communities willing to work in good faith
16 with us to meet their needs while enabling
17 this transaction to move forward. Our
18 agreement with Joliet resolves the city's
19 outstanding concerns related to quiet
20 zones, operations, and communications
21 surrounding the transaction and does
22 involve significant investment in track
23 improvements and roadway features along the
24 route through Joliet.

25 CN is actively working with many

1 other communities now, and we believe this
2 will be the first of many voluntary
3 mitigation agreements between CN and
4 communities along the EJ&E.

5 CN also is fully committed to
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7 completing this transaction. By acquiring
8 the EJ&E, we are seeking to make CN and the
9 rail system more efficient, easing rail
10 congestion in the critical downtown Chicago
11 gateway and making continued use of
12 fuel-efficient, safe, and environmentally
13 friendly freight rail transportation in
14 this region a viable freight transportation
15 option for the business community.

16 CN wants the most efficient
17 transportation network possible. We
18 understand the desire for a comprehensive
19 congestion-relief solution for the region,
20 such as CREATE, which we support.

21 Unfortunately, the government's
22 funding for CREATE has not been
23 forthcoming, and even under the most
24 optimistic scenario, it will take many
years before CREATE will produce meaningful

1 congestion relief in the region.
2 CN's proposed acquisition of the
3 EJ&E offers a private-sector solution to
4 some of Chicago's ills. The more efficient
5 rail operation that will result from this
6 transaction, combined with the relief for
7 60 communities inside the EJ&E arc that
8 will benefit from the reduced train traffic

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are important benefits to the region that
10 should not be overlooked. Thank you for
11 this opportunity.

12 MS. TARZAN: James Moustis,
13 Lawrence Walsh, Chris Cartwright.
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1 MR. MOUSTIS: I'm Jim Moustis,
2 chairman of the Will County Board and
3 supervisor of Frankfort Township. I would
4 like to thank the Surface Transportation
5 Board for hosting this event this evening.

6 The discussion to date, much of
7 it has been on the traffic impacts to our
8 communities that would be caused by the
9 acquisition of the EJ&E by Canadian
10 National Railway. Those are the problems
11 the CN has the ability and resources to

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solve, and the STB should absolutely
13 require the CN to do so.

14 The CN purchase will also
15 greatly increase the threat of hazardous
16 material, threats due to potential
17 accidental or incident -- intentional
18 chemical leaks. The STB's own map shows
19 that the CN acquisition of EJ&E will result
20 in a tenfold increase to haz.mat. cargos on
21 the northern half of the EJ&E line,
22 including many communities in Will, DuPage,
23 Cook and Lake Counties and a sevenfold
24 increase to the southern half of the EJ&E

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1 line.

2 According to the chlorine
3 industry, the gas cloud from one 90-ton
4 chlorine tank can spread out at a lethal
5 level 15 miles downwind by 4 miles wide.
6 The chemical release from even one railcar
7 in an urban area would be an unprecedented
8 toxic gas disaster for any community,
9 whether the release is accidental or
10 intentional, and the risk is unacceptable.

11 There are existing, alternative
12 railroads that are well around and outside
13 of the metropolitan Chicago area. Under
14 the National Environmental Protection Act,

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the STB should have considered these
16 alternatives instead of limiting the
17 choices of routing to the downtown Chicago
18 line or the EJ&E suburban loop. Such
19 alternatives are already used by major
20 railroads in other regions of the country.

21 The Draft Environmental Impact
22 Statement summarizes the six scenarios
23 haz.mat. -- six serious haz.mat. railcar
24 events that the CN and EJ&E reported in

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1 Chicago from 2003 through 2007, with only a
2 total of 89 people evacuated.

3 The draft ignores earlier, more
4 serious local chemical railcar releases,
5 and the EIS discusses further haz.mat.
6 release by concluding that they will be
7 minor.

8 It appears that the STB's basic
9 stance is that the CN purchase merely will
10 transfer the impacts of rail cargos from
11 downtown Chicago to less-populated suburbs
12 while dismissing other alternative routes
13 because they don't give the CN what it
14 desires. Yet, there is no guarantee from
15 the Canadian National Railway, the STB, or
16 anyone else that the EJ&E purchase will
17 benefit the downtown Chicago lines with a

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long-term lessening of rail freight,
19 including haz.mat. cargos, or that either
20 the EJ&E communities or Chicago will be at
21 reduced risk from incidents of hazardous
22 materials released.

23 MS. TARZAN: Lawrence Walsh, Chris
24 Cartwright, Karyn Robles.

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1 Lawrence Walsh, Chris

2 Cartwright, Karyn Robles, Allen Persons.

3 Again, I would like to ask
4 everybody to please form a queue behind the
5 microphones. Chris Cartwright.
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1 MR. CARTWRIGHT: Yes. My name is
 2 Chris Cartwright. I am the local chairman
 3 for the International Association of
 4 Machinists and Aerospace Workers. I
 5 represent the machinists on the E3&E in
 6 Joliet. I can tell you for a fact in the
 7 last thirty days, we have had five delays
 8 at crossings. We have had one out at 135th
 9 Street out in Plainfield. We have had one
 10 at Woodruff Road. We have had one at
 11 Briggs Street. Briggs Street, I feel, is
 12 more critical than Woodruff as far as the
 13 impact. We have also had two at Rowell
 14 Avenue, right under I-80. That's the way I
 15 take to work. I'm stopped there at least
 16 five times a month with delayed trains.
 17 The difficulty is with the Rock
 18 Crossing there, the trains coming in a lot
 19 of times can't make it in; the same with
 20 coming out of the yard.
 21 I feel that with the CN's
 22 proposal that they are going to put a
 23 run-through track, a main line, right
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24

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through the center of our yard, and send it

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1 straight through up through the Rock and up
 2 into Frankfort. I feel this is not
 3 feasible. There is no way that they can do
 4 this without being affected by the Rock, as
 5 well as coming up the steep grade into
 6 Frankfort.
 7 Not only does that endanger the
 8 lives of the men that work out in the yard,
 9 you have car inspectors looking over cars,
 10 you have crews switching, you've got a
 11 train going 40 miles an hour as they
 12 propose, that's quite a distance of speed,
 13 and they can't just stop if a guy is right
 14 there in the way or, you know, it could
 15 cost people's lives.
 16 As well as I think the impact of
 17 the jobs in Joliet I don't think has been
 18 addressed either. I understand tonight
 19 that the CN wasn't aware that there are 11
 20 locomotive department employees that work
 21 in Joliet they didn't know existed. They
 22 thought they worked out of Kirk yard. We
 23 very much live and work in Joliet. We work
 24 and live in this area. We will directly be
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1 affected by this. That worries me and my
 2 family.
 3 The way I understand it, the CN
 4 is going to close the Woodcrest shop. That
 5 means all those jobs are going to leave
 6 Illinois. That does affect the environment
 7 as far as the community goes. If we don't
 8 have that money here, those people aren't
 9 making those decent-wage jobs, all that
 10 money goes over to Indiana.
 11 So I strongly suggest you look
 12 into the Joliet issue as far as Briggs
 13 Street, as well as I live in Sugar Creek.
 14 Half my fire district is on the north side
 15 of the tracks. We don't have fire hydrants
 16 in our neighborhood. Our pump truck is
 17 actually on the north side, so if we have a
 18 fire, we have to get the pump truck from
 19 the north side, you know. This is
 20 something to look into, and I appreciate
 21 you giving us this opportunity. Thanks.
 22 MS. TARZAN: Karyn Robles, Allen
 23 Persons, Representative Renee Kosel.
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 1 MS. ROBLES: Thank you. My name is
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2 Karyn Robles. I am the transportation team
 3 leader for the City of Naperville. Thank
 4 you for letting us speak tonight.
 5 The City of Naperville and other
 6 communities along E3&E are facing serious
 7 impacts which will result from the increase
 8 in train traffic if the CN is allowed to
 9 move forward with this acquisition. There
 10 are major issues that need to be considered
 11 because of how they will impact the
 12 thousands of residents and businesses
 13 around the railroad as well as the many
 14 drivers who travel across the E3&E on a
 15 daily basis.
 16 In Naperville, we have three
 17 major roadways that cross the E3&E, Diehl
 18 Road, Ogden Avenue, and 111th Street, all
 19 of which will see a significant increase in
 20 the number of train crossings, which will
 21 result in serious delays to our residents
 22 and businesses who live and work in our
 23 community.
 24 In terms of day-to-day life for
 our residents, if a commuter who is
 traveling west along Ogden Avenue each day
 to get to work gets stopped by a train,
 this proposal would add an additional nine
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5 minutes to their commute.

6 If the CN is permitted to

7 acquire the railroad, they are anticipating

8 that our train traffic will triple, which

9 means three times as many people will have

10 an additional nine minutes added on to

11 their commute, one way.

12 In addition to the increase in

13 commuting time that our residents will

14 experience, the traffic delays caused on

15 the main arterial roadways have a direct

16 impact on the traffic on the surrounding

17 streets as well as the residents and

18 businesses located on them.

19 The draft EIS does talk about

20 how traffic from the at-grade crossings can

21 shift over to existing grade-separated

22 crossings as people try to avoid the

23 delays. However, there is no analysis done

24 to see if the grade-separated crossings

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1 that we currently have can accommodate this

2 shift in traffic.

3 The adjacent grade-separated

4 crossings have not been designed to

5 accommodate the influx of traffic that we

6 would experience from this acquisition.

7 The solution cannot be that the vehicles

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8 will relocate to other roadways with

9 grade-separated crossings, because those

10 roadways are already congested.

11 The EIS must evaluate how many

12 vehicles it expects to use an alternative

13 route and calculate the impact those shifts

14 will have on those roads and crossings if

15 we are truly to understand the impacts of

16 this acquisition.

17 Additionally, the methodologies

18 used don't meet the federally established

19 planning policies that look at impacts for

20 the next 20 years, and we would like to see

21 that further out.

22 A grade-separated crossing at

23 Ogden Avenue will cost at least \$55 million

24 to construct, and Canadian National is

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1 saying they will pay for 5 to 10 percent.

2 Where is the rest of that money going to

3 come from?

4 The state has said that they

5 don't have it, which puts the burden on the

6 municipalities. We feel that the CN should

7 pay at least 50 percent of that cost due to

8 the impacts that we are going to

9 experience.

10 This proposed acquisition

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11 presents some serious consequences for our

12 community, and we would ask the STB to

13 carefully look at these impacts and either

14 deny the acquisition or ensure that proper

15 mitigation is required to minimize those

16 impacts. Thank you for allowing me time to

17 provide my comments.

18 MS. TARCZAN: Allen Persons,

19 Representative Renee Kose1, Donald E.

20 Bennett.

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1 MR. PERSONS: My name is Allen

2 Persons. I currently serve the Village of

3 Plainfield as the Director of Public Works.

4 I've served in this position for over ten

5 years now.

6 I would like to thank the

7 Surface Transportation Board for the

8 opportunity to speak on this important

9 issue. The Village's Public Works

10 Department has serious concerns with

11 specific sections of the Draft EIS, and I

12 will outline a few of these concerns

13 tonight, but we'll submit a whole list

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14 before the end of the comment period.

15 The first is the study indicates

16 that the village's population is 13,038

17 people. In fact, we are currently over

18 38,000 people as Administrator Harris had

19 mentioned earlier. This type of error was

20 common throughout the document. The

21 similar incorrect data was utilize to

22 underestimate current and future traffic

23 demands.

24 Under the mitigation section

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1 that was on the board here earlier, it

2 recognizes that Plainfield's 135th Street

3 at-grade crossing will need mitigation as

4 it's only 605 feet from U.S. Route 30. If

5 you apply the same type of thinking to

6 other intersections or crossings in town,

7 such as Naperville Road, Route 126, they're

8 both within close proximity to Route 59,

9 and the 127th Street railway crossing is

10 only 45 feet from Route 30. We question

11 why the EIS failed to recognize these other

12 intersections and calculate the delays that

13 would be presented. We believe that the

14 EIS is deficient in this area.

15 Under the Transportation System

16 Analysis Section, we believe that the

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17 traffic data that was utilized is outdated
18 and incorrect. For example, the EIS failed
19 to recognize the significant traffic
20 pattern changes that occurred within a
21 section of our 143rd Street. Recently, the
22 Illinois Department of Transportation
23 redesignated 143rd Street as U.S. Route 30.
24 At that time or at this time the traffic

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1 volumes have more than doubled than the
2 estimated traffic numbers that were in the
3 EIS. Overall, we believe the EIS is
4 deficient in this area currently as well as
5 projected traffic volumes.

6 We believe that the EIS failed
7 to address the costs that are needed for
8 the associated grade separated crossings
9 that will be needed in the future, and we
10 can all agree that a grade separated
11 crossing is the safest way and the most --
12 and the least congestive way to alleviate
13 these problems.

14 Overall, as the EIS has failed
15 to properly address many issues and is
16 deficient in many areas, we recommend that
17 the STB take the necessary time to complete
18 an accurate study on the real impacts the
19 proposed acquisition will have on our
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20 residents in Plainfield.
21 Thank you.
22 MS. TARCZAN: On behalf of State
23 Representative Renee Kosel, Roberta
24 Burmeister; Donald E. Bennett; Fred Millar.

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1 MS. BURMEISTER: My name is Roberta
2 Burmeister, and I am Illinois State
3 Representative Renee Kosel's legislative
4 aide in her district office, which
5 represents the 81st Legislative District.
6 Thank you for the opportunity
7 to comment on behalf of Representative
8 Kosel, who is in Springfield working on
9 budgetary issues for our state.

10 As she can't be here tonight,
11 she asked me to deliver this message to you
12 on her behalf.

13 In the introduction it is
14 mentioned that an Environmental Impact
15 Statement must take a hard look at issues.
16 During my brief time to speak tonight, I
17 will comment on two issues that
18 Representative Kosel believes requires a
19 harder work before the final Environmental
20 Impact Statement can be completed.

21 The Draft Environmental Impact
22 Statement fails to take a hard look at the
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23 source of funding mitigation costs, such as
24 overpasses and underpasses. The Draft

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1 Environmental Impact Statement suggests
2 that the Canadian National Railway should
3 only pay a small portion of these costs and
4 Federal, State, and local governments
5 should pay the majority of the costs.

6 Recently key Illinois state
7 agencies, the Illinois Department of
8 Transportation and the Illinois Commerce
9 Commission, stated at a Congressional
10 hearing in Chicago that they do not have
11 funds for grade separations along the E&E
12 railway tracks in their budget. The
13 Canadian National's public financial
14 statement shows that the company made over
15 \$2 billion last year on revenues of
16 8 billion. The taxpayers of the United
17 States should not help this exceptionally
18 profitable foreign railroad make even
19 higher profits by subsidizing the
20 mitigation that these actions require.
21 Even if it is precedent setting, the STB
22 should require the Canadian National to pay
23 for all mitigation required. Final
24 Environmental Impact Study should

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1 identified the Canadian National Railway as
2 the realistic source for funding
3 mitigation, not the taxpayers of the State
4 of Illinois.

5 State Representative Kosel is a
6 former school board member. The Draft
7 Environmental Impact Statement does not
8 take a hard look at the needs of school
9 children who will be required to cross the
10 tracks on a daily basis. The Draft EIS
11 does not mention mitigation measures such
12 as restrictions on time of day for freight
13 train operations to avoid conflicts with
14 school bus traffic. The Environmental
15 Impact Statement needs to direct the
16 Canadian National to work with local school
17 districts to avoid operating trains at
18 highway crossings during peak school bus
19 operating hours.

20 You may not be aware that our
21 community is building a new high school
22 with property that borders the E&E tracks.
23 You may not be aware that the majority of
24 growth from the Lincoln-way High School

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1 District south of the EJ&E tracks and all
2 four high schools are located north of the
3 EJ&E tracks. The disruption caused to
4 educational programs caused by late buses
5 is dramatic. The Final Environmental
6 Impact Study needs to state how this
7 disruption can be avoided.

8 She wishes you to take a hard
9 look at the issues. Thank you.

10 MS. TARCZAN: Donald E. Bennett,
11 Fred Millar, Dino Kapadia.

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1 MR. BENNETT: Good evening. My name
2 is Donald Bennett. I'm the Chief of Police
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for the Village of Plainfield.

3
4 As chief for the last 23 years
5 of the Village of Plainfield, I can
6 assure you firsthand the real impact that
7 this is going to have on our community.
8 Train traffic through Plainfield will
9 have a detrimental effect on the traffic
10 movement that's already gridlocked, which
11 is not being considered in your
12 Environmental Study that interstate I-55
13 and its access through Illinois 126 will
14 have a tremendous delay. In fact, the
15 CN's proposal of having the trains come
16 through at 30- to 34-minute intervals
17 will not allow the volume of traffic to
18 regroup before the next train comes
19 through. This, in turn, will back up,
20 which it already does with the current
21 EJ&E when it comes through, the traffic
22 on 126 backs up onto Illinois Route 59
23 causing delays for north and south
24 movement as well as the east and west

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1 movement on the 126. Having the two-mile
2 train will cause tremendous impact. We
3 do not feel we will be able to recuperate
4 during those times.

5 An additional issue is that the
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6 train when it comes through in the downtown
7 portion will block all five crossings
8 trapping emergency vehicles on one side of
9 the community from getting to the other.
10 Due to geographic restrictions, such as the
11 rookery and other bodies of water, there is
12 no simple way to get around, and,
13 therefore, having this additional delays
14 will you cause undue hardship for the
15 emergency responsive people in the village
16 of Plainfield without having an above-grade
17 or some other alternative to get over the
18 tracks.

19 Second, or thirdly, as you're
20 well aware or probably have, the Illinois
21 Commerce Commission deals with
22 train/vehicle collisions, and approximately
23 40 percent of all train collisions in the
24 state of Illinois occur within the six

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1 county Metro area. Having said that, the
2 psychological makeup of today's drivers are
3 not favorable to patience and calmness when
4 out on the road and do not deal with
5 unexpected delays well.

6 Rail studies show and indicate
7 that basic signal improvements at traffic
8 grade crossings have limited impact, and
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9 the fact is in the last five years, more
10 frequent reductions are slim due to the
11 fact that 91 percent of the collisions are
12 due to inattentive driving, people going
13 around the rail crossings, disregarding the
14 flashing lights.

15 I think the Safety Board needs
16 to take this into consideration in dealing
17 with anything with the City of Plainfield.

18 Thank you.

19 MS. TARCZAN: Fred Millar, Dino
20 Kapadia, Marcella DeMauro.
21 Fred Millar. Dino Kapadia.

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1 MR. KAPADIA: My name is Dino
2 Kapadia and I'm from Frankfort.

3 These are my comments as a
4 retired senior outlining consequences
5 that I've not seen addressed as of yet.
6 Thousands of people could go postal to
7 Canadian National. Here is why. The
8 Surface Transportation Board is
9 structured to only evaluate changes in
10 the surface environment, not the changes
11 that will occur in the mental environment
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13 of thousands of affected commuters who
14 may go berserk. Why? Because after the
15 purchase, repeatedly and unpredictably
16 and due to absolutely no fault of their
17 own, those innocent family supporters who
18 suddenly find themselves living on the
19 wrong side of the E&E tracks, such as
20 myself, could be frequently late going to
21 their work. So, like me, they will be
22 written up and warned three times by
23 their employers and then summarily fired.
24 About the tardiness fallout.
Suppose that about 100,000 commuters in the

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1 E&E communities drive daily to work. Now
2 suppose that only 10 percent of them face
3 loss of jobs, as I actually do, but that's
4 over 10,000 drivers all the way from
5 Mundelein to Aurora to Northwest, Indiana.
6 Add to those commuters thousands of
7 unfortunate rail commuters whose trains
8 either share or cross E&E or Canadian
9 National tracks, where signalman have
10 long-standing instructions to always give
11 priority to freight trains. Why? Because
12 they pay the freight.
13 Now further suppose that only a
14 fraction of those feeling confused and
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16 helpless are predisposed to getting
17 berserk, that could still be over a
18 thousand people. What would those thousand
19 people do? Hopefully, just honk their
20 horns and not mimic Mayor Daley who
21 sneakily during the middle of the night on
22 March 30 of 2003, when frustrated with
23 another Federal agency, the FAA, said, To
24 heck with it, and took some very
impressionable and illegal actions in

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1 tearing up the landing strip to prevent
2 more and more planes from flying in to
3 downtown Chicago.
4 Now I'm definitely one of those
5 thousands who will be fired because I deal
6 with parents who have already dropped their
7 kids off at the parking lot at the tutoring
8 center where I work will be forced to come
9 back again and again to take their kids
10 back home.
11 So, Surface Transportation Board
12 and Canadian National, please do what you
13 can to preserve the status quo. Think of
14 the midnight madness of Mayor Daley and do
15 not cause thousands to go postal on
16 Canadian National.
17 MS. TARCZAN: Marcella DeMauro,
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18 091108 Public Meeting
19 Annette Bowden, Tim Baldermann.
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1 MS. DeMAURO: Good evening. My name
2 is Marcella DeMauro representing the forest
3 preserve district of Will County.
4 My comments tonight will
5 highlight some of the concerns that we
6 have about impacts to our forest
7 preserves.
8 The Forest Preserves District
9 currently owns and manages over 20,000
10 acres and 100 miles of trails for the
11 enjoyment of Will County residents.
12 The proposed acquisition of the
13 E&E by the CN may affect four forest
14 preserves, three dedicated state nature
15 preserves, three existing recreational
16 trails, and one proposed trail.
17 In general, the Draft EIS is
18 inadequate by providing minimal detail
19 about how a determination of no
20 environmental impact was made. While
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22 acknowledging there would be longterm
23 impacts to natural resources, the Draft EIS
24 offered no mechanism for monitoring,
evaluating, or mitigating for these

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1 acknowledged impacts. The Final EIS needs
2 to provide quantifiable conclusions for
3 impacts to biological resources and
4 appropriate mitigation measures.
5 With respect to public safety,
6 two of our preserves are transected by the
7 rail line and limited to a single
8 ingress/egress. The public may be trapped
9 by a train during an emergency and be
10 without access to emergency services.
11 The Draft EIS concludes that
12 there could be an increase in hazardous
13 material spills. Many Will County
14 residents depend upon a shallow aquifer
15 system to supply 100 percent of their
16 drinking water. Some communities have no
17 existing infrastructure to deliver water
18 from an alternative source, like
19 Lake Michigan, and this needs to be
20 addressed.
21 Many of the areas along the E&E
22 are environmentally sensitive preserves
23 that would make a hazardous material spill
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difficult to clean up, many of which

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1 provide breeding habitat for documented
2 occurrences of Federal and State endangered
3 and threatened species. With large
4 increases in freight volume and hazardous
5 cargo load, this risk is very real.

6 The Final EIS needs to address
7 mitigation for hazardous spills, including
8 site cleanup, financial compensation for
9 damages, and preserved closure timelines.

10 With respect to vibration and
11 noise, the Final EIS needs to address
12 specific vibration impacts to flood control
13 structures and other preserved
14 infrastructure, noise impacts to preserve
15 users and visitors attending on site public
16 programs.

17 With respect to wildlife,
18 studies cited in the Draft EIS suggest
19 birds at a distance of more than 500 feet
20 will not be affected by additional train
21 traffic. None of the cited studies were
22 specific to the species present in the
23 rookery at Lake Renwick Preserve, and the
24 results are inappropriate generalized to

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1 all avian species. This report does not
2 acknowledge that critical foraging and
3 potential breeding habitat for the rookery
4 exists within the identified 500-foot
5 sensitivity zone.

6 In closing, today the Forest
7 Preserve Board of Commissioners adopted a
8 resolution opposing the acquisition of the
9 E&E by the Canadian National Railway
10 Company. This resolution will be submitted
11 along with my comments this evening.

12 The Forest Preserve District
13 also intends to submit comprehensive
14 written comments on the Draft EIS by the
15 September 30th deadline.

16 Thank you.
17 MS. TARCZAN: Annette Bowden, Tim
18 Baldermann, Brian Horvath.
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1 MS. BOWDEN: As a trustee for the
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2 Village of New Lenox, I represent myself
3 and all of the residents opposing the CN
4 acquisition.

5 New Lenox has always embraced
6 the various rails that passed through our
7 community. Even our village seal is that
8 of a locomotive. This seal was designed
9 by a young student many years ago as a
10 symbol of New Lenox. The trains have
11 always been a part of our growing
12 history. It's hard to imagine that CN
13 trains may now become the striking sword
14 splitting us in half.

15 With five at-grade crossings
16 within a four-mile stretch, the safety,
17 security, and quality of life of our
18 community is now at risk. Silver Cross
19 Hospital is currently building a new
20 facility on the north side of our town. CN
21 trains would make it near impossible to
22 reach the hospital during any emergency
23 situation south of the tracks. If you had
24 a child or grandchild being transported to

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1 Silver Cross and lost that child because
2 you were waiting on train or trains, I'm
3 sure you'll agree, putting as few trains as
4 possible on at-grade crossings would be
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5 considered the only choice.

6 Village Station, a proposed
7 trans-oriented development of 225 acres,
8 1,000 residential units with an estimated
9 population of 2500 is located less than
10 one-quarter mile from the E&E. This is
11 just one of several large parcels of
12 property with commercial and residential
13 approval that is south of the tracks. We
14 have hundreds of existing homes and a brand
15 new high school proposed to open in fall of
16 '09. They are also within the quarter
17 mile. I am sure you will agree that that
18 is concerning.

19 Please reconsider the
20 implications that this is for the greater
21 good of the transportation industry. As a
22 Board member, resident, mother,
23 grandmother, I know this acquisition will
24 leave our community of New Lenox, as well

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1 as many others, with an enormous safety and
2 financial burden and impact the quality of
3 life and sense of security that we now
4 have.

5 I respectfully urge you to look
6 deeply at this acquisition and not
7 compromise the ability to protect and serve
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8 our community. The value of our homes may
9 be in jeopardy just by the economics of our
10 country today.

11 As a trustee, I cannot justify
12 any reason to support this acquisition
13 without appropriate funds or assurances
14 that protect our community and maintain our
15 quality of life.

16 Thank you.

17 MS. TARCZAN: Tim Baldermann, Brian
18 Horvath, John Considine.

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1 MR. BALDERMANN: Good evening. My
2 name is Tim Baldermann. I'm the Mayor of
3 the village of New Lenox.

4 When I was first told the
5 Canadian National was looking to acquire
6 the EJ&E, we agreed to sit down with
7 representatives from Canadian National
8 and see exactly what their plan was.
9 Obviously, I was very concerned about the
10 amount of train traffic that was going to
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11 increase through our community but still
12 was willing to sit down and ask them what
13 they were going to do to help us with
14 this situation.

15 I was very disappointed to find
16 out that even initially they were not open
17 to doing very much. When they talked about
18 at-grade crossings -- and we have five in
19 our community, all of them are at-grade --
20 they stated that they would contribute,
21 perhaps, 5 to 10 percent of the cost,
22 perhaps, for maybe one or two of the
23 crossings. They said the rest of that
24 funding should come from the State

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1 government or from the Federal government.
2 What turns out, as you know, in
3 this State and in this country, there is no
4 funding. We have major road projects that
5 are going on in our community. We are
6 about to lose millions of dollars of
7 Federal funding because the State can't
8 pass the Capital Bill and can't match those
9 funds. Therefore, it falls back on the
10 taxpayers of the Village of New Lenox.

11 What I also find interesting is
12 that when I'm dealing with the Department
13 of Transportation and we're looking at 20
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14 or \$30 million worth of roadwork near our
15 mall development sites on the north side of
16 town, they require us to build those roads
17 to the standards set for the year 2030.
18 It's on us to pay for those improvements
19 because there are no state funds. Why is
20 it that this foreign company can come in
21 and not have to look at the projected
22 population up to 2030 in our community?

23 New Lenox currently has a
24 population of approximately 25,000 people.

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1 It has a projected population in the year
2 2030 of 100,000. Yet, looking at the
3 impact, we don't make the grade, according
4 to the Canadian National.

5 I'll leave you with one other
6 story. I'm not only the Mayor of New
7 Lenox, I'm the chief of police in another
8 community, and I've been in law enforcement
9 for 21 years. On two occasions, I had an
10 issue with trains and safety of citizens.
11 The first one was responding to a
12 nine-month-old baby that wasn't breathing.
13 I happened to make it through the crossing
14 as the gates went down, unfortunately the
15 ambulance was behind me and did not get
16 there. That child did not survive. On
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17 another occasion, I was headed over to a
18 call of someone that was trying to enter
19 into a home, peering through windows and
20 trying to enter into a home. I couldn't
21 get there because the train was stopped.
22 What I ended up doing was walking down the
23 train tracks looking for a dead body that
24 night and never got over to that call. So

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1 public safety is truly an issue as well.
2 Thank you for your time.
3 MS. TARCZAN: Brian Horvath, John
4 Considine, Robert Olson.

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1 MR. HORVATH: My name is Brian
2 Horvath. I'm a resident of Mokena, and I
3 am representing a newly developed area
4 called The Bridges of Mokena townhomes,
5 which is just located west of 116th Street,
6 and it runs adjacent to the tracks.
7 The Bridges consists of 58
8 townhomes, 125 single-family homes, which
9 is currently halfway through the phase of
10 completion.
11 Our concern, first and foremost,
12 is the safety of the residents in our
13 community and all the communities that will
14 be impacted by the sale or lease of the
15 tracks to Canadian National. With the
16 estimate of over 400-percent increase in
17 train activity comes the added risk of
18 derailments, pedestrian and vehicle
19 accidents, transportation of hazardous
20 cargo, both noise and air pollution, and
21 the delay in response times of emergency
22 vehicles due to the blocked crossings, not
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1 not Class 1 superhighway trains.
2 Without any crossing gates,
3 noise-dampening sound barriers, horn
4 restrictions, and with the questionable
5 safety record of Canadian National Rail
6 Company, we have good reason to be
7 concerned, especially with the middle
8 school one-half mile to the south of the
9 tracks and the Old Plank Trail bike trail
10 one-quarter mile to the north.
11 The Bridges of Mokena presently
12 is a quiet and peaceful community, and now
13 Canadian National wants to destroy our
14 dreams and our aspirations for their
15 financial gain.
16 So, in closing, I am asking you
17 to help us avoid this tragedy. Thank you.
18 MS. TARCZAN: John Considine, Robert
19 Olson, Jack Lanigan.
20 John Considine, Robert Olson,
21 Robert Olson, Jack Lanigan.
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23 to mention the daily congestion that this
24 will add to the public for commuting back

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1 and forth to work, school, church, and
2 other activities.
3 The proposed plan will devastate
4 the growth and diminish the quality of
5 life, severely impact the property values,
6 adding the extra threat of disaster and
7 tremendously elevating the risk of
8 accidents.
9 My wife and I, as well as all of
10 our neighbors, purchased our townhomes
11 within the past two years knowing that the
12 rail nearby was in operation approximately
13 6 times a day. This proposed plan will
14 increase the numbers to a minimum of 28.
15 That's more than one per hour, a number no
16 community should be burdened with. Like my
17 neighbors, we carefully considered this
18 before we invested our equity and savings
19 of 30-plus years. We purchased our home
20 because we sought a community that would be
21 conducive to retirement living. The
22 railroad tracks did precede our community;
23 however, communities build up knowing the
24 ramifications of Class 2 regional railways,
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1 MR. LANIGAN: Good evening, ladies and
2 gentlemen. My name is Jack Lanigan. I am
3 the founder and chairman of the board of
4 Mi-Jack Products. I am also on the board
5 of the Southland Development Corporation,
6 promoting businesses to relocate to the
7 south Chicagoland area.
8 Mi-Jack came to Hazel Crest 35
9 years ago with 18 employees. Today,
10 worldwide, we have approximately 3,000
11 employees. In the southland area we have
12 over 1,000 employees from ITS, Mi-Jack,
13 Greenfield Products, QSales and Leasing,
14 and Payton Equipment in Riverdale.
15 The reason I have outlined our
16 company's affiliations is to illustrate our
17 dedication to the southland area and how
18 vital it is for all of our employees who
19 work in the southland area.
20 Mi-Jack manufactures and
21 distributes gantry cranes used by the
22 railroads and ports for transloading
23 containers through four regional operation
24 headquarters, five sales offices. We also

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1 operate over 60 intermodal terminals
2 throughout the country.
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However, I am here today to talk about the benefits of this transaction and what it will create for the economy through the Chicago regional. Industries served by the CN and other major railroad carriers throughout the region will benefit from the reduction in congestion. Remember that word, "congestion," because pretty soon if we don't clear out the congestion, we won't be able to do anything, not even go to work. So what I'm trying to outline here is the benefits that the CN will no longer be operating some of the tracks that will relieve some of the congestion.

The impact of reducing rail congestion will get our products delivery faster to our customers, get paid faster, and through positive cash flow for maintaining our payroll.

All shippers will benefit from the improved flow of the rail network as well. We ship or receive over 3,600 parts

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for manufacture and maintenance each year in our Hazel Crest facility, and transit time on this trip traffic will reduce our regions and will be very, very efficient.

What I'm trying to point out

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here is that the probability and the dependability of traffic going from one area to another area will really relieve our managers' inventory, showing faster delivery, and actually put a profit to maintain our manpower.

CN is as much a U.S. company as a Canadian. U.S. financial institutes and shareholders own 50 percent of CN. CN's headquarters is in Homewood. They have a payroll of \$97 million, so let's set the record straight.

MS. TARCZAN: Bill Lamb, Robert Donaldson, Bill Lamb.

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MR. LAMB: My name is Bill Lamb. I am a trustee for the village of Plainfield.

My personal review of the draft Environmental Impact Statement is that a serious effort was made to analyze the issues that arise with this particular minor transaction.

Unfortunately, this proposed

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acquisition by Canadian National will truly have a major impact on the quality of life of residents. The reason is the very significant increase in the number and length of freight trains rolling along the tracks without any serious commitment by CN to mitigation.

Also seriously impacted are the many commuters who must pass over the various at-grade crossings as they head daily toward the expressways serving the Chicago metropolitan area.

Plainfield and surrounding towns have experienced explosive population growth in recent years. As a result, massive improvements in the regional road

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system are already overdue because the infrastructure engineering design takes time, and the funds are just not available to handle all of the sorely needed projects. With so many at-grade E&E crossings, 16 alone in Plainfield, any significant decrease in the amount of time cars, school buses, and trucks can move over the tracks compounds an already serious problem.

Considering the current

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situation, it is crucial that several important at-grade crossings be converted to above grade to facilitate the efficient movement of residents and emergency response teams throughout the region.

There is considerable information available to project the severity of the problem. For example, a state representative testified earlier this week at a conference in Washington that Des Plaines has three Class 1 railroads passing through town, and most crossings are at grade. She noted that the rail

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traffic and at-grade crossings made it practically impossible to move around town. In addition, she indicated that they have been unsuccessfully seeking mitigation help for almost 20 years. My guess is that the towns along the E&E line will see the same result if mitigation is not required as part of the acquisition approval.

Looking towards the future, I believe that high fuel costs will ensure that railroads have a bright future in moving people and freight. Thus, it is important that the Chicago area embrace railroad growth. One important step in

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16 this direction would be to have Canadian
17 National make a firm commitment to assist
18 in developing the STAR line along the E&E
19 tracks.
20 To accommodate the
21 often-mentioned growth in freight traffic,
22 we all should support CREATE. From my
23 perspective, this is the only effort so far
24 that has the potential to provide the rail
infrastructure that will be needed to move

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1 massive amounts of freight efficiently.
2 In closing, I believe the
3 Surface Transportation Board needs to make
4 sure the Environmental Impact Statement is
5 based on the best available information and
6 that the STB staff takes the time needed to
7 properly assess the major impact of this
8 proposed acquisition. Thank you.
9 MS. TARCZAN: Robert Donaldson, John
10 Bauer, Margretta Boersma.
11 Robert Donaldson, John Bauer,
12 Margretta Boersma.
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1 MS. BOERSMA: Good evening. My
2 comments are more on a personal level.
3 MS. TARCZAN: I am sorry. Can you
4 state your name and move closer to the mic.
5 MS. BOERSMA: My name is Margretta
6 Boersma, and I represent the homeowner's
7 association of Gateway Parks at Route 45 at
8 Steger Road in Frankfort Township. We are
9 just a little south of the Town of
10 Frankfort.
11 As a community, we support and
12 stand behind Mayor Jim Holland and the Town
13 of Frankfort and all of its concerns. We
14 are a community of 450 homes of seniors, 55
15 and older. Our concerns are the ability of
16 the medical ambulance and so forth to get
17 in and out of our community and get us to
18 hospitals when it's necessary. There's not
19 too many roads that we can either get to
20 St. James in Chicago Heights or Olympia

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22 Fields or in Joliet, Silver Cross.
23 The other concern we have is in
24 case of an accident on the train tracks, it
would be the hazardous materials that could

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1 be in there. The safety of the viaduct at
2 Route 45, north of Laraway, when I go
3 through there sometimes, I look at that
4 trestle and I think I hope there is no
5 train going over it, because it doesn't
6 look like it would hold up very long under
7 a lot of train traffic.
8 And the other thing is from our
9 area, there are about eight roads that go
10 into the Frankfort area, and Frankfort is
11 really our lifeline from where we live, and
12 out of those eight roads, only Route 45 has
13 a viaduct. Every other road is a grade
14 crossing, a street-level crossing.
15 Those are the concerns that we
16 have in our community of 450 homes, and I
17 thank you for your time.

18 MS. TARCZAN: Matt Ciboa, Jeff
19 Valenti, Terri Wintermute.
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1 MR. CIBOA: Hello. My name is Matt
2 Ciboa. I am a concerned homeowner of
3 Plainfield, and it's pretty sad when you
4 hear the name "profit." I guess that's
5 always the point, isn't it? You know, it's
6 getting real tough to live nowadays. With
7 all the issues that Chicago and the
8 suburbs, with everything that's going on,
9 you know, the quality of life is really
10 diminishing, and let me think for a moment.
11 I am going to go off base here, but it's
12 going to lead up to the point I'd like to
13 make. You know, with Chicago ranked third
14 for the worst traffic and construction
15 congestion in the nation, Chicago ranked
16 first in air traffic congestion, Chicago
17 has the highest taxes, Chicago has the
18 highest fuel taxes, and now we are looking
19 at major train increased congestion, it's
20 more than we can fathom.
21 Nobody can put a number on how
22 much we.
23 will lose in home values, fuel
24 consumption, time, the cost of life away

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1 from work and our families. This is much
 2 more than we are talking about an
 3 acquisition here. It goes way beyond this.
 4 A year ago, I actually looked at some
 5 houses in Oswego, Montgomery, Plainfield,
 6 Naperville, and I'll tell you what, there
 7 are some houses against tracks, great
 8 deals. It was hard to pass up, and it went
 9 right into my head, noise, vibrations,
 10 whistle blows. I passed.
 11 So the fact is already there.
 12 Nobody knows at what point and how much.
 13 This goes way beyond anybody's knowledge,
 14 studies, predictions on how it's going to
 15 affect all these communities. I would say
 16 deny any forward movement on this
 17 acquisition until further studies.
 18 Communities were built with train flow in
 19 mind of being acceptable, and now Canadian
 20 Railway wants to change that. We are not
 21 talking a few trains. We are talking big
 22 numbers. I have a solution to this: They
 23 expand somewhere else. Thank you.
 24 MS. TARCZAN: Jeff Valenti, Terri

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1 Wintermte, John Petrosky.
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1 MR. VALENTI: My name is Jeff
 2 Valenti, and I am a resident of Plainfield.
 3 I thought I would come out today to support
 4 the people of my town. You know, I'm new
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5 to this. I didn't know much about this
 6 topic, but I sit here and listen to what's
 7 being discussed and I hear about toxic
 8 railroad products. I hear about pollution.
 9 I hear about delays. I hear about injury
 10 to people. I hear about officials that are
 11 much more knowledgeable about this topic
 12 talk about their experiences with being
 13 stuck behind a railroad track with an
 14 infant that dies.
 15 And every day I see things that
 16 I have slip away. I see less money in my
 17 pocket. I see less value to my home. I
 18 see less value to communities and to the
 19 towns and to the shops and to the
 20 businesses that were once there, and I
 21 think, you know, how much more will it be
 22 that the bigger guy gets more and the
 23 little person suffers? You know, that's
 24 just a feeling that I see every day now,

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1 and it seems like this kind of -- this
 2 merger would benefit a lot of people at the
 3 top, and most of the people in the
 4 communities would have devastating effects
 5 to their livelihood, to their lives, and I
 6 think that when you're taking into
 7 consideration the people and their lives
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8 and their livings to go to work and their
 9 safety, it's all -- I think you should give
 10 more weight to that. You should look at
 11 that as being the most important thing is
 12 that if you don't have a community that can
 13 function, you don't have anything, and
 14 that's what I have to say.

MS. TARCZAN: Terri Wintermute, John
Petrosky, Ken Miller.

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1 MS. WINTERMUTE: Good evening. Thank
 2 you for hearing my concerns about the
 3 proposed sale to Canadian National. My
 4 name is Terri Wintermute.
 5 I live on the far west side of
 6 Bolingbrook where it meets the communities
 7 of Plainfield and Naperville.
 8 As a retired, tenured member of
 9 the Will County Board, where I chaired
 10 their land-use committee and was also the
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11 county's representative to the Northeastern
12 Illinois Planning Commission, I have
13 reviewed many land use and transportation
14 plans over the years, and I have quality of
15 life, traffic, and safety concerns about
16 this proposal.
17 The proposed increase in rail
18 traffic will negatively impact the quality
19 of life in an area where the average
20 one-way commute to work for the average
21 person is already 35 minutes. If you study
22 from the U.S. Census Bureau, you will see
23 that is one of the largest commutes,
24 longest commutes, in the entire United

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1 States. More congestion will not be good
2 for our communities. Our roadway system is
3 already taxed to the max from the years
4 when Will County was the fastest growing
5 county in the State of Illinois and the
6 14th fastest growing county in the entire
7 United States.
8 Additionally, the number of
9 at-grade rail crossings and an increase in
10 rail traffic creates an increased safety
11 concern, not to mention the increase in
12 hazardous materials that will be traveling
13 on rail lines through residential areas.
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14 You also need to know that not
15 all first responders in these communities
16 will have the necessary training nor the
17 necessary equipment to prepare them for a
18 haz.mat. emergency that they will have to
19 respond to.
20 Communities such as Joliet and
21 Plainfield will also find their emergency
22 service facilities and personnel dissected
23 by rail traffic.
24 This is not a good transaction

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1 for our communities. I urge you to not
2 approve it, and, if you must, there would
3 be severe mitigation that would be
4 required. Thank you.
5 MS. TARZAN: John Petrosky, Ken
6 Miller, Dick Furstenau.

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1 MR. PETROSKY: Good evening. My
2 name is John Petrosky. I'm a resident of
3 the village of New Lenox. I speak, I
4 guess, not only for myself, but my wife
5 and children and also for my in-laws, who
6 are in the audience, but we'll get back
7 to them in a moment.
8 This, first of all, as you
9 say, is not about Not In My Backyard.
10 The tracks are already there. This is
11 about being a good neighbor.
12 We understand about the need for
13 railroads. We all use the services that
14 they carry, either directly as consumers or
15 indirectly as they service industries that,
16 in turn, take care of us. That's why we
17 make accommodations. They were there when
18 we moved in, we accommodated them.
19 However, it seems unreasonable that we
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20 should be accommodating a 400 percent
21 increase in traffic on these rails and pay
22 for it ourselves with taxes, especially
23 when the City and surrounding areas already
24 have infrastructure in place to handle this

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1 traffic, even if it means putting the rail
2 traffic through industrial areas and so
3 forth.
4 At the local level, Zoning
5 Boards and the like regulate growth, which
6 Will County is seeing a lot of. They
7 balance the interests of the public and the
8 individuals. Likewise, it seems to me that
9 that is the responsibility of the STB, to
10 balance the interest of the company that
11 stands to make a lot of money off this deal
12 versus the interest of the individuals that
13 it affects, who get nothing but increased
14 opportunity for death, destruction, and
15 other negative impacts.
16 On a personal level, I'm making
17 a few examples. The entrance to our
18 subdivision as it stands now is already
19 blocked by traffic from stopped trains.
20 Imagine what would happen when this traffic
21 dramatically increases. Likewise, increase
22 in idling cars just outside of our
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23 neighborhoods where our kids play will
24 undoubtedly effect air quality.

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1 As other folks have indicated,
2 the tracks in New Lenox split -- split the
3 community in half but also families. My
4 in-laws live, unfortunately, on the wrong
5 side of the tracks, even though their house
6 is much nicer than mine. I would like to
7 imagine my kids when they get older walking
8 or riding their bike to see grandma and
9 grandpa. Not with a 400 percent increase
10 traffic. I care deeply about them, and I
11 cannot imagine them, their house on fire;
12 an intruder in their house while they wait
13 for emergency services sitting on a train
14 track, and that's why I have to take it to
15 the Board personally.

16 Why don't you move into our
17 community? It's a great place until the
18 trains come, but you have to live on the
19 south side. And you, sir, your house might
20 be on fire while a fire truck sits at a
21 railroad track. You, ma'am, you may have
22 an intruder in your house, and while the
23 cops sit at the railroad tracks, your
24 intruder becomes an attacker. That's what

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1 we have to look forward to while CN reaps
2 the profits.

3 MS. TARCZAN: Kenn Miller, Dick
4 Furstenau, Kirk Zoellner.

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

5 Thank you for allowing me to
6 speak. The Draft EIS does not adequately
7 speak to the impacts to our community in
8 critical areas such as noise, hazardous
9 materials, traffic delay, potential
10 demise of the STAR line, and safety risk
11 as well as impacts to emergency service
12 providers, school districts, and to our
13 property values. The prospect of rail
14 traffic growing from 15 trains per day to
15 more than 40 per day with 100- to over a
16 125-car trains almost immediately after
17 the acquisition is an action that
18 requires a much more in-depth look of
19 these factors as well as some level of
20 examination what might occurred in 10 to
21 20 years.

22 A significant area of concerns
23 as well is that the Draft EIS does not
24 include structured emergency response that

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1 detail how CN will respond to emergencies
2 involving specific hazardous materials.

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3 Even more importantly, the Draft EIS does
4 not conform to the 2008 emergency response
5 guide, which recommends an evacuation
6 distance of one mile or more for chemicals
7 such as anhydrous ammonia. The Draft EIS
8 cites that they will only identify schools
9 in a one-half mile buffer around the E&E
10 right-of-way. This needs to be corrected
11 in order to ensure our community's safety
12 with this proposed increase in hazardous
13 waste materials traveling through our
14 communities.

15 Additionally, the Suburban
16 Transit Access Route, or STAR line, is a
17 solution to traffic problems that cannot be
18 solved by merely continuing to build roads.
19 The commuter rail service would connect
20 more than 100 communities and link 1.6
21 million residents from the north, south,
22 and western suburbs of Chicago.

23 With the price of gasoline at an
24 all-time high, commuters need a cost

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1 effective alternative, like the STAR line,
2 to connect their home and workplace.
3 without access to the E&E tracks, the STAR
4 line will be derailed and millions of
5 regional commuters will have no option but

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7 to use their cars to travel from suburb to
8 suburb.

9 There are serious questions
10 about the financial and logistic
11 feasibility of the STAR line if the CN's
12 acquisition of the E&E is approved without
13 STB requiring CN to allow commuter trains
14 to operate on the rail line.

15 The CN has given us no assurance
16 that it will accommodate the planned STAR
17 line accommodations.

18 In addition to the negative
19 impact on commuters's pocketbooks,
20 taxpayers will also pay a price should the
21 STAR line not be built. Many communities,
22 including Naperville and Plainfield, have
23 already purchased more than 100 acres of
24 land and invested tens of millions of
dollars preparing for the STAR line.

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1 Not only has the City of
2 Naperville invested \$8 million but more
3 businesses and residents have made their
4 similar investments based on the future
5 STAR line.

6 The City of Naperville requests
7 that the STB impose some mitigation to
8 ensure that the financial impacts of the
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10 proposed acquisition to the STAR line are
11 not borne by the communities, State of
12 Illinois, or Metra.

13 And to answer Mr. Lanigan of
14 Mi-Jack, reducing congestion in Chicago and
15 moving it to the suburbs is no improvement.

16 Thank you.

17 MS. TARCZAN: Dick Furstenau, Kirk
18 Zoellner, Ethan Bueno De Mesquita.

19 Dick Furstenau?

20 Kirk?

21 MR. ZOELLNER: Yes.

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1 MR. ZOELLNER: I'm Kirk Zoellner,
2 Village of Mokena -- representing the
3 village of Mokena.

4 In our opinion, the Final EIS
5 needs to broadly address the following:
6 First, review alternatives for relieving
7 rail congestion in the Chicagoland area
8 other than CN's proposed shipment of huge
9 volumes of rail traffic from existing
10 trackage to the E&E. More specifically,
11 we feel that the EIS should reconsider
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13 the create alternative as a comprehensive
14 solution to the problem.

15 Secondly, assess realistically
16 the ability of taxpayers to fund the
17 mitigation recommendations contained in the
18 DEIS as well as other mitigation measures
19 citizens throughout the region may demand
20 should CN's proposal ultimately be
21 approved. We believe the environmental
22 impact of the proposed transaction on the
23 region will be far greater than implied in
24 the DEIS, given the scarcity of the
Federal, State, and local government

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1 dollars to enact mitigation measures.

2 Thirdly, reevaluate the list of
3 substantially affected crossings included
4 in the DEIS. The limited time length
5 projection of ADT counts in the DEIS on
6 those roads crossing the E&E at grade
7 level, in our opinion, fails to adequately
8 consider the probable prospect of increased
9 vehicle traffic on the roads and increased
10 freight traffic on the E&E over the next
11 20 years, given current population growth
12 patterns and every increasing volumes of
13 freight traffic on the rails.

14 Now, on a more specific basis,
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16 we'd ask the STB do the following in the
17 Final EIS.

18 First, take a harder look at
19 specific impacts on noise on residential
20 homes located along the E&E that might be
21 associated with larger and much more
22 frequent freight traffic on the line.

23 Secondly, require CN to pay for
24 the installation of berms or noise walls in
areas where E&E trackage lies within the

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1 projected 65 dba weighted daily average
2 contour line for residential areas as a
3 condition of approval for CN's acquisition
4 of the E&E. Such noise barriers are
5 necessary to help protect the property
6 values of these residential areas. We
7 believe it's unfair to ask Mokena residents
8 with homes near the E&E to simply absorb
9 the negative physical and economic impacts
10 that will be imposed on them if this
11 transaction is ultimately approved.

12 Third, take a harder look of the
13 negative impacts on safety and traffic
14 congestion at at-grade crossings that would
15 be associated with this quadrupling of
16 freight traffic on the E&E in our area.

17 Finally, require CN to pay for
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the necessary crossing improvements,
19 including grade separations or either quad
20 gates or barrier medians as a condition of
21 approval for the acquisition. with
22 specific respect to Mokena and its at-grade
23 crossing on Wolf Road, we believe the
24 installation of barrier medians to be the

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1 minimum acceptable crossing improvement.
2 Thank you.
3 MS. TARCZAN: Ethan Bueno De
4 Mesquita, Mayor Jim Holland, Senator Linda
5 Holmes.
6 Ethan Bueno De Mesquita.
7 Mayor Jim Holland.
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1 MAYOR HOLLAND: Heather and fellows,
2 my name is Jim Holland. I'm the mayor of
3 the Village of Frankfort.
4 Tonight in the short time I
5 have, I will only bring up one issue for
6 you to consider. I ask this Surface
7 Transportation Board to require the final
8 EIS to take a hard look at the issue of
9 who should pay for mitigation. The Draft
10 EIS suggests STB might require the CN to
11 pay only 5 to 10 percent of the cost of
12 overpasses and underpasses that are
13 needed. The CN expects the United States
14 taxpayers to pick up the bill for the
15 bulk of this cost. Why should the United
16 States taxpayers subsidize this
17 exceptionally profitable railroad?
18 A hard look at the cost of
19 financing mitigation would show that the
20 logical source of funds is the applicant,
21 the CN, the entity that stands to gain the
22 most from this transaction, and that is
23 what the Final EIS should state.

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If the CN had to pay for the

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1 overpasses and underpasses, the CN would
2 find it cheaper to follow the suggestions
3 of the Create organization that has made
4 proposals to correct rail congestion in
5 Chicago.
6 They would also find it cheaper
7 to build a whole new railroad further from
8 the Chicago suburbs out in the rural areas.
9 Either of these programs could
10 completely solve the Chicago rail
11 congestion problem for all railroads, not
12 just this one railroad, but, instead, the
13 CN believes it can get the United States
14 taxpayers to subsidize their purchase of
15 the J, and so they proceed with this plan,
16 even though it just moves a problem from
17 Cook County to the collared counties.
18 It seems almost absurd for the
19 taxpayers to help the CN when we consider
20 the CN's China strategy. The CN recently
21 built a new container port in Prince
22 Rupert, British Columbia. This port is
23 closer to China than ports in the United
24 States. The CN hopes to run 200 car trains

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1 from this port through the suburbs of
2 Chicago to the CN's intermodal terminal in
3 Memphis. Take a hard look at the fact that
4 tax subsidies for items such as overpasses
5 and underpasses will help the CN take jobs
6 away from United States citizens who work
7 for United States ports and for United
8 States railroads.
9 In addition, these tax subsidies
10 will help reduce the transportation costs
11 and products made in China, making United
12 States manufacturers less competitive. A
13 tax subsidy for the CN is detrimental to
14 United States citizens.
15 It can be corrected by having
16 the STB order the CN to pay for mitigation
17 such as overpasses and underpasses instead
18 of the United States taxpayers.
19 Thank you.
20 MS. TARCZAN: Linda Holmes, Nancy
21 Dye, Pam Helse Hoffman.
22 Ladies and gentlemen, please
23 come to order.
24 Senator Linda Holmes.

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1 Nancy Dye.
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1 MS. DYE: I'm Nancy Dye. Like the
2 greater majority of people hear this
3 evening, I'm opposed to CN. The trains are
4 a-comin', they're multiplying. Emergency
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vehicles are waiting. Is a house burning?
Is there a child or someone who is deathly
ill and needs medical attention?
In New Lenox, trains will
increase from 8 to 30 or more trains per
day. In addition to the emergency
concern that I have, air quality as well
as hazmat and noise control also exists.
I have to echo what Mayor
Holland just said. Unless CN is going to
pay or fund the mitigation for
infrastructure changes when it's going to
realize revenues, the STB should not
approve this acquisition of the E&E. With
all due respect, it is absolutely ludicrous
for CN to expect taxpayers and the State
and Federal governments to contribute any
funds.

I implore the STB to ask CN for
a list of all the funds that they're going

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1 to give to the affected communities before
2 any affirmative decision is made.
3 Thank you.

4 MS. TARCZAN: Pam Hoffman, Rick
5 Ryfa, Arthur Reis.

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1 MS. HELSEL HOFFMAN: My name is Pam
2 HelseL Hoffman. I'm president of the Crete
3 Rural Park District, and I'm also a
4 candidate for the Will County Board from
5 District One, which is the extreme
6 easternmost portion of Will County.
7 How does the acquisition of
8 the E&E by Canadian National affect
9 people living in the eastern portion of
10 Will County? whenever there is a
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community on one side of a railroad track
with a hospital on the other side, it
alters response time of emergency medical
service providers.
People living in the Crete and
Beecher areas who might normally travel
down Route One to reach St. James Hospital
in Chicago Heights would be delayed by
increased train traffic on the E&E tracks
in Chicago Heights. Emergency vehicles
would need to take longer alternate routes
to reach St. James's emergency facilities.
Frankfort village also has six grade
crossings in their community that would

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1 pose a similar problem for their emergency
2 vehicles and would affect school bus
3 traffic as well.

4 Additionally, only 5 to
5 10 percent of the cost of grade crossing
6 mitigation is traditionally covered by the
7 railroad. Federal, State and local
8 government pays the bulk of the cost for
9 grade crossing separations. Thus, a
10 foreign company will reap profits at the
11 expense of American taxpayers.

12 Some argue that Canadian
13 National's purchase of the E&E tracks
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14 would relieve train traffic congestion into
15 and out of Chicago and that it would
16 benefit the communities near Chicago --
17 MS. TARCZAN: Try this.
18 MS. HELSEL HOFFMAN: Should I start
19 over?
20 Some argue that Canadian
21 National's purchase of the EJ&E tracks
22 would relieve train traffic congestion into
23 and out of Chicago and would benefit those
24 communities near Chicago. However, that

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1 relief would be short lived because other
2 trains would eventually fill the void
3 vacated by Canadian National.
4 There are many other issues to
5 be considered such as noise, pollution,
6 transportation of hazardous materials, et
7 cetera, but due to time constraints, I
8 cannot go into that.
9 I thank you for letting us voice
10 our opinions tonight at this public
11 hearing.
12 Thank you.
13 MS. TARCZAN: Since we have one
14 microphone down, if the speakers could
15 please use the microphone that's to the
16 right of where you're seated.
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17 Rick Ryfa, Arthur Reis, Thomas
18 Venskus.
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1 MR. RYFA: My name is Rick Ryfa. I am
2 the town council president in Griffith,
3 Indiana. The Town of Griffith will be
4 submitting a comprehensive response to the
5 Environmental Impact Study. Tonight I just
6 want to highlight a few areas where the
7 impact study was deficient, and I am also
8 making a request that the Surface
9 Transportation Board hold additional
10 hearings, one of which will be located in
11 Griffith at a venue provided by the Town of
12 Griffith.
13 while I agree with the
14 recommendations from the impact study that
15 suggest mitigation is needed at three of
16 our at-grade crossings and two of our fire
17 stations, I feel that the study falls
18 terribly short in fully assessing the
19 damage that will be done to our town if the
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20 proposed merger goes through.
21 The study fails to mention that
22 the EJ&E tracks traverse through our entire
23 length of town through a very densely
24 populated residential area which, given the

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1 increased length of trains, will
2 essentially cut our town in half.
3 Griffith will experience a
4 tremendous increase in noise pollution.
5 Hundreds of residents will literally be
6 woken up from their sleep every night with
7 the train whistles.
8 we see an immediate decrease in
9 property values and an increase in
10 hazardous waste risk at the proposed
11 connecting station.
12 Broad Street will be gridlocked,
13 as will 45th Avenue.
14 We have 4 schools within
15 one-quarter mile of the EJ&E railroad
16 tracks, as well as 15 schools and parks
17 within 1.5 miles of the railroad tracks.
18 These issues must be addressed.
19 The study also stated that our
20 police department would be generally
21 unaffected because they are considered
22 mobile. while, in theory, this sounds
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23 reasonable, locally we have determined that
24 a minimum of one extra police squad would

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1 be required to be on streets at all times
2 to maintain the same level of protection we
3 currently provide our residents. This is
4 another issue that must be addressed.
5 In closing, I recognize there
6 are benefits the reorganization will bring
7 to many parts of North America; however,
8 the cost of the present proposal will
9 disproportionately burden the Town of
10 Griffith and the communities represented
11 here in such a manner that the gains do not
12 outweigh the injustice of all our
13 communities' losses combined.
14 MS. TARCZAN: Arthur Reis, Thomas
15 Venskus, Margie Bonuchi.
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1 MR. REIS: Good evening. My name is
2 Art Reis, and I am a resident of the
3 Village of New Lenox for the last 25 1/2
4 years, and I have seen both the -- we have
5 three railroad lines running through town,
6 the Norfolk and Southern and the Chessie
7 Rock Island in addition to the EJ&E.

8 Unlike most of you, I am not
9 against the merger or the replacement or
10 the acquisition of the rail line by EJ&E,
11 but there are conditions, and many of them
12 have already been raised in this meeting.
13 The mitigation issue is key. It is
14 supreme.

15 Understand that I don't believe
16 "profit" is a dirty word. However, I do
17 believe in giving back to the communities
18 that you serve, and being that the railroad
19 does make at least a 25-percent profit on
20 what they are doing, according to the
21 figures I've received, and the tax
22 structure, which is beyond the scope of the
23 STB hearing, is very much in favor of the
24 railroad and needs to be mitigated at the

1 state level, do you realize they only pay
2 \$4,068 per township for the trackage value
3 that they have. That's less than I pay in
4 my own property taxes. Give you a clue?
5 Start there.

6 But I believe that the STB must
7 make it a point that the railroad is to
8 mitigate, as many of the speakers have said
9 here, for the improvement which will be
10 needed, and there will be improvements
11 needed in every community that they cross.

12 Now, every 50 minutes seems like
13 piking to me. I work in Hammond, Indiana,
14 and anybody who is over here from over
15 there knows what the Chessie system line
16 does to Calumet Avenue. They have got a
17 train running through every 15 minutes,
18 which is ridiculous, but it could be
19 mitigated with having the tracks moved up
20 or the streets moved down. Whatever it is,
21 the railroad needs to pay for it.

22 We don't have the money. The
23 collar counties only get 30¢ back for every
24 dollar they send to Springfield, and in the

1 United States of America we only get 70¢
2 back for every dollar that the State of
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3 Illinois puts into the federal coffers.
4 Something needs to be done about that, but
5 I think the issue should start with the
6 railroad. They should give back to the
7 communities that they are doing -- I don't
8 think that the railroad is a bad thing.
9 The future of this country is going to be
10 more railroad oriented than you think, and
11 the lifeblood of any community is the
12 ability of them, of the transportation
13 network, to work. That includes roads,
14 railroads, and airports.

15 We just lost our airport in New
16 Lenox that could have been developed into
17 an economic benefit for the community. The
18 railroad could be, too, with factories
19 coming in, light industry using railroad
20 sidings, hiring workers, local workers, not
21 having to need that much of road.

22 I understand what happens when a
23 railroad cuts a community in half. I get
24 it; but it's going to have to be mitigated

1 by the railroads and not by us. Thank you.

2 MS. TARCZAN: Thomas Venskus, Margie
3 Bonuchi, Jason Mottl, and, before we
4 proceed, I would also like to ask if
5 anybody is interested in signing up to

6 speak tonight, we will still have some
7 spots available.
8 Thomas.

1 MR. VENSUS: Good evening. Thank you
2 for the opportunity to express my opinion
3 and documentation regarding the pending
4 sale.

5 My name is Thomas Venskus. I am
6 a resident of Frankfort. I am here to
7 represent the Prestwick Homeowners
8 Association. I presently reside on

9 091108 Public Meeting
10 Aberdeen Road, which backs up 100 feet from
11 the elevated train tracks behind my
12 residence.
13 I, too, am an engineer by trade
14 and have reviewed all of the documentation
15 furnished to date by CNR's environmental
16 engineers, consultants, SEA, and HDR.
17 I am here tonight to refute that
18 the modeling information presented on the
19 contrast and topo studies is insufficient,
20 incorrect, misleading, outdated, and
21 unequivocally incomplete.
22 Modeling information indicated
23 65 decibels. This, in fact, does not
24 represent true actual readings.
Quantitative analysis of true, onsite

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1 seismic and decibel readings have not been
2 acquired nor represented truthfully; case
3 in point, decibel readings and seismic
4 studies must be acquired, first and
5 foremost, behind existing homeowners'
6 properties, schools, parks, campgrounds,
7 forest preserves, businesses, et cetera,
8 adjacent to these tracks.
9 Again, the contract studies
10 represent 65 decibels along the train
11 tracks. This, in fact, is incorrect based
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1 length and carrying more freight, what do
2 you think the decibel readings will be at
3 that time?
4 I bet they will be well above
5 the OSHA guidelines for what is considered
6 safe noise.
7 In conclusion, I ask that
8 further studies and testing be conducted
9 before this sale is even approved, and,
10 further, think about this: would you want
11 this in your community, behind your own
12 homes? I say no.
13 MS. TARZAN: Margie Bonuchi, Jason
14 Mottl.
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13 on various supporting documents that can
14 easily be obtained from the Internet.
15 Normal conversation at 2 meters is 60
16 decibels. A typical freight train is well
17 over 100 decibels at 50 feet.
18 Based on these simple charts,
19 which show various decibel readings of
20 everyday noise, the charts portrayed by CNR
21 are grossly misleading.
22 Additionally, these contract
23 studies prepared by CNR purposely do not
24 locate the proximity of residences,
businesses, schools, camps, forest

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1 preserves, parks, et cetera, in
2 relationship to the existing E&E railroad
3 tracks.
4 In the Prestwick subdivision,
5 contract sheet L1, sheet 97 of 139,
6 reflects that the residences are omitted as
7 well as locating that the tracks are
8 elevated along this section. The sound and
9 decibel readings of the trains along this
10 stretch of track is at even greater levels
11 since the natural tree buffers cannot
12 mitigate the trains' sounds. During the
13 winter when the ground is frozen and the
14 trees' foliage is not available to absorb
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1 MS. BONUCHI: Good evening. My name
2 is Margie Bonuchi, and I am a resident of
3 the Village of Plainfield. I have been a
4 resident for approximately 13 years and
5 moved to that community and loved every
6 minute of being there.
7 I am an active community
8 volunteer, and one of my assignments is a
9 member of the planning commission for the
10 village of Plainfield.
11 I am here tonight not with a lot
12 of facts and figures, as many of my other
13 counterparts have, but as a citizen who is
14 coming forward to you as a board to ask you
15 respectfully to please review the facts,
16 consider the issues.
17 I chose the middle of Plainfield
18 for my home because I wanted to be in the
19 center of everything. We are near the
20 railroad tracks. I grew up near railroad
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tracks. THIS is not a case, as someone
22 else stated, as a NIMBY situation. I'm
23 used to having them there and that's not
24 the issue; but when all of those crossings

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1 are close together the way they are in the
2 center of Plainfield, you're cutting
3 through the heart of the village.

4 That town has experienced
5 tremendous growth over the last several
6 years because of people coming to
7 Plainfield for the quality of life. They
8 have worked hard for their homes there.
9 Some have businesses there. Others commute
10 a long distance into the city, which is
11 stressful enough the way it is right now.

12 The way these trains would go
13 through and the volume of trains that would
14 stop any kind of movement in our community
15 would make that commute nearly impossible.

16 As a member of a board who many
17 times is listening to public comment and
18 public hearings, I sit where you are and I
19 hear people come to me and talk about all
20 the different things, whether a business is
21 going to open that's going to be in a
22 commercial area that backs up to their
23 home, and I have to separate out whether

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it's I just don't want that store or

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1 restaurant compared to is this really
2 detrimental? One of the criteria on the
3 planning commission is is this injurious to
4 the quality of life to existing situations
5 that are there, or wording to that effect.
6 This is truly injurious.

7 The half of the town that I am
8 on will no longer have adequate police or
9 fire protection, which is very, very
10 serious.

11 I am an administrator with the
12 school district, so as I know someone has
13 shown earlier, Plainfield School District
14 covers 64 square miles with 30,000
15 students. You can imagine, with 30
16 buildings existing today, how difficult it
17 is to move those students and traffic and
18 people commuting.

19 So, as a citizen, I implore you
20 to please look at the facts of this. Do
21 not just settle for the route of the
22 financial gain, because many times we have
23 to take the route of the citizens over the
24 financial gain in the village of

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1 Plainfield, and I ask that you make those
2 considerations here. Thank you.

3 MS. TARCZAN: Jason Mottl, Cynthia
4 James.

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1 MR. MOTTL: Good evening. My name is
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2 Jason Mottl. I am the secretary of the
3 Homeowners' Association of Stone Creek,
4 which is a collection of 110 homes on the
5 very most northern part of Joliet. Many of
6 our homes are literally within spitting
7 distance of the tracks.

8 It's been proposed of an
9 increase of approximately 24 trains just
10 running along the four major grade
11 crossings that run up to our subdivision.
12 There are two to the west and two to the
13 south, which means, literally, that only
14 the 110 homes in my subdivision that I
15 represent but literally the hundreds of
16 other homes in the immediate area, all four
17 of those crossings could be down at the
18 same time, which means I can't go south or
19 I can't go west, literally.

20 Unless the STB and CN knows of
21 four-dimensional travel where we cannot go
22 south or not go west in certain places,
23 then I'm all for it; but 24 more trains, as
24 estimated, will be blocking these

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1 intersections. That's 24 more times you
2 have to sit there and wait. That's 24 more
3 trains that are blocking your way to
4 school, your way to work, your way to
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5 church. The STB really needs to take a
6 hard look at this.
7 I lived in Joliet four years.
8 Previously most of my life I lived off of
9 another train rail line that, ironically,
10 would be lessened, or the train traffic
11 would be lessened by this merger, so it's
12 just kind of robbing Peter to pay Paul, so
13 to speak.
14 The major intersection by my
15 subdivision is Renwick Road, which
16 approximately now has 10,000 cars crossing
17 it each day, which is, if you think about
18 it, is the population of some of the very
19 communities of people who have spoken here
20 today. 10,000 cars in one intersection to
21 have an increase of 24 trains in a 24-hour
22 period is just too much.
23 I implore the STB to seriously
24 review on your final draft and take into

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1 consideration all of the comments that all
2 of the concerned homeowners have had this
3 evening, residents of communities.
4 And, please, we are not afraid
5 of progress. We are not afraid of change.
6 This is just something that really impacts
7 our life, and, in the words of our
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8 illustrious senator, CN and the STB can
9 spin this all the way they want, but, in
10 the words of our senator, it's like
11 lipstick on a pig. Thank you.
12 MS. TARCZAN: Cynthia James, Alan
13 Logsdon.
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1 MS. JAMES: Good evening. My name
2 is Cynthia James. I live in New Lenox
3 Township, and I am a special education
4 teacher for elementary students. I
5 currently live about 900 feet from the
6 railroad tracks that run just south of my
7 home.
8 In my small subdivision, it's
9 more of a country subdivision than a formed
10 subdivision. It's been there in New Lenox
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11 Township for over 40 years. All of the
12 homes, which are 122, are served by private
13 wells for their private family water
14 supplies. I know this number of 122 very
15 well because last Saturday, my daughter and
16 I hand delivered flyers to our little
17 neighborhood to implore our neighbors to
18 come to this meeting tonight. I had only
19 run off 70 copies, because I didn't really
20 realize how many neighbors I really did
21 have. We all have a private well system.
22 The concerns that I have in our
23 neighborhood are the fact -- is the fact
24 that the increased train traffic, which

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1 will not stop at 30 trains a day, it will
2 escalate. I'm sure that CN is not going to
3 increase their business and buy up
4 198 miles of train tracks just to put 30
5 more trains on them. I'm sure they will be
6 building and making more plans for more
7 trains using the easements that will create
8 more train traffic through our area.
9 With this train traffic comes
10 air and noise pollution. We know that
11 these trains use diesel fuel, and that fuel
12 leaves off an exhaust that is very toxic,
13 and when settling through the air and down
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14 into the ground, it can leech into the soil
15 and contaminate the public water supply.
16 Now, the special education
17 students that I teach are behaviorally
18 challenged. They are academically
19 challenged and emotionally challenged. How
20 many of those students that I teach every
21 day that throw chairs, spit, and do other
22 variety of unacceptable behaviors perhaps
23 have been contaminated in some way by the
24 toxic pollution that's in our air from

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1 years gone by?
2 These are small issues that reap
3 huge social outcomes in a negative fashion.
4 The points I bring to you tonight must be
5 seriously looked at and examined. Please,
6 please try to look past the bureaucratic
7 information that you're given with the
8 interests of the special-interest groups
9 and CN. There are many, many people along
10 these 198 miles. No longer is will County
11 a sleepy little county with cornfields and
12 soybean fields. There's many people that
13 will be affected by your decisions tonight.
14 Thank you for your time. Please seriously
15 look at this for us.
16 MS. TARCZAN: Alan Logsdon.
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1 MR. LOGSDON: My name is Alan
2 Logsdon. I am a 40-year resident of
3 Frankfort. I would like to thank the panel
4 here this evening for their patience in
5 listening to all of us.
6 I didn't come here prepared to
7 speak. I came here to listen and to hear,
8 and some of what I have heard has stirred
9 me to speak.
10 One of the things that I was not
11 aware of before coming here tonight, and
12 this was pointed out in the very beginning
13 of the presentation, was a parallel rail
14 line from Joliet to Frankfort, and, to me,
15 this gives opportunity, double the
16 opportunity, for backups on the grade rail
17 crossings between Joliet and Frankfort.
18 There would be two reasons to
19 have a parallel line: One would be to have
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21 two trains running very, very close to each
22 other.
23 The other would be for one train
24 to pull over and stop while the others are
passing. Either way, I see a much

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1 increased delay time for trains or for cars
2 waiting to cross at-grade crossings in that
3 area.
4 The other reason that I was
5 moved to speak was the other people have
6 spoken very eloquently this evening about
7 what they believe to be deficiencies in the
8 CN plan or in the Environmental Impact
9 Statement that has been presented.
10 I would like to take the other
11 viewpoint here, and that is we are supposed
12 to be balancing the good with the bad of
13 this proposal, and it appears that the one
14 good of the proposal that is being promoted
15 here is this reduction of train traffic in
16 the inner more areas of Chicago.
17 Well, I don't have a lot of
18 experience with the railroads, but I do
19 have experience, having lived here for
20 40 years, with roads in this area, and I
21 think traffic is traffic, and in my time
22 here, Interstate 80 was completed, and I
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24 can tell you that that has not reduced the
traffic on Route 30.

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1 I was here when Interstate 57
2 was completed to give us better access into
3 Chicago. That has not improved my ability
4 to get into Chicago. It hasn't reduced the
5 congestion on the Dan Ryan.
6 355 has been completed. That
7 has not reduced my congestion and my travel
8 time.
9 My travel time on Route 45 going
10 up to Orland continues to get worse and
11 worse, in spite of the building of better
12 highways to reduce traffic. So I ask you
13 to take that into consideration, and I
14 thank you for your time.
15 MS. TARCZAN: We have no more
16 registered speakers at this time. We
17 invite any additional commenters to
18 register now.
19 In the meantime, we invite
20 everyone to return to the open-house area
21 to review the boards or to ask questions.
22 The court reporter and at least
23 one member of the STB team will remain here
24 in the public meeting area to receive
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1 additional comments from newly registered
2 speakers, should we have any before
3 9:00 p.m. Thank you.
4 (WHEREUPON, the meeting
5 adjourned at 8:04 p.m.)
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