Appendix E

Comments Received on the Draft Environmental Impact Statement

Attachments:

E.1 Comment Letter from United States Department of the Interior

E.2 Comment Letter from United States Department of Transportation

E.3 Comment Letter from United States Environmental Protection Agency

E.4 Comment Letter from the Applicants

E.5 Comments Received From All Others on the Draft EIS (CD only)

Appendix E
Comments Received on the Draft Environmental Impact Statement

SEA received and fully considered a total of over 9,500 comments on the Draft EIS. Of these comments, over 300 were oral comments received at the public meetings held August 25-28, 2008 and September 8-11, 2008 (See Appendix D) and over 9,200 were written comments that were emailed, faxed, e-filed, mailed to SEA, transcribed from the hotline, or submitted at the public meetings.

Appendix E presents these 9,200 written comments. Copies of comment letters received from the Department of Interior, Department of Transportation, and Environmental Protection Agency are reproduced and attached to this Final EIS in Appendix E, as is the Applicants' comment letter. However, because of the volume of comments received, all other comment letters have been included with Appendix E only with the electronic version of this Final EIS in numerical order. Parties not recieiving the electronic version of Appendix E may request an electronic copy by calling the Project Hotline at 1-800-347-0689.

Tables E-1 and E-2 present the names of those who submitted comments. The tables present the individual's name and title or name of organization, and the comment number of the comment. For private citizens, the tables show the individual's name and comment number. The comment number is needed to identify the individual's comment letter. Each individual's letter has been saved as an electronic file, with a file name that corresponds to its comment number. Tables E-1 and E-2 are organized alphabetically according to the follow categories:

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

Several commenters faxed, or emailed written comments to SEA and then submitted the same comment letter by mail or messenger. When duplicate comments were submitted using different media, Tables E-1 and E-2 list the commenter name only once, but includes the unique comment numbers assigned to each submittal in the "Comment Number" column.

SEA identified over 2,000 distinct form letters submitted in the written comments. SEA is reprinting one copy of each of these form letters. The commenters who submitted form letters are included in Tables E-1 and E-2 with the parenthetical notation (*) to describe the applicable form letter that is printed in this Appendix.

Table E-1. Comments Received on the Draft EIS (inadvertentenly omitted from the Master List)		
Commenter Name	**Commenter Title/Organization**	**Comment Number**
ELECTED OFFICIALS		
Local Government		
Ashmore, Adre B.	Village President, Village of Matteson	17157
Tolomei, John G.	Village of Lake Zurich, Village President	16346
AGENCIES		
Local Government		
McFarland, Thomas F.	City of West Chicago	15311
Brinegar, Kevin	Indiana Chamber of Commerce	15612
DeGraff, Mayor	Village of South Holland	16181
PASSENGER/RAIL SERVICE PROVIDERS		
Montague, R. Latane	Amtrak	15310
ORGANIZATIONS		
Unknown	Barrington High School Tennis Team	11941

CITIZENS					
Commenter Name	**Comment Number**	**Commenter Name**	**Comment Number**	**Commenter Name**	**Comment Number**
Arata, Alyssa	12873	Henry, Gail	10382	Steffen, Mark	10792
Bolland, Wendy	15496	Johnson, Char	14157	Stirmell, Russ	17335
Brazalle, Cathy	10419	Kloos, Marguerite	14464	Thalheimer, Patsy	10776
Busekros, Eleanor	14367	Kosek, Michelle	14761	Unknown	10304
Collett, Linda	13636	Lawruk, Robert	13345	Unknown	10313
Correl, Chris	12852	Lehman, Daniel	15437	Unknown	10508
Cosgrove, Kelly	17332	Lyman, Dorothy	10321	Unknown	10611
Cosgrove, Marian	17333	Macari, Robert	15264	Unknown	10680
Cosgrove, Molly	17331	Markmann, Gregg	13739	Unknown	10775
Cumming, Karin	15350	Martin, Sandra	17338	Unknown	10790
Didulo, Sheilagh	17334	McFadden, Mary Jo	16286	Unknown	10918
Dioguardi, Charlotte	17230	McIntosh, Bruce	10796	Unknown	10925
Disalvo, Diane	13364	Meckert, Lauri	11992	Unknown	11048
Donohue, Caitlin	11004	Milne, Dawn	10799	Unknown	11074
Eastman, Mark	12957	Pull, Chuck	14136	Unknown	11108
Ellermann, Mandy	16080	Roach, Jim	11898	Unknown	11135
Ferner, C.O. “Clint”	12883	Rooth, Sandra	14107	Unknown	12893
Finney, Dennis R.	13818	Rossi, Morgan	10825	Unknown	12898
Frech, Thomas	12059	Serunen, Mary J.	14263	Vegter, Donna	13708
Gerritsen, Cindy	16963	Simond, Zoey	12618	Wilhoit, Jeff	13627
Glatz, Marvin	16630	Smith, Daniel	14562	Wisner, Paul	11507
Hagen, Michele	14104	Smith, Deb	14399		
Helle, Robert	16671	Stanker, Jean	14656		

Table E-2. Comments Received on the Draft EIS		
Commenter Name	Commenter Title/Organization	Comment Number
ELECTED OFFICIALS		
Federal Government		
Bayh, Evan	U.S. Senator	12550
Bean, Melissa	Member, U.S. House of Representatives	10229 10290 15308 15309
Biggert, Judy	Member, U.S. House of Representatives	10229 10290 14923 15309
Durbin, Richard	U.S. Senator	10067 10229 16193
Jackson Jr., Jesse	Member, U.S. House of Representatives	10291 10292
Jackson Jr., Jesse	Letters sent by Rick Bryant on behalf of the Office of Congressman Jesse Jackson, Jr.	10292
Lugar, Richard	U.S. Senator	12550
Manzullo, Don	Member, U.S. House of Representatives	10229 10290 15309
Roskam, Peter	Member, U.S. House of Representatives	10290 15071 15309
Visclosky, Peter	Member, U.S. House of Representatives	10290 12550 15309
State Government		
Cross, Tom	Member, Illinois House of Representatives, 84th District	16355
Daniels, Mitch	Governor, State of Indiana	12550 12798
Fortner, Mike	Member, Illinois House of Representatives, 95th District	15305 15862
Howard, Constance	Member, Illinois House of Representatives, 34th District	10066
Kosel, Renee	Member, Illinois House of Representatives, 81st District	10383
Miller, David	Member, Illinois House of Representatives, 29th District	12954
Nekritz, Elaine	Member, Illinois House of Representatives, 57th District	10045 10253 16345
Ryg, Kathleen	Member, Illinois House of Representatives, 59th District	10068
Local Government		
Abruscato, Judy	Trustee, City of Wheeling	16106
Arredia, Tony	Mayor, City of Des Plaines	10265
Asperger, Elizabeth	Village President, Village of La Grange	13253
Balderman, Tim	Mayor, Village of New Lenox	16356 16357
Beifuss, James	Alderman, City of West Chicago	12063

Table E-2. Comments Received on the Draft EIS		
Commenter Name	**Commenter Title/Organization**	**Comment Number**
Berman, Jeffrey	Village Trustee, Village of Buffalo Grove	12085 14864 14865
Biedron, Robert	Supervisor, Wheatland Township	12952
Bowden, Annette	Village Trustee, Village of New Lenox	13351
Brandon, Mae	Village Trustee, Village of Park Forest	10372
Brummel, David	Mayor, City of Warrenville	16599
Butterfield, David	Village Trustee, Village of New Lenox	15076
Byrne, Thomas	Commissioner, City of Chicago	12968
Calderone, Anthony	Mayor, Village of Park Forest	16349
Curry, Michael	Commissioner, Village of Forest Park	16351
Darch, Karen	Village President, Village of Barrington	16786
Dawson, Eugene R.	Supervisor, Barrington Township	12460
DeGraff, Don	President/Mayor, Village of South Holland	12254
Dement, Jeffrey	Village Trustee, Village of Plainfield	12540 13010
Dillard, Bonita	Village Trustee, Village of Park Forest	10423
Discipio, James	Village President, Village of La Grange	13254
Donaldson, Robert	Mayor, Village of Hazel Crest	13522
Dye, Nancy	Village Trustee, Village of New Lenox	15606
Edl, Margo	Commissioner, Village of Wayne	14819*
Franz, Mark	Village Manager, Village of Homewood	15979
Gattuso, Paul	Village President, Village of Westchester	12200
Gifford, Scott	Village President, Village of Deer Park	10596 12626
Goslin, Gregg	Commissioner, Cook County Board	13220
Hofeld, Richard	Village President	15989
Holland, Jim	Mayor, Village of Frankfort	15316
Horcher, Michael	Village Trustee, Village of Wheeling	16105
Horcher, Patrick	Village President, Village of Wheeling	16407
Hoskins, Rory	Commissioner, Village of Forest Park	16350
Hosty, Mark	Commissioner, Village of Forest Park	16352
Johnson, James	Village Trustee, Village of Lake Zurich	15929
Kellogg, Eric	Mayor, Village of Harvey	12951
Kessler, Kenneth	Mayor, Village of Mundelein	10250 16358
Kiedrow, Mary	Executive Director, Mount Greenwood	12221
Knoop, Steve	Village Trustee, Barrington Hills	13496
Koehler, Kenneth	Chairman, McHenry County Board	12336
Kopycinski, Gary	Village Trustee, Village of Park Forest	15318
Lamb, Bill	Village Trustee, Village of Plainfield	13495
Lyle, Freddrenna	Alderman, 6th Ward, Chicago City Council	16670
Mazurkiewicz, Donna	Village President, Concord Village	14316 16283
McCray, Robert	Village Trustee, Village of Park Forest	10365 15516

Table E-2. Comments Received on the Draft EIS		
Commenter Name	**Commenter Title/Organization**	**Comment Number**
McLeod, William	Village President, Village of Hoffman Estates	10029 10051 15320
Morgan, Neil	Village Trustee, Village of Hawthorn Woods	10433 10561
Moustis, James	Supervisor, Frankfort Township	13334
Munad, Frank	Village President, Village of South Barrington	10745
Olivo, Frank	Chicago City Council	13099
O'Neill, Georgia	Village Trustee, Village of Park Forest	10367 15514
Ostenburg, John	Mayor, Village of Park Forest	16341
Pasquale, Frank	Mayor, Village of Bellwood	12953
Pope, John	Alderman, 10th Ward, Chicago City Council	15608
Pradel, A.	Mayor, City of Naperville	16669
Prouty, Lacy	Supervisor, Ela Township	12216 12457
Rogers, Patrick	Supervisor, Township of Lyons	16347
Ruff, Paul	Assessor, Frankfort Township	10366
Scheck, Richard	Mayor, Village of North Riverside	12254
Schillerstrom, Robert	County Board Chairman, DuPage County	17056
Serpico, Ronald	Mayor, Village of Melrose Park	16342
Shields, Thomas	Village Trustee, Village of Riverside	15916
Siegel, Eugene	Mayor, Chicago Ridge	14746
Silvestri, Peter	Village of President, Village of Elmwood Park	10414
Tolomei, John	Village President, Village of Lake Zurich	10506 12785 15614* 17068
Weisner, Tom	Mayor, City of Aurora	15312
Werner, Joseph	Village President, Village of Mokena	15613
Wiaduck, Harold	Village President, Village of Riverside	16354
Zalewski, Michael	Alderman, 23rd Ward, Chicago City Council	13681
AGENCIES		
Federal Government		
Boardman, Joseph	Federal Railroad Administration	13680
Buhl, Lynn	United States Environmental Protection Agency	16595
Chezik, Michael	United States Department of the Interior	16668
Smith, Paul	United States Department of Transportation	15304
State Government		
Anderson, Tim	Illinois Commerce Commission	14860
Clune, Patricia	Indiana Department of Natural Resources	15605
Cole, Maggie	Illinois Department of Natural Resources	15306
Glass, PhD, James	Indiana Department of Natural Resources	13100
Haaker, Anne	Illinois Historic Preservation Agency	16343
Mullan, Jeffrey	Commonwealth of Massachusetts	12983

Table E-2. Comments Received on the Draft EIS		
Commenter Name	Commenter Title/Organization	Comment Number
Local Government		
Commenter Name	Commenter Title/Organization	Comment Number
Acey, Evan	Office of the Village Clerk	15987
Agnoletti, Janet	Barrington Area Council of Governments	15307
Amaro, Franca	School District 204	15137
Anders, Jackie	Northwestern Indiana Regional Planning Commission	12882
Anderson, Jim	Lake County Forest Preserve District	10005
Barnes, William	Plainfield Fire Protection District	13551
Beltrame, Richard	Melrose Park Fire District	14089
Benson, William	Village of Wheeling Police Department	16709
Berdelle, Cheryl	Riverside School District 96	15107
Bernero, Raymond	Village of River Grove	15952
Blanchard, Peggy	Village of Barrington Economics & Community Development	11403
Blankenhorn, Randall	Chicago Metropolitan Agency for Planning	14861
Blazer, Michael	Village of Bartlett	15313
Bosley, Maggie	Village of Barrington Community & Financial Services	11416
Cavallo, Louis	Forest Park School District #91	15915
Culloton, Daniel	West Chicago Public Library	15610
Cummings, Kerry	Northwest Municipal Conference	13924
Dallas, Mike	Village of Mount Prospect	15314
DeMauro, Marcella	Forest Preserve District of Will County	13926 15074
Dobbs, Kama	DuPage Mayors and Managers Conference	13459
Doss, Jerry	Thornton Township High Schools District 205	14194
Emat, Bill	Village of Homewood	16714
Felix, Jesse	City of West Chicago Parks District	12197
Finlon, Patrick	Village of Lake Zurich Police Department	11413
Fletcher, Rita	Bartlett Park District	15751*
Gill, Richard	South East Chicago Commission	14189
Gower, Edward	Will County	12955 15602
Hahn, Thomas	Lake County Forest Preserve District	15321
Hanas, Gerald	Northern Indiana Commuter Transportation District	14682 14859
Heine, Kevin	Bartlett Fire Protection District	14743
Helsel Hoffman, Pam	Crete Rural Park District	13353
Hough, David	Village of Franklin Park	15918
Jennings, Andrew	Village of Wheeling	16708
Kelly, James	Village of Wheeling	16710
Kingma, Hildy	Village of Park Forest	15523
Lamkey, Richard	Barrington Countryside Park District	10702
Lauro, Joe	Water Department	15988
Leipzig, Robert	Village of Wheeling Fire Department	16361
Lobaito, John	Village of Mundelein	10532

Table E-2. Comments Received on the Draft EIS		
Commenter Name	**Commenter Title/Organization**	**Comment Number**
Long, Thomas	Barrington Fire Department	10287
MacDougall, Gordon	Village of New Lenox	10069
Manning, Brent	Forest Preserve District of DuPage County	15604
Marinaro, Gary	West Cook Railroad Relocation and Redevelopment Authority	16596
Martin, Christopher	Village of Lake Barrington	15319 15863
Mastandrea, Terry	Village of Lake Zurich Fire Rescue Department	11401 11412 12594
Mattingly, Robert	Oswegoland Park District Board	15055
McCabe, Cynthia "Cindy"	Indian Prairie School District 204	14661
Merrihew, Timothy	Village of Wheeling	16598
Mick, Thomas	Village of Park Forest	10358 15317 15530
Mulligan, Kevin	Riverside Department of Fire/Rescue	14925
Nelson, Ken	Northwest Municipal Conference	13924
O'Halloran, Denis	City of Berwyn Fire Department	15913
Oldenburg, John	Forest Preserve District of DuPage County	15936 16194
Olson, Jane	Village of Buffalo Grove	14694
Paesel, Edward	South Suburban Mayors & Managers Association	10201
Panagakis, Peter	Village of Wheeling	16966
Persons, Allen	Village of Plainfield Department of Public Works	13335
Pierotti, Jr., D	Forest Preserve District of DuPage County	14190
Pineda, Julie	City of West Chicago	14819*
Prosise, Roger	Diamond Lake School District	10252
Quigley, Steven	Will County Governmental League	14001
Roberts, Jonathan	Prompt Ambulance, East Chicago EMS and Fire	12881
Roubik, Betty	City of Warrenville	14191
Ryan, Jim	Village of Forest Park Police Department	15914
Ryan, Richard	Board of Library Trustees	14747
Schlickman, Stephen	Regional Transport Authority	14480
Schoedel, Carl	Kane County	15075
Schwerd, Robert	Town of Griffith, Lake County, Indiana	15603
Sheys, Kevin	Village of Barrington	15601
Simpson, Elaine	Village of Wheeling	16107
Spiroff, Harlan	Village of Wayne	15315
Stavros, Anthony	Village of Wheeling Department of Public Works	16597
Steyskal, James	Reavis High School District 220	15077
Stone, John	Village of Wheeling Police Department	16360
Strahan, Dan	Village of Barrington Hills	15073
Summers, Greg	Village of Barrington Engineering & Building Department	11402
Szymanski, Susan	Village of Franklin Park	14983
Thurzo, Robert	Village of Bridgeview	16085

Table E-2. Comments Received on the Draft EIS		
Commenter Name	Commenter Title/Organization	Comment Number
Unknown, Kathy	Matteson Public Library	10182
Unknown, Information	Schaumberg District Public Library	10182
Vanderploeg, Wayne	Forest Preserve District of Cook County	16344
Vitas, Bob	Village of Lake Zurich	16163 16671
Volkmann, Robert	Town of Schererville	13323
Voto, Jared	City of St. Charles	14696
Waldorf, James	City of Plainfield	16359
Wallace, James	Village of Barrington	11404
Weitzel, Thomas	Riverside Police Department	13682
Wilkens, Edwin	Village of Matteson	10368
Wolfe, Thomas	Village of Franklin Park Police Department	14193
Zoellner, Kirk	Village of Mokena	16213
PASSENGER/RAIL SERVICE PROVIDERS		
Barenfanger, Charles	Effingham Railroad Company	15609
McDonald, Richard	C and NW Railroad	11437 16713 16994
Meyer, Gabriel	Union Pacific Railroad Company	15302
Morgan, Linda	Association of American Railroads	17003
Pagano, Phillip	Metra	15303
ORGANIZATIONS		
A., Wendy	Advocate Good Shepherd Hospital	16191* 17202*
Anastasio, Michael	North Country in Wayne Community Association	13131 14819* 15588
Andrew, Janet	Rolling Meadows Homeowners Association	14819* 15811
Asheim, Paul	Stonebridge Community Association	16694
Balbo, Sandie	Advocate Good Shepherd Hospital	16191* 17226
Banisaid, Sam	Advocate Good Shepherd Hospital	12423
Barnett, Terry	Underground Contractors Association of Illinois	10351
Bautista, Louis	Advocate Good Shepherd Hospital	14258
Beasley, Beth Ann	Advocate Good Shepherd Hospital	16190* 17205
Becker, Janet	Advocate Good Shepherd Hospital	16191* 17240
Beele, Todd	Homewood Area Chamber of Commerce	17043
Benigni, Nancy	Advocate Good Shepherd Hospital	16191* 17202*
Bennett, Victoria	Advocate Good Shepherd Hospital	13677
Berg, Patricia	Advocate Good Shepherd Hospital	13494
Bevilacqua, Jan	Advocate Good Shepherd Hospital	16191* 17233

Table E-2. Comments Received on the Draft EIS		
Commenter Name	Commenter Title/Organization	Comment Number
Bharaj, Avinder	Advocate Good Shepherd Hospital	12434
Blau, Joyce	Advocate Good Shepherd Hospital	13675
Boon, Edith	Fairhaven Homeowners Association	11434
Borre, Debra	Advocate Good Shepherd Hospital	16191*
Bower, Bethany	Advocate Good Shepherd Hospital	13676
Brady, Roseanne	Fairhaven Homeowners Association	11434
Brady, Y.	Fairhaven Homeowners Association	11434
Brawley, Mary	Advocate Good Shepherd Hospital	16191* 17220
Brinegar, Kevin	Indiana Chamber of Commerce	14924
Brubaker, Kevin	Environmental Law and Policy Center	15951
Buek, Man	Advocate Good Shepherd Hospital	14255
Burke, Gail	Advocate Good Shepherd Hospital	16191* 17202*
Burkhart, Richard	T.R.A.C.	11424 14435 15953 16192
Butler, Robin	Fairhaven Homeowners Association	11434 11550
Byhowski, Laura	Advocate Good Shepherd Hospital	16191* 17244
C, M	Advocate Good Shepherd Hospital	16190*
Cahill-Johnson, Sue	Advocate Good Shepherd Hospital	16191* 17219
Calcese, Barbara	Advocate Good Shepherd Hospital	14222
Campbell, Muhelle	Advocate Good Shepherd Hospital	16191* 17200*
Canaday, Sean	Advocate Good Shepherd Hospital	16191* 17221
Canzoneri, Debra	Advocate Good Shepherd Hospital	14229
Cappas, John	Fairhaven Homeowners Association	11434
Cappas, Katherine	Fairhaven Homeowners Association	11434
Captain, Meghan	Fairhaven Homeowners Association	11434
Captain, Reed	Fairhaven Homeowners Association	11434
Carroll, Joe	Fairhaven Homeowners Association	11434
Carroll, Martha	Fairhaven Homeowners Association	11434
Cebulka, Amanda	Advocate Good Shepherd Hospital	14248
Cebulka, Peter	Advocate Good Shepherd Hospital	16191* 17235
Charles, Mallory	Advocate Good Shepherd Hospital	14244
Christensen, Linda	Advocate Good Shepherd Hospital	16191* 17228
Chuyma, Rebecca	Advocate Good Shepherd Hospital	16191* 17229
Conway, Cheryl	Advocate Good Shepherd Hospital	13535
Cook, Gail	Advocate Good Shepherd Hospital	14261

Table E-2. Comments Received on the Draft EIS		
Commenter Name	Commenter Title/Organization	Comment Number
Cook, Noel	Advocate Good Shepherd Hospital	16191* 17250
Cornelius, Jillian	Advocate Good Shepherd Hospital	16190*
Crabb, Diana	Advocate Good Shepherd Hospital	16191* 17201*
Criss, Tara	Advocate Good Shepherd Hospital	16191* 17232
Davey, Kevin	Advocate Good Shepherd Hospital	16191* 17201*
Davis, Linda	Advocate Good Shepherd Hospital	13536
DeAvilla, Joan	Advocate Good Shepherd Hospital	16191* 17207
Deering, Michael	Advocate Good Shepherd Hospital	16400
Didek, Jenine	Fairhaven Homeowners Association	11434
Dioguardi, Charlotte	Advocate Good Shepherd Hospital	16191*
Dobson, Laura	Advocate Good Shepherd Hospital	16191* 17200*
Dolatre, Faye	Advocate Good Shepherd Hospital	16191* 17201*
Dorrington, Suzy	Advocate Good Shepherd Hospital	14224
Drazba, Vanessa	Advocate Good Shepherd Hospital	16191* 17236
Dunkel, Colleen	Fairhaven Homeowners Association	11434
Dunkel, Brian	Fairhaven Homeowners Association	11434
Eitel, David	FightRailCongestion.com	15142
Espino, M	Advocate Good Shepherd Hospital	16190*
F, G	Advocate Good Shepherd Hospital	16190*
Fega, C	Advocate Good Shepherd Hospital	14217
Fidale, Mary Sue	Advocate Good Shepherd Hospital	16191* 17231
Finney, Dennis	STOPCNRAIL.COM	14819*
Fisher, Linda	Advocate Good Shepherd Hospital	16191* 17209
Ford, Mike	Petition to Reduce Rail Congestion in the Chicago Region	12503 (Petition)
Fraterrigo, Colette	Advocate Good Shepherd Hospital	16191* 17248
Fry, Tom	Advocate Good Shepherd Hospital	14226
Fryter, Erica	Advocate Good Shepherd Hospital	13641
Garcia, Omar	Advocate Good Shepherd Hospital	14237
Gard, Alan	Warrenville Bicyclist and Pedestrian Advisory Commission	13925
Gardino, Lisa	Advocate Good Shepherd Hospital	16191* 17210
Gardner, Neil	Remington Crossing Community Association	16167
Garland, Dewey	Sheet Metal Workers' International Association	12710
George, Christopher	Summit Homeowners Association	12317
Gerholdt, Elizabeth	Advocate Good Shepherd Hospital	14242

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Commenter Name	Commenter Title/Organization	Comment Number
Giangrasso, Dr. Joseph	Advocate Good Sheppard Hospital	16191* 17249
Glab, Kathleen	Advocate Good Shepherd Hospital	14218
Gohmann, John	Small Railroad Business Owners of America	10087 10420 10585
Green, Margaret	Advocate Good Shepherd Hospital	14236
Greenberg, Steve	Greenberg for Congress	12046
Hack, Christine	Advocate Good Shepherd Hospital	16191*
Hansen, Dorothy	Fairhaven Homeowners Association	11434
Hansen, William	Fairhaven Homeowners Association	11434
Hauk, Eric	Fairhaven Homeowners Association	11434
Hauk, Eric	Fairhaven Homeowners Association	11434
Hauk, Kate	Fairhaven Homeowners Association	11434
Hayes, Marilyn	Maple Hill Condo Association	12428 13249
Hearns, David	Lakewood Homeowners Association	10359
Hegen, Debbie	Advocate Good Shepherd Hospital	14251
Hejonanowski, Barbara	Advocate Good Sheppard Hospital	16191* 17202*
Helgason, Edward	Fairhaven Homeowners Association	11434
Helgason, Janet	Fairhaven Homeowners Association	11434
Helmer, Taryn	Advocate Good Shepherd Hospital	14234
Hendrix, Katherine	Advocate Good Sheppard Hospital	16191*
Henry, Jacqueline	Advocate Good Sheppard Hospital	13659
Henry, Lucy	Fairhaven Homeowners Association	11434
Hoekstra, Kyle	Advocate Good Sheppard Hospital	16191* 17200*
Hoeltgen, Daniel	Advocate Good Sheppard Hospital	16190*
Hoffman, Linda	Heritage Knolls Homeowners	10166 13910
Hughes, Austin	Advocate Good Shepherd Hospital	14238
Huntzgr, Alexia	Advocate Good Shepherd Hospital	16190*
Irmiter, Brian	Advocate Good Shepherd Hospital	14225
Jefson, Robert	Advocate Good Shepherd Hospital	16191* 17202*
Johnson, Dean	Big Woods Manmon Neighborhood Association	12711
Jones, Lillian	Advocate Good Shepherd Hospital	16191* 17218
Kamm, Gilbert	Fairhaven Homeowners Association	11434
Keenan, Heidi	Historical Old Matteson Homeowners' Association	16410
Kelsch, Joseph	Barrington Area Development Council (BADC)	11409 12106
Klausing, Susan	Advocate Good Shepherd Hospital	14211 14220
Knop, Kathi	Advocate Good Shepherd Hospital	13674
Koepsel, Holly	Fairhaven Homeowners Association	11434

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Commenter Name	Commenter Title/Organization	Comment Number
Kolasinski, Art	Fairhaven Homeowners Association	11434
Kolodiej, Jacqueline	Advocate Good Shepherd Hospital	14216
Kopfer, Judy	Advocate Good Shepherd Hospital	14259
Kotsch, Catherine	Advocate Good Shepherd Hospital	14228
LaBelle, Jim	Chicago Metropolis 2020	15611
Lambert, Karen	Advocate Good Sheppard Hospital	15999
Lamothe, Gary	Advocate Good Shepherd Hospital	16191* 17213
Landis, Rashelle	Advocate Good Shepherd Hospital	16191* 17201*
Lau, Linda	Advocate Good Shepherd Hospital	11452 13650
Lederer, Shannon	Advocate Good Shepherd Hospital	14254
Leiding, Annie	Fairhaven Homeowners Association	11434
Leiding, Nick	Fairhaven Homeowners Association	11434
Leiding, Sara	Fairhaven Homeowners Association	11434
Leiding, Tom	Fairhaven Homeowners Association	11434
Leiding, Toni	Fairhaven Homeowners Association	11434
Lemke, Noel	Advocate Good Shepherd Hospital	16191* 17234
Leseth, Carrie	Advocate Good Shepherd Hospital	16191* 17238
Leydig, Deborah	Chamber of Commerce PFAFI-Norton's USA	10648
Lindrall, Laura	Advocate Good Shepherd Hospital	16191* 17227
Lionel, Pilate-Jean	Advocate Good Shepherd Hospital	16191* 17214
Lockhart, Anne	Advocate Good Shepherd Hospital	16191* 17215
Lohenry, Chuck	Maple Hill Condo Association, Board of Directors	13249
M, Cynthia	Fairhaven Homeowners Association	11434
MacNicol, Alan	Barrington Ridge Homeowners Association	12769 12823
Malinowski, Edmund	TRAC	16983
Mannos, Steven	Dearborn Tower Condominium Association	15917
Mansin, Chris	Advocate Good Shepherd Hospital	16191* 17211
Marczyk, Marlene	Fairhaven Homeowners Association	11434
Marczyk, Bruno	Fairhaven Homeowners Association	11434
Marks, Patricia	Advocate Good Shepherd Hospital	13669
Matheson, Amy	Advocate Good Shepherd Hospital	14243
McCafferty, Patricia	Fairhaven Homeowners Association	11434
McCarty, Jerry	Maple Hill Condo Association, Board of Directors	13249
McDonald, Brook	The Conservation Foundation	10147
Mendez, Esther	Advocate Good Shepherd Hospital	12414
Mercer, Anna	Advocate Good Shepherd Hospital	14213

Table E-2. Comments Received on the Draft EIS		
Commenter Name	Commenter Title/Organization	Comment Number
Mihelic, James	Oak Ridge Marsh Conservation Group	16101 16706
Mikosz, Marian	Fairhaven Homeowners Association	11434
Minner, Jill	Fairhaven Homeowners Association	11434
Mitchell, Cynthia	Advocate Good Shepherd Hospital	14246
Moeller, Dawn	Advocate Good Shepherd Hospital	10624 13649
Molony, Bill	Will County Historical Society	13453
Morton, Terry	Advocate Good Shepherd Hospital	12422
Muench, Meagan	Advocate Good Shepherd Hospital	14239
Mulac, Ruth	Advocate Good Shepherd Hospital	16191* 17239
Murphy, Alan	For the People Grass Roots Organization	12772 12773 12774 12775 12776 12777 12778
Nelson, Evamarie	Advocate Good Shepherd Hospital	14256
Neptun, Conrad	Fairhaven Homeowners Association	11434
Neptun, Kirsten	Fairhaven Homeowners Association	11434
Neptun, Sigrid	Fairhaven Homeowners Association	11434
Neptun, Steven	Fairhaven Homeowners Association	11434
Nick, Tim	Advocate Good Shepherd Hospital	14245
Niese, Roseanne	Advocate Good Shepherd Hospital	13648
Norberg, Renee	Advocate Good Shepherd Hospital	14219
Oliver, Mary	Advocate Good Shepherd Hospital	16191* 17241
Olson, Kate	Advocate Good Shepherd Hospital	16191* 17243
Ozinga, Marty	Marty Ozinga for Congress	13686
Pacholski, Donna	Advocate Good Shepherd Hospital	13671
Palmquist, Joyce	Barrington Area Council on Aging	11415
Patrick, Adrienne	Advocate Good Shepherd Hospital	14253
Perrin, Dale	Lake Zurich Area Chamber of Commerce	12304
Pescheret, Kathleen	Citizens to Fight Rail	15164
Peterson, Debbie	Advocate Good Shepherd Hospital	13643
Petruzzelli, Delores	Maple Hill Condo Association, Board of Directors	13249
Phelan, Kathleen	Advocate Good Shepherd Hospital	11966 12568 14252
Pichlik, Gayle	Advocate Good Shepherd Hospital	16191* 17222
Pichlik, Jennifer	Advocate Good Shepherd Hospital	16191* 17223

Table E-2. Comments Received on the Draft EIS		
Commenter Name	Commenter Title/Organization	Comment Number
Pichlik, Robert	Advocate Good Shepherd Hospital	16191* 17224
Pietrowski, Char	Advocate Good Shepherd Hospital	12426
Polahel, Susan	Fairhaven Homeowners Association	11434
Powroznyk, Steve	Fairhaven Homeowners Association	12049
Randolph, Jackie	Brotherhood of Locomotive Engineers and Trainmen	12879
Rathmann, Susan	Advocate Good Shepherd Hospital	14227
Regus, Cornelia	Advocate Good Shepherd Hospital	16191* 17201*
Renwall, Candace	Barrington Chamber of Commerce	10387
Roach, Weng	Advocate Good Shepherd Hospital	14257
Robbins, Jessica	Advocate Good Shepherd Hospital	14249
Rolle, Ewa	Advocate Good Shepherd Hospital	16190* 17206
Romolo, Robert	Advocate Good Shepherd Hospital	16191* 17251
Rozhon, Jacqueline	Advocate Good Shepherd Hospital	16190*
Rysso, Laura	Advocate Good Shepherd Hospital	16191* 17200*
Salb, M	Advocate Good Shepherd Hospital	14215
Sanchez-Carlson, Bonnie	Near South Planning Board	15607
Sarius, Jamie	Advocate Good Shepherd Hospital	14241
Sarius, Stephanie	Advocate Good Shepherd Hospital	14235
Savella, Rosalie	Advocate Good Shepherd Hospital	16191* 17245
Schauer, M.	Fairhaven Homeowners Association	11434
Schauer, Robert	Fairhaven Homeowners Association	11434
Schinkoeth, Sharon	Advocate Good Shepherd Hospital	14247
Schmidt, Linda	Advocate Good Shepherd Hospital	16191* 17242
Schneider, Lynne	Buffalo Grove Area Chamber of Commerce	14192
Schumm-Burgess, Nancy	Barrington Hills Conservation Trust	12572
Scott, Mary Rose	Advocate Good Shepherd Hospital	16191* 17247
See, Sherry	Longwood Homeowners Association	13912
Shah, Shishir	Advocate Good Shepherd Hospital	14214
Sheahan, Ruth	Blue Island Area Chamber of Commerce and Industry	16348
Shook, Steve	Advocate Good Shepherd Hospital	12424
Smith, Ashley	Advocate Good Shepherd Hospital	14233
Smith, Debbie	Advocate Good Shepherd Hospital	13645
Smith, Vicky	Chicago Southland Economic Development Corporation	12646
Spaeth, Raymond	Chicago Chinatown Chamber of Commerce	13587
Spiropoulos, Susan	Advocate Good Shepherd Hospital	14260
Stinson, Sue	Advocate Good Shepherd Hospital	16190*

Table E-2. Comments Received on the Draft EIS		
Commenter Name	Commenter Title/Organization	Comment Number
Stoinski, Meg	Advocate Good Shepherd Hospital	16191* 17200*
Stutz, Douglas	Fairhaven Homeowners Association	11434
Stutz, Susan	Fairhaven Homeowners Association	11434
Sullivan, Janice	Advocate Good Shepherd Hospital	13673
Svoboda, Robin	Advocate Good Shepherd Hospital	16207
Swanson, Jeri	Advocate Good Shepherd Hospital	16191* 17237
Swanson, Kristin	Advocate Good Shepherd Hospital	16191* 17201*
Swims, Elizabeth	Advocate Good Shepherd Hospital	16191* 17217
Symbal, Dennis	Fairhaven Homeowners Association	11434
Symbal, Sandra	Fairhaven Homeowners Association	11434
Talaga, Don	Maple Hill Condo Association, Board of Directors	13249
Tapri, Anna	Advocate Good Shepherd Hospital	13644
TeRonde, Michelle	Advocate Good Shepherd Hospital	14250
Thomlison, Jennifer	Advocate Good Shepherd Hospital	12425
Treanor, Peggy	Advocate Good Shepherd Hospital	16191* 17200*
Trujillo, Nancy	Advocate Good Shepherd Hospital	14221
Tsohas, Christine	Advocate Good Shepherd Hospital	13668
Ubrlgma, Deborah	Fairhaven Homeowners Association	11564
Unknown	Advocate Good Shepherd Hospital	13646
Unknown	Advocate Good Shepherd Hospital	13647
Unknown	Advocate Good Shepherd Hospital	14231
Unknown	Barrington Chamber of Commerce	10268
Unknown	Neighbors Against Noise	16568
Van Wambeke, Joseph	Advocate Good Shepherd Hospital	16191*
VanjenBosd, Gretchen	Advocate Good Shepherd Hospital	16191* 17216
Viera, Ana	Advocate Good Shepherd Hospital	16191* 17200*
Waldoch, Nicole	Advocate Good Shepherd Hospital	14232
Walker, Jean	Burnside Neighborhood Association	13973
Wb, Ronald	Fairhaven Homeowners Association	11178
Weandall, Elizabeth	Advocate Good Shepherd Hospital	14223
Wenching, Cynthia	Fairhaven Homeowners Association	11434
Westcott, Charles	Fairhaven Homeowners Association	11434
Westcott, Lorraine	Fairhaven Homeowners Association	11434
Widtmann, Barbara	Advocate Good Shepherd Hospital	16191* 17202*
Wierciak, Tammy	Solutions To Area Rail Traffic (START)	16181 (Transcript) 16182 (Transcript)

Table E-2. Comments Received on the Draft EIS		
Commenter Name	Commenter Title/Organization	Comment Number
Winters, Nadine	Advocate Good Shepherd Hospital	16191* 17225
Witkowski, Robert	Advocate Good Shepherd Hospital	16001 16190* 17204
Wojtas, Lynne	Advocate Good Shepherd Hospital	16191* 17212
Wolly, Michael	IBEW, IAM, ATDA, NCFO	10081
Woodlief, Paula	Advocate Good Shepherd Hospital	16191* 17200*
Wool, Daniel	Advocate Good Shepherd Hospital	16190* 17203
Yakowenko, Joanne	Advocate Good Shepherd Hospital	16191* 17200*
Yerushalmi, Rosemary	Advocate Good Shepherd Hospital	16191* 17208
Z, J	Advocate Good Shepherd Hospital	13642
Zambowski, J	Advocate Good Shepherd Hospital	16191* 17202*
Zaremba, Jim	Fairhaven Homeowners Association	11434
Zaremba, Wendy	Fairhaven Homeowners Association	11434
Zientara, Gary	Rolling Knolls Homeowner Assoc	12075
Ziessow, Janet	Fairhaven Homeowners Association	11434
Ziessow, Scott	Fairhaven Homeowners Association	11434
Zimmerman, Sharon	Advocate Good Shepherd Hospital	16191*
Zurke, Fern	Advocate Good Shepherd Hospital	13672
APPLICANT		
Cunningham, Paul	Harkins Cunningham, LLP	15801
Hirsh, David	Harkins Cunningham, LLP	10047 (Petition)
Unknown	Harkins Cunningham, LLP	10182

CITIZENS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
A, G	14819* 15751*	Aceret, Steven	12244 12712	Acuff, Kelly	16909
A, R	14819*	Acharya, Meetal	13104	Adair, Linda	12141 14162
Aaberg, Barb	15943	Acharya, Simbi	13146	Adamovic, Charles	10722
Abad, Mike	15602	Acke, Bob	14411	Adams, Bonnie	15614*
Abasolo, Anthony	12327	Acosta-Fiad, L	17051*	Adams, Damian	15751*
Abbate, Leo	15751*	Acsoa, William	15615	Adams, Daniel	15048
Abbinante, Elaine	14862*	Abramic, Ryan	11214	Adams, Deborah	13070
Abbinante, Sabino	14862*	Abry, Brian	12383	Adams, Deborah	14506
Abdo, Wa'El	15778	Abry, Karen	11897 12383	Adams, Mary	11918
Ablan, Maria	14207	Aceret, Mary	12718	Adams, Rick	15614*

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Adkins, Louise	16133	Albert, Lori	12188	Almquist, Frank	14126
Adkins, Raymond	15616 16069	Alberts, Claudia	10042	Alongi, David	14819*
Adler, Daniel	13316	Albertson, Brian	10230	Alonzo, Jesus	16760
Adler, Jan	10118	Albrecht, Bonnie	15591	Altenberger, Christine	10609
Adona, Erik	14172	Albrecht, Ken	12077	Altenberger, Levin	10608
Adzia, Allan	13597	Albright, Clay	12927	Altenburg, Bonnie	11717
Adzia, Pat	13597	Albright, Shirley	12664	Alvinito, Virginia	13969
Aevermann, James	16066	Alderson, Yvonne	13595	Amadei, Jennifer	13285
Aglipay, Natalie	13002	Alexander, Andrew	16441	Amadei, Michael	13285
Agrawal, Ajay	14621	Alexander, Cyndi	11206	Amberg, John	13091
Aguayo, Kathy	10494	Alexander, Dee	11745	Amberg, Rosemary	13091
Aguilar, Jim	14379	Alexander, John	11206	Ambrosini, Anthony	13318
Aguilar, Sharon	14379	Alexander, Leon	11777	Ambrosio, Peter	15542
Aguili, Luz	14819*	Alexander, Martha	12402	Amelio, Barbara	12909
Aguirre, Melissa	15751*	Alexander, Tom	14862**	Amin, Jyoh	12935
Ahern, Karyn	15298	Alfini, Gale	14819*	Ammendoia, Barbara	16940
Ahlborn, Jim	14084	Alfonseca, Rafael	12723	Ammendola, Richard	16912 16940
Ahlborn, Pam	14083	Alguire, Sandra	15562	Amonino, Camille	16033
Ahlgrin, Sandra	15614* 17069	Ali, Akber	16067	Amoroso, Mary	11476 12599
Ahmad, Amy	14819*	Allar, Carol	11800 11828	Amsrud, Philip	11905
Aiello, Frank	14819*	Allar, Dennis	10978 11801	Anagnostopoulos, Cary	13566
Aiello, Janet	14819*	Allbee, Matthew	16934	Anagnostopoulos, Wendee	13566
Aievoli, Barbara	14753	Allegretti, Kenneth	14862*	Ancona, Patty	12619
Aigner, Antoinette	14819*	Allegretti, Paul	14862*	Ander, Karen	14999
Aigner, Curt	14819*	Alleman, William	16936	Anders, Michelle	12193
Aime, James	14862*	Allen, Cara	11627	Andersen, Cindy	14862*
Akers, Donald	17159	Allen, Lisa	11628	Andersen, Morgan	12055 12056
Akers, Lynn	17191	Allen, Meredith	14862*	Anderson, Bob	12765 16764 16768
Akers, Tom	16629	Allen, Patricia	15146	Anderson, Daren	10891
Aki, Michele	11569	Allen, Richelle	11069	Anderson, Ellen	12678
Alberchinski, Sara	13628	Allen, Robert	11068	Anderson, Ellen	14432
Alberg, James	16752	Allison, Katharine	11915	Anderson, John	16743
Albert, Grant	10543	Allison, Michael	12931	Anderson, Jon	11772
Albert, Karen	12437	Allison, Michael	14593	Anderson, Kate	10904
Albert, Kimberly	16617	Almieri, Steve	16756	Anderson, Kurt	11807

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Anderson, Lisa	15614* 17073	Aprati, Marlene	14567	Atchison, Elaine	15751*
Anderson, Lou	14020	Arata, Alyssa	12973	Aubert, David	15751*
Anderson, Lynn	11842	Arata, Matthew	12870	Aubert, Lisa	15751*
Anderson, Mary	10603	Archeiser, H.	10435	Auchstetter, Kimberly	15044
Anderson, Maryann	10268	Arendarczyk, Rose	15614* 16716 17080	Audi, Suzann	12487
Anderson, Michael	15614*	Arendsee, Tucker	14295	Aurelio, Giuseppe	14015
Anderson, Petra	14900	Arendt, Jennifer	15488	Austgen, David	13323
Anderson, Robert	11863	Argiris, Dean	16417	Austriaco, Aurora	16027
Anderson, Robin	13415 13917	Arkolamberson, Jay	16772	Babbe, Deb	15130
Anderson, Sara	13398	Armagost, Betty	11554	Babcock, Lisa	16776
Anderson, Sheryl	15614*	Armagost, Leann	11542	Babiuk, Samantha	12055
Andrade, Graciel	10200	Armagost, Lee	11543	Bach, Beth	11150 12624
Andrews, Bob	10257	Armentano, Bob	14819*	Bach, Daniel	14819*
Andrews, Burt	12940	Armentano, Emily	14819*	Bach, G	10151
Andrews, Dorothy	12162	Armhurst, Dave	14819*	Bach, Greg	11151 15405
Andrews, Janice	15943	Armhurst, Yarurl	14819*	Bach, Greg	15165
Andrews, Patricia	16949	Armstrong, Cindy	11932	Bach, Gregory	10620
Andrews, Roberta	16489	Armstrong, Kent	12995	Bach, Judith	14819*
Angelina, Lisa	15849	Armstrong, Kevin	10538	Bach, Peyton	11152
Angermeier, Cynthia	13482	Armstrong, Nancy	15614* 17088	Bach, Susan	11685
Anonymous, A	16196 16998	Arneth, Jessica	13165	Bachelder, David	16141
Anora, Pinky	16484	Arnold, Robert	13558	Bachelder, Matthew	16141
Ansari, Maribel	16728	Arnold, Tammi	13218	Bachelder, Melissa	16141
Ansari, Mohammed	16921	Arstikys, Marija	14862*	Bachelder, Sandra	16141
Ansink, John	15455	Arthur, Jerry	14296	Bachler, Jeff	12668 16087
Antikiewicz, Ann	13062	Artis, Emma	15617	Bachler, Julie	12668
Antonacci, Margaret	12273 15151	Ashby, Jim	16209	Bachman, Kathy	11243
Antonietti, Brian	14862*	Asher, Janet	11468	Bachman, Ted	11243
Anzelmo, Robert	13971	Ashton, Kathleen	12195	Bachtel, David	15417
Appel, Carole	15751*	Ashton, Thomas	12195	Bacigalupo, Marie	10279
Appel, William	15751*	Askett, Paul	16499	Backe, Bridget	13095 13592
Appleby, Lisa	11038	Associate,	12441	Backus, Lyle	14538
Appleby, Sean	11035	Asturias, Concha	12201	Bacldy, Barbara	14819*

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Bacon, Bob	15618	Ball, Roberta	11572	Bargmann, Jan	10063
Badsing, B.	10772	Ball, Roger	14641	Barillas, Constance	15655
Badskey, Katie	12055	Balla, David	13134	Baritko, Konstantin	13445
Baehr, Brenda	15614*	Balla, Elizabeth	13135	Barkach, James	15300
Bahl, Dharam	13895	Ballard, Carole	15959	Barkauski, Sr., Gary	14045
Baier, Bruce	15751*	Balone, Gino	14539	Barker, Casey	15880
Bailey, Benjamin	12555	Balsamo, Joyce	10653	Barker, Kim	11933
Bailey, Brad	15614* 17082	Balsamo, Nickolas	11758	Barker, Pat	16784
Bailey, Celeste	12621	Balsamo, Thomas	11706 17871	Barker, William	12430
Bailey, Emily	10874	Balsamo, Wade	10756 12055	Barnard, Dorothy	15184
Bailey, Griffin	10950	Baltz, John	14360	Barneke, Rose	15202
Bailey, Lori	15895	Balzer, Maureen	16780	Barner, Ezella	16232
Bailey, Melissa	15614* 17082	Banach, Maria	15751*	Barnes, Janice	13463
Bailey, Nancy	15937	Banda, Elsa	17110	Barnes, Karen	16924
Baily, Mary	12648	Banda, Jose	17110	Barnes, Marcella	14862*
Baird, David	16054	Banducci, Carlo	14819*	Barney, David	15017
Baker, Brad	14525	Banducci, Rina	14819*	Barney, Gwen	10854
Baker, Catherine	11797	Bandyk, Joseph	13325	Barney, Mary	15006
Baker, Delores	16230	Bandyk, Megan	13325	Barney, Regina	10859
Baker, Hal	15614*	Bank, Patty	13107	Barney, Regina	11683 12412 16788
Baker, John	11252	Bankowski, Donna	10317	Barney, Regina	15815
Baker, Jr., Arthur	10031 10089 14283	Banks, Harry	16231	Barnhart, Bill	16922
Baker, Kim	15614*	Bannon, Angela	14624	Barnhart, David	13800 14141 16727
Baker, Linda	11036	Baran, Joseph	10476	Barnhart, Rebecca	11511 16919
Baker, Marcus	15201	Baranski, Carole	10946	Barr, Dean	15614*
Baldacci, Florence	16628	Barba, Loretta	13376	Barr, Ellen	11140
Baldwin, Karen	14012	Barber, Andrea	13081	Barr, John	11140
Baldwin, Sara	12055	Barber, Pete	13081	Barr, Katie	15614*
Baldwin, Stephen	14417	Barber, Peter	16147	Barr, Robert	16412
Baldwin-O'Beirne, Virginia	15113	Barbier, John	13810	Barraza, Olga	15751*
Balgeman, Matt	15751*	Barczak, Mary	14507	Barrera, Jose	17123
Balgeman, Sara	15751*	Barda, Bozena	15751*	Barrett, James	15751*
Balistreri, Laura	12001	Barger, Julie	12052	Barrie, Richard	10516

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Barron, Michael	16182	Bassett, Thomas	10064 10460	Beasley, Kelly	16753
Barrow, Barton	12076 13999 14819*	Bataille, Gerald	12660 15775	Beasley, Lawrence	16796
Barrow, Regina	14819*	Bataille, Lois	12660	Beasley, Robert	16761
Barry, Al	12601	Bates, Annette	10273	Beath, Marie	15357
Barry, Betsy	16608	Bates, Clantha	13760	Beattie, Scott	11785
Barry, Christopher	15148	Bates, Colleen	15751*	Beattie, Susan	10934
Barry, Clare	12681	Bathrick, Andrew	10964	Beaubien, Bob	11584
Barry, Deborah	12637	Bathrick, Lee	10966	Beaubien, Mary	11584
Barry, Donald	16625	Bathrick, Monnet	11556	Beaudoin, Kathy	14821
Barry, James	14684	Batson, Diane	16960	Beaudoin, Matt	14816
Barry, John	10226	Batson, Mark	16467	Beaulieu, James	16586
Barski, Evelyn	14862*	Battista, Pamela	13932	Beaumont, George	14049
Bartels, Margaret	12465	Bauer, Carolyn	10200	Beazley, Brian	16765
Bartlett, Lynda	16792	Bauer, Irene	11945	Beazley, Kathleen	16683
Bartnicki, Ron	12890	Bauer, June	10268	Beazley, Lawrence	16681
Barto, Mary	13097	Bauer, Mary	11740	Beazley, Robert	16682
Barto, Wayne	13096	Baughman, Christine	15570	Becca, Katherine	15619
Barton, Ty	15349	Baum, Cheryl	14789	Beck, Laura	10325 13873 15984
Bartos, Jim	12894	Baum, Donna	15614* 17087	Becker, Charles	11870 12083
Bartuch, Carmen	14862*	Baum, Joe	12921	Becker, Gary	12050 12083
Bartuch, Gilda	14862*	Baum, Karen	12921	Beckner, Ruth	15751*
Bartunek, Mary	14862*	Baumgartner, Kathryn	10827	Beda, Dorothy	11987
Barz, Lois	10296	Baumgartner, Linda	10888	Bedoe, Greg	12084
Basarich, Marie	15751*	Baumgartner, Susan	10650	Bedoe, Ronald	15751*
Basek, Geraldine	10531 14863	Bautista, Bal	14819*	Beemer, Bruce	10124
Basile, Merina	15751*	Bautista, Nenet	14819*	Beese, Carol	11927
Basile, Norman	16233	Bautista, Ruther	14810 15730	Begala, Andrea	12969
Basile, Paul	14090	Baxter, Jameson	15595	Behling, Ann	13303
Basile, Renu	14091	Beallis, Kelly	16549	Behm, Susan	15033
Basile, Rosemarie	15751*	Bean, Victoria	10610	Behrens, Eva	13907 15050
Baskind, Ellen Sopp	13893 14361 16011	Beard, Gladys	14837	Behrens, John	14819*
Bassett, Jr., Gerald	10579	Beasley, Kathleen	16757	Behrens, Priscilla	14819*

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Behymer, Cheryl	13132	Bennett, Mary	16234 16416	Bergman, Sharon	16123
Behymer, J	12488	Bennett, Michelle	13734	Bergmann, Tina	12056
Beil, Alfreda	14862*	Bennett, Scott	12048	Bergroschtje, John	14819*
Beimal, Debbie	14862*	Bennett, Shirley	13015	Berkemeier, Danielle	12262
Beimal, Mark	14862*	Bennett, Tracy	16914	Berlin, Donald	13898
Belke, Bruce	14508	Benoit, Jeremy	14885	Berman, Anna	15614*
Belky, Celeste	13689	Benovic, Marc	16995	Berman, Randy	15614*
Bell, Janet	12510	Benson, Barbara	10975	Berman, Walter	15614*
Bell, Marilyn	15251	Benson, George	14819*	Bern, Dorrit	11790
Bell, Norman	13063	Benson, Gus	10136	Berna, Katherine	12183 14819*
Bellina, June	13880	Benson, Myrtice	14819*	Bernacchi, Jeffrey	10981
Bellows, Dena	11535	Benson, Tammy	15751*	Bernadisius, Vida	16538
Belmonte, Cathy	14862*	Bentham, Kathleen	10270	Bernard, Brian	16942
Belmonte, Guy	14862*	Bentham, Robert	10270	Bernard, Coleen	16941
Belmonte, Sherri	14862*	Bentz, Colin	14093	Bernardi, John	13141
Belovich, Sue	13190	Bentz, Timothy	14094	Bernardoni, Brenda	14780
Beltz, Bill	13538	Benyukhd, Inna	10510	Bernardoni, John	14780
Beltz, Frances	15751*	Beosler, Christina	14819*	Bernero, Frank	15432
Beltz, William	15751*	Berenz, Jerry	12314	Bernhagen, Linda	15903 16385
Bemis, Edward	12749 13755	Beresheim, John	14862*	Berrios, Samuel	15751*
Benaitis, Erin	15013	Beresheim, Nancy	14862*	Berrong, Gerald	10515
Benak, Jozef	15535	Berg, Akiko	16724	Berrong, Gerald	12418
Benes, Ronald	10284 12177 12328	Berg, Alex	16754	Berrong, Sandra	10515 12418
Benford, Candace	15620	Berg, Paul	16725	Berry, Constance	15751*
Benjamin, Annemarie	10666	Bergan, Diane	12004	Berry, Kim	14819*
Benjamin, Chris	10113	Bergan, Timothy	12005	Berry, Tom	15751*
Benjamin, Jennifer	13477	Berger, Bud	13968	Berscheid, Laura	14862*
Benjamin, Thomas	10155 13936 16751	Berger, Charlene	12300	Bertrand, Christy	13520
Benkendorf, R.	10760	Berger, Debra	15770	Bertrand, Jim	13533
Benman, Hal	15614*	Berger, Lora	10612	Bertrand, Judith	16999
Bennett, Davis	10268	Berggren, Jeffrey	15751*	Bertrand, Pam	13514
Bennett, Diane	11614	Bergman, Don	16123	Bertrand, Paul	13519 16999
Bennett, Donald	13332	Bergman, Kenneth	16123	Bertschy, Chris	17188
Bennett, Ken	16733	Bergman, R.	15049	Bertschy, Nancy	14588
Bennett, Kenneth	13015	Bergman, Robert	16123	Bestrain, Alexandria	15696

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Bettanin, John	10200	Biggs, Loralee	15203	Bingham, Melissa	11589
Betts, Bruce	13352 13685	Biggs, Robin	12708	Bingham, Richard	10349 10491 12312
Beveridge, Gail	11713	Bigham, Elissa	12239	Bingham, Richard	12320 12321 12322 12323 12343
Beverley, Danae	10019	Bigos, Joan	17051*	Bingham, Scott	12936
Bhansari, Rakshak	15751*	Bigos, Michael	17051*	Bingham, Sharon	10496 12320 13416
Bhaskaran, Deepa	17044	Bijronia, Sanjay	17315	Binke, Kathleen	13913
Bhuva, Shefali	11271	Bilick, Shirley	14819*	Birch, Robert	10131 16938
Bianchi, Elizabeth	10200	Billick, Ed	14819*	Bird, Gregory	10203 16651
Biberian, Judy	12398	Billick, Shirley	16235 16236	Bird, John	16607 16652
Biberian, Lucy	12405	Billings, Christine	13003	Bird, John	15747 16650
Bic, Walter	15621	Billings, Joe	15857	Bird, Judith	10214
Bicking, Don	14874	Billisk, Ed	14819*	Bird, Lauren	16680
Bidielharpt, Angela	14819*	Billman, Alice	13350 14971	Bird, Lisa	10327 10400 12295
Biel, Kenneth	10307 10369	Billman, Earl	13349 14968	Bird, Marilyn	17036
Biel, Kenneth	12466	Bilski, John	15752*	Bird, Mark	10329
Biel, Sandra	10138	Bilski, MaryAnn	15752*	Bird, Ryan	16648
Biel, Sandra	10405 10421 12257	Bilsland, Delores	14862*	Biro, Michael	14862*
Bielinski, Linda	15751*	Bilyeu, Connie	15948	Biscan, Debra	12913
Bierig, Barbara	10573 15181	Binder, Linda	15751*	Biscan, Thomas	13049
Bierman, John	16755	Binder, Lisa	17308	Bishop, Betty	10200
Bierman, Raynette	16758	Binder, Warren	14862*	Bishop, Catherine	11710
Biga, Jr., Walter	14175	Binetti, Tamara	14819*	Bishop, David	11191
Biggs, Jeff	12708	Bingenheimer, Laurrie	16987	Bishop, Julia	11193 16153 16154 16155 16195 16422 16434

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Bishop, Julia	16481 16482 16483	Blomquist, Jay	10800	Bolland, Mary	14509 16415
Bishop, Sue	13467	Blomquist, Margie	11611	Bolland, Terry	15469
Bishop, Willard	11120	Blomquist, Roger	11611	Bolland, Wendy	15312
Bisso, Gayle	10054	Bloom, Mary	10000 (Petition)	Bolles, Michael	14868
Bitoy, Annette	10243	Blount, Leslie	12363	Bolles, Patricia	14868
Bitoy, Rudolph	10242	Blue, Christine	15534	Bollini, Mary Beth	14941
Bjorkman, Stacy	14184	Blumberg, Sandra	15751*	Bollman, Marlen	14774
Blaauw, Heino	14890	Blumberg, Steven	15751*	Bollman, Patricia	14819*
Blaauw, Rev. Heino	15708	Blume, Wayne	15060	Bollman, Robert	14774
Black, Judy	15064	Bob, Vincent	16741	Bomba, Craig	14426
Black, Mimi	15614*	Bobrowski, Dan	11340 15614*	Bonasera, Janie	15031
Blackman, Keith	14819*	Bobrowski, Kelsey	11340	Bondi, Marianne	10658
Blackmon, Kathy	15252	Bobrowski, Ryan	11340	Bonow, Joan	16606
Blackwell, Karen	15614*	Bobrowski, Susan	11340 15614* 17095	Booker, Reginald	12524
Blaha, Melanie	13031	Boch, Carolyn	10475	Boomsma, Nancy	13500
Blaho, Susan	13473	Bocian, Eugene	10698	Boongaling, Evanswinda	15751*
Blair, Jenifer	15204	Bodnar, Raymond	13065	Boos, Eileen	11961 15406 16239
Blake, Jennifer	16237	Boerman-Cornell, Amy	16238	Booth, Beverly	14533
Blank, Norman	13848	Boersma, Margretta	16362 (Petition)	Booth, Brian	14796
Blanke, Dave	11081	Boesch, Linda	13498	Booth, David	10189
Blas, John	14862*	Bogaerts, John	11985	Boren, Geraldine	10224
Blatt, Janyl	16414	Bogard, Martha	11958 12561	Borgstrom, Pat	15614* 17072
Blatz, Deborah	16631	Bogard, Toni	11957 12579	Borkon, Ben	10636
Blazek, Florence	14862*	Bogdan, Mary	14431	Borkowski, Barbara	12709
Blecker, Thomas	13606	Bogdan, Ron	12791 13502	Borkowski, Dennis	12709
Bledsoe, Elonda	13377	Bogdanich, Minnie	14862*	Borkowski, Jack	15751*
Bletz-Hartmann, Sherry	15751*	Bogue, Jody	14862*	Borkowski, Martyna	15751*
Block, Mary Anne	12253 12372	Bohne, Alice	16216	Borow, Jennifer	14862*
Block, Stephanie	12034	Boiser, Marlene	10200	Borow, Pat	14862*
Bloedel, Allen	17051*	Bolanos, Alicia	13393 (Petition)	Borrico, Nicole	14168
Blomquist, Connie	16644	Bolland, David	15484	Borst, Cheryl	11608

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Borst, Tom	11609	Bozarth, Maddy	10943	Bredesen, Dan	14662
Boshell, Raynette	16759	Braden, Jennifer	15751*	Bredesen, Dan	16030
Bosma, Marcia	15331	Braden, Wanda	15751*	Breidenbach, Amy	10902
Bosma, Randall	13019	Bradford, Alison	10753	Breither, Linda	11692 12399
Bostick, Ross	10455	Bradley, Jerry	16981	Breitlow, Charlene	12190 15931
Bostock, Amber	11141	Bradley, Margo	12636	Breitung, Arnold	10128
Bostock, Kenneth	11253	Bradshaw, Barry	17105	Brems, Ken	14879 14933
Boston, Granville	15751*	Bradshaw, James	12654	Brenczewski, Hallie	16766
Bostrom, Susan	16183	Bradshaw, Mary	17105	Brendemuehl, Mary	10409
Botkin-Karp, Laura	16762	Brady, Kenneth	16406	Brendlinger, Cynthia	15123
Botsford, Stephen	15166	Brancecum, Valerie	15751*	Breslin, Jenna	11212
Boucek, Barbara	12222	Branding, Frederick	15614* 17074	Breslin, Joe	11998
Boucek, William	12222	Branding, Katie	15614* 16624	Breslin, John	15289
Boulrece, Kijuana	16763	Branding, Suzanne	15614*	Breslin, Sandra	10238 10645
Bounds, Brad	10584	Brands, Beth	15751*	Brett, Carter	12584
Bounds, Patricia	10581	Brandt, Claudia	10664	Bretz, Greg	12970
Bournes, Jeanette	13191	Branham, Gina	16330	Brewster, Valerie	15740
Bowden, Lyle	17051*	Branshaw, Maryann	14449	Bridge, Dennis	14278
Bowen, William	11967	Branshaw, Philip	14449	Bridge, Teri	10191 13977
Bower, Wendy	11465	Branski, Eileen	14819*	Bridgeman, Ray	15943
Bowers, Penny	14292	Branski, Jerry	14819*	Bridgeman, Shirley	15943
Bowers, Tammy	16206	Brasini, Joycelyn	13272	Bridges Jr, Marvin	12223
Bowman, Carolyn	12269 15614*	Brauch, Bob	13382	Bridgett, Lee	15486
Bowman, Larry	12230 12270	Brauch, Helen	13382	Briese, Terrence	10316 15577
Bowman, Mark	11086	Brauch, Jennifer	11277	Briggs, Don	10179
Bowman, Mary Kay	12000	Braun, Denise	14819*	Brightwell, Daniel	10033
Boyd, Fabiola	15751*	Braun, Michael	16386	Briguglio, Charles	13181
Boyd, II, James	10445 13383	Braun, Tracey	11808	Brill, Paul	12757
Boyd, Paul	17051*	Braver, Monica	14577	Brinkmann-Busi, Angelika	16371
Boyle, Edwin	13979	Bravo, Susan	14840	Brinoise, Theresa	10597
Boyle, Norma	13979	Bravo, Susan	15622	Brischetto, Christopher	16167
Boyne, Karol	15322	Breckenridge, Josephine	10247	Britt, Michele	15249 15912

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Britt, Thomas	15249 15912	Brown, Jeff	10797	Bruno, Joe	14081
Britton, Patty	12086	Brown, Jeff	12284	Bruno, John	14769
Britton, Raymond	12454	Brown, Jeffery	16543	Bruno, Patrick	14769
Brock, Billie	12947	Brown, Jeffrey	12240	Bruno, Thomas	14819* 16945
Broderick, William	15751*	Brown, Jerry	12653	Bruns, Robert	11872
Broj, Glenn	11577 15824	Brown, John	10733	Brusseau, Linda	10499
Broker, Christine	10395 10438	Brown, Kevin	13360	Bryant, Carter	15804
Bromet, David	10767	Brown, Linda	16204	Bryant, Richard	15802
Bromet, Elizabeth	15395	Brown, Lisa	16543	Bryant, Rick	10292
Brongiel Jr., Donald	16460 16468	Brown, Lucia	11811	Bryant, Shari	15803 15820
Brongiel, Anthony	16496	Brown, Mary	11947	Bryant, Sherry	16767
Brongiel, Tamara	16458	Brown, Michael	10209	BSF, APF and	10880
Bronke, Gwen	15168	Brown, Mildred	14844	Bubala, Robert	14995
Bronson, Bob	13033	Brown, Nora	12948	Buccola, Blake	12012
Broomfield, Adam	12055	Brown, Philip	14819*	Bucholtz, Alfred	17051*
Brophy, Matthew	13460	Brown, Richard	10251	Bucholtz, Margaret	17051*
Brosnan, Thomas	15779	Brown, Robbie	13935 15092	Buck, Bob	10200
Brosseau, Carole	14862*	Brown, Sandra	14929 17113	Buck, Cathie	10200
Brosseau, James	14862*	Brown, Suzanne	10425	Buck, Joey	10338
Brotnow, James	16036	Brownlee, Carol	11822	Buck, Steve	10338
Brottman, Sandra	11454 14978	Brown-Wyrick, Patricia	10148 14568	Buckley, Charles	14698
Brouge, Carl	14819*	Brozak, Amy	12803	Buckley, Colleen	12042
Brouge, Jane	14819*	Bruce, Ben	12055	Buckley, Melissa	11143
Brousseau, Andy	15614*	Brudrik, Stephanie	11661	Buckster, S	14443
Brousseau, J	15614* 17061	Bruecher, Bob	13690	Buckwald, Walter	10254
Browe, David	16497	Bruens, Michael	14531	Budzak, Annette	11545
Brown, Unknown	10875	Bruens, Michelle	15721	Buelow, Patrica	10627
Brown, Bradley	16576	Brumby, Annette	13609	Buetow, Marianne	16189*
Brown, Carolyn	12037	Brumund, George	14363	Buetow, Theo	16189*
Brown, Christy	13360	Brunka, Barb	13241	Bugasch, Dale	14794
Brown, Deana	15407	Brunka, L	16529	Bugasch, Elaine	14534
Brown, Donald	16368	Brunke, Pauline	16582	Buhai, Barbara	11185
Brown, Elizabeth	11645	Brunner, Orrin	10221	Buikema, Donna	14963 16990
Brown, Ellamae	12841	Bruno, Carol	14769	Buikema, Warren	14963 16990
Brown, Gwendolyn	14362	Bruno, Crystal	14769	Bukauskas, Kimberly	15751*

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Bukovsky, JoAnn	16738	Burnham, Jane	11062	Cady, Craig	15400
Bulanda, Cameron	15566	Burnidge, David	11399	Cady, Craig	16961
Bulanda, Patty	10876	Burns, Denise	14611	Caez, Judith	15767
Buldak, Ann	15749	Burns, Jacqueline	17051*	Cageschulte, Phil	11536
Bulgarelli, Mary	12452	Burns, John	12211	Cagwin, Jennifer	13619
Bulgarelli, Michael	12452	Burns, Kathy	12212	Caiazza, Frank	11470
Bulk, Marney	12525	Burns, Kevin	10312	Caiazza, Lynne	11462
Bullion, James	11033	Burns, Kim	13179	Cain, Bernadette	14127
Bullion, Sharon	11034	Burny, George	15413	Calabra, Jane	16419
Bumber, Marilyn	16769	Burny, Joan	15441	Calabrese, David	15751*
Buniak, Karen	15751*	Burrows, Inger	12140 15419 16641	Calabrese, Denise	15751*
Buniak, Raymond	15751*	Burton, Sandra	14771	Calabrese, John	15751*
Bunya, Prinya	15652	Busekros, Eleanor	14366	Calandro, Patti	15022
Buonadonna, Chris	13078	Busi, Fabrizio	15521	Calcagno, Don	10836
Buonadonna, Mary Ann	13540	Busonri, Tom	14819*	Calderon, Eleanor	16240
Buonadonna, Robert	13540	Buss, Joyce	10272	Calderone, Joseph	13711
Buongiorno, Karla	12325 13320 13875	Busse, Chester	11005	Calderone, Monette	13662
Burchard, Darius	14677	Busse, Dawn	11003	Caldwell, Brenton	10558
Burg, Ellen	11414	Butler, David	11148	Calhoon, Max	15923
Burgeen, Ryan	12055	Butler, Jim	15751*	Caliendo, Patricia	14819*
Burgess, David	12207	Butler, June	12485	Calka, Erica	15153
Burich, Lawrence	14985	Butler, Mike	10093	Calka, Mike	15161
Burk, Laura	16478	Butterfield, Sue	13710	Callaghan, Maggie	13987
Burke, Adam	14364	Butvilas, Monica	15751*	Callahan, Steve	11600 15614*
Burke, Andrew	11482 12615	Buzard, Harry	13278	Callender, Corinne	15751*
Burke, Jeff	16167	Buzard, Rosalie	13277	Callow, Neal	13894
Burke, Kelly	13573	Buzinski, Martha	15751*	Caluskinski, Edward	15751*
Burke, Marylee	16744	Byerly, Robert	14811	Camacho, Andy	15614*
Burke, Mimi	11638	Byers, Danon	15751*	Cambalik, Joan	14862*
Burke, Nancy	14365	Byhre, Terese	11520	Cambalik, Robert	14862*
Burkhart, Rinold	14177	Byrne, Karyn	14862*	Camel, Julie	10968
Burks, Denise	14540	Byrne, William	16122	Camel, Julie, David, Grace and Olivia	10889
Burleigh, Merle	17167	Bysina, Mike	16070	Caminiti, Peter	11070
Burn, Laura	16426	Caba, Cindy	12603	Caminiti, Teresa	11903
Burnett, A.	12146	Cacich, Dan	12996	Caminiti, Teresa	12087

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Cammarata, M	14064	Cardenas, Carmen	14819*	Carranza, Carmen	13183
Camodeca, Dorothy	10531	Caria, Darlene	16055	Carranza, Jose	17129
Camp, Victor	15174	Caria, Leonard	16095	Carr-Culotta, Alison	14819*
Campana, Peg	11944	Caria, Margie	16770	Carrel, Cathleen	15614*
Campanella, Peter	10589	Carl, Molly	14142	Carreon, Joan	16771
Campbell, Dewey	15205	Carli, Nanette	16523	Carreras, Denyse	15529
Campbell, Howard	12859	Carlini, Heide	11942	Carroll, Deeks	16146
Campbell, Ian	15751*	Carlini, Richard	11943	Carroll, Joseph	11079
Campbell, Kimberlee	15751*	Carlino, Adeline	15751*	Carroll, Leslie	14819*
Campbell, Michael	10662	Carlino, Julie	13944	Carroll, Martha	11084
Campbell, Susan	12176 14819* 16241	Carlinsky, Mark	14332	Carroll, Robert	14819*
Campera, Ned	10268	Carlos, Jucia	15751*	Carroll, Sara	12804
Campos, Ana	14862*	Carlson, Cindy	15751*	Carson, Eric	14705
Canavan, Patty	13869	Carlson, David	10133	Carter, Amy	14368
Cancio, Kim	12802	Carlson, Eleanor	11838	Carter, Doris	16773
Canino, Michael	16084	Carlson, Jo	12990	Carter, Dorothy	15206
Cannata, Leonard	13072	Carlson, Kurt	13552	Carter, Earl	10245
Cannell, Adele	15000	Carlson, Paige	12055 12056	Carter, Ginny	14423
Cannon, Mark	14522	Carlson, Terry	16056	Cartey, Christine	11358
Cantafil, Frank	10846	Carlstedt, Jen	13903	Cartolano, Curtis	15084
Cantafio, Marianne	10847	Carney, Margene	10174	Cartolano, Janet	15084
Cantu, Brooke	12871	Carney, Patricia	16243	Caruso, Tina	14862*
Cantwell, Vicki	14786	Carone, Gail	11273 12326	Caryniwsky, Valerie	11095
Cap, Annette	16952	Carpenter, Diane	16946	Cascia, Mark	13152
Capellos, Jean	11449	Carpenter, Kathleen	17165	Cascio, Joseph	16244
Capezzuto, Nancy	15058	Carr, Caitlyn	12055	Case, Jessica	15614*
Capiccioni, Dean	13831	Carr, Carrie	11687	Case, Larry	13280
Capitanellli, Claire	10763	Carr, Janice	14637 15641	Case, Matthew	15614*
Caplain, Belle	10625	Carr, Michael	15054	Case, Sharon	13313
Caraos, Celine	15751*	Carr, Theodore	11953 12068	Casey, Amy	11618 16775
Caravelli, Gregory	15020	Carr, Victoria	15054	Casey, Gloria	16774
Carbonara, Frank	14819*	Carr, Wil	11689	Casey, Karen	10960 13735 14815
Carbonaro, Lucy	14862*	Carrall, Joan	10268	Casey, Kevin	10956 13921 15623

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Casey, Lillian	15723	Cecola, Stephanie	12554	Chase, Jane	14819*
Casey, Mike	14537	Cefali, Frank	16380	Chase, Thomas	14819*
Casey, Patty	15724	Centella, Jill	10704	Chatzidakis, Chris	11275
Casey, Paul	10955	Cerami, Heidi	15751*	Chatzidakis, Jayne	11436
Casey, Paul	14807	Cerami, Mike	15751*	Chatzidakis, Maria	11665
Casey, Steve	10957	Cerbin, Albert	13712 14541	Chatzidakis, Theodora	11664
Casey, Steve	14799 15624	Cerbin, Joyce	14541	Cheatham, Erla	15751*
Cash, John	11799	Cervanka, Diane	14862*	Cheatham, Thomas	15751*
Cashin, Jim	14862*	Cerven, James	16246	Cheek, Terry	13322
Cashin, Mary	14862*	Cerven, Linda	16247	Chen, Amanda	16917
Casper, Bob	17115	Cervenka, Marilynn	12758	Chen, Eric	16917
Casper, Donna	10255 10256 10599 12006 15755 16685	Chaben, Gerald	10244	Chen, Rose	14298
Casper, Frank	10256 11500 12006 15755 16685	Chadha, Kelly	13803	Chen, Shing	15666
Casper, Hazel	17115	Chambers, Richard	10864	Chen, Suki	13809
Cass, Karalyn	14989	Chan, Louisa	13175	Chen, Yu	15541
Cassady, Chip	15943	Chandler, Linda	17097	Chernik, Elizabeth	11423
Cassady, Regina	15943	Chandler, Marcia	16217	Chernik, Eric	11423
Cassidy, Marie	14369	Chandler, Mildred	15625	Cherwin, Jim	15751*
Cassioppi, Gerald	10086 12747	Chandor, S	11882	Chezem, Catherine	13511
Cassitas, Dennis	16245	Chaney, Marva	16248	Chhabra, Dinesh	13142 16572
Castelli, Sharon	15751*	Chang, Stacy	14270	Chiappetta, James	14862*
Castro, J	14006	Chang, Yuan	16500	Chickerillo, Carole	16932
Caulkins, Rene	14819*	Chaphalkar, Dhananjay	12652	Chiddister, Clark	15447
Caulkins, Zachery	14819*	Chaphalkar, Sunita	12652	Childress, Kenna	16215
Cavalieri, Sandra	14629	Chaphalkar, Vidya	12652	Chin, Amanda	12486
Cavanaugh, Michael	10436	Chapman, Debbie	15569	Chodri, Ghazala	15038
Cavanaugh, Nadine	10288	Chapman, Jeanine	11410	Choi, Ken	15751*
Cavin, Jackie	13178	Chapoy, Lawrence	11336	Chorley, Irene	10127
Cawley, Shirley	13263	Chapoy, Lisbet	10689	Chow, Paul	14591
Cecola, Mekala	12554 12563	Charles, Mallory	14244	Chriscufski, Greg	14819* 17130

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Chrisman, Clayton	10432	Cipperoni, Joseph	14043	Cliffone, Joanne	11447
Christell, Jack	17051*	Cipperoni, Louis	14041	Clifford, Carolyn	11678
Christell, Shirley	17051*	Cipperoni, Marjorie	14038	Clifford, Kurt	15041
Christensen, Gary	14819*	Cipperoni, Mia	14039	Clifford, Michael	12055
Christensen, Karen	14819*	Cipriani, Cindy	13567	Clifford, Sarah	12055
Christensen, Laura	14520	Ciric, Michael	13762	Cloonan, Mike	15404
Christensen, Scott	14819*	Ciric, Patricia	14380	Clouse, Carl	16674
Christon, Kerry	14819*	Cissell, Laura	15789	Clouse, Claudia	16674
Chudoba, Sandy	16777	Cizek, Mary	14862*	Coakley, John	12261
Chulet, Calub	10003	Clancy, Lori	15614*	Cobb, Jim	14488
Church, Jeff	11993	Clark, Bonnie	11291	Cobb, Larry	16779
Church, Lydia	12055	Clark, Carol	11644	Cocanig, Lottie	13954
Churcha, Carol	16778	Clark, J.	13295	Cochefski, Cathryn	13483
Ciaglia, Craig	10156 12138	Clark, John	10613	Cochefski, Peter	13484
Ciardullo, Gene	15943	Clark, June	10200	Cochran, Daniel	12406
Ciardullo, Sharon	15943	Clark, Kimberly	16148	Cochran, Edward	14112 16977
Ciarlette, Michele	12361	Clark, Matthew	15160	Codianat, Lori	14819*
Ciastko, Susan	15848	Clark, Ruth	15943	Codianat, Vince	14819*
Cicenas, Kelly	14862*	Clarke, Dwight	11879	Codo, Gene	10305
Cicenas, Ray	14862*	Clarke, Sherri	13391	Cohen, Andrew	12342
Cich, Frank	13834	Clarkin, Suzanne	14892	Cohen, Jeremy	12341
Cichocki, Lynne	14442	Clausell, Katie	15207	Cohen, Marc	12339
Cidell, Lauren	15990	Clausky, Pam	13399	Colamosi, Ben	12055
Cidell, Linda	17101	Claustro, Maddie	12055	Cole, Barbara	16099
Cidell, William	15250	Clayman, Linda	14819*	Cole, Renee	16915
Cidulka, John	12089	Claypool, Jaqueline	10375	Cole, Sam	16915
Cidulka, Margot	10962	Clayton, Kelly	11742	Coleman, Kevin	15090
Ciffone, Michael	12553 12564	Cleary, Michael	11301	Coleman, Nora	15090
Cimaroli, Mark	10129	Clem, Jill	15177	Coleman, Sharon	15614*
Cimino, Eileen	12729	Clem, Mike	15177	Coleman, Tim	15614*
Cimino, Richard	12742	Clemens, Harry	14022	Coley, Tom	15751*
Ciner, Tina	16464	Clemens, June	14022	Collett, Lainie	12055
Cingrani, Debbie	16037	Clement, Bill	16508	Collett, Linda	13616
Cioffi, Joan	13988	Clement, Victoria	13941 15614* 16508	Colley, Dana	10085
Cioffi, Mary	16986	Clement, William	15614*	Colley, Michael	10085
Cipot, Stephen	14347	Clementi, Mette	14819*	Collins, Mary	12662
Cipperoni, Anthony	14040	Clesen, Helen	14783 15167	Collins, Michael	12701
Cipperoni, Gino	14042	Cleve, Michael	10039	Collins, P.Berdovkas	14862*

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Collins, Terrence	17051*	Conway, Agnes	16114	Coryell, Pamela	14819*
Collom, Beth	12474	Conway, Annalisa	15563 15565 16781	Coryell, Scott	14819*
Colonero, Judith	13086	Cook, Anne	11747	Cosgrove, Matt	12520
Colwell, Chris	13827	Cook, John	15394	Cosgrove, Timothy	14079
Coly, Nayle	13660	Cook, Lisa	15902	Cossio, Helen	10898
Combs, Earle	10721	Cook, Lynn	13757	Cossio, Luis	12070
Combs, Karla	11184	Cook, Rachel	15472	Costa, Ty	10268
Comerford, Alice	11901	Cook, Valerie	15751*	Costabile, Catherine	14862*
Comerford, Gordon	11900	Cooke, Joan	10059	Costabile, Harriet	14862*
Compall, Tim	11504	Cooke, Milton	10059	Costantino, Denise	14446 16431
Conforti, Steven	14430 17176	Cooley, David	15800	Costello, Margaret	11969
Connelly, Joe	11014	Cooley, Suzanne	15800	Costis, Jan	11498
Connolly, Laurie	16249	Coombs, Julie	10144	Cotie, Gary	12158
Conrad, Dale	14489	Coon, Ann	11981 16165	Cotter, Kathy	11407 15328 16516
Conrad, Elaine	11845	Coon, Bill	11331 16165	Cotter, Lawrence	11407
Conrad, Elizabeth	14889	Coon, Jr, William	11305	Cottingim, Michelle	14370
Conrad, Eugene	14889	Coons, Peggy	16136	Cotton, Brunilda	14819*
Conrad, Greg	11163	Cooper, Kass	13556	Cotton, Paul	14819*
Conrad, Greg	11646	Cooper, Patricia	15136	Cottone, Brooke	14819*
Conrad, Paula	12680	Copher, Earldine	14763	Cottone, Debbie	14439
Conrad, Sandra	12680	Copley, Frances	14714	Cottone, Debbie	14819*
Conrad-Pegler, Carol	15657 16521	Copp, Jim	14862*	Cottone, Mark	14819*
Conrath, Allan	14490	Copp, Patricia	14862*	Cottrell, William	12997 13058
Conrath, Teri	16695	Corbin, Colleen	10028	Coulon, Nancy	11880
Considine, John	13004	Corbisiero, Charles	14140	Cousins, Brian	14959
Consiglio, Kristie	14819*	Corey, Dan	14542	Cousins, Rebecca	12831
Conte, Bonnie	15614*	Corley, Michael	15614*	Cox, Lisa	14582
Conti, Evelyn	16250	Cornik, Kathleen	13943	Coy, Dale	11350
Contos,	15208	Coronel, Angel	12056	Coyne, Chris	14082
Contractor, K	14649	Corral, Beatriz	16609	Coyne, James	15626
Contreras, Janet	15751*	Correl, Chris	11271	Cozzi, Mary	12689
Contreras, Michael	16935	Corres, Natalie	12214	Cozzone, Michelle	14862*
Contreras, Romeo	15751*	Coryell, Margaret	14819*	Crabtree, John	16782
Convelly, Brian	14819*	Coryell, Mathilda	14819*	Cracraft, Dian	13770
Convelly, WM	14819*	Coryell, Maximillian	14819*	Cracraft, Michael	13774 13775

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Crandall, Debbie	15555 15558	Crouch, Rory	15470	Cunoita, Mark	14819*
Crandall, Elizabeth	13296 14299	Crowder, Charles	15100	Cupello, John	14826
Crandall, Gerald	10168	Crowe, Ann	16631	Curie, Chris	12604 16251
Crandall, Gerald	16189*	Crowl, Andrew	13713	Curie, David	12943
Crandall, Stephen	15821	Crowley, Annmarie	11716	Curie, Donna	13625
Crane, Daniel	13808	Crowther, Bruce	10912	Curie, Lauren	13624
Crawford, Sharon	17052 (Petition)	Crowther, Erin	10661	Curie, Nicole	12934
Creagan, Christine	16783	Crowther, Lynn	10652	Curin, Cynthia	11690
Creagh, Maria	12355	Crowther, Meg	11173	Curney, Tom	10914
Creamer, Barbara	15751*	Crowther, Ryan	10676	Curry, Dorothy	13896
Cree, Gary	15005 16442	Crum, Lee	12090 14300	Curtis, David	14669
Cree, Paula	13798	Crump, Megan	11844	Curtis, Jim	12526
Cress, Ken	11219	Crupper, John	15448	Cusick, Jackie	11012
Creswell, Nancy	10707	Cubalchini, Virginia	16189*	Cusick, Thomas	11011
Crewer, Mark	15209	Cuda, Peggy	14819*	Cusimano, Joseph	10695
Crez, Terrie	15752*	Cukale, Margaret	14862*	Cusimano, Margot	10488 10764
Crisci, Bob	10326 10333	Cull, Chuck	14136	Cuthbertson, Sarah	11876
Crissie, Frank	15614*	Culloton, Sherri	15751*	Cutrara, JoAnn	10241
Crnkovic, Chrissy	14819*	Cumbee, Dorothy	13526	Cutrara, Samuel	10241
Crnkovic, Mike	14819* 16121 16702	Cumbee, John	13526	Cutright Jr, George	17011
Cromwell, Sheila	15751*	Cumming, Karin	15340	Cutts, Kevin	15614*
Cronin, Chris	12056	Cunniff, Mary Ann	11352	Cutts, Pam	15614*
Cronin, Staci	10554	Cunningham, Barbara	11397 11398 17054	Cyko, Rose	13035
Cronwell, Alva	14371	Cunningham, Barbara	12459	Cysewski, Tracy	11666
Cross, Danielle	14635	Cunningham, Craig	12993	Czepiel, Robert	14265
Crost, Neal	16004	Cunningham, Jan	11578 12556	Czerwiec, Nancy	12667
Crotty, Jeff	11123	Cunningham, Judith	16409	Czerwinski, Jocelyn	15359
Crotty, Mary	11044	Cunningham, Melissa	12993	Czerwinski, Kenneth	15416
Crouch, Deirdre	15463	Cunningham, Steve	12199	Czerwinski, Nicholas	16593
Crouch, Peter	13687 15459	Cunnion, Tammy	10464	Czerwinski, Nick	16594

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Czerwinski, Richard	16592	Dassatti, Peggy	10983	Dawson-Brucker, Penny	12511 16476
Daber, Manlen	13665	Dassatti, Reagan	12055	Day, Amy	14689
Daehler, Bill	10690	Daugherty, Jolene	12741	Day, Jon	16964
Daemond, Barry	14372 14381	Daugherty, Julie	12521	Day, Lauren	12055
Dahlberg, Daryl	15905	Daugherty, Margaret	10479	Dayer, Amy	15614*
Dahlberg, Theresa	15905	Daugherty, Michael	11886	Dayer, Mark	15614*
Dailey, Dayton	12605	Davalos, Jesus	14819*	De Filippis, Darlene	14888
Dailey, Joan	12608	Dave, Ami	14819*	De Guzman, Allan	12091
Dalbello, Emil	16785	Davern, Sandy	15614*	De Wolf, Barbara	13918
Dale, Charles	15582	Davey, John	16252	De Wolf, Gerald	13919
Dale, Mary	15537 16509	David, Marjorie	12874	De Young, David	12846
Dalessio, Lisa	14271	Davidson, Steven	17181	DeAnda, Lynn	15614*
Daley, Ursula	12416	Davis, Ann Marie	10528	DeBruyn, Sherrill	15797
Dalton, Jack	13904	Davis, Anthony	10165	DeBruyn, Tom	15797
Daly, Helen	14979	Davis, Arlene	14750	DeButch, Carl and Debbie	15806
Daly, Jack	15751*	Davis, Barbara	13246 13933	Dec, Madeline	15253
Daly, Thomas	13350 14972	Davis, Chris	15751*	DeCamp, Trinita	15369 16554
D'Amato, Ashley	14819*	Davis, Christine	17313	DeCampos, Jamile	15751*
Dambrosio, Donald	14862*	Davis, Gary	14751	DeCastro, Edith	11771
Damon, Barry	13339	Davis, Harlan	12362	deCastro, Nilo	14173
Dandason, Maureen	14819*	Davis, Heather	15751*	Decatorsmith, Lisa	11020
Danek, Leonard	11433	Davis, Janine	14186	Decker, Carolyn	15751*
Danforth, Kelly	15751*	Davis, Jodi	15751*	Decker, Richard	15751*
Danial, Al	10513	Davis, John	13246	Deckert, Brenda	13245
Danial, Cathy	13292	Davis, John	15751*	Declerck, Dan	11586
Daniello, Henrietta	14862*	Davis, Joyce	15751*	Decosola, Gary	14862*
Danihel, Edward	14862*	Davis, Kimberley	16395	Decosola, Mildred	14862*
Danihel, Sara	14862*	Davis, Penny	11215	Decosola, Sandra	14862*
Dankowski, Mary	15528	Davis, Ross	14862*	Decosola, Vicki	14862*
Dantuma, Peggy	15751*	Davis, Therese	12541 14086	Decraene, Diane	10678
Dantuma, Scott	15751*	Davitorio, Karen	16254	Decraene, Ray	11599
Daren, Michael	15614*	Davitorio, Rachel	16253	DeDecker, Don	12721
D'Argento, Chiara	14819*	Dawelz, Garrett	12055	Deemer, Patricia	15614*
Darras, Maureen	11255	Dawidiuk, Kathy	14667	Deemer, Pernetta	15614*
Darras, Nicholas	11938	Dawidiuk, Steve	14667	Deemer, Steve	15614*
Dash, Robert	16787	Dawkins, Leo	14268	Deering, Karen	11861 15323
Dassati, Carey	11294	Dawson, Matt	16445	Deering, Richard	16493

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Defalio, Tiffany	14819*	Demetral, James	12259	Despotes, Joanne	17051*
DeForest, Richard	13149	Demos, Brian	13899 16210	Despotes, Theodore	17051*
DeFrenza, Marie	15751*	Demos, Kim	13900 16211	Deswick, Maris	13417
DeFrenza, Rocco	15751*	Dempsey, John	11158	Deszcz, Anthony	15045
Degand, Susan	14600	Demuth, Mark	10027	Deuschle, Julia	15627
DeGroot, Shannon	16144	den Ouden, David	10562	DeVera, Deborah	15751*
DeGustino, Amy	12818	Dendrinos, Sam	16957	Devganiya, Shara	12166
DeHaven, Michele	14513	Denison, Marie	17137	Devine, Judy	12315
Dehm, Jean	14102	Denison, Patrick	17137	Devine, Renae	14680
Dehnert, Allen	11563	Denk, Leesa	15751*	DeVito, Pam	15751*
Dehnert, Jeff	11198	Denney, Sharon	12180	Devitt, Tim	10143
Dehnert, Sarah	11197	Dennis, Ray	14066	Devore, Mary	12283
Deja, Brian	15843	Dennis, Theresa	14034	DeVos, David	13228
Deja, Kenneth	15845	Dennison, Amber	16046	DeVries, John	15940
Deja, Robert	15846	Dennison, Thomas	16046	DeVries, Sophia	10700
DeJohn, Richard	15943	DeNovo, Rose	10493	DeVries, Vicki	15940
DeJohn, Sheila	15943	Densmore, Marisue	14553	DeYoung, Cheryl	15254
DeJong, Annatta	13746	Denzel, Emma	15449	DeYoung, Harris	14759
DeJulio, Ken	14793	Deporte, Rachel	13157	DeYoung, Larry	14128
deKluyver, B.	10200	Deppen, Cynthia	10188	DeYoung, Marilyn	14759
Del Preto, Christine	15564	Deppen, Edward	16383	Dhaens, L	15337
Delacruz, Jessica	15751*	DePrez, Adam	15614*	Dhaens, R	15330
DeLaCuesta, MD, Esther	15614*	DePrez, Christine	15614*	Dicara, Mark	10194
Delahoz, Edmund	14625	Derderian, Alex	13310	Dichoso, Mary Ann	13168
Delaney, Doris	16117	Deroche, David	15389	Dickenson, Diane	10896
DelCampo, Erinn	15614*	Deroche, Katie	10511 11826 15909	Dickerhofe, Sandra	16103
DeLeonardis, Janet	14862*	Deroche, Michael	11400 12022	Dickerhofe, Stephen	16103
DeLeonardis, Martin	14862*	Derus, Myrel	15751*	Dickeson, Judy	14862*
DelFiacco, Theresa	13766	Desai, Rakesh	14819*	Dickinson, Blanca	15578
Delgado, Unknown	10697	DeSalvo, Lisa	10507	Dickinson, George	15580
Delia, Beth	12516	Desensi, Anthony	15751*	DiCosola, Paul	14003
Delli, Gregory	12911	Desensi, Susan	15751*	Diercks, Eileen	15478
Delli, Patricia	12912	DeSilva, Michele	15210	Dierking, Loane	13780
Demakis, John	15614*	Desjardins, Arnaud	15132	Dietz, Deb	16789
Dement, Jim	15614*	Desjardins, Heather	13884 14060 15131	Dietz, Lisa	15751*
Dement, Mary	15614*	Desmond, Lou	14563	Dietz, Ralph	15661

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
DiGiovanni, Diane	14612	Dockery, Brian	15492	Donohue, Jim	17289
Digironne, Mark	14373	Dockery, Bruce	10607 12287	Donohue, Laura	17178
DiGiulio, Carla	13479	Dockery, Sarah	11874 12287	Donohue, Susan	11885
Digiulio, Mary	11707	Dodge, III, Charles	11067	Donohue, Thomas	15191
Dilday, Lizabeth	16573	Dodge, Karen	10810	Donohue, Timothy	10598
Dillard, Jr., William	10150	Dodge, Trisha	12522 14687	Donovan, Thomas	16790
Dille, Kandye Lynn	10862	Doell, John	16189*	Doody, Gwen	10268
Dillon, Gerald	16701	Doell, Patricia	16189*	Doorn, James	14592
DiMaio, Rick	15291	Doerk, Grace	14129	Doorn, Margaret	14592
Dimarzo, Denise	12924	Doerrer, Corinne	15943	Doran, Nancy	15185
Dimas, Pat	11603	Doherty, Diane	15751*	Doran, Patrick	15185
Dimichael, Nicholas	12316	Doherty, Laura	15751*	D'Orazio, Dan	10592
Dincher, Tom	11021	Doherty, Mark	15494	D'Orazio, Debra	10593
Dinsmore, Daniel	15751*	Dohm, Lynn	14511	Dore, Jennifer	16746
Dinsmore, Lucille	15751*	Dolan Jr, Eugene	11923	Dore, Martin	16745
Dion, Bernard	14382	Dolan, Abby	12055	Dorey, Audrey	13307 16044
Dion, Mary	14382	Dolan, Kathleen	11812	Doria-Meredith, Darlene	13541
DiRienzo, Pat	15751*	Dolan, Nancy	11924	Dorik, Dean	16910
Dishong, Daryl	11703	Dolderer, Donald	15751*	Dornbos, Bob	17307
Dishong, Eileen	11530 12606	Dolezal, Annemarie	10200	Dornbos, Irene	17307
Dituri, Robert	13549	Dombek, Carole	10920	Dorney, Donna	17051*
Diverde, Heather	14269	Dombrowski, Rosemary	13418	Doss, Carole	12274
Divito, Steve	10574 10831	Domiano, Barbara	13105	Doty, Alan	15751*
Divitorio, Joseph	16331	Domiano, Jim	15832	Doubek, Donald	15334
Divitorio, Karen	16332	Domin, Linda	15751*	Doubek, Kellie	15332
Dixon, Barbara	17132	Domin, Michael	15751*	Dougal, Donald	12617 16457
Dixon, Karen	15614*	Dominick, Michael	15751*	Douglas, Charlie	12056
Dixon, Rich	14103	Dominick, Tamara	15751*	Doumouras, JoAnne	14819*
Djerke, Beverly	16255	Donaldson, Frederick	12220	Doumouras, Nick	14819*
Dobas, Nancy	14383	Donati, Nancy	10489 10860	Dovas, Kostas	13799
Dobbertin, Anne	15614*	Donelson, Vicki	14627	Dowden, Todd	15751*
Dobbs, Alison	17108	Donile, Melissa	16930	Dowdy, Sarah	11491
Dober, Dennis	13714	Donnan, Barbara	15614*	Doyle, Janice	14130
Dober, Judy	13691	Donnan, William	15614*	Doyle, Megan	11472
Dobosz, Stanley	12889	Donoghue, Meg	12942	Drag, Cherie	12357

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Dralle, Karen	14434	Dunker, Elizabeth	13612 14765 14778 15947 15965 16013 16022	Dyke, Sue	15500
Draper, Robert	14862*	Dunker, Henry	14765 14778 15947 15965 16013 16022	Dyke, Sue	15501
Draus, Deborah	15752*	Dunn, Catherine	11827 10938	Dykes, Michelle	12629
Drazkowski, Robert	14603	Dunn, Cindie	13692	Dytrych, Christine	17184
Dreiling, Debra	11312	Dunn, Debbie	14524	Dytrych, Paul	17184
Drennan, Heather	14981	Dunn, Kristine	16404	Dziadus, Kelly	15037
Dronamraju, Srilu	15751*	Dunn, Tim	10939	Dzieginski, Casimir	16053
Drop, Patricia	16218	Dunne, Ed	13080	Dziewior, Chad	12056
Drost, Kenneth	10237	Dunne, Jane	12699	Dziuba, Tomasz	14156
Drover, Kelly	16793	Dunre, Melissa	14819*	E, Donna	16611
Druktenis, Wayne	17146	Dunsey, Joseph	16471	E, W.	14819*
Dua, Simean	16479	Dupree, Jennifer	14618	Eacles, Tom	15614*
Dubanowich, Richard	14862*	Durec, Becca	14862*	Eagleton, Catherine	13736 14048
Dubanowich, Sharon	14862*	Durec, Mary	14862*	Eagleton, John	14048 16219
Dubenic, Connie	13802	Durkins, Marilyn	16256	Earlenbaugh, Kim	14384
DuBois, Cameron	16541	Dushan, Sharon	13747	Earlev, Don	14819*
DuBois, Candace	16548	Dussaussoy, A	10531	East, James	16180
DuBois, Frank	16545	Dussaussoy, Carole	10531	Eaton, Hazel	16257
Ducay, Jerry	10311	Dutler, Sandy	12356	Eaton, Mark	14679
Duczak, Chris	11809	Duval, Julie	15554	Eaton, Taura	12455
Dudak, Sean	13308	Dux, Elisa	15751*	Eaton, Tina	11162
Dudek, Danette	14819*	Dux, Paul	15751*	Ebbens, Jori	15255
Duffield, Matt	16918	Dwivedi, Rajiv	15751*	Ebers, Sr., Brian	14616
Duffy, John	12840	Dwyer, Averill	10200	Ebert, Markus	11258
Dufour, Elizabeth	11217	Dwyer, Carol	15614* 17083	Ebner, Paul	15751*
Dugan, Christopher	12730	Dwyer, Edward	14949	Echito, Christine	11405
Duguid, Douglas	12557	Dwyer, Hope	14950	Echito, Cory	11405
Dulik, Edwin	14862*	Dwyer, Kenneth	16524	Echols, Loretta	12079
Dulik, Geraldine	14862*	Dyer, Kelly	14819*	Eckert, Barbara	14437 14438

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Eckert, Brian	10176 15557 16258	Eisenstot, Arthur	13050	Ensign, Thomas	11367
Eckstein, Dawn	14896	Ekstrom, Pat	15152	Epperson, Robbie	10872
Ede, Jim	13715	Elfering, Garry	16450	Erann, Marty	17140
Edl, John	14819*	Elich, Alexandra	11460	Erann, Pamela	17140
Edwards, Barbara	13991	Elich-Krumpelt, Cheryl	14302	Erazo, Andrea	14681
Edwards, Dave	13991	Elisha, Louise	17151	Erdman, Grace	12056
Edwards, Kurt	10728	Elkins, Franicis	10001	Erickson, Frank	17051*
Egan, Kevin	15646	Ellefson, Genny	11464 12929	Erickson, Michael	13060
Egan, Stephan	11418 13455 14301	Ellefson, Keith	12135	Erickson, Scott	14819* 15589
Egle, Kristie	15697	Ellermann, Mandy	16086	Erjavec, Mary	16260
Egle, Roberta	16259	Elliot, Joseph	14569	Erjavic, Ron	16794
Ehlers, John	12647	Elliott, Pam	14267	Ernat, Bill	16714
Ehrenberg, Maegan	14862*	Ellis, Carole	13087	Ernst, Chad	15614*
Ehrhardt, Heler	15751*	Ellis, Sallie	15628	Ernst, Mark	15614*
Ehrhardt, Ron	15751*	Elmes, Margaret	11249	Erwin, Cliff	16171
Ehrich, Sonya	15122	Elmore, Tom	12759	Erwin, Leslee	15956
Ehrlich, Gail	12413	Elms, David	11975	Erwin, Rick	15957
Eich, Carol	11138	Elms, Jean	11835	Erwin, Shirley	16170
Eichelberger, Allen	17144	Elrod, Keith	15196	Eschenbaum, Lori	15614*
Eichelberger, Elizabeth	14512	Elsner, David	11704	Eschenbaum, Mike	15614* 17066
Eichler, Mary	14543	Ema, Marian	14887	Esposito, Armand	15752*
Eichwald, Lloyd	16542	Emanuel, Leo	15593	Esposito, Dominick	14862*
Eichwald, Nancy	16544	Emerick, Jean	15411	Esposito, Gwen	15752*
Eilks, Jessica	12055	Emminger, Susan	16522	Esposito, Peggy	16191*
Eilks, Juliet	13328 14974	Endean, George	14819*	Esposito, Peggy	17246
Einhorn, Michael	14842	Endres, Devlin	10527	Esquivel, David	15423
Einhorn, Robert	14566	Englert, Marcia	14188	Estrada, Arturo	16913
Eiring, Jay	11978	Englmann, Donald	11802	Estrada, Sheila	16913
Eisaman, Christine	13085	Englund, Richard	13315	Etherington, Mary	11361
Eisaman, Richard	13085	Englund, Shirley	14451	Ethridge, Margaret	14452 14481
Eisele, Margaret	11320	Englund, Susan	13315	Ethridge, Veree	14374
Eisen, Barry	15614*	Engstrom, Daniel	14819* 15844	Euchson, Lynn	14819*
Eisen, Sandra	12165 14819*	Engstrom, Patricia	14819* 15444	Eustace, Hollie	14780
Eisenbarth, Caroline	11524	Engstrom, Tracy	15751*	Eustace, John	16073

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Eustace, Michael	14780	Falvey, Kevin	14601	Felleson, Joyce	11587
Eustace, Vicky	14780	Fanning, Jennifer	12319	Felleson, Paul	12650
Evans, Amy	14819*	Fannon, Jeffrey	10944 12989	Felleson, Roland	11581
Evans, Bruce	15980	Fannon, Riley	10942	Felleson, Shannon	12401
Evans, Cristin	10559	Fanta, Scott	14744	Felt, Rose Marie	11840
Evans, Don	13767	Fantangelo, Marsia	14544	Felton, Cheron	15751*
Evans, Floyd	14819*	Fardel, Unknown	15751*	Feltz, Irene	15630
Evans, Grace	10200	Farinella, Carmella	16428	Feltz, Sheila	12092
Evans, John	15629	Farley, Wendy	10415	Fen, Dan	11501
Evans, Judith	15980	Farmer, Ashley	10283	Fenlon, Christine	15946
Evans, Lana	13897	Farmer, James	10282	Fenlon, Mark	16800
Evans, Mickey	12056	Farmer, Lynnette	16798 16799	Ferguson, Diane	12156
Evans, Patricia	13076 13341	Farnetti, John	13962	Ferguson, Hillary	16801
Evans, RJ	15698	Farnetti, Mary Lynn	13397	Ferguson, Mary	14385
Evans, William	13343	Fassiotto, Shirley	16639	Ferguson, Michael	14819*
Evanson, Ann	14303	Faulk, Edwin	14376	Ferguson, Sandi	12057
Evasink, Dan	12033	Faulk, Gayle	14377	Fernandez, Ezequiel	14819*
Even, Lisa	11078	Faulkner, Irmgard	13274	Fernandez, Frances	14819*
Every, Jeanne	12925 16494	Faulls, Doug	15751*	Ferrantella, Kathryn	10660
Every, Joseph	12817	Faulls, Nancy	15751*	Ferreira, Conception	15631
Evon, Allison	12056	Faust, Thomas	15195	Ferrell, Walter	10200
Ewekawa, Betsy	16795	Fauth, Edward	15906	Ferry, Susan	12056
Ewing, Ronda	16797	Favaro, Charles	14545 14546	Fetzer, Eileen	12307
Extrom, Daniel	15614* 17075	Favilla, Catherine	14819*	Fey, Colette	10301
Eyer, Ken	15527	Favilla, Giuseppe	14819*	Fiandaca, Joseph	15756
Eyer, Kenneth	10371	Feare, Robert	14862*	Fiandaca, Marion	15756
Faber, Amanda	15614*	Federighi, Norma	15751*	Fichter, Gregory	15751*
Faber, Matt	14659	Federighi, Ric	15751*	Fichter, Lori	15751*
Fabri-Wall, Patricia	15650	Fedru, Joseph	10518	Fidler, Jane	16618
Faedtke, Diane	12447	Feeley, Tom	11724	Fieber, Walter	14304
Fahey, Patti	12145	Feemster, Tim	13148	Fields, Donald	13885
Fairbanks, Steven	10149	Feeney, Teresa	15211	Figurski, Denise	13570
Fait, Julie	16438	Fehir, Victor	14862*	Fijal, Phil	11612
Falat, Kristina	13456	Feigl, Josh	16072	Fijut, Linda	14547
Falco, Rocly	13088	Feigl, Wendy	16071	Filian, Isabel	11540
Falkenthal, Barbara	13716	Felice, Elizabeth	11973	Filippell, Mala	11114
Fallon, Robert	10439	Felice, Tina	14819*	Finely, Trinia	15256

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Fingerman, Raegan	12055	Flagler, William	16462	Foley, Tim	15556
Finik, Jr., Richard	11856	Flaherty, Thomas	16989	Followell, Sr., M	15518
Fink, Heidi	11858	Flakus, Thomas	14387	Folz, Pamela	14862*
Fink, Jennifer	12788	Flanagan, Diane	17037	Foontas, Claire	10794
Fink, Jr., Ronald	12789	Flanagan, Dianne	15632	Ford, Colette	10497
Finley, Roger	11656	Flanagan, Mary	17051*	Ford, Wendy	12527
Finn, Karen	10233	Flanagan, Sharon	15614*	Foreman, John	15614*
Finn, William	15751*	Flanagan, Tim	13499	Forg, Gretchen	10482
Fischer, Brian	16992	Flauter, Jim	14813	Forner, Karen	12504
Fischer, Lauren	10919	Fleagle, Jill	14548	Fors, Debbie	15477
Fischer, Lori	16991	Fleagle, Russ	15212	Forsburg, Laura	12139
Fischer, Mike	14819*	Fledger, Ulysses	15258	Forsgren, Lars	16135
Fish, Louis	14386	Fleisher, Shelly	13163	Forster, Maureen	11911
Fisher, Abigail	14571	Fleisher, Steve	13162	Forster, Scott	11909
Fisher, Christine	11512	Fleming, John	15103	Forsyth, Liita	13505
Fisher, Gina	11902	Fleming, Tom	15526	Fort, Jaynai	17190
Fisher, John	13525	Flens, Ralph	15370	Fort, Steve	17198
Fisher, Judy	14453	Flens, Ralph	16262	Fortier, Amy	12919
Fisher, Lana	15257	Flight, Cathleen	15751*	Fortier, Shirley	16657
Fisher, Leah	11902 12056	Flinkow, Brianna	13247	Fossa, Timothy	10446 10447
Fisher, Linda	12073	Flinkow, Paul	13248	Foster, Bill	10229 10290
Fisher, Mary	12237	Flojo, Jocelyn	15660	Foster, Bill	15309
Fisher, Michael	10503 15510	Flolid, Alayna	11557	Foster, Carol	15751*
Fisher, Nancy	12857	Flolid, Andrea	11558	Foster, Charles	13118
Fisher, Pat	15431	Flor, Eve	13390	Foster, Robinson	16560
Fisher, Richard	12014	Flora, Dorothy	11009	Fountas, Camille	11097
Fisher, Robert	12674	Flora, Laurence	11009	Fournier, June	15614*
Fisher, Sherry	11002	Flores, R	15722	Fowler, Brendon	12967
Fisher, Tina	16261	Flores, Stacey	15497	Foy, Pet	13503
Fitzgerald, Daniel	11406	Florio, Karen	15751*	Foyet, Daniel	15614* 17086
Fitzgerald, John	16802	Florio, Pasquale	15751*	Frabizio, Denise	14375
Fitzgerald, Karen	11406 12093	Floyd, Michael	15382 15390	Frabizio, Mike	13419
Fitzharris, Ed	14305	Flynn, Helena	15751*	Frade, Marco	14805
Fitzpatrick, Karen	15019	Flynn, Kelly	13166	Frainey, Jean	12440
Fitzsimmons, Maureen	10355	Foertsch, John	15068	Frampton, Brian	14862*
Flack, Bill	11338	Fogelsong, Jan	16803	Frampton, Kristy	14862*
Flack, Marybeth	10401	Fogerty, Unknown	16189*	Franch, Ava	14819*
Flagler, Jane	17298	Fogerty, James	16189*	Franch, James	14819*

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Francis, Barbara	15127 16220 17311	Free, Hollie	11894	Furiel, V.	13557
Francis, Colleette	15213 15214	Freeburg, Charles	11794	Furio, Unknown	10644
Francoeur, Lisa	14388	Freeburg, Leslie	11964	Furlan, Jeanne	12865
Frangos, Delaine	14280	Freed, Sandra	10671	Furman, Alexander	10673
Frank, Brian	12353 14306	Freed, Stephen	11697	Furman, Elizabeth	10674
Frank, Dean	15656	Freeman, William	14819*	Furman, JoAnn	14010
Frank, Michael	14882	Fremault, William	10249	Furman, Mark	10672
Frank, Renette	15424	French, Ron	10470	Furman, Sr., Scott	14010
Frankenberg, Blair	10857	Frenden, John	12225	Furmanek, Laura	12800
Frankenberg, Kari	13441	Freund, Barbara	11353	Furmanski, Marie	10024
Franklin, Jim	12517	Fribly, Dawn	16804	Futornick, Jodie	11475
Frankowski, Allison	16093	Fricke, Cindy	15751*	Gabbert, Bella	12018
Frankowski, Dan	16088	Fricke, Michael	15751*	Gabbert, Ben	12019
Frankowski, Ethan	16092	Fried, Bill	12471	Gabbert, Cindy	11989
Frankowski, Mary	16051	Friederich, Adam	12208	Gabbert, Keith	11989
Frankowski, P	16094	Friederich, Chris	12289	Gabrenya, Kristina	15751*
Franze, Kerry	11681 16515	Friederich, Kathleen	12461	Gabrenya, William	15751*
Franzen, Erica	15751*	Friederich, Robert	12291	Gabriel, Sean	13826
Franzen, Fred	15751*	Friedman, David	12346	Gabry, Wayne	14144
Frascone, Bernadine	15751*	Friedman, Murray	15751*	Gacki, Dale	13845
Frascone, James	15751*	Friend, Russell	13442	Gagarin, Frank	10998
Frascone, Tim	15751*	Fries, Sanford	13679	Gagliani, Vincentina	14819*
Fraser, Jayme	13055 13311	Friesema, Michael	16984	Gagliardi, Bonnie	16006
Frasier, Jamie	12489	Fritzler, Mike	15744	Gagne, John	11330
Freda, Charles	11671	Frommeyer, Maribeth	10614	Gagne, Julie	11441
Frederick, Beth	13400	Froude, Erika	13489	Gaines, Dianne	10102
Frederick, Dale	13309	Fry, Marc	13860	Gaiser, John	15633
Frederick, Diane	13309	Frye, Lonnie	13047	Gaj, Geri	15080
Frederick, Joseph	16263	Fuerst, Brendan	13580	Gaj, Ron	12809 14036 15085
Frederick, Mary	14758	Fuerst, Carol	13583	Gajdos, Denise	15539
Fredericksen, Scott	12958	Fuhrmann, Rudolf	16975	Galang, Elvira	17051*
Fredette, Sharon	13981	Fuller, Steve	15879	Galarneau, Michael	12245
Fredrick, Donald	13693	Fullhart, Todd	14819*	Galesi, Luciana	16589
Fredrickson, Nancy	15240	Fumo, James	13986	Gallagher, Marilyn	15499
Free, Alan	11720	Funovits, John	12095	Gallagher, Michael	15505

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Gallagher, William	13365	Gardiner, Lora	14862*	Gehring, Mary	12651
Gallagher-Johnson, Dee	11341	Gardner, Jeanette	15751*	Gehrke, Downey	15751*
Gallaher, William	10318	Garfinkle, Kristine	14149	Gehrke, Steve	15751*
Gallien, Linda	15751*	Garibotti, Caroline	11813	Geib, Jessica	10924
Gallo, Kevin	13242	Garibotti, Caroline	12209	Geijer, Matt	12691
Gallo, Kim	14768	Garibotti, Domenick	11865	Geiling, Bruce	14862*
Galmines, Shannyn	13901	Garibotti, Domenick	12210	Gelatka, Coral	14777
Gangi, Tony	15777	Garland, Jason	15751*	Gelatka, William	14777
Gangwal, Mukesh	15742	Garland, Jeremy	11124	Gelrich, R.	14819*
Gangwal, Nita	14018	Garland, Oyan	15751*	Genova, Gary	10749
Gangwal, Veer	14016	Garland, Saralu	11045	Genova, Gary	14203
Ganns, Gregory	13420	Garnett, Joe	14788	Genova, Michele	10750 14202
Gantt, Clarence	16675	Garnett, Karen	17000	Gentile, Lori	14378
Garand, Michael	16487	Garrels, Jennifer	10949	Gentry, Susan	14958
Garbarski, Joe	14862*	Garrett, Norma	10200	Geoffroy, Michelle	13475
Garbarski, MaryAnn	14862*	Garrison, James	10216	Georgalidis, Maria	16805
Garbauski, MaryAnn	14862*	Garrity, Courtney	15751*	Georgopoulos, George	14862*
Garber, Annette	16734	Garvey, Anthony	14862*	Georgopoulos, Jennifer	14862*
Garcea, Diane	15287	Garza, Christine	13892	Gerak, Justin	10565
Garcia, Antonio	14819*	Garza, Lucy	13891	Gerali, LeRoy	17051*
Garcia, Carlos	14862*	Garza, Raymond	13336	Gerber, Cecilia	13276
Garcia, Carol	16423	Gass, Cathleen	16264	Gerber, Kristen	15156
Garcia, Carrissa	14819*	Gattone, Elizabeth	15861	Gerbich, Mary	13259
Garcia, Daniel	14910	Gattone, Joseph	12914	Gerdeman, Deborah	15567
Garcia, Denise	15401 16564	Gattone, Mary	12914	Gerecke, Herbert	15342
Garcia, DJ	14862*	Gavars, Guido	11201	Gerecke, Sharon	12218 13777
Garcia, Estelle	15745	Gavars, Samantha	11867	Gergely, Joe	14619
Garcia, Gerardo	14862*	Gavars, Suzy	11868	Gerlach, Helmut	10397
Garcia, Gordon	15751*	Gavin, Amy	13717	Germain, Pamela	14328
Garcia, Gregorio	14907	Gawron, Peggy	16451	Gerovac, Jill	15751*
Garcia, Melissa	14905	Gawron, Steve	16451	Gerritsen, Andy	15060
Garcia, Michael	10077	Gawthorpe, Philip	12549	Gerritsen, Greg	15060
Garcia, Michelle	12055	Gazdzik, Michael	16399	Gerstner, Robert	14862*
Garcia, Noel	14516	Geanconteri, Janice	15751*	Gesiorski, Christine	13321
Garcia, Olegari	14825	Gear, Robert	12393	Gettig, Jacob	16982
Garcia, Sharon	14906	Geen, Phyllis	16319	Ghaussy, Aimee	11636
Gardiner, Jane	14161	Gehler, Martha	11419	Ghelani, Aaushi	12055
Gardiner, John	14862*	Gehring, Ed	12400	Giacomin, Mark	14009

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Giamalva, Kathleen	11913	Giroux, Grayson	12055	Goelitz, Erica	14455
Giancarlo, Richard	14491	Gissler, Kyle	16486	Goetz, Nancy	15614*
Giannelli, Marie	14862*	Gits, Kim	14639	Goetz, Steve	15614*
Giannetta, Mario	12528	Given, Charlotte	17195	Golab, Eileen	11999
Gianni, Franco	11496	Given, Kerry	13229	Golab, John	11043
Gianopulos, Skip	11385	Given, Kerry	17194	Golauil, Gary	14819*
Giarraputo, Kathleen	13983	Giza, Diane	16115	Gold, Brian	16455
Giblin, Jim	15072	Giza, Walter	16115	Gold, Marilyn	17175
Gibson, Kelly	11466	Glaser, Pam	11199 15082	Golden, Erica	14492
Gibson, Mark	11165	Glaser, Pam	12215	Golnick, Gary	12160
Gibson, Suzanne	11165	Glaser, Richard	11200 15082	Golnick, Peggy	12155 12694
Gidley, Brian	16265	Glaser, Richard	12215	Goluch, John	12543
Giesel, Joanne	11486	Glass, Daphne	12839	Goluszka, Richard	15040
Gilbert, Kathleen	10783	Glass, Mary-Elizabeth	11238 12627	Gomez, Adam	14819*
Gilbert, Susan	11604	Glawe, Rebecca	16189*	Gomorczak, Elizabeth	14862*
Giless, Lorna	15751*	Gleason, Dolores	12665	Gomorczak, James	14862*
Gill, Phil	12055	Gleason, Lauren	11386	Gonten, Marisen	16806
Gill, Tom	10056	Gleba, Jennifer	15751*	Gonzales, Don	15751*
Gillen, Gordon	15587	Gleba, Joe	15751*	Gonzalez, Earnest	10084
Gillen, Laura	14926	Glenn, Sandra	15751*	Gonzalez, Sandra	14862*
Gillespie, Jennifer	14683	Glicklich, Barry	12980	Gonzalez, Wilberto	15658
Gillette, Kenneth	10335 12833	Glienke, James	15751*	Goodman, Michael	10539 10973
Gillig, Dennis	12170 16026	Glorch, Robert and Betsy	11233	Goodson, Lee Ann	16642
Gillig, Linda	12172	Glord, Mary	10883	Goodwin, Karen	16427
Gilman, Dan	14819*	Gloss, Robert	10306	Goodwin, Luke	12017
Gilman, Michelle	14819*	Glowacki, Maureen	15751*	Goodwin, Maggie	11648
Gilman, Tracy	15429	Glowacki, Vic	15751*	Goodwin, Molly	12020
Gilmore, Rachel	15285	Glowaki, Olga	15259	Goodwin, Virginia	10345 12703
Gilson, Edith	14454	Glueckert, Carolyn	11546 15864	Goodwin, William	10343
Gilson, John	10744	Glynn, Patrick	16266	Gopon, Leon	10153
Gindville, Larry	13027 13150	Glynn, Susan	15699	Gora, Arthur	14205
Ginner, Bob	10192	Goddard, Carol	14862*	Gorczowski, Gregg	16177
Giovannelli, Frank	15751*	Goddard, Joseph	14862*	Gorczowski, Janice	16432
Giovannelli, Tammy	15751*	Godlewski, Joann	15751*	Gorczowski, Samantha	16177
Giovenco, John	15751*	Godziszewski, Pat	14913	Gordon, Aaron	14675

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Gordon, Bonnie	11176	Granat, Laura	10478 12807	Greenawalt, Patricia	10406 13694
Gordon, Jane	10169	Granato, Giseli	14819*	Greenawalt, Susan	13422 13949
Gordon, Kevin	12055	Granato, Greg	14819*	Greenberg, Larry	12766
Gordon, Sela	12055	Granato, Melvin	14819*	Greene, Angela	15574
Gordus, Bernadine	14862*	Granato, Teri	14819*	Greenman, Mae Ann	15634
Gordy, Karen	13421 16971	Granato, Virgil	14819*	Greenwald, Jackie	14901
Gore, Bill	12917	Granholm, Jim	10463	Greenwood, Reggie	15559
Gore, Kandy	12542	Grant, Patti	11448	Greffin, John	12250
Gorgol, Valerie	14329	Granzow, Kathryn	15751*	Gregory, Bobbi	13786
Gorman, Bob	14549	Gras, Waldemar	12979	Gregory, Dahlas	13790
Gorniak, Christopher	14862*	Graske, George	13071	Gregory, Margaret	10337 10344
Gorniak, Marietta	14862*	Graske, Judith	13071	Gregory, Wayne	13136
Gornik, Rick	14201	Gravenhorst, Brian	12464	Greinke, Dorothy	17148
Gorski, Sherri	12518	Gravenhorst, Marice	12464	Greinke, Ernest	17148
Gossett, Joan	13718 13719	Graves, Patsy	10424 16679	Grelle, Cheryl	11387 14297
Gosswein, Blake	12016	Gray, Alan	12178	Grelle, Lawrence	11157 14314
Gosswein, Ellen	12558	Gray, Glen	15456	Grenchik, Amy	15198
Gosswein, Jim	11780	Gray, Glenn	16267	Gresham, Heather	11592
Gotfryd, William	11207	Gray, Jim	12820	Gretine, Alle	13661
Gottschalk, Betsy	15840	Gray, Julie	14819*	Greubel, Heather	13789
Gottschalk, Norma	15838	Gray, June	15751*	Grew, Jean	15614*
Gould, Jill	15548	Gray, Karen	12820	Griese, Tracy	15751*
Gould, Scott	12056	Gray, Ralph	14819*	Griesenauer, Bill	13853
Goveya, Steve	14530	Gray, S	11714	Griffin, Ann	15327
Grabinski, Karen	16469	Graybill, R.Scott	15614*	Griffin, Bill	11349
Graczyk, Amanda	16403	Graziadei, Barb	14819*	Griffin, Chris	15083
Graczyk, Michael	16402	Graziadei, Jeff	14819*	Griffin, Christine	11754
Graden, Joan	13658	Grazian, Len	12056	Griffin, James	14819* 16366 17039
Graff, Margaret	11104	Green, Bob	15421	Griffin, Jason	14862*
Graffia, David	12529	Green, Michael	15119	Griffin, John	11743
Graham, Bonnie	14862*	Green, Sabrina	16556	Griffin, Jr., Robert	10485 12096 12266
Graham, Keith	14285	Greenawalt, Matthew	14026	Griffin, Linda	11080

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Griffin, Marilyn	14819*	Grover, Katherine	11098	Gullum, Lawrence	15614*
Griffin, Marilyn	16373	Groves, Barbara	14819*	Gulotta, Marcello	12812
Griffin, Marilyn	17039	Gruber, Margaret	12620 15354	Guntin, Ed	14421
Griffin, Michael	15805	Gruel, Rob	14828	Guntin, Jonathan	11735
Griffin, Sam	11345	Grunst, Steven	11293	Guntin, Marisel	11735
Griffin, Vanessa	10519 12903 15083	Gryka, Donna	13748	Guntin, Marisel	14422
Griffith, Beverly	11639	Gryzik, Greg	12150	Gurney, Kris	15495
Griffith, Martha	16048	Gryzlo, Dina	12097	Gurusamy, Shree	14870
Grill, Dolores	14862*	Gryzlo, Nina	10751	Guschina, Jenya	13288
Grill, Joseph	14862*	Grzesiakowski, Timothy	16270	Gustafson, Diane	14456
Grimes, Arlene	13765	Grzesik, Frank	15751*	Gustafson, Harold	12490
Grimpe, Glenn	14414	Guarise, Ivy	15930	Gustafson, James	11497
Grimpe, Veronica	14414	Guarise, Michael	15930	Gustafson, Jay	15751* 15752*
Grine, Dawn	13571	Guda, Erik	17055	Gustafson, Karen	11494
Grisco, Dorothy	15215	Guda, Kelly	17055	Gustafson, Kathleen	10931
Griswold, Bernadette	14330	Gudas, Gail	15614*	Gustafson, Kevin	16271
Grodoski, Laura	13024 15435	Gueller, Jeff	10974	Guthrie, Dave	10853
Groenewold, Laura	13909	Guenther, Alma	13255	Gutowsky, Catherine	14819*
Groller, Edwin	15260	Guenther, Harold	13255	Gutowsky, Jeff	14819* 15387
Groller, Joseph	16268	Guernsey, Susan	12902	Guy, Lisa	15096
Groller, Wayne	15700	Guerrero, Phil	15614*	Guyette, Barbara	15759
Grom, John	10908	Guildenzoph, Marjorie	15943	Guzaski, William	14944
Grom, Rob	11726	Guilford, Carolyn	15614* 17070	Guzdziol, Edward	12838 13401
Gronek, Patrick	14862*	Guilford, Mike	15614*	Gwiasda, Bob	11658
Grooms, Chris	15614*	Guldan, Cindi	15751* 15810	Haack, Barbara	16086
Grooms, Jr, Kenneth	10389 15614*	Gulino, Thomas	14954	Haack, Dean	16100
Grosch, Phillip	16269	Gull, Ellen	11313	Haan, Allison	12977
Gross, Nancy	10200 11280	Gullang, Doug	13359	Haan, Judi	12978
Gross, Randall	11192	Gullang, Walter	10566	Haas, Kenny	16688
Grosser, Susan	10693	Gulledge, Margaret	11617	Hack, Timothy	14447
Grossinger, Susan	13640	Gullicksen, Janet	16976	Hadgisava, Nancy	10988
Grossmann, Tomm	16637	Gullum, Elizabeth	15614*	Hadgisava, Nancy	15378 16020

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Hadgisava, Steve	16020	Hamilton, Garth	17199	Hansen, Sharon	12078 17131
Haefner, Jason	16189*	Hamilton, Gregory	10172	Hansen, Sharon	14819*
Haeuser, Anthony	12246	Hamilton, Liz	12682	Hansen, Stacy	11819
Hafertepe, James	14819*	Hamlin, Robin	11850	Hansen, Sue	10765
Haff, Barbara	13953	Hamm, Courtney	10394	Hanson, Amy	13230
Haff, James	13953	Hamman, James	11329	Hanson, Jeanne	11798
Hagamann, Ray	16970	Hamman, Mary	10893	Hanson, Keith	11896
Hagamann, Sylvia	16970	Hammar, Cari	14676	Hanson, Laura	14686
Hagar, Joan	11499	Hamouz, Mildred	14862*	Hanson, Robert	13381
Hagen, Jennifer	13632	Hancock, Annette	12448	Hanson, Stephanie	11281
Hagen, Michelle	13237	Hancock, David	17051*	Hanson, Virginia	12395
Hahm, Daniel	13301	Hancock, Nathan	11113	Hapanovich, Gary	15614*
Hahn, Diane	14074	Hancock, Roger	15816	Hapawovich, Sharon	15614*
Hahn, Randy	14075 15751*	Handeland, Lyle	15140	Hardek, David	13635
Haider, Eram	15751*	Handeland, Nina	14407 15144	Harden, Michael	14436
Hailer, Kathryn	12715	Handler, Howard	16396	Hardesty, Barbara	13300
Haines, Larry	10200	Handley, Robert	15664	Harkless, Iverne	10692
Haines, Violet	10200	Handville, N. Seton	12923	Harmon, Jean	11659
Haire, Denise	15094	Handzlik, Luke	14151	Harms, Dennis	11488
Haire, Robert	15094	Haney, Shirley	15943	Harms, Georianne	11137
Hairenberg, Julie	12530	Hanifl, Darren	11180	Harnley, Gayle	15216
Haisch, C.	15751*	Hanifl, Suzanne	11175	Harper, Adam	14535
Hajek, Frances	15063	Hanify, Dennis	12864	Harper, Cynthia	17104
Hajek, John	15063	Hankins, Julie	15187 16208	Harper, Gregory	17104
Hale, James	10453	Hanlon, Alicia	12297	Harper, Meghan	17317
Hale, Todd	15121	Hann, Derick	13720	Harper, Merilyn	12685
Halford, Carie	14550	Hann, Donald	13721	Harper, Ryan	17109
Halka, Kathryn	15420	Hannon, Julie	15491	Harrington, Joe	12824
Halkh, Kathryn	11016	Hansen, Dave	14819* 17131	Harrington, Mike	16387
Hall, Devon	12098	Hansen, Dicie	16378	Harris, Alfred	11088
Hall, Hali	12055	Hansen, George	10845	Harris, Cynthia	14457
Hall, James	10586	Hansen, Jr., Philip	13756	Harris, Darren	16370
Hall, Richard	14570	Hansen, Kathy	11480	Harris, Emily	10798
Hall, Roger	14420	Hansen, Katy	11818	Harris, Jason	11292
Haller, Julie	10663 12607	Hansen, Lisa	13198	Harris, Karen	15348
Hallman, Kirie	16003	Hansen, Lois	16076	Harris, Letti	16272
Hallman, Thomas	16162	Hansen, Rich	15614*	Harris, Lisa	13139
Hamilton, Claire	11547	Hansen, Ruth	17051*	Harris, Margaret	11383 12099

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Harris, Margaret	14862*	Hawke, Steve	10132	Hellrung, Sandy	14044
Harrison, Christine	14899	Hawking, Dana	12055	Helm, Roberta	15751*
Harrison, Crystal	14331	Hawkins, Janice	15822	Helm, Walter	15751*
Harrison, Jack	10713	Hawrysz, Karen	12491	Helminiak, Audrey	10542
Harrison, Jo	15362	Hayden, Kelly	15882	Helton, James	15129
Harrison, Nancy	11805	Hayden, Laura	14645	Helton, Lori	15128
Harrison, Richard	15362 16967	Hayes, Jane	14781	Henderson, Kelly	17149
Harrison, Stephen	12611	Hayes, John	14781	Henderson, Lorretta	10576
Hart, Brian	15430	Hayford, Timothy	10654	Henderson, Thomas	13782
Hart, Helen	14404	Hays, David	10173	Hendricks, Stanley	10266
Hartman, Karen	14559	Hays, Teresa	13116	Hendrickson, Laura	14819*
Hartman, Karl	13172	Hazelett, Debra	15751*	Hendrickson, Linda	10718
Hartmann, Sherry	13451	Heaberlin, Kim	14940	Hendrickson, Wayne	14819*
Hartmann, Tom	15751*	Hearst, Allison	11830	Hendrix, Kathy	15111 17201*
Hartstein, Elliot	15856 15896	Hearst, Jack	15807	Hengels-Pryor, Ramona	14819*
Hartwig, Julie	14862*	Heath, Alan	10204	Henke, Diane	15798
Harty, Susan	13037	Heaton, S	15614*	Henke, Ted	15798
Hartzel, Grace	11555	Hebreard, Daniel	10034	Hennelly, Nancy	10855
Hartzel, Kimberly	11190	Heckert, Mary	15751*	Hennelly, Patrick	10897
Harvey, Harold	15751*	Heer, Robert	16408	Henry, Barbara	13402
Harvey, Kris	12746	Heffernan, Andrea	10916	Henry, Kelly	15358
Harvey, Phil	11285	Heflen, Gary	14819*	Henry, Larry	10357
Hass, Patty	14704	Hegarty, Catherine	17051*	Hensel, Sarah	14819*
Hass, Rolin	13565	Heick, A.	11677	Henson, Michelle	12174 12182 15751*
Hassell, Catherine	13695	Heidner, Chase	12055	Henson, Scott	12194
Hastings, James	13806	Heim, Joan	16807	Hepner, Kimberly	15751*
Hatchett, Deborah	15982	Heimbach, Carolyn	12415	Hepner, Scott	15751*
Hatchett, Helen	15982	Hein, Cherie	10540	Hepner, Therese	12152 15751*
Hausen, Jack	11673	Heinrich, Barbara	14862*	Herbert, Bill	15791
Hauser, Stephanie	15751*	Heinzel, Barbara	17314*	Herbert, Susan	17051*
Havel, Dori	15751*	Heisen, Daniel	14994	Herbrand-Grovak, Debby	15751*
Havey, Edward	12224	Heiser, Brian	15751*	Herion, Diana	15751*
Hawe, Alyssa	11126	Heiser, Sue	15751*	Herion, Patrick	15751*
Hawe, Sara	11116	Hejtmanek, Rich	10398	Herlehy, Michael	15751*
Hawe, Yolanda	11117	Helgason, Edward	15379	Herman, Charlene	13791
Hawk, Margaret	12396	Hellrung, James	14044	Herman, JoAnne	15992

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Herman, Mary Jo	12659	Hicks, Tracee	11959	Hinkle, Ron	11172
Hermanowicz, John	15614* 17067	Hiemenz, Heather	16440	Hinman, Barrie	10734
Hermanowicz, Pat	15614*	Higgins, Janis	15614*	Hipps, Joyce	15635
Hermsen, Tom	11302	Higgins, Joseph	15614*	Hirdes, Lisa	11579
Hernandez, Jose	16577	Higgins, Nicole	10746	Hirsch, Amanda	11382
Herr, Bill	16808	Higham, George	14819*	Hirsch, Fred	12704
Herrick, Dan	15614* 17096	Higham, Roberta	14819*	Hirsch, Judy	12704
Herrick, Jared	11591	Hightower, Jewell	10215	Hirschhorn, Eric	13073
Herrick, Lynn	15614* 17096	Hildrith, Jane	11505	Hirtz, Nancy	14057
Herrmann, Angela	12340	Hilgers, Dave	14307	Hirtz, Tom	14057
Herrmann, Tim	10754	Hill, Jill	14947	Hitchon, Lorraine	15614*
Herzog, Carl	11365	Hill, Jr., Woodrow	16810	Hlavacek, Kristin	14862*
Hess, Ertha	16809	Hill, Judy	14428	Hlavaty, Nick	10017
Hessel, Denise	11936	Hill, Lori	15961	Hoban, Sarah	15398
Hessel, Denise	12616	Hill, Matt	13655	Hobin, Olga	15751*
Hesselbein, David	11346	Hilliard, Joseph	11620 14308	Hochstein, Eric	15145
Hetelle, Jill	14819*	Hillier, Lynn	14572	Hockemeyer, Scott	14862*
Hetzler, Richard	10145	Hill-Martin, Marsha	14706	Hockett, Matthew	15189 15504
Heuser, Mark	14819*	Hills, John	11630	Hodge, Mark	10013
Hewes, Susane	14715	Hilton, Kathy	16811	Hodges, Lois	11467
Hewitt, Jan	15454 15464 15594 15665	Hilton, Steve	17174	Hodgkinson, Duane	11435
Hewitt, Janice	13231 13443 13480 14164 14410 14415 14416 14638 14643 14702 14884	Himes, Richard	12751	Hodgman, Kathleen	10684
Hibbott, Barbara	12984	Hines, Earnest	17051*	Hoerdeman, Robert	15286
Hibbott, Rick	13005	Hines, Kathleen	15751*	Hoerner, Paula	11519
Hickey, Gina	15614*	Hinkelman, Gerald	16064	Hoey, Edward	16015 16089 16152
Hickey, Robert	15614*	Hinkle, Grant	12036	Hoey, Mary	16015 16152
Hicks, Timothy	10091	Hinkle, Maddie	11188	Hoffman, Darbi	12905

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Hoffman, David	15538	Holmes, Lisa	15751*	Horstmann, Kimberly	12926
Hoffman, Diane	11925	Holmgren, Elizabeth	14819*	Horstmann, Richard	12926
Hoffman, Marianne	10106	Holmgren, Michael	14819*	Horton, Annie	14458
Hoffman, Michael	14159	Holsen, Angie	10260	Horton, Barbara	12845
Hoffman, Scott	11925	Holsen, Stan	10263	Horton, Simone	11712
Hoffman, Sheri	12368	Holsteen, Mary Beth	12100	Horton, Veola	16273
Hoffmann, E	12055	Holt, Jonna	11377	Horvath, Brian	13333 13346 13387
Hoffmann, Margaret	16465	Holtec, P.	10264	Horvath, Elizabeth	14008
Hoffmann, Raymond	16465	Holtermann, David	16413	Horvath, Lynne	13337
Hogan, Daniel	11376	Holub, Joan	14862*	Hosticka, Suzanne	13158
Hogan, Richard	11831	Holuj, Amanda	13236	Houck, Richard	12013
Hoggins, Graham	14309	Holup, Mary Lou	10353	Hough, George	16149
Hogsett, Chris	16928	Holzknecht, A.	11613	Hough, Lynda	15586
Hoholik, Valerie	16559	Holzknecht, Annette	10717	Houlihan, Alda	15817
Hoist, Catherine	15751*	Holzknecht, Arthur	14622 16040	Houlihan, Frank	15817
Hoist, Peter	15751*	Homenn, Karl	13749	Houlihan, Pat	16098
Holay, Maya	12055	Homfeldt, Kent	15751*	Houndbeck, Helen	16814
Holck, Herbert	14716	Homfeldt, Sally	15751*	Hovde, Linda	10560
Holicky, Bernard	11332	Hooks, Thomas	13423 13424	Hovde, Steven	11211
Holland, James	11055	Hoots, Brent	12101	Hovey, Sharon	15751*
Holland, Joe	10895	Hopkins, Brian	10641	Howard, Elizabeth	16697
Holland, Jyl	11107	Hopkins, Jeff	15751*	Howard, Gail	10941
Holland, Paige	11049	Hopkins, Mark	13103 15751*	Howard, II, Donald	10227
Holland, Robert	10812	Horak, Laura	11935	Howard, Jim	11625
Holland, Stacy	10298	Horak, Ryan	12011	Howard, Joan	16815
Hollingsworth, Tammy	13874	Horan, R.	14294	Howard, Matthew	16697
Hollis, William	16812	Horcher, Kevin	10687	Howe, William	10115
Hollock, Barbara	12828	Horn, Cynthia	16029	Howell, Elizabeth	10404
Holly, Bill	16813	Horne, Barbara	16127	Howell, Harley	12915
Holm, Anni	12327	Horner, Jeff	16933	Howell, John	10404
Holm, Mary	15051	Hornik, David	10474	Howell, Michael	12916
Holman, Brian	11325	Horning, Carol	17314*	Howell, Susan	13291
Holman, Joann	11256	Horodeck, Jane	15451	Howland, Heather	15498
Holmes, Glenn	10492	Horslev, David	12371	Hoydn, Christina	16169

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Hoyne, Doris	11952 12205	Hunter, Diane	11056	Interrante, Fina	16182
Hoyt, Sherman	11134	Hunter, John	12080	Ippolito, Judy	15751*
Hren, Susan	12999	Hunter, Tom	10759	Iqbal, Shamsudeen	12449
Hrobon, David	11251	Hurst, Bertha	14357	Irwin, Trish	11759
Hrobon, Debbie	11598	Hurtig, Sari	10428	Isaias, Fernando	11522
Hrobon, Rachel	11920	Hutchins, James	14019	Isaias, Heidi	11529
Hrusa, Joseph	14862*	Hutchins, Matt	14797	Ishikawa, Randall	13589
Hubbard, Marion	10146	Hutchinson, Beth	13454	Iskra, Christine	10200
Hubbard, Marion	12102	Hutchinson, Karen	10921	Issel, James	15509
Huber, Julie	15751*	Hutchison, Renee	10993 10994 10995 10996 10997 11202 11355	Isseu, James	14819*
Huckel, Jennie	15718	Hutter, Jean	10373	Ivanyi, Todd	15751*
Huddlestun, Glee	11890	Hyder, Ansar	10805	Ivec, Diane	14450
Huddlestun, Glee	12467	Hyland, Richard	15105	Iverhouse, Christine	15614*
Hudson, Eugene	14717	Hynes, Robert	13378	Iverhouse, James	15614* 16619
Hudson, III, Robert	11705	Iacullo, Renee	15467	Iverhouse, Kathy	15614*
Hudson, Sarah	11746	Ibbotson, Beryl	16024	Iverson, Dwight	11263
Huelskamp, Patricia	13450	Ibbotson, Brian	16025	Iverson, Giannina	10762
Huenecke, Todd	15007	Iglesias, Elma	14862*	Ives, Sarah	13634
Huerta, Xochitl	14862*	Ilko, Christa	14070	Jaber, Paula	15108
Hufford, Dave	15614*	Inda, Kenneth	12475 16943	Jackman, Andrew	12598
Hugg, Jenna	15614*	Inda, Ramona	13354 16916	Jackman, Kristine	12609
Hughart, Lyle	12344	Infantino, Joseph	13590	Jacknow, Harry	17051*
Hughes, Annette	13868	Infusino, Gerald	15751*	Jackson, Bobby	13057
Hughes, Marjorie	14819*	Infusino, Joan	15751*	Jackson, Carly	14943
Huguelet, James	13844	Ingallinera, RoseAnn	14862*	Jackson, Chad	14943
Huldin, Nelson	15377	Ingersoll, Claire	12825	Jackson, Isabella	14943
Hulina, Randy	14444	Ingersoll, Eric	12825	Jackson, Lisa	11693
Hull, Dale	10319	Innocentini, Anne	12055	Jackson, Lori	14598
Hull, Michaela	14281	Innocentini, Bonnie	11549	Jackson, Pamela	11810
Hunley, Cynthia	13696	Innocentini, Kathryn	11517	Jackson, Sharon	10302
Hunt, Courtney	13140	Insalato, Awanda	15751*	Jackson, Thomas	11699
Hunter, Catherine	15614*	Insalato, Vincent	15751*	Jacob, Shobha	13817

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Jacobek, Jill	16673	Jankowski, Shirley	15751*	Jensen, Charlotte	15751*
Jacobs, Bruce	11226	Jannotta, Peter	13112	Jensen, III, William	14819*
Jacobs, Laurie	12684 15878	Janowick, Jennifer	11773	Jensen, John	15751*
Jacobs, Michael	11610	Janowick, Timothy	10715	Jensen, Ken	14058
Jacobs, Ray	14819*	Jansen, Greg	15614*	Jensen, Kris	14862*
Jacobs, Rolinda	11225	Jansen, Judy	15614*	Jensen, Marguerita	14819*
Jacobs, Todd	13425	Jansky, Marlene	14862*	Jensen, Marissa	14862*
Jacobs, Tracy	16498	Jansky, William	10112	Jensen, Nalani	14898
Jacobs, Valerie	14819*	Janssen, Alice	15781	Jensen, Natalie	14862*
Jacobsen, Virginia	16920	Jantz, Helen	11866	Jensen, Norma	15751*
Jacobson, Linda	14819*	Janus, Kristy	13167	Jensen, Pat	14897
Jacobson, Rose	11559	Jaquez, Alex	14819*	Jensen, Randy	15751*
Jacobson, Terry	11559	Jaquez, Susy	14819*	Jensen, Shari	14059
Jacobucci, Amy	13846 14389	Jaraczewski, Arleen	14862*	Jensen, Simone	12055
Jacoby, James	13754	Jaradat, Razan	16176	jensen, Susan	10830
Jacques, Russell	15751*	Jaramillo, Amelia	13815	Jenson, T	12056
Jaeggin, Rachael	11339	Jarecki, Catherine	14862*	Jesionowski, Sylvia	16189*
Jaguszewski, Sharon	14517	Jarman, Alis	12492	Jesse, Robert	14459
Jahncke, Nancy	15614*	Jarman, Chris	16388	Jeusar, Fay	12055
Jahncke, Tom	15614*	Jarman, Ellyse	16389	Ji, Nadia	15329
Jahnke, Jeremy	15751*	Jaros, Dorothy	13403 13404 14198	Jimerez, Alicia	15751*
Jahnke, Trisha	15751*	Jarosz, Sheila	13792	Jindoian, Sarkis	10200
Jahntz, Susan	14819*	Jarrard, Clisby	11633	Jindoian, V.	10200
Jajko, Ann	14718	Jarrard, Jessica	11635	Jindrich, William	13208
Jalota, Amit	15752*	Jarvie, Steve	10117	Jodoin, Allison	11100
Jalota, Prem	15752*	Javornik, Mark	10392	Jodoin, Christine	11101
Jalota, Veena	15752*	Jayaraman, Jay	11299	Jodoin, Christine	11855
James, Sandra	10240	Jecmen, Irene	10531	Jodoin, Gene	14720
James, Zagorka	10098	Jeffreys, Elizabeth	16502 16816	Jodoin, Grant	11849
Jamieson, D	15751*	Jeffries, Jr., James	15790	Jodoin, Jean	11852
Jamison, Derek	16993	Jeffries, Linda	15199 16817	Jodoin, Jean	15147
Jamrozy, Richard	16466	Jeleniewski, Phill	16724	Jodoin, John	11853 11854
Jamrozy, Romayne	16634	Jelinek, Darlene	14862*	Joe, Alvern	15751*
Janaes, David	15636	Jendraszkiewicz, Daryl	13159	Joe, Julie	15751*
Janczy, Theresa	14862*	Jenkins, Brian	11778	Joe, Stefan	15751*
Janczy, Theresa	14862*	Jenkins, Shawn	15426	Joe, Wayland	15751*

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Johanson, Timothy	12159	Johnson, Leslie	14131	Jones, Kaeyan	14814
Johns, James	16661	Johnson, Lowell	12103	Jones, Kelly	14196
Johnson, Anne	16662	Johnson, Martha	11986	Jones, Mary	15719
Johnson, Anne	17142	Johnson, Mary	13585 14835	Jones, Nancy	13564
Johnson, Anthony	13967	Johnson, Matt	15614*	Jones, Shirley	13427
Johnson, Anthony	13998	Johnson, Maureen	14460	Jones, Suzanne	14462
Johnson, Betty	13769	Johnson, Millie	12104	Jones, Thomas	13082
Johnson, Brent	12045	Johnson, Nancy	17145	Jones, Tim	10268
Johnson, Brian	13209 13750	Johnson, Paul	13584 14849	Jones, Tony	14830
Johnson, Bruce	11333	Johnson, Peggy	15046	Jones, William	14196
Johnson, Cathy	16275	Johnson, Robert	11917	Jongsma, Allen	10206
Johnson, Char	14147	Johnson, Robert	11921	Jongsma, Patricia	10020
Johnson, Christina	15751*	Johnson, Robert	17145	Jordan, Dave	13902
Johnson, Cindy	15825	Johnson, Sara	16140	Jordt, Wendy	15614* 17091
Johnson, Craig	11928	Johnson, Sue	10549	Joseph, John	11025
Johnson, David	15970	Johnson, Sue	11968	Josupait, Linda	12767
Johnson, Debbie	11908	Johnson, Susan	13887 15183	Jovanovic, Vladimir	15751*
Johnson, Debra	15386	Johnson, Thomas	11363	Jovanovich, Deborah	10339
Johnson, Diana	13667	Johnson, Thomas	12686	Jovanovich, Turk	10340
Johnson, Diane	12293	Johnson, Virginia	14721	Joyce, Chris	12023
Johnson, Don	13193	Johnson, William	13426	Joyce, Dan	10945
Johnson, Don	15787	Johnson-Alonso, Anna	11669	Joyce, David	12024
Johnson, Donald	13886 15180	Johnston, Bill	12179 14819*	Joyce, John	15532
Johnson, Dorothy	11891	Johnston, Florence	16276	Joyce, John	15532
Johnson, Doug	14461	Johnston, Gladys	12179 14819*	Joyce, Liz	12027
Johnson, Dwight	12644	Johnston, Joan	12666	Joyce, Maddie	12026
Johnson, Jay	14719	Johnston, Michael	13204	Juarez, Frank	14824
Johnson, Jeff	15654	Johnston, Robert	12271	Juffernbruch, Daniel	12632
Johnson, Jerry	16561	Johnstone, Jr., Francis	11286	Julian, Kathryn	12055
Johnson, Jo Ann	12309	Jolie, Phil	13312	Junia, Joe	13304
Johnson, Joann	11660	Jollette, Kimberly	15751*	Junia, Sandra	13304
Johnson, Julie	15894	Jondahl, Thor	10500	Juracka, Donna	15427
Johnson, Karen	15261 16189*	Jones, Unknown	15269	Juraska, Alan	16818 17164
Johnson, Ken	14148	Jones, Daniel	15064	Jurs, Cheryl	15751*
Johnson, Kenneth	12293	Jones, Jerome	13056	Justak, Deana	15900

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Justman, Pam	15847	Kaluzsa, Karen	12235 14819*	Kashyap, Soren	14955
K, S	14819*	Kalvelage, William	14596	Kasi, Andy	14819*
K, T	14862*	Kaminski, Charlene	15648	Kasiurak, Donna	15751*
Kabbes, Karen	10737	Kaminski, Lillian	14664	Kasmierski, Genevieve	14819*
Kabel, Danielle	14819*	Kamm, Gilbert	10152	Kaspar, Beverly	17051*
Kaboski, Hilary	11195	Kamm, Gilbert	11432	Kass, Christine	10601
Kacanowski, James	14181	Kanak, Richard	16459	Kass, Mary	13952
Kacmarek, Peter	15637	Kane, Brandon	14936	Kaswowski, Dave	13578
Kaczala, Sondra	16819	Kanehann, Susan	12928	Kaswowski, Kathryn	13578
Kaczmarek, Kim	10691	Kanji, Shabbir	13639	Kataoka, Eiko	15858
Kady, Craig	16277	Kannell-O'Neill, Jane	16820	Katcher, M	16640
Kagebein, Suzanne	15799	Kapadia, Dino	13008 13147	Katcher, Renee	15550 16562
Kahn, Cynthia	11767	Kapadoukakis, Julie	14819*	Katon, Victoria	16821
Kaiser, Pat	14264	Kapcheck, Jackie	13306	Katrakis, Christopher	11085
Kakadia, Yogesh	14819*	Kaplan, Alexander	15751*	Katrakis, Kathleen	11744
Kakareka, Karen	15614*	Kapusta, Nancy	14760	Katz, Lily	12055
Kakos, H	15087	Karales, Norma	15943	Katzen, Kimberly	13878
Kakos, James	15087	Karambelas, Dean	10449	Kaufman, Stuart	12463
Kalavagunta, Sucharitha	16588	Kareckas, Jerome	15639	Kaur, Navjot	14617
Kalchbrenner, Joanne	15751*	Kari, George	13841	Kaur, Sarvjeet	15751*
Kalck, Nancy	10269	Karija, Diane	15067	Kauser, Andrew	11425
Kaledich, Catherine	15638	Karlin, Cheryl	13294	Kauser, Carrie	11425
Kaliterna, Robert	10531	Karlin, Gary	12105 13294	Kavouras, Vickie	12932
Kalke, Heather	15659	Karolich, Nina	14493	Kawash, Amjad	15751*
Kalmes, Adrienne	10823	Karon, Patricia	10512 15640 16505 16512	Kawash, Florence	15751*
Kalmes, Paul	10987	Karon, Patricia	11421	Kay, Thomas	17051*
Kalodimos, Rosemary	10531 (Petition)	Karon, Thomas	10130 10514 16712	Kaylor, Connie	16931
Kalous, Dorothy	14146	Karp, Donald	10048	Kaylor, Cory	17009
Kaluzny, August	14862*	Kasal, Jane	14862*	Kazlauskas, Michael	13955
Kaluzny, Rosemary	14862*	Kasala, Julie	15295	Kazmier, Penny	12610
Kaluzsa, Karen	12167	Kashnowski, Linda	15751*	Keating, Ray	14953

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Keating, Richard	15614*	Kellner, Rick	15751*	Kenrich, Gwen	12029
Keating, Suzanne	11041 15642	Kellum, Dean	10007 14167	Kenster, Noreen	14113
Keatins, Denise	15614*	Kelly, Brian	14166 15471	Kenyon-Panier, Jennifer	16449
Keca, Danna	12862	Kelly, Calvin	12717 12727	Kerchberger, Dawn	15004
Keca, Steven	16167	Kelly, Debra	17033	Kerekes, Diane	12107
Kedziora, Mildred	15751*	Kelly, Diane	14390 15011	Kerestes, Larrie	15531
Kee, Samuel	15892	Kelly, James	17187	Kereszturi, John	15751*
Kee, Shante	11606	Kelly, Jeanna	11655	Kerkooffs, Alejandro	15751*
Keefe, Sandra	15352	Kelly, Mary	12728 12768 12918	Kerkooffs, Rolando	15751*
Keenan, Jack	11521	Kelly, Methinee	17193	Kerkstra, Ray	15933
Keeter, Karon	15751*	Kelly, Nadia	15217	Kern, Annette	10268
Kegwin, Geneva	16278	Kelly, Patrick	15162	Kern, Ed	11513 12265 16390
Kehrmann, Cathy	11709	Kelly, Ronald	10434	Kern, Karen	11513 16390
Kehrmann, Michael	11736	Kelly, Tara	10268	Kern, Lisa	15751*
Keifen, Christine	13084	Kelsch, Scott	13697	Kerr, Cynthia	14333
Kein, Douglas	13839 15023	Kemp, Barbara	11417 14311	Kerr, James	11420
Kein, Laura	15061	Kemper, Marie	13293	Kerr, Julie	11420
Keiser, Deborah	11493	Kemper, Roy	14819*	Kerr, Susan	15751*
Keiser, Jeff	11337	Kenaga, Robert	16242	Kerrins, Martin	14722
Keisler, Paul	15751*	Kendzior, Anita	11688	Kerry, Nicole	16825
Keith, Leory	10076	Kenneally, Heather	14589	Kershner, Dave	15746
Keith, Rebecca	11445	Kenneally, Patrick	11063	Kershner, Ethan	10953
Keleher, Robert	10550	Kennedy, John	12181 15751*	Kershner, Gary	10958
Keller, Barbara	13781	Kennedy, John	13866	Kershner, Hannah	10952
Keller, Jim	10268	Kennedy, Tim	12965	Kershner, Jeff	15731
Keller, Jim	10268	Kennedy, Vincent	11734	Kershner, Jeffrey	10937 16826
Kellermann, Bob	16822	Kennelly, Christine	14806	Kershner, Julie	10948
Kelley, Austin	11381	Kennick, Carrie	15561 16823	Kershner, Julie	15734
Kelley, Kiara	11369	Kenny, David	14986	Kershner, Rachel	11619
Kelley, Maureen	10802	Kenny, Gerald	10037	Kesler, Joyce	14405
Kelley, Timothy	11374	Kenny, Geraldine	12303	Kesler, Sheila	13210
Kellner, Rick	15751*	Kenrich, Amy	16824	Kesselring, Larry	14991

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Kevern, Darlene	15751*	Kilroy, Tom	12494	Kistner, Heather	13061
Kevern, Norman	15751*	Kilsdonk, Dennis	16178	Kitching, Patrick	13317
Kevern, Randall	15751*	Kilsdonk, Nancy	16179	Kitsos, Gus	11760
Kevorkian, Diana	11816	Kincaid, Lynne	14565	Kitzman, Elizabeth	11469
Kezler, Mary	12493	King, Joan	13389	Kiunbuh, Charisma	13652
Khan, Ahsma	15399	King, Lendell	13389	Klabisch, Gregory	13616 13990 14105
Khan, Davin	15751*	King, Mary	11093	Klabisch, Susan	13611
Khan, Sean	14605	King, Susan	10709	Klausen, Wendy	14819*
Kholamian, Garo	10537	Kingsley, Arthur	12064	Klavanowitch, Richard	14463
Kick, Kyle A.	15571	Kinn, Diane	11370	Klawitter, Joann	13975
Kickert, Theresa	16078	Kinsella, Elizabeth	12612 13261	Klebine, Dave	15481
Kickert, William	16079	Kinsella, William	13258	Kleiman, Aileen	15614*
Kidonakis, Jennifer	16715	Kinyon, John	14293	Kleiman, Ross	15614*
Kidonakis, Michael	16715	Kinzer, Barb	15614*	Klein, Douglas	12348
Kiefer, Michael	15009	Kinzer, Jackson	15614*	Klein, Margaret	15294
Kiehl, Sharon	16189*	Kipperman, Bonnie	15614*	Klein, Michael	14902
Kiehl, William	16189*	Kipperman, Steve	15614*	Klevorn, Joseph	12450
Kiehn, Dawn	14291	Kirchen, Glen	15751*	Klier, Linda	13506
Kiehn, Philip	14291	Kirchen, Janet	15751*	Klier, Warren	13506
Kien, Jennie	15614* 17077	Kirchner, Karen	15751*	Klimek, Nancy	14613
Kien, Jodie	15614* 17063	Kirchwehm, Raymond	12241	Kliment, Claudia	11982
Kieras, Karen	13997	Kirkland, Thelma	16659	Kliment, Paul	11111
Kijowski, Ellen	16104	Kirkpatrick, Linda	15751*	Kline, Janet	11422
Kilayko, Caroline	14631	Kirkpatrick, Lula	15751*	Klock, Angela	12531 12546
Kilayko, Christopher	14633	Kirkpatrick, Michael	15751*	Klokowski, Longin	14819*
Kilayko, Mark	12108 14628 14634	Kirn, Anne	15614*	Klokowski, Regina	14819*
Kilayko, Susan	11864 14630	Kirn, Katrine	15614*	Kloss, Noreen	15751*
Kilboy, Gloria	14002	Kirsch, Ed	13534	Kloss, Roy	15751*
Kiler, Linda	13722 13723	Kirsch, Judy	13515	Klouw, Jill	16364
Killick, Margaret	11083	Kirsch, Ken	13518	Klub, Phillip	14334
Killick, Mark	11091	Kirsch, Kenneth	14418	Klucina, Michael	14862*
Killinger, Patricia	13215	Kirsch, Mike	13531	Klug, Randall	10346
Killinger, Scott	13217	Kirsch, Pat	13516	Klupshas, III, Frank	14441
Kilmartin, Patricia	10163	Kirsch, Trisha	13517	Knapik, Doris	11039

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Knaus, Eugene	15751*	Kolasinski, FUA	12010	Koselka, Cody	15751*
Knight, Lisa	10448	Kolasinski, Jr., John	12010	Koselka, James	15751*
Knightly, Tim	12868	Kolasinski, Julian	12010	Koselka, Jennifer	15751*
Knighton, Thomas	15262	Kolasinski, Kori	12010	Kosik-Cosenza, Laura	16134
Knot, Deborah	13405	Kolasinski, Pat	11434	Kosinski, Ken	13737 13738
Knudson, Hillary	11375	Kolasinski, Ray	11490	Kotas, Joseph	14647 15218
Ko, Jill	14335	Kolasinski, Sr., W. John	12010 12596	Kotowski, Bill	14073
Ko, Rebecca	15751*	Kolbe, Gary	10275	Kotowski, Kristie	14073
Kobs, Margo	15751*	Kolisz, Debby	10025	Kotsiris, Pota	12110
Koch, John	14673	Kollman, Norman	16626	Kouba, Barbara	12698
Koch, Kevin	15614*	Kollur, Ashok	14658	Koulakova, Alla	12973
Kochanny, Mary	10072	Komai, Kwaben	17051*	Kous II, William	15178
Kochis, Mary	17147	Koncel, Scott	16749	Koutny, George	14819*
Kocian, Timothy	15808	Koncel, Terry	16750	Koutsky, Caroline & Jerry	16827
Kocinski, James	12843 14839	Kondry, Lois	16911	Kowalski, Bea	14819*
Kocisko, Philip	15891	Konicek, Mary	12109	Kowalski, Diane	15614*
Kociunas, Marie	14862*	Konieczny, Walter	10410	Kowalski, Joe	14819*
Koehler, Donna	14854	Konkle, Mary	14654	Kowalski, Linda	14876
Koehler, Thomas	14853	Konrad, Betty	11994	Kowalski, Sabeeha	14819*
Koelling, Bill	10207	Konrath, Alan	15028	Kowalski, Tom	15614*
Koenig, Claudia	15751*	Kopec, Annette	14289 14290	Kownacki, Tina	13560
Koenig, Micah	12597	Kopp, Bob	10817	Koziel, Rose	15614*
Koenig, Venessa	16137	Kopp, Carol	10986	Kozlowski, Remi	14812
Koepsel, Holly	11761	Kopp, Dale	15036	Kozuchowski, Donna	15751*
Kohl, Andrea	15751*	Kopsian, Christine	10630	Kraegler, Daniel	10669
Kohl, Michelle	16167	Kopsian, John	10629	Kraegler, Robert	10935
Kohl, Peter	14595	Korak, Debbie	13144	Kraegler, Teresa	10668
Kohler, Connie	10657	Korbel, Barbara	10440	Kraemer, Tricia	12389
Kohler, Donald	11637	Korensky, Nicole	17196	Krafft, William	13270
Kohnke, Joan	14862*	Korn, Roger	13098	Kraft-Schmidt, Bobbie	15751*
Kohut, Shirley	14723	Korte, Lisa	14580	Kram, Thomas	12367
Kolar, Mary	11912 12613	Koscik, Nancy	15186	Kramer, Jennie	15381
Kolasa, Jenneen	12761	Koscik, Richard	15186	Kramer, Kenneth	10385 14938
Kolasa, Richard	12737	Kosek, Michelle	15308	Kramer, Samuel	10712
Kolasinski, Barbara	11287	Koselka, Barbara	15751*	Kramer, Steven	12876

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Kramer, Tim	15452	Krnauth, Unknown	12153	Kuczek, Connie	13203 14052
Kramer, Walter	12782	Krolikowski, Kim	15751*	Kuczek, Larry	14052
Krantz, Mary	15701	Kroll, Teresa	15776	Kudla, John	11076
Krantz, Wesley	15702	Krolopp, Dorcas	15175	Kudla, Patty	11077
Kratschmer, Judy	14862*	Krolopp, Rudolph	15175	Kuehn, Linda	13176
Kratz, David	13250	Kroning, Colleen	13948	Kuen, Susan	10577
Kratz, Nancy	13252	Kroschel, Joanne	15751*	Kuenster, Noreen	14862*
Kraus, Janel	15751*	Krouse, Karen	13314	Kueper, Tim	15263
Kraus, Jeff	15751*	Kruchten, Christie	14626	Kufer, Jr., John	15962
Kraus, Kaia	14312	Krueger, Donald	11236 12625	Kugelberg, Kurt	15703
Krause, Fern	10984	Krueger, Lou	11328	Kuhlmann, Andy	15511
Krause, Jack	10982	Kruer, William	14564	Kuhn, Linda	13793
Krause, Lawrence	14494	Kruk, Deb	15614*	Kuhn, Paul	13793
Kravas, Chris	15922	Kruk, Ed	15614*	Kuhn, Whitford	10703
Krawulski, Cynthia	13222	Krummenacher, Bruce	11502	Kukowski, Barbara	11711 12901
Krawulski, Michael	16083	Krummenacher, Diane	11502	Kukowski, Barbara	12111
Krbec, Donald	15751*	Krupa, Diane	15088	Kukulka, John	15978
Krech, Elizabeth	10162 14934	Krupa, James	15089	Kukulka, Nancy	15978
Kregul, Timothy	14336 16049 16116	Krupske, Evelyn	14862*	Kulevich, Joanna	13491
Krehy, Anne	17111	Kruse, Robert	11463	Kulhanek, George	14862*
Krehy, Paul	17111	Kruse, Virginia	13664	Kulhanek, Vlasta	14862*
Kreider, Marty	14804	Kryszak, Katharine	15042	Kuli, Aladdin	14862*
Kreinz, Brian	15735	Krzeminski, Alma	11266	Kulpa, Carol	10109
Krendall, Russ	11028	Ksiag, Edyta	15751*	Kummerer, Jeff	15751*
Krenzien, Timothy	16189*	Ksiag, Krzysztof	15751*	Kummerer, Wendy	15751*
Kresach, Meg	14594	Ksobiech, Loni	15157	Kumrow, Brian	13138 13840
Kresin, Molly	12055	Kuba, Scott	16622	Kumrow, Jennifer	13138
Kreutzig, Marge	13916	Kubacki, Pamela	14819*	Kuna, Linda	12392
Kreuz, Jeanette	10342 10363	Kube, Fran	14510	Kunde, Ashwin	12801
Krevz, Jeannette	10205	Kubes, George	15751*	Kuniej, Ketra	16575
Krieman, Karen	13239	Kubinski, Bernie	14165	Kuniej, William	16570
Krieman, Thomas	13239	Kucera, Jamie	14862*	Kunka, Carol	16279
Kring, Jill	16012	Kucharski, Diana	15751*	Kunkolewski, Betsy	14886
Krishnamoorthy, Muthuswamy	12732	Kucharski, Kevin	15751*	Kupinski, Andra	14646
Kristmann, Deborah	13440	Kuchyt, Michael	15751*	Kuraitis, Viktoras	14657

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Kuraitis, Viktoras	16492	LaBud, James	14819*	Lanam, James	14465
Kurcab, Linda	12112	LaCasse, Carol	10980	Lancaster, Blythe	10808
Kurek, Christine	10686 13302 15614*	Lacasse, David	10979	Lancaster, Carolyn	10816 16828
Kurek, Dana	10686 13302	Lacey, Jr., Edward	15751*	Lancaster, Patricia	11596
Kurek, Lindsey	10686 13302	Lacey, Kathleen	15751*	Lancaster, Roger	10814
Kurek, Michael	10686 13302	Lach, Gene	14004 14095	Lancelot, Bob	13122
Kurek, Paul	10686 13302	Lach, Iwona	15154	Lancelot, J	10877
Kurowski, Mara	14819*	Lach, Judy	14004 14114	Lancelot, Michael	13127
Kurowski, Richard	12907	LaCombe, Joan	16175	Lancelot, Robert	13123
Kurth, Trish	16555	Ladner, Kathleen	10418 1240 12760	Lancelot, Terri	13121
Kurtz, Cheri	14391 14495	Ladner, Lawrence	10418 12763	Lan-chi, Renee	16829
Kuruc, Renee	15751*	Laesch, Tim	15551	Lanci, Linda	15614*
Kusch, Joyce	15751*	Lageschulte, Eleni	11670	Landa, Donna	14862*
Kushner, Michele	11871	Lagowski, Nancy	10587 11149	Landers, Linda	16721
Kushner, William	17156	Lagowski, Nancy	12234	Landers, Mary	14578
Kut, Marnie	15751*	Lagro, Elizabeth	16472	Landers, Paul	13406
Kuta, Jack	11047	Lagro, Phillip	10742 16473	Landess, Cynthia	12805
Kuta, Linda	11051	Lallas, Mark	11440	Landin, Patricia	10116
Kuta, Matthew	10618	LaLonde, Laurel	12272	Landolo, Kelly	13804
Kuta, Mike	11054	Lamar III, Charles	16138	Landrowski, Angela	15143
Kuta, Nicole	15751*	Lamar, Barbara	17182	Lane, Amanda	10720
Kuta, Sam	10619	Lamar, Patrica	16139	Lane, Daniel	10819 11244
Kutsch, John	12816	Lambert, Elsa	14819*	Lane, Laura	11806
Kuzmanich, Bruce	13604	Lambert, Michael	12506	Lane, Luanne	11221
Kuzmanich, Eva	14337	Lamberty, Rosemary	14862*	Lane, MD, LD, MPH, Philip	15614* 17062
Kwell, Suzanne	12008	Lambur, Paula	10278	Lang, Andrea	10490
La Morte, Tara	13763	Lamich, Donna	14862*	Lang, Jeff	13153
LaBarbera, Sue	14586	LaMontagne, Risa	16506	Lange, Janet	10468
LaBarre, Robert	15751*	LaMorte, Ashley	15924	Langford, Paul	10110
Labb, Nancy	10323	LaMorte, Jack	15925	Langlois, Judith	14819*
LaBeau, Sylvia	13957	LaMorte, Tara	14392	Langlois, Robert	14819*
Labelle, Beth	11438	Lampert, Adele	10236	Lanigan, Marilyn	12547
Labelle, Robert	11984	Lampson, Eli	16398	Lanigan, Sr., Jack	15408

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Lanken, Brad	14862*	Laudick, Susan	11534	Ledinsky, James	14313
Lanken, Cody	14862*	Laughlin, Debra	10839	Lee, Bob	16333 16334 16335 16336 16337
Lanken, Stephanie	14862*	Laughlin, Kyle	10840	Lee, Christine	11510
Lannantone, Gina	16491	Laughlin, Taylor	10841	Lee, Conlin	13115
Lannantone, John	16491	Laumer, Doraellen	10431 14651	Lee, Evan	11782
Lannin, William	12233	Launer, Inga	14820	Lee, Fiona	12476 12844
Lapacek, Kathy	11024	Lauzon, Michael	11995	Lee, Janet	11893
LaPapa, Carol	10407	Lavagie, Pat	13428	Lee, Joann	11701
LaPlume, Maria	15614*	LaVanne, William	12305	Lee, Jr, James	13698
Lara, Unknown	13026	Lavin, Patricia	15614* 17085	Lee, Len	14007
Lares, Nancy	14393	Lawrence, Kimberly	10635	Lee, Lucy	17314*
Larke, Margaret	15568	Lawruk, Patricia	12987	Lee, Mark	15015
Larkin, Barbara	12113	Lawruk, Robert	13429	Lee, Matt	11783
Larrabee, John	14982	Lawson, Mary Ann	10259	Lee, Rosalia	16726
Larsen, Leif	11115	Lawson, Susan	10096	Lee, Tracy	16280
Larsen, Lois	13305	laxmi, Unknown	12507	Lee, William	12435
Larsen, Rob	13305	Laystrom, Marilyn	10972	Leedstrom, Keith	11753
Larsen, Robert	14819*	Laz, Marcia	16010	Leedstrom, Nancy	11753
Larsen, Robert	16019	Lazich, Dorothy	10571	Leese, Kristin	10834
Larson, Curt	11262	Lazich, Michael	10370 10571	Leese, Robert	12055
Larson, Duane	14394	Lazich, Michael and Dorothy	10012	Legerski, Mark	14781
Larson, K.	11824	Leadley, Larry	14756	Legerski, Stacy	14781
Larson, Les	13832	Leadley, Lois	14080	Leggaro, Roger	10568
Lasher, Maria	15785	Leahy, Bill	14862*	Leggeru, Roger	10341
Laskowski, Mark	14819*	Leahy, Carolyn	14862* 15070	Lehane, Joshua	16128
Latebis, Deborah	15219	Leahy, Kelly	14862*	Lehman, Dan	10314 15347
Laterza, Nancy	10548	Leahy, William	12537 14862* 15069	Lehman, Kathleen	13095 13592
Lau, Jeannine	13145	Lebeck, Alison	13889	Lehman, Paul	15827
Lau, Marsha	10429 15093	Lebovic, Angela	11090	Lehman, Richard	15614*
Laubach, Jeffrey	11008	Lech, Renee	16437	Lehmen, Kathleen	13592
Lauber, Heidi	13577	LeClair, Randy	15751*	Lehr, Diane	14096
Lauderback, Mary	11626	Lederer, Lawrence	12074 16665	Lehr, Diane	14288

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Lehr, Jessica	14098 14288	Lev, Michael	13287	Lindberg, Jennifer	15614* 17084
Lehr, Sarah	14097 14288	Levenberg, Bernard	10105	Lindberg, Lori	13221
Lehr, Tom	14115 14288	Levering, Al	16495	Linde, Alicia	12690
Leibel, Erin	16530	Levy, Joseph	15870	Lindeen, Ellen	10954
Leibel, James	12495 16569	Lewis, Anajean	13268	Lindeen, John	11481
Leick, Jocelyn	15926	Lewis, Gilbert	15751*	Linden, Allison	10682
Leick, Wendy	16421	Lewis, Greg	14819*	Linden, William	16424
Leighton, Cynthia	11684	Lewis, Kay	11153	Lindenmuth, Robert	15109
Leitner, Mark	11478	Lewis, Lindsay	13327	Lindgren, Pamela	15614*
Lemak, Jo	15155	Lewis, Mark	13265	Lindgren, William	15614*
Lemke, Al	13581	Lewis, Theodore	15751*	Lindlee, Julie	13363
Lemke, Martha	14209	Lezondra, Emill	15901	Lindley, Julie	12409
Lemon, Sharon	15117	Li, Xiaojin	15751*	Lindley, Tom	12350
Len, Eva	10008	Liautaud, Jack	14240	Lindley, Tom	12409
Lenartowicz, Laura	14819*	Liberty, Mary	17177	Lindsay, Emery	15220
Lenderman, Colleen	14171	Lichper, Randy	16281	Lindsay, Leslie	13171
Lendziszewska, Eva	10092 15021	Lichter, Randy	10719	Link, Dan	11186
Lenerville, Andrea	15284	Lichty, Ronald	14862*	Linke, Alex	13914
Leng, Richard	14180	Liedlich, Emma	11653	Linke, Bettylou	16962
Lenz, Anne	11820	Liedlich, Maria	12133	Linke, Kristi	12204 13915
Lenz, Christine	11910	Liedlich, Sarah	11196	Linke, Scott	12204
Lenz, Jack	11821	Liedlick, Maria	12559	Linke, Taryn	14101
Lenz, Janet	12819	Lies, Elizabeth	17051*	Linke, Warren	16962
Lenz, Jeffrey	10391 11721	Liesinger, Maxine	12762	Linsner, Lauren	14401
Lenz, Matthew	12028	Lieske, Katie	11064	Liou, Ben	12055
Lenz, Steve	15151	Lietwvininkas, Algin	14862*	Lipinski, William	13199
Lenz, Susan	11715	Ligeikis, Julian	14862*	Lipkovitch, Dona	12877
Leonard, James	11962	Light, Geraldine	16830	Lipsteuer, Beth	12687 14037
Leonardi, Wayne	14724	Ligman, Susan	15667	Liskey, Jennifer	16719
Leonelli, John	11956	Lilien, Thomas	16748	Liskey, Marcus	16719
Lerch-Davis, Genie	13937	Lincoln, Betty	12054	Liss, Catherine	13651
Leser, Patrick	13212	Lincoln, Larry	12054	Listwan, Frank	13751
Lesner-Salemi, Ruth	10731	Lind, Carl	10462	Livingston, James	15221
L'Esperance Skrypek, Michelle	13555	Lindberg, Barbara	12755	Lloyd, Bill	12697
Lesters, Melissa	13478	Lindberg, Chris	15614* 17084	Lloyd, Cheryl	14275

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Lloyd, James	14272	Losoya, Christina	14862*	Lunn, Tammi	11139
Lloyd, Sherrie	14703	Lotz, Larry	13111	Lunt, Eric	10766
Locasto, Gerlinde	15614* 17065	Lotze, Mary	13312	Lunzaro, Mary	15222
Lockie, William	13090	Louder, Kathleen	13000	Lurgio, James	14429
Loecke, Colette	15950	Loughman, Valerie	10807	Lurgio, James	15795
Loecke, John	16028	Louis, Tracy	14819*	Luscombe, John	14585
Loeffel, Paul	10178	Lovati, Kimberly	16032	Lutsch, Doris	16832
Loerop, Janet	15193	Lovati, Robert	15971	Lutz, Mary	14187
Loerop, Richard	15193	Love, Amy	15584	Lux, Janet	15751*
Loesch, Kendagl	10622	Love, Catherine	10471	Lux, William	15751*
Loffredo, Katie	12496	Lovelace, Brian	12360	Lyczak, Jacqueline	15751*
Logan, Luretha	10200	Loveless, Chris	12164	Lykke, Peer	11388
Lohman, Steve	13366	Loveless, Dave	12168	Lyman, Dorothy	12258
Lohr, Bill	10473	Lovewell, Brian	15751*	Lyman, Mike	12227
Loizzo, Heather	17107	Lowe, Hal	13528	Lyman, Richard	10328 10572 15768
Lomax, Marianne	16831	Lowell, Lauren	17158	Lynch, Dan	15669
Lombard, Steven	15751*	Lowery, Linda	14425	Lynch, Susan	14993
Lombardo, Therese	10623	Lozinak, Amy	16584	Lynch, William	16097
Londrie, Shawn	16475	Luce, Barbara	15751*	Lynn, Cynthia	13367
Looff, Gerd	15614*	Luce, Gwen	15751*	Lyon, John	11368
Looff, Jill	10822 15614*	Luce, Sonja	10200	Lytle Sr., Stephen	17141
Loomis, Jessica	12055	Ludwig, Susan	10050	Lyzenga, Marvin	10208
Lopat, Donald	13281	Lueders, Bob	15883	M., R.	15751*
Lopat, Paula	13282	Luelin, Brian	12187	MacCartney, Donna	11680
Lopes, George	13344	Lueotke, Karen	11171	MacFarlane, Barbara	15751*
Lopes, Geraldine	13342	Luetkehans, Steven	12961	MacIver, Andrew	11289
Lopez, Adolfo	14620	Lukes, Kenneth	14099	Mack, Carolyn	10466
Lopez, Jr., David	16096	Lumbercini, Joyce	10157	Mack, Maureen	11052
Lopez, Santos	15963	Lumme, Gordon	10591	Mack, Nora	14832
Lorentz, Alice	14862*	Lumme, Heley	10590	MacKenzie, John	12906
Lorenz, Darrel	15736	Lundgaro, James	15668	Mackey, Carol	16704
Lorusso, Gloria	15751*	Lundmark, Heather	11727	Mackin, Melanie	13022
Lorusso, Joe	15751*	Lundmark, Jackson	11204	Mackowiak, John	16833
Losacco, Kenneth	15751*	Lundmark, James	10730	Macri, Maria	17312
Losacco, Maria	15751*	Lundmark, Patricia	11729	Macri, Martino	17312
LoSavio, Daniel	12861	Lundmark, Suzanne	11235	Macritchie, Laverne	15751*
Losinski, Julie	11284	Lundmark, Tyler	10882	Macygin, Steven	16612
Loske, Brooke	15751*	Lundy, Ruth	14046	Madden, Vanessa	16062

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Maddox, Beckie	15751*	Malak, Steve	16377	Manzella, Kathy	15670
Maddox, James	15751*	Malec, Dennis	10899	Marasovich, Michael	10052
Madejczyk, Ken	15751*	Malek, Barbara	15751*	Maraval, Alexander	12302
Madejczyk, Mary	15751*	Malhotra, Rakesh	13984	Maraval, Gayle	12302
Madigan, Marleen	10714	Malia, Colin	12560	Maraval, Philippe	12302
Magee, Deborah	15614*	Malia, Thomas	16513	Maraval, Samantha	12302
Maggio, Jen	15751*	Malin, Cindarae	11129 12298	Marchetti, MaryLou	14862*
Magnanenzi, Jim	11270	Malin, Don	12411	Marchio, Nicole	15018
Magner, Anna	15751* 16834	Malinowski, Julie	16531	Marciniak, James	14183
Magner, Mike	15751*	Malito, Melissa	13610	Marciniak, Julie	12508
Magnusen, Steve	15884	Malizia, Mary	13125	Marcou, Beth	14862*
Mahaffey, Richard	13890	Mallett, Ada	14862*	Marcus, Tracie	14092
Mahala, Kenneth	13996	Mallory, J	16112	Marcussen, Maxine	11121
Mahalik, Rudolph	15704	Malloy, Colleen	13542	Marderosian, Kendra	10631
Maher, Mike	11142	Malone, Karen	14781	Marderosian, Steven	10631
Mahon, Diane	11651	Maloney, Charles	10134	Marik, Thomas	15190
Mahon, Graeme	11590	Malovany, Anton	12427	Marinello, Nancy	12770
Mainiero, Carmine	11575	Malovany, Bernadette	12429	Marino, Eileen	15751*
Mair, Christine	13493	Manago, Shirley	17122	Marino, Pat	16182
Maisonneuve, Sharon	15002	Mancini-Conway, David	15941	Marion, Brad	11112 16837
Majchrowski, Laurie	15751*	Manetti, Lawrence	14862*	Marion, Brian	13879 15052
Majewski, Paul	14942	Manfredini, Robert	11274	Marion, Laura	16535
Majka, Jennifer	14287	Mang, Shirley	13395 (Petition)	Mark, Vera	10842
Major, Cathy	17185	Mangan, Jr., Joseph	10647	Markham, Tom	13858
Majzan, Jayne	16835	Manganno, Jeff	16836	Markman, Gregg	13749 15480 16221 16282
Makar, Brian	15614*	Mangano, Jeff	10004 13461 14116	Markwell, Sherry	12379
Makar, Marian	15614*	Mangano, Lori	14206	Maropis, Debarah	10785
Makarowski, John	14030	Manika, Colleen	14862*	Marose, Prudence	10062
Maki, Debra	14862*	Manning, Carol	14132	Marra, Stephen	10469
Makovetsky, Lyudmila	14862*	Manning, Carol	15780	Marron, Deborah	11260
Malak, Jane	16374	Manzanna, Unknown	14466	Marron, Mark	11261

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Marsala, Jenn	14819*	Mastalesh, Sheryl	14726	May, Darlene	15673
Marshall, Bert	15671	Masterson, Jessica	15751*	May, Elizabeth	10552 14315
Marshall, Jack	10181	Mastianne, Debbie	16839	May, Marilyn	16182
Marshall, Shreda	15751*	Mastores, Catherine	12229	May, Joshua	15672
Marsiglio, Anthony	14395	Mastores, Kathy	10158	May, Wilma	16284
Martenson, Dan	14532	Mastrangeli, G.	15751*	Mayer, James	10628
Martenson, Lorie	14817	Mastrangeli, Holly	15751*	Mayer, John	10852
Martenson, Lorraine	13929	Mathews, Josephine	15943	Mayer, Nicole	12468
Martin, Claudia	13829 16118	Mathias, Jenine	11629	Mayer, Shirley	10851
Martin, James	13871 16068	Mathias, John	14862*	Mayfield, C. David	10530
Martin, Jean	15997	Mathis, Sheri	13586	Mayr, Corinne	17034
Martin, Joann	15751*	Mathison, Mary	11319	Mayr, Peter	17034
Martin, Sherita	10324	Mathison, Steve	11319	Maytnier, Chris	11538
Martinez, David	16113	Maticic, Tracy	14440 15958	Mazelera, Emil	10268
Martinez, Erin	12055	Matlock, Lisa	13449 14787	Maziarka, Mark	15614*
Martinez, Francisca	16739	Matokar, G.	10332	Maziarka, Terry	15614*
Martinez, Shirley	16113	Matokar, Steve	10331 12813	Mazur, Mitchell	14063
Martinez, Suzanne	12382	Matokar, Y.	12397	Mazur, Rebecca	10276
Martinkus, Helen	14862*	Matonik, Kelly	15751*	Mazzalani, Corinne	15751*
Martino, Donna	11297	Matousek, Julie	17126	Mazzei, Carol	17314*
Martino, Peter	11109 13457	Matsuda, Fumiko	11788	Mazzone, Joseph	17051*
Martino, Sylvia	15614* 17071	Matter, April	15614*	Mazzone, Lisa	17051*
Martorano, Michelle	16838	Matter, Craig	15614*	Mazzone, Natalie	17051*
Marzano, Ann	12335	Mattes, Craig	16566	Mazzone, Tina	17051*
Mascari, Frank	10088	Matthews, Cindy	11616	McAllister, David	14755
Mascari, Patrick	12497 12826	Matthies, Jeff	10881	McAllister, Maureen	10040
Masiulis, Joseph	14819*	Mattson, Jackie	15751*	McAllister, Susan	14754
Masiulis, Kristina	14819*	Matustik, Jean	14819*	McAllister, William	12148
Mason, Bruce	15774	Matustik, Joe	14819*	McAlpine, Kimberley	15751*
Mason, Jenetta	15893	Matyka, Raymond	16979	McAlpine, Patrick	15751*
Massey, Daryl	15751*	Mauro, Louis	12369 13124	McAndrews, Beth	16677
Massey, Patrick	15751*	Maxeiner, Douglas	15057	McAndrews, Matt	16677
Massion, Harold	10430	Maxeiner, Terri	15057	McAnelly, Les	12808
Mastalesh, John	14725	Maxwell, Elizabeth	15792	McArdle, Daniel	15977

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
McArdle, Diane	11623	McDonald, Bryan	10856	McGrath, Thomas	15288
McArdle, Kevin	11624	McDonald, Carole	15960	McGraw, Martin	12334
McArdle, Kimberly	16129	McDonald, Keith	15960	McGraw, Martin	12446
McAvoy, Stephen	11105	McDonald, Tamara	16050	McGreevy, David	12025
McBride, Amber	15614*	McDonald, William	11344	McGreevy, Kim	11878 15859
McBurney, Conor	14862*	McDonnell, Morgan	12072	McGuire, Chris	13431
McCain, Janet	15751*	McDonough, David	11366	McGuire, Christine	16463
McCall, Dominique	14819*	McDonough, Judy	11881	McGuire, Daniel	16391
McCarthy, Chris	14143	McDowell, Brian	12443	McGuire, Elizabeth	15751*
McCarthy, Cynthia	14819*	McEnany, Larry	12296	McGuire, Karen	13524 14163
McCarthy, Karen	12114	McEntee, Mary	12771	McGuire, Kevin	13430
McCarthy, Karen	16214	McFadden, Lois	14031	McGuire, Michael	16546
McCarthy, Mary	12562	McFadden, Michael	16014	McGuire, Paulette	13563
McCarthy, Matt	16285	McFadden, Susan	16014	McGuire, Stardia	15751*
McCarthy, Pat	11395	McFarland, Sandra	15374	McHargue, Sonia	16525
McCarthy, Patrick	15614*	McFarland, Thomas	10461	McInerney, Joseph	12432
McCarthy, Ross	14819*	McGarry, Joyce	15106	McInerney, Nancy	12432
McCarthy, Valerie	14819*	McGarry, Stephen	15106	McIntosh, Priscilla	11774
McCarty, Daniel	13883	McGee, Judith	12231	McIver, Ian	12956
McCarty, Jerry	16600	McGill, Brian	10615	McKechnie, Christine	14338
McCarty, Lynn	16452	McGill, Deanna	11102	McKechnie, Kathryn	12856
McCarty, Toni	13883	McGillicuddy, Mary	14862*	McKernin, Barbara	13130
McCauley, Edward	11487	McGinn, Joseph	11691	McKiernan, Mary	10016
McCauley, Emil	16536	McGinn, Kory	11686	McKillip, Brendan	13173
McClure, Carol	16840	McGinn, Suzanne	12301	McKneally, A.	11000
McCollum, William	13347	McGonigal, Bryan	15647	McKoulsky, Wanda	14727
McConnell, Jill	11877	McGowan, Arlene	15265	McLain, Sandy	13582
McCord, Pam	11160	McGowan, Virginia	15751*	McLaughlin, Barbara	11168
McCormick, Brooks	11919	McGrath, Elaine	15881	McLaughlin, Carrie	15751*
McCoy, Kristin	17051*	McGrath, Elizabeth	12116	McLaughlin, Dorothy	17329
McCullough, Mariana	14819*	McGrath, J	15065	McLaughlin, Ellen	14406
McCullough, Nancy	13940	McGrath, Jacolyn	15102	McLaughlin, Ryan	15751*
McCullough, Richard	14819*	McGrath, Lucy	11209 15066	McLaughlin, Sean	15614*
McDaniel, Ann	15751*	McGrath, Robert	10450	McLaughlin, Stephany	14071
McDaniel, Charles	15751*	McGrath, Susan	14895	McLaughlin, Thomas	14403

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
McLawhorn, Amy	16663	Megremis, Cheryl	10121	Meron, Elizabeth	11473
McLawhorn, Sherman	16647	Mehok, Leona	15751*	Mesker, Christina	15614*
Mclean, Carl	12944	Mehringer, Anna	12055	Messer, Joe	14021
McLean, Susan	12944	Meier, Robin	10522	Messick, Todd	15101
McLeod, Chris	16447	Meiler, Edward	16188	Messina, Marcela	12055
McLinn, John	14644 14893 15434 15854	Meilner, Eda Phyllis	16188	Messler, Janie	15751*
McLoughlin, Edward	11264	Melchiorre, Frank	12081 15751*	Messman, Terese	11752
McMahon, Heidi	12431	Melendy, Marcie	15614*	Metzgar, Bill	15751*
McMahon, Jennifer	10467	Melendy, Tim	15614*	Metzgar, Bill	15751*
McMahon, Robert	12677	Melnyk, Mike	16658	Metzger, Mark	12477
McManaman, Terry	15751*	Melnyk, Pam	16658	Meyer, Bob	15897
McManamon, Martina	12185	Melone, Gina	14862*	Meyer, Carl	16844
McMillan, Blanche	14067	Melone, Linn	10014	Meyer, Carolyn	10384
McMullin, Michel	12715	Mena, Chrissie	15853	Meyer, Cheryl	16287
McNally, Thomas	15192	Menconi, Karen	17166	Meyer, John	10376
McNamara, Augustino	15751*	Mendez, Rosa	15830	Meyer, Melvin	10837
McNamara, Daniel	15614*	Mendiola, Jr., Fernando	15392 16842	Meyer, Peg	16843
McNamara, Jeanne	15614* 15751*	Menek, Caroline	16329	Meyer, Ralph	11514
McNamara, Joe	15614*	Menheer, Lorraine	10879	Mi, Chunjie	12854
McNare, Jerry	16841	Menikoff, Leslie	11906	Micci, Sandra	15493 16845
McNicholas, Michael	13432 14748	Menikoff, Noah	11906	Michael, Valerie	15674 15675
McNiece, Charles	17160	Mennecke, Carl	13779	Michaels, Kimberley	14891
McNulty, Katie	11940	Mennecke, Dolores	13778	Michaels, Ruby	10595
McQueen, Samantha	12056	Mensa, Gina	14339	Michalewski, Margie	16707
Meador, Jeff	16696	Menster, Robert	15034	Michalsen, Jamie	14819*
Mecker, Richard	14467	Merczil, Melissa	12055	Michalski, Pat	13492
Meckert, Lauri	12115	Meredith, Robert	13530	Michalski, Sandra	13042
Medenblik, Jackie	13054	Merkel, Alaina	14158	Michalski, Steve	13492
Medina, Jean	14200	Merkel, Alexandra	14158	Michalski, T	13040
Meek, Kari	14691	Merkel, James	14158 16666	Michalski, Thomas	13041
Meewes, Jackie	14939	Merkel, Maureen	14158	Michalski, Tiegan	13039
Mefford, Robert	15751*	Merkle, Alan	12445	Michehl, George	15059

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Michelassi, Tony	12752	Milkert, Kathy	14707	Miller, Michelle	15483
Michelson, Bradley	11296	Milleat, Maigo	10268	Miller, Mike	15614*
Michelson, Susan	11298	Miller, Amy	13264 14000	Miller, Paul	10486
Michuda, Anne	12306 15243	Miller, Ann	13972	Miller, Phillip	15425
Michuda, Brenda	12910	Miller, Bobby	16090	Miller, Rachel	16729
Michuda, Josef	10142	Miller, Carol	17051*	Miller, Richelle	15751*
Michuda, Leo	12306	Miller, Catherene	16616	Miller, Rick	15614*
Michuda, Mark	12910	Miller, Chad	11347	Miller, Teri	16091
Mickie, Alice	14862*	Miller, Chris	12878 12892 12895	Milo, Richard	14862*
Mielcarz, Anthony	13468	Miller, Cindy	10716	Milostan, Judith	12992
Mieloszyk, Heather	12976	Miller, Colin	10757	Milovic, Michael	16958
Mieritz, M.	10083	Miller, Debbie	11991 14980	Milovic, Nancy	15056
Mierzwa, Philip	12498	Miller, Debbie	15614*	Milton, Lynn	16849
Miesmer, Melissa	13213	Miller, Diane	15614*	Minaglia, Donna	14819*
Mignano, Linda	11674	Miller, Donald	10441	Minaglia, Donna	15751*
Mignano, Rick	11674	Miller, Donald	11960	Minaglia, Richard	14819*
Mikala, Kyra	15001	Miller, Donald	13264 14179	Minaglia, Richard	15751*
Mikashus, Nancy	13833	Miller, Dorothy	10413	Minahan, Eileen	14632
Mikelenas, Rhonda	14862*	Miller, Elysa	16047	Minardi, Paula	15748
Miklos, Joan	16846	Miller, Evette	15614*	Minchin, Claire	14862*
Mikrut, Mary	15928	Miller, Gary	10107	Minkel, Victoria	14106
Mikulan, Sharon	14274	Miller, George	14945	Minnich, Carolyn	16635
Milanovich, Michael	14340	Miller, James	11615	Minnifield, Mathew	15751*
Milazzo, Matthew	13598	Miller, James	15751*	Minton, Jason	13374
Milazzo, Tiash	13598	Miller, Jason	15533	Minton, Lynn	11718
Milbourn, Guy	15614* 15837	Miller, Jennifer	10758	Minton, Michael	11718
Milbourn, Tami	15614*	Miller, Joan	10442	Mioduszewski, Corliss	15751*
Miler, Gary	11189	Miller, Kary	10748	Mioduszewski, Stanley	15751*
Miles, Michael	10866	Miller, Kathryn	16365	Mirabella, Marie	15375
Milewski, Carol	14862*	Miller, Kathy	16848	Mirabella, Tim	15373 16288
Milewski, Leonard	14862*	Miller, Kimberly	16528	Miraglia, Meredith	15751*
Militello, Joseph	16847	Miller, MaryAnn	14819*	Miranda, Martha	16289
Milkeris, Jean	13699	Miller, Matthew	15653	Mirski, Christopher	13963
Milkeris, Richard	13433	Miller, Michelle	11641	Mischnick, Beth	13771

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Misewicz, David	16655	Molidor, Paul	14819*	Moran, Eileen	14152
Misiorowski, Richard	14833 14834	Molnar, Tom	15179	Moran, Mary	15762
Mislevy, Cynthia	15751*	Molski, Doug	15380	Moravec, M.Michael	14862*
Miszewski, Roy	12281	Monaco, Jan	11444	Moravek, Marianne	10531
Mitchell, Alton	13591	Monaco, Lou	11443	Moreau, David	14145
Mitchell, Clare	11495	Monahan, JoAnne	15751*	Morehead, Lisa	12716
Mitchell, Dayna	16656	Monahan, Martin	10320	Morehead, Patricia	15224
Mitchell, Denise	11389	Moncek, Jaclyn	12055	Morell, Sherri	15158 16290
Mitchell, Don	11174	Mondane, Brenda	15598 16850	Morell, Steve	16109
Mitchell, Frankie	15266	Monehan, Louise	16016	Morevek, Mary Ann	10154
Mitchell, Joanne	16504	Money, Douglas	12419	Morford, Joye	10200
Mitchell, Judy	13032	Money, Kathleen	11037	Morgan II, Robert	11766
Mitchell, Monica	14819*	Monie, Ian	10911	Morgan, Anthea	10090
Mitchell, Ryan	12858	Montagner, Sagrario	12433	Morgan, Donna	12551
Mitchell, Shirley	11825	Montague, R.	15301	Morgan, James	16723
Mitchell, Sue	17192	Montalbano, Corinne	13407	Morin, Joe	15899
Mitchell, Tom	16504	Montalbano, Michael	15223	Morris, Marilyn	13017
Mitlraj, Mark	14728	Montemurno, Patricia	14195	Morris, Willie	13018
Mitten, Patrick	11130	Montgomery, Nichole	10541 14819*	Morrison, Brett	12056
Mitu, Signor	15267	Montini, Angie	13724	Morrison, Byron	12238
Mizuta, Takanori	15676	Mooney, Thomas	13011 13012 13331	Morrison, Jennifer	13812 13813 14819* 16059
Mjolsness, Cindy	10894	Moore, Candy	14468	Morrison, John	10967
Mjolsness, Dan	10903	Moore, Jeannine	12939	Morrison, Julie	15829
Mlaeic, Jeff	14729	Moore, Krista	12055	Morrison, Kelly	12056
Modesitt, Sandy	16189*	Moore, Letitia	10694	Morrison, Rebekah	16711
Moehlmann, Deborah	16676	Moore, Sally	10187	Morrison, Steve	16058
Moehlmann, Kurt	16676	Moore, Terri	11356	Morrison, Wayne	15506
Moeller, Diane	10869	Moore, Terry	11335	Morrissey, Gail	14862*
Moews, Douglas	10708	Moore, William	15841	Morrissey, James	14862*
Moews, Traci	10711	Moorman, Carol	11018	Morrissey, Laura	11652
Mohan, Tarie	15993	Moorman, Mike	11006	Morrissey, Steve	11652
Mohr, Dodd	11779	Moradi, Houshi	11300	Morrissey, Thomas	11851
Moler, Heathre	16185	Morajda, Richard	16501	Morrissey-Kochanny, Mary	11515
Molidor, Christy	14819*	Morales, Kathleen	13811	Morrone, Michael	10461

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Mortimer, George	10374	Moy, Wanda	14862*	Mullins, Tina	10826
Morton, Cheryl	15966	Moyer, Lane	11250	Munao, Connie	10803
Morton, Doug	12385	Moyer, Patty	11248 11250	Munnelyn, Patrick	14867 16052
Morton, Jessica	12536	Moyers, Marguerite	11930	Muno, Jean	13574
Mosack, Lisa	16851	Moylan, Marty	10258	Munro, Mark	10135
Mosca, III, Frank	17158	Mrizek, Stanley	10477	Munson, Melanie	15438
Mosca, Jr., Frank	17158	Mroz, Roisin	13452	Murawski, Joan	14573
Mosca, Victoria	17158	Mrstina, Lubos	14862*	Murdoch, Kari	16291
Mosebach, Paul	11485	Mrugala, Julie	14695	Murdock, Catherine	16222
Moser, Deanna	11643	Mucia, Diane	12814	Murdock, Howard	14730 16223
Moser, Diana	13299	Muckian, Brian	12982	Murgan, Fran	11757
Moser, George	13299	Muckian, Brian	14757	Murphy, Deborah	13143 13638
Moser, Griffin	12030	Muehl, Eleanore	16042	Murphy, Diane	13994
Moser, Patricia	12031	Muehlman, Carl	17136	Murphy, Gail	14819*
Moses, Lisa	17121	Mueller, Amy	15645	Murphy, Gale	10347 12329 16189*
Mosley, Gail	16740	Mueller, Krystal	13629	Murphy, Jennifer	14819*
Mosley, Rodney	16740	Mueller, Sylvia	14862*	Murphy, Jill	12330 16189*
Moss, Michelle	10870	Mui, Wanchalee	14402	Murphy, Kevin	12203
Moss, Scott	13594	Muir, Dave	15614*	Murphy, Kevin	12849
Moss, Sheila	10873	Muir, Pat	15614*	Murphy, Lindsey	12331
Moss, Thomas	11254	Mujica, Carmella	14862*	Murphy, Lisa	12834
Moston, Peggy	12117	Mujica, Lou	14862*	Murphy, Logan	12333
Mott, Delores	12532	Mukai, Kevin	15614* 16436 17093	Murphy, Michael	13216
Mottashed, Billy	14819*	Mukai, Kristen	15614* 17092 17171	Murphy, Myra	16065
Mottashed, Elizabeth	14819*	Mulcrone, Lee	10701	Murphy, Nancy	15835
Mottashed, Mike	14819*	Mulcrone, Wendy	10699	Murphy, Thomas	13994
Mottashed, William	14819*	Mulholland, Donna	11431	Murray, Cindy	12738
Motyka, Bonnie	14056	Muligan, Greg	15737	Murray, James	13521 14766 16433 17098 17309
Mourousias, Peter	13324	Mulligan, John	14800	Murvine, Douglas	13927
Movetti, Lillian	14819*	Mulligan, Matt	14014	Muskat, Julian	16852 16853

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Musschoot, Judith	10868	Navarro, Ruth	14133	Neri, Jackie	14604
Musuraca, Joe	10726	Nawrocki, Marlene	13854 14448	Neri, Paulette	13266
Myer, Michelle	13603	Nazerian, Farzaneh	16201	Ness, Nancy	15751*
Myers, Bertha	12950	Nazerian, Keyvan	16201	Nester, Barbara	11237
Myers, Betty	10752	Neally, Rachel	16392	Nester, Dennis	10871
Myers, Charles	11560	Nebel, Luis	14469	Nestrud, Janet	11568
Myers, Fred	15522	Neff, Lori	11553	Nettles, Karon	14862*
Myers, Fred	16527	Neil, Karen	12478 13911 16120	Neubauer, Bob	15600
Myers, Gregory	15751*	Neises, Donna	11594 12566	Neubecker, Dennis	15751*
Myers, Penelope	16527	Neises, Joseph	15268	Neubecker, Michelle	15751*
Mylin, V.	11073	Nelander, Kathy	12614	Neuenfeld, Irene	15783
Myren, Margaret	10922	Nelson, Barbara	16009	Neuman-Javornik, Emy	12750
Mytada, Enice	12512	Nelson, Carlotta	10638	Neumann, Laurie	15751*
Nadelhoffer, Laura	11694	Nelson, Carol	12003	Neumann, Michael	15751*
Nader, Sharon	10140	Nelson, Carol	15784	Neumann, Richard	13251
Nadig, Nancy	16854	Nelson, Eric	15614*	Neumann, Shirley	13251
Nadler, Kirsten	15388	Nelson, Georgia	12622	Newell, Jonathan	14518
Nadler, Richard	15458	Nelson, Jillian	11232	Newell, Lisa	14518
Nagel, William	12962	Nelson, Joel	10651	Newman, Amy	15932
Nagler-Sonnenberg, Paula	11791	Nelson, Karen	13048	Newman, Carolyn	11833 12592
Najewski, Amy	16959	Nelson, Kathleen	16614	Newman, George	15226
Nakas, Gitana	15047	Nelson, Kathryn	12436	Newman, Laura	10789
Nannizzi, Cesar	14665 14668	Nelson, Nancy	11247	Newman, Lisa	14869
Nannizzi, Jane	14663	Nelson, Ronald	12438	Newman, Ted	11741
Naples, Caroline	16420	Nelson, Sandra	15765	Newman, Virginia	11446
Naranjo, Daniel	15461	Nelson, Vernette	10286	Newson, Elizabeth	14847
Nassimi, Mike	13684	Nemec, Nancy	13329 14973	Newton, Andrew	12410
Nasui, Dorel	15662	Nemec, Patricia	15753	Ngo, Kim	14862*
Natera-Sandoval, Zoila	14862*	Nemeek, Christine	14819*	Nicholas, V.	10021
Natkin, Joyce	15919	Nemz, John	11526	Nichols, Catherine	13823
Naughten, Nancy	10890	Nenn, Indy	12055	Nichols, Greta	15543
Naulty, Sandra	15225	Nepomucenos, Daniel	11094	Nichols, Jennifer	11602
Nauth, Ana	12191	Nepomucenos, Jenie	11119	Nichols, Lola	14342
Nauth, Steve	12189	Neri, Donald	13266	Nichols, Michael	13822 14343

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Nichols, Troy	10824	Noonan, Barbara	10285	Nyquist, Melissa	15751*
Nicholson, Mike	13169	Noonan, Frank	10280	Nystra, John	10427
Nichols-Yehling, Michelle	13030	Noonan, Josette	10271	Nytko, Deborah	11843
Nicol, Paul	10183	Noonan, Tom	15228	Obernesser, Kathleen	11010
Nicol, Susan	14965	Norbut, Stanley	16189*	Obernesser, Robert	10977
Nieds, Catherine	15614*	Nordengren, Jerry	12184	Obi, Amalia	12378
Niekamp, John	15012	Nordman, Mark	11295	Obrecht, Debra	15996
Niemann, Judy	13599	Nordquist, Jeff	13807 16041	Obrecht, Jennifer	16477
Niemi, Jason	15614*	Nori, Dolores	14640	Obrecht, Michael	16108
Niepomnik, Emily	14873	Noria, Norish	12513	O'Brian, Betty	12792
Nierman, Judy	10262	Norise, Gregory	14117	O'Brien, Adrienne	11155
Niese, Roseanne	10732	Norise, Myra	13375	O'Brien, Hatley	12056
Nieves, Daniel	10835	Norlin, Georgia	10200 11963	O'Brien, Lou	10234 11786
Nilsson, Loring	12351	Norton, Simone	12118	O'Brien, Richard	10909
Niswonger, Maureen	16689	Norton, Simone	14061	O'Brochta, Christy	14433 15345
Niven, Leigh	12404	Nosbisch, Bobbi	13923 14764	O'Callaghan, Jan	12120
Niwa, Karen	11815	Nosbisch, Nicholas	13923 14764	O'Callaghan, Tracy	15368
Nixon, Leela	10114	Notwell, Edwina	14862*	Ochoa, Criag	15751*
Nixon, Lester	17051*	Novak, Kristina	15751*	Ochs, Jeffrey	17051*
Niziolek, Anthony	14033	Novak, Paul	12242	O'Connell, Julie	15029
Noble, James	14317	Novak, Shaun	15751*	O'Connell, Maryanne	13029
Nodo, Linda	12523	Novinger, Richard	12736 15547	O'Connor, Frances	13814
Noeltener, James	15677	Novogroder, George	13394 (Petition)	O'Connor, Hetti	13368
Noffert, Anne	15597	Novosel, Janet	14068	O'Connor, Jane	15229
Noh, Jay	12679	Novotny, Joan	14470	O'Connor, Kevin	14697
Noh, Un Hui	12675	Novotny, Thomas	13700	Odom, Stan	10378
Nolan, David	11106	Nowak, Rita	13701	O'Donnell, Amy	11017
Nolan, Judith	10547	Nowocin, Debra	15766	O'Donnell, Bill	10970 12121
Nolan, Kathleen	11561	Nuakawa, Glenn	16855	O'Donnell, Kevin	15751*
Nolan, Lori	11326	Nuetzmann, Harold	14937	O'Donnell, Maggie	12021
Nolan, Nikki	11859	Nurre, Bonnie	12119	O'Donnell, Marichu	12352
Noland, Amy	13388	Nurre, William	12630	O'Donnell, Patricia	16856
Noland, Doug	13388	Nuyttens, Jason	15026	O'Donnell, Patrick	13614
Nommesch, Barbara	14341	Nylander, Donna	14396	O'Donnell, Sarah	11167

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
O'Donnell, Tim	11731	Olson, Kathleen	15751*	Ortiz, Edwin	15150
Oehlerking, Michelle	10352	Olson, Mary	11426 12590	Osberg, John	14829
Ofloy, Beverly	10200	Olson, Robert	13009	O'Shea, Daniel	12349
Ogando, Julie	14819*	Olthoff, Donna	16293	Osmus, Howard	17179
Ogorzalek, Geraldine	12311	Oltman, Tammy	10225	Osmus, Virginia	10570
Ogorzalek, Joe	12311	O'Malley, Josephine	12154 15751*	Oster, Joe	12373
Ohara, Cara	12945	O'Malley, Lorianne	10125	Ostis, Ronald	12714
O'Hara, Theresa	13768	O'Malley, Mark	15194	Ostler, Cathleen	16295
Okafo, Nneka	16923	O'Neal, Susan	13067	Ostwald, Scott	14803
O'Kare, Kimberly	14862*	O'Neil, Jeanne	14170	O'Sullivan, Joyce	11147
O'Keefe, Joseph	10850	O'Neill, LeVerne	11450	OSullivan, Kathleen	13192
Oker, Donna	14344	O'Neill, M	16490	O'Sullivan, Kevin	15678
Okrogelnik, Ivan	16292	O'Neill, Michael	10388 10815	Oswald, Karen	12173 15751*
O'Leary, Lynn	15910	O'Neill, Susan	11477	Otte, Brian	14767
Olejniczak, Carl	16043	Oostman, Carl	17050	Ouzounian, Patricia	11755
Olejniczak, Sharon	16043	Oostmann, Leona	15975	Ouzounian, Robert	11755
Olenek, Larry	17128	Opalinski, Ron	15782	Overbeek, Steve	14345
Olenek, Susan	17119	Opatts, Jennifer	14819*	Overberg, RaeAnn	11804 15466
Oliva, Elizabeth	15546	Orban, Roger	15097	Overheu, Arlene	11739
Oliva, Mary	15751*	Orchard, Mark	11131 14208 15549	Overton, Daniel	15270
Oliver, Mary	13702	Orchard, Nancy	14204	Overton, Debra	13670
Olivieri, Donald	12908	Ordoqui, Frank	15751*	Owczarzak, Ronald	12966
Olivieri, Mindy	12908	Ordoqui, Laurie	15751*	Owen, Deborah	15887
Olmsted, Tim	15839	O'Reilly, Kim	15751*	Owen, Nancy	14819*
Olness, Andrea	10795	Oremus, Rubina	14819* 15172 15440 15705 16294	Owen, Sandra	15271
Olsen, Bernadine	10197	Orico, Kelly	14731	Owens, Carol	12232
Olson, B.	15751*	Orlando, Michael	10177	Owens, John	16737
Olson, Christine	15139	Orloff, Joan	16700	Owens, Jr., Melvin	15679
Olson, Donald	12937	O'Rourke, Brendan	13109	Owens, Kim	12122
Olson, Dorothy	15751*	O'Rourke, Jim	13133	Owens, Roger	14155
Olson, George	15751*	O'Rourke, Julie	13120	Ozcan, Sheila	14749
Olson, Harold	13106	O'Rourke, Mary	13110	Ozinga-Istel, Marilyn	10412
Olson, James	15751*	Orr, Sharon	15344	P., Yebba	15751*
Olson, Joan	12937	Orsini, Lisa	15751*	Pace, Harlan	14862*

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Pace, Kerry	14992	Palmer, Suzy	11580 11836 12815	Parise, Debra	14775
Pacholski, Kevin	14496	Palmer, Thomas	11457	Parise, Michael	14775
Pacion, Nina	11146	Palmer, William	11208 12582	Parker, Charles	14862*
Pacyga, Joyelle	14961	Palmiter, Barbara	14072	Parker, Cheryl	12744
Paddock, Joan	12123	Palmiter, George	14035	Parker, Norma	17051*
Padhy, Prashant	14872	Paluch, Mark	15614*	Parker, Tim	10524
Padlo, Barbara	12796	Paluch, Rose	15614*	Parkinson, Robert	17004
Padron, Annette	14279	Pampel, Dorothy	13233	Parks, Bernard	12891
Padula, Susan	11234	Panacchia, David	13284	Parma, Carmella	14862*
Page, Martin	15751*	Panagos, Jacquelyn	14062	Parma, Sr, Sam	14118 14862*
Pagoria, Nicholas	16189*	Pandey, Tanu	17180	Parrino, Joseph	13262
Pagoria, Patricia	16189*	Pangilinan, Roger	14554	Parrino, Lucille	12290
Pahlke, Barb	13197	Pankiw, Nancy	16610	Parrish, David	10743
Paitl, Julie	14862*	Pankuch, Leanne	13180	Parro, David	11110
Pajeau, Kristina	15751*	Paolella, Elaine	10009 10010 10119 10120 13227 15325	Parsons, Letty	13384
Pajih, Rebecca	11875	Paolella, Massimo	13464	Partridge, Michael	12963
Pakledinaz, John	15614*	Paolella, Robert	12589	Patchan, Jo Ann	16002
Pal., Sandra	15751*	Paone, Anne	10818	Patel, Anand	16200
Palarz, Mike	11793	Papa, Anthony	16124	Patel, Bharat	12692 12693
Palarz, Therese	11792	Papa, Theresa	16124	Patel, Govind	15751*
Palella, Michelangelo	15751*	Papierniak, Susan	10553	Patel, Hermant	14005
Palemik, Mary	14134	Pappas, Chris	11128 15412	Patel, Hitesh	16988
Paleothodoros, Angelo	14862*	Pappas, Elizabeth	12056	Patel, Jaymin	15104
Paliuos, Vicky	16520	Pappas, Paul	12056	Patel, Krishna	12055
Palka, Wanda	17314*	Parchman, Whitney	17051*	Patel, Nell	12055
Pallan, Victoria	11351	Parekh, Kiran	14557	Patel, Pallavi	12692
Palmblad, Gloria	16430	Parello, Ray	14770	Patel, Rajani	12171 15751*
Palmblad, Rich	15614*	Parenti, Dino	11223	Patel, Shailesh	14819*
Palmer, Carol	11457 14977	Parikh, Binita	17045	Patel, Tusher	15751*
Palmer, Nathan	11836 12565 12815	Parikh, Dipesh	17045	Patel, Umesh	15751*

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Patel, Vip	11566	Pearson, Dolores	11411 12263 16705	Perkis, Dan	14912
Patitsas, Nicholas	11229	Pearson, Donald	15396 16965	Perkis, Ed	14909
Patla, Mel	11733	Pearson, Jean	10167 14318	Perkis, Katie	14911
Patrick, Dianne	13020	Pechinski, Joyce	16161	Perkowitz, Mary	13439
Patrides, Luke	15680	Pecka, Edward	14862*	Perna, Cindy	13857
Patterson, Cynthia	16296	Pecka, Wilma	14862*	Perna, Therese	10289
Patterson, Kevin	10141	Pecucci, Bill	14827	Pernice, Chris	15751*
Patterson, Lucy	13630	Pecyna, Nicole	15751*	Perry, Kay	13801
Patterson, Mike	11075	Pedersen, Barrett	15904 15908	Pesek, Dorothy	14862*
Patterson, Pam	12226	Pedersen, Patricia	15751*	Pesek, Michael	14497
Patti, Melissa	14894	Pederson, Susan	11873	Pesina, Chandra	14819*
Paturalski, Sierra	11784	Peek, Nanci	14700	Pestrak, Stephanie	15490
Paturalski, W	11839	Pellegrini, Cari	14599	Peterkort, Molly	13579
Paul, Alex	15865	Peller, Julie	10022	Peterkort, Steve	13579
Paul, Gail	16514	Pelletiere, Jody	12933	Peternek, Ron	13742
Paul, Karen	10681	Pelletiere, Vincent	12933	Peters, Beata	11700 15095
Paul, Lori	15751*	Pence, Linda	14119	Peters, Beth	15751*
Paul, Mike	15751*	Pendola, Mildred	14862*	Peters, Bob	15751*
Paul, Peg	13434	Penegor, Sherri	15751*	Peters, Brad	15095
Paulon, Gerri	14932 17051*	Penkava, Daniel	10688	Peters, Jeff	15751*
Paver, Loretta	16034	Pennacchio, Gloria	14862*	Peters, John	11213
Pawlak, Rose	15751*	Penvari, Roselyn	14819*	Peters, Mary	15751*
Pawlowski, Gerald	17051*	Penza, Terese	16394	Petersen, Sarah	10927
Pawlowski, Joan	10061 10126	Pepper, Dave	10892	Petersen, Steve	10926
Pawlowski, Joan	10457	Pepper, Richard	16672	Peterson, Amy	16470
Pawlowski, Laura	17051*	Pepper, Roxelyn	12458	Peterson, Bruce	15751*
Pawlowski, Nancy	13951	Perea, Patricia	12186	Peterson, Chad	12252
Pawlowski, Paul	10210	Perez, Brenda	13683	Peterson, Deanna	16857
Paymaster, Bill	13602	Perez, Cecile	14135	Peterson, Dixon	10137
Payne, Jason	14792	Perez, J	14862*	Peterson, Greg	10951 15729
Pazzanita, Anthony	10053 10180	Pericak, Kathleen	15750	Peterson, James	12260
Pearce, Anne	12417	Perkins, Joanne	13195	Peterson, Jane	12247 15614*
Pearce, Michael	12417	Perkins, Kelly	13283	Peterson, Janet	17094
Pearlman, Laurence	14514 14602	Perkis, Cheryl	14908	Peterson, John	12286

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Peterson, Kathy	14120	Philip, Knell	10605	Pinkus, Kathy	16534
Peterson, Kellie	12251	Philips, Christian	13529	Pintozzi, Nick	12055
Peterson, Kim	11552 15733 16297	Philips, Kimoy	13529	Pinzon, Lori	11803
Peterson, Lois	13273	Philips, Lynn	15751*	Pipala, Richard	10665 15614*
Peterson, Mary	11588	Phillip, Robert	14862*	Piscitello, Lisa	14472
Peterson, Matt	14017	Phillipp, Mark	15230	Pitcher, Ewa	11888
Peterson, Rebecca	12567	Phillips, Amy	17314*	Pittman, Cinda	11429 14319
Peterson, Torri	14025	Phillips, Birgit	15014	Pittman, David	11427
Peterson, William	14819* 15418	Phillips, Joyce	11240	Pitts, Claudia	11775
Petraitis, Dena	15414	Phillips, Richard	10078 11279	Pizzica, Carolyn	11317
Petras, Diane	15751*	Phillips, Theodore	14121	Pizzica, Kim	11318
Petras, Jim	15751*	Phipps, Nicole	14471	Place, Lorene	13947
Petrecca, Dana	14862*	Piatrawsie, Nick	15751*	Planek, Amber	13787
Petretti, Charles	16858	Piatrawsie, Susan	15751*	Planek, Nancy	13784
Petrey, Patricia	17051*	Picardi, Jim	15751*	Plas, Kelley	13862
Petrey, Rosemarie	17051*	Picardi, Lisa	15751*	Plas, Mathias	13862
Petric, Ann	14862*	Pickar, Kevin	15898	Platas, M.Ruben	15614*
Petrilli, Lisa	10535	Picker, Jan	15614*	Platas-Barrientos, Alma	15614*
Petropoulos, Suzanne	15024	Pickett, Sandy	12479	Plautz, Patricia	12275
Petrosky, Denise	14903 15290	Pickley, Ami	15751*	Plaza, Marion	15751*
Petrovic, Eleanor	10531	Pienkowski, Carmela	12899	Plebanski, Jr., Lea Ann	16031
Petsinger, Julie	13819	Pierce, Dana	14536	Plebanski, Robert	16031
Pettinelli, Lori	14069	Pierce, Lori	15739	Plechaty, Rosalie	14597
Pettit, Dawn	13867	Pierce, Nathan	14808	Plescia, John	11071
Pettit, John	13870	Pierce, Nick	14809	Plescia, Kristin	11071 11983
Petyko, Connie	14027	Pierce, Taylor	14013	Plescia, Nicole	11072
Pew, Corey	14556	Pierce, Warren	14823	Plessent, Eugene	15681
Pewitt, Gale	15347	Pietrucha, Daniel	10195	Plewtong, Lawan	15614*
Pfeifer, Scott	10348	Pietrucha, Linda	10198	Plewtong, Natee	15614*
Pfeiffer, Elizabeth	11668	Pignone, Carolyn	14346	Plice, Colin	15751*
Pfister, Elise	12055	Pina, Rich	16143	Plice, Gary	15751*
Pfohl, Robert	11007	Pingatore, James	14745	Plice, Joan	15751*
Phadke, Sangita	12652	Pingatore, Zoe	14745	Plonis, Anne	12811
Phelan, Ed	16189*	Pingry, Beth	14576	Plonka, Mike	12420
Phelan, Susan	16189*	Pinkerton, Val	16558	Plonka, Mike	12421
Phelps, Keith	13014	Pinkham, Lorraine	14819*	Plonka, Tami	12420

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Plonka, Tami	12421	Polvere, Gary	11316	Pouliot, Dawn	12821
Plummer, Jay	16130	Polvere, Michele	11182 12595	Pouliot, Michael	12739
Plummer, Joanna	13856 16082 16142	Polvere, Stephanie	11183 12588	Poulos, Mary	14795
Plummer, Rich	12930	Pomes, Laura	12202	Powal, Karen	11607 12670 13764
Plummer, Rita	12930	Pomes, Lauren	10403	Powell, Dennis	15751*
Pochron, Linda	12657	Ponce, Amanda	13380	Powell, James	15751*
Podgorski, Anna	15751*	Ponx, Michael	16023	Powell, Jr., Roger	13240
Podgorski, Jenna	12055	Pool, Elaine	15442	Powell, Karen	12143
Podgorski, Thomas	15751*	Poplawski, John	10523 10526	Powell, Tara	13753
Podlesak, Lisa	15651	Porter, Charles	12124	Power, Edward	14692
Poe, Russell	15751*	Porter, David	13785	Powers, April	17038
Poe, Susan	15751*	Portugal, Alexis	10564	Powers, Diane	15439
Poetzinger, Daniel	15682	Posego, Jodi	14053	Powers, Elwood	15367
Pofahl, Jacqueline	12408	Postacchini, Jr., Giovanni	15540	Powers, Kathleen	12971
Pohlhammer, Don	10213	Postacchini, Pamela	12390 13052	Powers, Tom	17038
Pohlman, Jane	17116	Posuch, Donna	16699	Poynton, Thomas	11728 15614*
Pokorny, Cheryl	12719	Posuch, Edward	16699	Prahl, David	11696
Pokorny, Eric	12720	Potdar-Patel, Kamlini	14819*	Prahl, Kristen	11695
Pokorny, Gail	11442	Potell, Anita	16859	Pramaggiore, Anne	16387
Pokorny, Kevin	11230 11231 12043	Poteracki, G.	11391	Pratscher, Maureen	10738 14967
Pokraka, David	10531 12318 14424	Poteryaw, Kathryn	17008	Pray, Jen	15297
Pokraka, Michaele	10531 12318	Pott, Debra	14862*	Pray, Jerry	15751*
Polachek, Susan	12009	Potter, Janet	11057	Precilio, Joan	17035
Polch, Josephine	15943	Potter, Shari	14951	Prell, Jill	13188
Poliszczuk, Charles	11823 12602	Potter-Ho, Laura	15833	Prenn, Hopie	14819*
Poliszczuk, Nancy	11832 12593	Pottinger, George	15751*	Prenn, Laurence	14819*
Pollack, Joanne	16951	Pottinger, Georgia	15751*	Prentiss, Tom	10999
Pollack, Robert	16951	Potts, Eula	12783	Prettyman, Charles	10917
Pollock, Marilyn	17051*	Poulakidas, Thomas	16298	Prettyman, Maureen	10915

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Price, Catherine	14085	Puhr, Lynn	11323	Quilitz, Ted	10075
Price, Jerry	13928	Pulkraber, Curtis	11023	Quinn, Ellen	17103
Price, John	13544	Purcell, Roberta	13006	Quinn, III, Glen	14862*
Price, Margaret	13989	Purnell, Gary	13201	Quinn, James	17103
Price, Steve	16860	Purucker, Roxanne	11508 12707	Quinn, Jr, Glen	14862*
Prietz, Roger	10070	Purucker, Steve	12706 14583	Quinn, Karen	14862*
Prigge, Rob	11342	Putnins, Andris	10832	Quintana, Nancy	11384
Prinos, Alla	14762	Puzon, Joseph	12332	R, Albert	11576
Prinos, Gary	13825 14348	Puzon, Sally	10293 12332 15376	R., Holly	15751*
Prislinger, Paula	15751*	Pylar, Darlene	10452	Rabin, Ellen	12713
Pritchett, Karen	14732	Pyle, Darla	12673	Rabin, Sheldon	12713
Privatsky, Marisa	11122	Pyri, Alice	14819*	Rachlin, Aaron	15581
Privatsy, Jenna	10804	Pyri, Jason	14819*	Radek, Matthew	14862*
Prochnow, Christopher	16401	Pyrzynski, Larry	13205	Radzienda, Jim	14648
Proulx, Robert	15614* 17090	Pytel, Jeff	10525 15517	Rafaty, Fred	11308
Provenzano, Sheila	15751*	Pytel, Jeff	11621	Raffanti, Charlotte	13548
Pruitt, Richard	10103	Pytel, Theresa	10502 11544 15513	Rago, Alexander	10248
Prusak, Jill	14581	Pytel, Therese	12051	Ragon, Hilda	15272
Pszczolkowski, David	13805 13821 14819*	Quade, Leesa	13490	Ragon, Robert	15272
Pszczolkowski, Laura	14819*	Quaid, James	13600	Ragsdale, Susan	16164 17049
Pszeniczka, Edward	11065	Quattrochi-Tubin, Susan	15968	Rahman, Eugene	10422
Ptack, Sherisse	13211	Queen, Brenda	14819*	Raider, Emma	11394
Pubins, Eileen	13357	Querrey, Charles	15751*	Raider, Sondra	11392
Puccio, Julie	15643	Querrey, Monica	15751*	Rainey, Mary	13226
Puccio, Mark	15866	Querry, Chris	15751*	Rajan, Fred	11459
Pudlo, Nancy	15751*	Querry, Stephanie	15751*	Rakow, Eldra	13772
Pugliese, Daniel	11380	Quick, Kevin	15231	Rakow, Ron	13773
Puglise, Joe	14919 14922	Quig, Deborah	11657	Ralson, Amanda	14833
Puglise, Nancy	14920	Quig, Thomas	12642	Ralson, Mandi	12784
Puhr, John	11323 15487	Quigg, Catherine	10035 10036 10992	Ramaiya, Deepan	14650

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Ramirez, Victor	16197	Reda, Erin	14819*	Reichert, Dena	16189*
Ramnsie, Joanne	15751*	Reda, William	14819*	Reichert, Karen	12743
Ramono, Carol	16862	Redder, Debra	13232	Reichert, Stephen	12725
Ramos, Catalina	14608	Redemske, Lee	13271	Reichert-Krenzien, Dena	14614 16189*
Ranahan, Coleman	13512	Redemske, Ron	13271	Reid, Bobby	17051*
Ranahan, LaVerne	13512	Redman, Ferol	14047	Reid, Daniel	12880
Randolph, David	15773	Redmond, Melissa	16955	Reid, Linda	15751*
Randolph, James	16074	Redmond, Rosemary	15356	Reilly, Edgar	14964
Randolph, Meredith	15409 15773	Reece, Gloria	12243	Rein, Susy	15081
Ranieri, Kathy	14862*	Reed, Barbara	11241	Reineke, Leanna	13046
Ranke, R	16863	Reed, Donna	14819*	Reiner-Adler, Beth	12125
Ransom, Ken	12591	Reed, Donna	15293	Reinhard, Beth	15035
Rao, Beena	10923	Reed, Douglas	11288	Reinhart, Harold	11787
Rapinchuk, Daniel	13864	Reed, Joseph	13013	Reinhart, Mary	11787
Rappaport, Edward	13355	Reed, Nikki	14819*	Reinke, Rose	13223
Rappaport, Evelyn	10360	Reed, Prince	13101	Reis, Arthur	13007
Rasausser, Teresita	14862*	Reed, Robert	12147 14819*	Reiser-Loeber, Elizabeth	15921
Raseman, Steve	11050	Reed, Trish	14819*	Reith, Randall	11988
Rasiarmos, Angie	15283	Reedy, Cindy	15725	Reitsch, Julie	16299
Rasmussen, Marilyn	13978	Reedy, Geoffrey	14798	Renard, Gray	13550
Rastetter, Edith	16643	Reedy, Lynsey	14801	Render, Laura	16454
Rataj, Andrzej	15751*	Rees, John	10729	Reneau, Amanda	15752*
Ravelo, Robert	14262 14273	Rees, Kimberly	14320	Rengel, Linda	11144
Ravji, Jasmine	16199	Rees, Robert	13851	Rengel, Rick	11144
Ray, Janet	14819*	Rees, Sally	10723	Renick, Jeff	14349
Ray, Linda	11647	Reese, Christine	15751*	Renteria, Martie	15751*
Rayes, Diana	16791	Reese, Donna	15751*	Repp, Walter	14862*
Rayes, Segoinvina	16864	Regan, Edmund	15886	Rericha, Earl	14862*
Raynor, Cooper	11654	Regan, Elizabeth	14652 14819*	Resident, Unknown	15751*
Raynor, Max	12641	Regan, Frank	12779 14653	Resident, Unknown	15751*
Raza, Elias	14819*	Rehbein, Gale	10228	Restivo, Carol	13596
Re, Lee	10416	Rehbein, Gale	12345	Retza, Nicole	15751*
Reber, Cheryl	16553	Rehbein, Gale	15163	Retza, Tiffany	15751*
Reber, Dean	16553	Reich, Gilbert	11795	Reum, Bryson	14862*
Rectoris, Alice	10200	Reichert, Allyn	16189*	Rex, Frances	15751*

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Reyes, Evelyn	16300	Riley, Dave	14819*	Roberts, Leslie	12126
Reyes, Frandolf	13797	Riley, Martin	15751*	Roberts, Mary	10139 13865 14160 15519
Reyes, Jose	11092 15644	Riley, Patricia	11434 11483	Roberts, Sandra	14997 15003
Reyes, Segundina	11092 14701	Riley, Sharon	16021	Robertson, Carol	14607 15232
Reynolds, Bruce	10171	Riley, Thomas	13021	Robertson, John	14474
Reynolds, Ken	14862*	Rilling, Carmen	13654	Robertstad, Edith	12733
Reynolds, Leslie	11892	Rimdzius, Kathryn	14862*	Robin, Mary	15366
Ribarchik, Lisa	15943	Rinaldi, Mark	14790	Robin, Mary	15752*
Ribarchik, Mark	15943	Rinaldi, Nancy	14790	Robinson, Ernest	10334
Ricchis, Renee	14862*	Ringer, Antoinette	14733	Robinson, George	13362
Rice, Chuck	15751*	Rion, Phyllis	10575	Robinson, Jessie	13093
Rice, Mary	10583	Rios, Louis	13761	Robson, N	11022
Rich, Perry	11585	Ripoli, Deanne	14819*	Rocco, Holly	10791
Richards, Aaron	16168	Risky, Clare	13881	Roche, John	13888 15032
Richards, Valerie	15954	Risky, Gary	13881	Roche, Patrick	14321
Richardson, Cara	11722	Rita, Amy	17051*	Rode, Donald	14780
Richardson, Jill	12847	Ritter, Tealia	16301	Rode, Wanda	14780
Richardson, Margie	15118	Rittgers, Mark	13618	Roder, Christian	10843
Richardson, Tracy	14690 16532	Riva, Jerry	14473	Roder, Priscilla	11702
Richie, Amy	11531	Rivera, Adriana	14862*	Roder, Susan	10679
Richie, Evan	11528	Rivera, Andrea	14734	Rodgers, Bruce	12386
Richie, Jordon	11527	Rivera, Esperanza	14819*	Rodgers, Juana	12388
Richie, Savannah	11523	Rizal, Walter	17051*	Rodriguez, A.	15751*
Richmond, Kimberly	11841	Rizzo, Anthony	16732	Rodriguez, Alex	10268
Ricker, Dan	15964	Rizzo, Christina	16735	Rodriguez, Daniel	15751*
Rieger, Elfriede	13497	Roach, Jim	10740 11898	Rodriguez, Nelson	15751*
Riendeau, Cheryl	11997	Robb, Christopher	12473	Rodriguez, Paul	10844
Riendeau, Wayne	11723	Robbeles, Jessie	14498	Rodriguez, Susan	12217
Rienstra-Kiracofe, Jon & Christine	11762	Roberg, Pat	10200	Rodriguez, Zulema	10277
Rifkin, Dana	15614* 17089	Roberson, Georgeann	15751*	Roe, Leodis	12544
Riha, Joseph	11970	Roberson, Paul	15751*	Roebke, Carol	15751*
Riker, Chuck	15885	Roberti, Ron	15614*	Roelofson, Phil	14831
Riley, Betty	14819*	Roberts, Chloe	11484	Roemer, Karen	11848
Riley, Darle	14819*	Roberts, Jane	12740	Roessler, MaryBeth	16865

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Rogers, Edna	17124	Rooney, Donna	15751*	Rossi, Paul	15738
Rogers, Laura	13297	Rooney, James	15751*	Rossman, Belle	12007
Rogers, Sherry	13985	Rooney, Mark	16405	Roth, Catherine	10787
Rogers, Susan	11946	Root, Alan	14952 16224	Roth, Charles	15273
Roggeveen, Christine	11640 12639	Root, Elizabeth	10878	Rothchild, Greg	14990
Roggeveen, Robert	11539	Root, Michael	12900 13501 14527 14529	Rothgery, Lorraine	14054
Roggeveen, Wynn	12569 13465 16212	Root, Sandra	13608	Rothgery, PhD, Eugene	10211
Rohde, Jr., Donald	14781	Root, Sharon	12900 12994 13340 13501 13532 13576 13938 13950 14526 14528 14606	Rothman, Lisa	15475
Rohde, Sr., Donald	14781	Rorgenski, Robert	14735	Rotondi, Angelo	14427
Rohde, Wanda	14781	Rose, Carli	11222	Rouleau, Bryant	14862*
Roig, Joanne	15788	Rose, David	11663 16517	Rouleau, Jason	14862*
Roig, Robert	15786	Rose, Priscilla	12134	Rouleau, Jonathan	14862*
Rokusek, Edward	14499	Rose, Richard	12065	Rouleau, Karen	14862*
Rolbiecki, Glenn	14590	Rose, Russell	10556	Rouleau, Kenneth	14862*
Roller, William	16866	Roselli, John	10725	Rouleau, Mathew	14862*
Roman, Dave	17143	Roselli, Marilyn	10724	Rouse, Alexandra	11996
Roman, Dolores	17143	Rosen, Sue	11642	Rouse, Brad	11662
Romanazzi, Vince	12380	Rosenblum, Maryann	10364	Rouse, Debra	13186
Romano, Barbara	11246	Rosenthal, Chris	15120	Rouse, Denise	11593
Romano, Giusto	14819*	Rosetti, Sam	12381	Rousonelos, Deborah	10065
Romano, Olivia	12055	Ross, Bill	15751*	Rousseau, Melanie	12055
Romano, Pia	14819*	Ross, Doug	13234	Rowe, Carol	11949
Romozzi, Marlene	10200	Ross, LaVerne	13016	Rowe, Carol	14866 16110
Roney, Allie	14409	Rossa, Ray	13922	Rowe, Charles	14866 16110
Roney, Ed	14408	Rossi, Louis	13588	Rowe, Chris	11931
Roof, Kenneth	15460	Rossi, Mark	11304	Rowe, Dianne	13051

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Rowe, Kevin	11650	Ruhde, William	12683	Ruzick, Robert	16996
Rowe, Mary	11649	Ruhl, Barbara	15110	Ryan, Beth	11971
Rowland, Susan	15512	Ruhl, Laura	16045	Ryan, Joan	15683 17051*
Rowley, Clementine	11537 11622	Rumoro, Linda	14862*	Ryan, MaryAnn	12206
Rowley, Don	11306	Rundle, Bary	16645	Ryan, Michael	11974
Rowley, Ed	11622	Rundle, Ellen	16646	Ryan, Nancy	10626
Rowley, Rick	13348 14969	Runtz, Julie	12038	Ryan, Robert	10182
Rowley, Susan	13330 14970	Runtz, Nicole	12047	Rych, Betty	13117 13959
Roy, Lisa	15751*	Rupprecht, Eileen	13286	Rych, Reginald	13119 13958
Rozgo, Bruce	16189*	Rusak, Waldemar	14877	Ryckman, David	12570 15974
Rozgo, Judy	16189*	Rush, Kathy	14819*	Ryder, Doug	11315
Roznik, Marcia	11283	Rusin, Mark	10219	Rygula, Anna	15663
Rubak, Betsy	11889	Ruskoski, Eric	14078 16947	Rykoff, Hildegard	12946
Rubien, Julie	14500	Ruskoski, Sandra	13137 13207 14077 16948	Rzasa, Helen	11582
Rubin, David	10458	Russell, Charleen	14523	Rzeznik, Dana	15614*
Rubin, Steven	13256	Russell, Duncan	12822	Saari, Laura	13523
Rubino, Donna	11458 15485	Russell, Gail	17189	Saavedra, Julie	14862*
Rubino, Frank	11456 15364	Russell, Valerie	17314*	Sabatino, Arlene	15614* 17081
Rubino, Melissa	13562	Russo, Christina	11899	Sabatino, Larry	15614* 17081
Rubinstein, Max	10354	Russo, Susan	10580	Sabbak, Virginia	11066
Ruder, Linda	11267	Rust, Nadine	10073	Sabo, Patty	15751*
Rudnicki, Paul	14322	Rusthoven, Marilyn	13539	Sachnoff, Steve	10509
Rudolph, Paul	13102	Rusthoven, Robert	13545	Sadauskas, Joe	16580
Rudolph, Susan	15751*	Ruth, Sandra	14107	Sadauskas, Katie	16578
Ruesch, Leroy	12696	Ruthard, Robert	13369	Sadler, Dawn	13358 14076
Ruesch, Mary Lou	12696	Rutherford, Elaine	12748 12748 12753	Saeed, Javed	15614*
Ruff, Sharon	13934	Rutherford, William	14475	Saeed, Sabah	15614*
Ruffino, Anthony	14397	Ruthrauff, Dennis	12884	Saez, Molly	11001
Ruffolo, Emilia	17290	Ruthrauff, Linda	15769	Saez, Molly	12127
Ruggeri-McArdle, Jodi	11479	Ruwe, Brad	15877	Safford, George	13289

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Safran, Lisa	16382	Sandberg, Angela	16186	Sarnowski, Thomas	11583
Sagerian, Denise	15114	Sanders, Caroline	13704	Sarro, Alfonso	14862*
Sahlin, Roberta	11314	Sanders, Christine	14685	Sass, Darlene	11559
Saladine, Rosemarie	14819*	Sanders, James	14711	Sassanelli, Nick	16925
Saldivar, Monalinda	10082	Sanders, Joan	11562	Sasse, Jacklyn	17138
Salem, Rajesh	16590	Sanders, Ken	11156	Satkus, Cheryl	12885 15942
Salemi, Joseph	10736	Sanders, Kristin	16927	Sauceno, Nicole	14819*
Salerno, Joe	17197	Sanders, Marie	12998 13059	Sauer, Amy	12128
Salerno, Kristen	17197	Sanderson, Marlene	15338	Sauna, Joe	12499
Salgado, Enrique	13235	Sandoval, Christine	14862*	Saunders, Alison	14688
Salvadori, James	13238	Sands, Robert	15851	Savaglio, Angel	12827 14752
Salvadori, Marie	13238	Sandschafer, Scott	17047	Savaglio, Katrina	12795
Salvadori, Tammy	15751*	Sandstrom, Roger	15751*	Savaglio, Ralph	10484 14752
Salvatori, Pat	13703 14615	SanFilippa, Carol	14819*	Savaglio, Ralph	14752
Salvino, Bob	14736 16302	SanFilippo, Vito	14819*	Savaiano, James	13705
Salvino, Carolyn	16303	Sanger, John	14412	Savard, Cassandra	13444
Salz, Victor	15241	Sanger, Marjorie	14413	Savaria, Jeri	15384
Salzman, Rachel	14862*	Sankey, David	15785	Savino, Karen	15751*
Samaras, Judy	10032	Santangelo, Arthur	15867	Savino, Rosemarie	14862*
Samaras, Steve	10026	Santerelli, Lynn	14781	Sayeed, Fauzia	14819*
Samborski, Michael	11860	Santerelli, Steve	14781	Sayers, Donna	15138
Samburg, David	14956 16654	Santilli, Jane	14862*	Scacco, Ronald	13083
Samburg, Renee	16653	Santini, Fred	15751*	Scalzi, Franzesca	13408
Samonds, Cynthia	13876	Santini, Jennifer	15751*	Scalzitti, Judy	10773
Sampaleanu, Stefan	12055	Santoro, Anthony	14819*	Scanlan, Janet	12988
Samson, Linda	16189*	Santoro, Arnolfo	10058	Scardino, Diane	10640
Samson, Mark	16189*	Santoro, Joyce	14819*	Scardino, Jim	10639
Samz, Doug	15614*	Santoro, Rosemary	10531 14862*	Schaber, Trudy	14819*
Samz, Holly	15614*	Santos, Susie	16304	Schade, Sylvia	10531
Sanchez, Alexander	14819*	Santucci, Dana	14862*	Schaefer, Anthony	13816
Sanchez, Alexis	14819*	Saraceno, Dominic	15751*	Schafer, Gregory	11307
Sanchez, Charles	15934	Sarino, Jonathan	15751*	Schaff, Jennifer	10495
Sanchez, Esther	14819*	Sarino, Vicki	15751*	Schaffer, Peter	10393 10555 12276

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Schaffer, Peter	13077 13372 13471	Schless, Mary Jenn	14819*	Scholten, Diane	10932
Schalk, Linda	16526	Schless, Robert	14819*	Scholtens, Barbara	12672
Schaller, Leonard	15972	Schmalz, Jan	10299	Scholtens, Edward	12671
Schaller, Suzanne	15972	Schmaus, James	16533	Scholtens-Kening, Sandra	13488
Scharama, Helen	17051*	Schmich, George	10268	Scholz, Holly	12127
Scharf, Charles	11601	Schmidt, Carol	10786	Schondorf, Sharon	15943
Scharf, Karen	10633	Schmidt, Claudia	10038	Schondorf, Sharon	15944
Schauer, Mary Jo	11177 11990 12571	Schmidt, Helen	10200	Schor, Amanda	16189*
Schauer, Robert	10074 15173	Schmidt, John	10887	Schor, Timothy	16189*
Schay, Cyndi	15025	Schmidt, Joe	12055	Schorp, Paula	13206
Scheck, Judith	14862*	Schmidt, Judie	17161	Schorp, Terry	13206
Scheck, Richard	14862*	Schmidt, Patricia	14819*	Schotzberger, James	14476
Scheckel, Agnes	10196	Schmidt, Paul	15751*	Schrader, Charles	15246
Scheffler, Celeste	10900	Schmidt, Sharon	11321	Schrader, Helen	15751*
Schehl, John	15341	Schmidt, Thomas	14819*	Schramek, Kevin	13373
Scheitlin, Cindy	10220 11194	Schmidtke, Bridget	15751*	Schroeck, Michael	12533
Schell, Kathryn	11169	Schmidtke, Karl	15751*	Schroeder, Deborah	13758 14350 14351
Schell, Mary	10971	Schmitt, Paul	15614*	Schroeder, Donald	13965
Schell, Ward	11166	Schmitz, Ellen	10465	Schroeder, Enid	10281
Schellhorn, Margot	15943	Schnaitman, Marie	12169 15751*	Schroeder, Eric	16703
Schiavone, Dolores	14087	Schneck, Patricia	15248	Schroeder, Kathleen	11525
Schick, James	13034	Schneider, Fred	10123 14916	Schroeder, Michelle	16703
Schick, William	12810	Schneider, Jacalyne	10642	Schroeder, Mike	17048
Schiewe, Bart	15360	Schneider, Jan	11053	Schuberth, Colleen	11269
Schiewe, Helen	15450	Schnell, Antoinette	12268	Schuberth, Gary	10886
Schild, Sandra	16381	Schneller, Margaret	16731	Schueler, D.	16166
Schild, Wayne	16375	Schnurbusch, Larry	12959	Schueman, Shawn	15553
Schiltz, James	12071	Schoen, Deborah	12066 14819* 16363	Schuldt, Carolyn	11309
Schiltz, Laura	14914	Schoen, Jaclyn	14819*	Schuldt, Paul	14666
Schilz, Patricia	15760	Schoendorf, Debra	10675	Schulke, Anne	16868
Schlamadinger, Diane	13364	Schoenly, Karen	13836	Schultz, Fritz	15614*

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Schultz, Gerhad	10906	Scifo, Alice	11474	Selman, Karen	11631
Schultz, Megan	13633	Sclafani, Angela	12505	Seltzer, Jennifer	12764
Schultz, Rozzi	15614*	Sclafani, Joseph	10801	Selultz, James	14819*
Schultz, Sigrid	10905	Sclafani, Joseph	15149	Selvaggio, DeAnn	14819*
Schultz, William	10408	Sclafani, Renee	10806	Selvaggio, Pasquale	14819*
Schulze, Norma	15757	Scoby, Bella	10963	Semla, Donald	10637
Schulze, Sharon	12370	Scoby, Emily	11565	Semla, Faith	11210
Schuman, Jeff	12279	Scoby, Will	10965	Senate, Ruth	16305
Schuman, Sarah	15751*	Scott III, Edward	12142	Seng, Dehila	16869
Schuman, Teri	12280	Scott, Jeffrey	13161	Sennerud, Arnold	13023
Schumann, Andrea	12055	Scott, Norman	10813	Seno, Gail	14708
Schumann, Noel	15508	Scott, Shiela	13160	Sensendorf, Joann	15751*
Schumpp, David	16189*	Scott, Virginia	15596	Seper, Jeannine	15182
Schumpp, Virginia	16189*	Scouten, Charles	13828 16017	Sepos, Denise	16870
Schurmann, David	11218 15614*	Scully, Jacqueline	15599	Serikaku, Laurie	12794
Schurmann, Sue	11220 15614*	Scumaci Sr., Micheal	10531	Serna, Cherie	16448
Schuster, Barbara	13706	Seabolt, Elizabeth	14819*	Serpe, Anna	15751*
Schuster, Robert	13476	Seabolt, John	14819*	Setlik, Patricia	16173
Schutz, M.	11765	Seager, Carl	10454	Severin, Michael	13174
Schwab, Neil	15614*	Seagren, Joann	11324	Severino, Lizette	15751*
Schwab, Nila	15614*	Seagren, Scott	11327	Severino, Lucille	15751*
Schwantes, Jo-Anne	14857	Sealy, Sharon	14108 14109	Severino, William	15751*
Schwantes, Julie	15393	Searles, Debbie	15793	Severns, Diane	17031
Schwantes, Sr., Robert	14858	Searles, Ray	15793	Severson, Theresa	14674
Schwantz, Jeff	11099	Sears, Laurice	15234	Seveska, Kathy	12661
Schwartz, Donald	15751*	Seberger, Jeannette	12888	Seveska, Rich	12658
Schwartz, Jeff	14819*	Sedlack, Thomas	15752*	Seville, Kevin	14032
Schwartz, Terry	12255	Sedovic, David	13177	Seyk, Jr., Edward	10094
Schwarz, Andy	10030	Segal, Eleanor	14862*	Seymour, William	15981
Schwarz, Craig	14772	Seidel, Gail	10849	Shack, Jonathan	15422
Schwarz, Donnell	10175	Seigle, Harry	12922	Shackelford, Julie	14579
Schwarz, Janice	14773	Seizovic, Laura	12573	Shacter, Gerry	12354
Schwed, Mark	12228	Selesky, Gary	13038	Shadlen, Gerald	16306
Schweiger, Rick	16722	Selesky, Laura	13038	Shadlen, Jane	16306
Schweizer, John	12456 12539	Selig, Teresa	15751*	Shah, Alpesh	15751*
Sciafani, Joseph	10617	Selk, Rick	12754	Shah, Viresh	13835
Sciafani, Renee	10616	Selman, Jennifer	11634	Shahady, Edward	13170

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Shaleen, David	14478	Sherwood, Kelly	15124 15125	Siepak, Paul	12480
Shambaugh, David	15468	Sheth, Chat	14693	Sierocki, Walter	16550
Shambaugh, Sharon	15468	Sheyka, Greg	12055	Sievert, Sandy	10274
Shanley, Catherine	16145	Shick, Henry	14024	Siewers, Jr., John	16872
Shannon, Robert	11303	Shields, Dawn	16189*	Sigg, Sabrina	14671
Shapiro, Abra	10829	Shields, II, Chris	16929	Siggins, Terri	15945
Shapiro, Abra	15482	Shimkus, Charlie	15614*	Sigmund, Breann	15955
Shapiro, Alfred	11276	Shimkus, Susan	15614*	Sikorski, Raymond	14819*
Sharpless, Janis	15361	Shindelar, CarolAnn	13196	Sikorski, Regina	14819*
Shastany, Timothy	15575	Shockey, Linda	15751*	Silvestri, Anthony	15335
Shattuck, Kim	15446	Shogren, Dennis	15751*	Silvestri, Barbara	14862*
Shechtman, Irwin	10472	Shogren, Sharon	15751*	Sim, James	14023
Sheedy, Emilie	10536	Sholeen, Heather	11781	Sim, Lois	14023
Sheehan, Mary	15943	Sholeen, Todd	10705	Simands, Martha	12055
Sheehan, Rosemary	17051*	Shore, Annette	14819*	Simmons, Leslie	14960
Sheehan, Tom	15943	Shoults, Kevin	13515	Simmons, Ricky	14957
Sheehan, W.	14819*	Showalter, John	14862*	Simms, Christina	17051*
Sheehan, W.	14862*	Shower, Helen	15274	Simms, Eric	16985 17051*
Sheets, Philip	14515	Shropshire, A.	11776	Simnick, Al	16686
Sheets, Ruth	11509	Shulman, Yury	15324	Simnick, Gayle	16686
Sheffler, Alvin	12451	Shust, Allen	14352	Simon, Peter	13409
Sheikh, Shahid	15967	Shuster, Scott	14122	Simond, Zoe	11939
Shelton, Bruce	14501 15245	Siapno, Janet	14737	Simone, John	11379
Shelton, Tanya	14850	Sibilsky, Kelly	10969	Simonetta, Dominic	17051*
Shemroske, Jim	16307	Sidenstick, Gerald	15242	Simpera, Walt	10268
Shepherd, Adam	13129	Sidenstick, Kathy	15242	Simpson, Greg	12960
Shepherd, Doyle	13537	Sidlow, Terry	12676	Simpson, Heather	14819*
Sheppard, Laura	16871	Sieger, Judy	12053 15336	Simpson, Jeff	15751*
Sherbakov, Alla	10504 15717	Sieger, Maureen	10632	Simpson, Lindy	15751*
Sherbakov, Vlad	10505 15717	Siek, Christopher	14584	Simpson, Thomas	13074
Shermulis, Jean	16005	Siek, Judy	13279	Sims, Cindy	11796 12574
Sherry, Dan	11396 15614*	Siemianowski, John	12294	Sims, Laurel	13882
Sherwood, Joshua	15124 15126 16225	Sienko, Angeline	14851	Sinclair, Robert	13743

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Sincox, Elizabeth	11282	Skowronski, Tom	15684	Slope, Joe	15685
Sincox, Jim	11357	Skrbec, Karen	14739	Slowik, Erik	15489
Singer, Robin	10546	Skrycki, Scott	15751*	Slowik, Sean	12055
Singer, Rochelle	11667	Skryd, Michele	10531	Slozga, Thomas	16926
Singh, Amrit	15751*	Skulski, Sandra	12842	Smart, David	15614*
Singh, Chris	13410	Skupa, Robert	14862*	Smart, Linda	15614*
Singh, Taurike	15751*	Skurka, Michael	13615	Smederovac, Gloria	10015
Singraber, Kathleen	14738	Skurkis, David	14862*	Smeets, Greg	14398
Siniteran, John	15751*	Skwarek, Robert	14419	Smith, Andrea	16563
Siniteran, Lois	15751*	Skwirut, Sandra	10315 12941 13092 13745 15920	Smith, Barbara	14776
Sink, Nancy	16418	Sladcik, Erika	12986 13219	Smith, Barbara	15247
Sinnett, Edna	11492	Slager, Alyssa	12055	Smith, Bart	15112
Sinnoc, Fayne	14323	Slager, Sydney	10833 11451	Smith, Bernadette	16875
Sinnott, M. Faye	11179 12575	Slager, Tom	11245	Smith, Bonnie	12600
Sirotzki, Matt	15159	Slager, Tom	11439	Smith, Bret	12067
Sisk, Gabriela	13852	Slak, Linda	16954	Smith, Brian	12384
Sit, Phyllis	14862*	Slak, Robert	16954	Smith, Brian	17135
Sivak, Nancy	17134	Slanec, Marilyn	14862*	Smith, Connor	12040
Sivakumar, Anupama	15299	Slater, Gina	16308	Smith, Cooper	10710
Skaggs, Linda	14575	Slater, Ruth	14862*	Smith, Dan	16563
Skama, Kietstut	14862*	Slaughter, Howard	11096	Smith, Danielle	17135
Skanlan, Janet	16873	Slaughter, Julie	11548	Smith, Daria	15751*
Skarda, Bob	16874	Slauire, Catherine	14819*	Smith, David	14709
Skarnulis, Barbara	10200	Slavich, James	13392 (Petition)	Smith, Diane	15991
Skinner, Dwight	11708 15614*	Slaw, Laura	11118	Smith, Eric	15043
Skitchari, Alvera	13707	Slaw, Steve	11904	Smith, Gayla	15649
Sklade, Susan	15326	Slawny, Lisa	15524	Smith, Greg	14399
Skobel, Stan	15751*	Sleezer, Fran	11574	Smith, Hugh	15991
Skoda, Renee	16480	Slezak, Tony	14479	Smith, Jeff	14819*
Skordinski, Jim	14846	Slifko, Joanne	13396 (Petition)	Smith, Jennifer	10770
Skowronski, Clifford	14353	Slimak, Laurie	15751*	Smith, Jenny	16184
Skowronski, Loreen	14353	Sloan, Howard	16189*	Smith, Judith	13966
Skowronski, Robert	14819*	Slocum, Marjorie	10930	Smith, Katherine	16309

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Smith, Kelly	15614*	Snyder-Nelson, Janet	15614*	Soske, Alix	13108
Smith, Kenneth	16972	Soares, Barb	14713	Souden, Gordon	16636
Smith, Kevin	15939	Sobun, Cheryl	16226	Soule, Laura	12734
Smith, Laurie	13338	Sochor, Gene	13184	Southhard, Valerie	12949
Smith, Marilyn	12469	Sochor, Phyllis	13182	Sovereign, David	14862*
Smith, Mary	10606	Soehren, Marti	16684	Sowa, Adam	14822
Smith, Matt	12519	Sofferman, Eva	15751*	Sowders, Rod	15383
Smith, Michael	14780	Sofferman, Marvin	15751*	Spand, Marcia	15751*
Smith, Michael	14862*	Soffit, Joan	13435	Spanier, Dan	16908
Smith, Roger	13298	Sofos, James	15402	Spanos, Nidia	14819*
Smith, Signe	14780	Sokol, Jeffrey	12863	Sparacio, Diane	15614*
Smith, Stephen	13783	Soldano, Cyndi	13905	Sparacio, Peter	15614*
Smith, Steven	11632	Solinski, Bella	16310	Sparing, Eugene	10361
Smith, Sue	13725	Solita, Joseph	14354	Sparks, Pamela	14819*
Smith, Susan	15751*	Solms, Joan	12726	Sparr, Robert	11916
Smith, Theresa	10656	Solomon, Daniel	13759	Sparr, Robert	14324
Smith, Theresa	16876	Solomon, Harry	10079	Spatoulas, Diana	11725
Smith, Walter	15706	Soltis, CJ	13575	Spatoulas, Diana	12249
Smith, William	15244	Somebody, Joe	12055	Spatoulas, Thanos	14178
Smith-Matteson, Janice	14678	Somen, Mary	10200	Spear, James	14212
Smolarczyk, Michelle	13025	Sommer, Jr., Wayne	15751*	Spearing, Brett	15560 15590 16379
Smuskiewicz, Daniel	13225	Sonka, Barbara	14862*	Spearing, Sarah	15340 17102
Smuskiewicz, Lucille	13824	Sonnenberg, John	10907	Speerly, Melissa	15592
Smutny, Roberta	10297	Sonnenberg, Susan	14011	Speichinger, Alison	15823
Sneed, Mary	10735	Sonnicksen, Pattie	11748	Spencer, Brian	17112
Snelgrove, Christine	16877	Sonricker, Ann	15333	Spencer, Kristan	17112
Snell, Jo Ann	10959	Sonricker, Dave	16227	Spencer, Ralph	17133
Snell, Shellie	14819*	Sons, Jason	13849	Spethmann, David	13850
Snider, Judy	12256	Sood, Frederich	15751*	Spica, Sarah	10621
Snodgrass, Karin	16198	Sood, Jane	15751*	Spicenger, Eric	16878
Snodgrass, Steven	16057	Sopher, Jeff	10095	Spicer, Kelly	10777
Snow, Devin	14781	Sorensen, Renea	15343	Spicuzza, Richard	11343
Snow, James	13946	Sorenson, Judy	11907	Spiess, Sheri	16151
Snow, Joanne	13527	Sorenson, Orville	14276	Spikings, Barbara	13863
Snow, Robert	14781	Sorice, Toni	16311	Spindes, Mario	14480
Snyder, Clare	17117	Sorkin, Kimberly	13656	Spindler, Tom	15751*
Snyder, Ruth	16633	Sorrentino, Teresa	12806	Spinelli, Antoinette	15686

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Spinner, Mary	16503	Stanke, Mark	15351	Steinman, Dawn	15520
Spiroff, Patrick	16720	Stanke, Theresa	15351	Steinmetz, Linda	15751*
Spiroff, Rita	16557	Stanker, Jean	14605	Steinmetz, Robert	12628
Spratley, Gina	10101	Stanton, Sr., Robert	11372	Stelige, Emma	11146
Spring, Annette	15943	Stapleton, Carl	16518	Stelter, Michelle	16313
Spring, Keith	15943	Stapleton, Donna	16518	Stelter, Ron	16313
Springer, Carolyn	11884	Starkey, Robert	17152	Stephens, Janet	17051*
Springer, Ed	12129	Starks, Eva	14930 14931 15066	Stephens, Norval	11597
Springer, Judy	11518	Starr-Iorfida, Cynthia	14862*	Stephens, Phillip	10322
Springer, William	11883	Stasewich, Fred	11730	Stephens, Tad	14998
Sprinkle, Franklin	12643	Stasewich, Nancy	11732	Stephenson, William	15275
Sprungman, Hannah	17297	Stathakis, Cheryl	12130	Sterling, Heather	10685
Sprungman, Krista	17297	Stauffer, Noreen	10459	Sterling, Sandra	15751*
Sprungman, Robert	17297	Stavron, Allyson	17186	Stermer, Jana	14699
Squires-Cannon, Meryl	12088	Steadman, Joseph	10267	Sternad, Marjorie	14862*
Sramek, Rosetta	14672	Stearney, Julie	11125	Stetson, Judith	10670
Sreenivas, Boddu	14169	Stearney, Peter	11378	Stetson, Judith	12576
St Martin, Leah	15039	Stebbins, Richard	13036	Stevatorio, Joseph	16314
Stabosz, Fran	12359	Steen, LuAnn	15235	Stevens, Colleen	15355
Stabosz, Georgia	13386	Stefanovich, Susan	16189*	Stevens, Colleen	16747
Stabosz, Thomas	13386	Stefans, Erich	16660	Stevens, David	17139
Stachurski, Mary	12991	Stefans, Lisa	16660	Stevens, John	11371 15869
Stagnito, Maddy	12055	Steffen, John	10828	Stevens, Judith	10043 10044 13601
Staley, Don	15233	Steffen, Teresa	11181	Stevens, Karen	17139
Stallings, Heather	14819*	Steffes, Rebecca	12972	Stevens, Laura	11371
Stallone, Katherine	11869	Steger, Heidi	16446	Stevenson, Jimmie	10108
Stallone, Mary	11862	Steger, James	16444	Steward, Marcia	15010 17183
Stanciel, Sharon	16060	Stegmaier, Paul	17314*	Stewart, Darlene	15614* 17064
Standish, Russell	16490	Stegvik, Carrie	11322	Stewart, Margaret	14841
Staneart, Roseann	16605	Stein, Nick	15743	Stewart, Marlene	10159 10594
Stanek, Jim	16312	Steinecker, Lana	16615	Stewart, Thomas	15983
Stanfa, Anthony	13960	Steinhofer, Jill	15751*	Stewart, Wilbur	15614*
Stanfa, Gerri	13960	Steinhofer, Scott	15751*	Stffen, Mark	10792
Stanfield, Mary	16425	Steininger, Ed	14819*	Stickney, Jon	10865

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Stieglitz, Joseph	15751*	Strahan, Catherine	14610	Sulak, Clifford	15476
Stien, Mary	16879	Strahl, David	17120	Suligoy, Andrew	16627
Stigter, Robert	14560 16081	Strahl, Julie	17114	Sulikowski, R	10861
Stigter, Sharon	14560	Strain, Christy	16008	Sulikowski, Wanda	11103
StLaske, David	14819*	Strain, Jason	16008	Sullivan, Barbara	11937
Stlaslo, Claudia	14819*	Stranges, Bernard	17310	Sullivan, Barbara	17051*
Stockley, Mark	15457	Stranges, Theresa	16667	Sullivan, David	16007
Stockman, Christopher	12985	Stratton, Alan	14028	Sullivan, Diana	14636
Stockton, Gail	14819* 14915	Stratton, Donna	14029	Sullivan, Emily	12055
Stockton, Steve	14819*	Strauss, Catherine	12860	Sullivan, Sean	13269
Stodden, Bridget	10443	Strauss, Jack	12055	Summers, Dawn	13371
Stohlquist, Eric	14819*	Streeter, Susan	10232	Summers, Eva	14210
Stojanoff, Stepan	15614*	Streit, Barbara	15687	Summit, Joan	14852
Stojanoff, Terri	15614*	Streit, Lori	14984	Sundaram, Seetha	15445
Stokely, Carole	13796	Stromberger, Cara	13837	Sunderlage, Carey	10071
Stokely, Craig	13796	Strong, John	11268	Sundholm, Kathy	14712
Stokley, Craig	10437	Stroude, Janice	13411	Suppes, George	13568
Stoll, Henry	15353	Strub, Cody	14819*	Suppes, Helen	13956
Stone, Eleanor	17051*	Struck, Maribeth	15751*	Suppes, Ingrid	12577
Stone, Gwendolyn	15751*	Strutzel, Phil	13312	Suppes, Penny	10604
Stone, Jean	17046	Strutzel, Yolanda	13312	Suppes, Thomas	11789
Stone, Jr., Ted	16585	Stryczek, Ken	15473	Susman, Harriet	12552 15796
Stonebraner, Katja	16510	Stubenrauch, Diana	11934	Sussman, Martin	15688
Stonehocker, Greg	14670	Stubenrauch, Michael	12015	Sustich, Richard	15614*
Stoor, Lisa	14065	Stubenvoll, Eric	16880	Sutkevicius, Dainius	13154
Stoor, Randy	14065	Stubenvoll, Jack	12039	Sutor, Aginishka	16638
Stoots, Randall	10411	Stubenvoll, Jill	16881 16882	Sutor, Agnieszka	14154
Stopka, Tommy	14819*	Stubig, Patricia	11817	Sutton, Hanna	12055
Stoppa, Christine	15751*	Studebaker, Elizabeth	14946	Svehlik, Maria	14862*
Storz, Carl	10544	Stukel, Sharon	14176	Svenningsen, Glen	11763
Stott, Kathleen	11027	Styrkowicz, Kelly	15614*	Svetanoff, Joseph	12886
Stovall, Sally	15428	Suarez, DeAnne	15889	Swanson, Alvin	14660
Stover III, Mervin	10097	Suba, Joanne	14862*	Swanson, Barrie	11362
Stover, Cheryl	13069	Suenningsen, Colleen	10761	Swanson, Bea	15727
Stover, Dave	13069	Suhs, Jill	12688	Swanson, Birgit	15099
Stowasser, Beth	16698	Suhs, Linda	14781	Swanson, Elaine	12131
Stowasser, Jim	16698	Suhs, Terrence	14781	Swanson, Joseph	11132

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Swanson, Katie	15751*	Tabel, Tamara	10929	Tascone, Lisa	14987
Swanson, Lynn	15720	Tabel, Todd	10928	Tatgenhorst, Courtney	14502
Swanson, Rick	15751*	Taillon, Armand	15397	Tatum, Linda	16315
Swarbrick, Stacey	11770	Takacs, Dorothy	14355	Tatum, Roger	15707 16439
Swartz, Dan	12347 16372 16376	Talaga, Kelly	12981	Taub, Nancy	13466 15502
Sweas, Frank	13726	Talavera, Enrique	14819*	Taylor, Cynthia	12585
Sweeney, Brian	13961	Talbert, Michael	15614*	Taylor, Douglas	12364
Sweeney, Mari	14609	Talbett, Michael	17076	Taylor, Janell	15276
Sweet, Richard	14150 14153 15860	Talbott, Lori	15751*	Taylor, Judith	11954
Sweeta, Rosann	13727	Talbott, Ryan	15751*	Taylor, Kathryn	10350
Sweetman, Joanne	13370	Tams, Michael	15536	Taylor, Kevin	10223
Sweitzer, Debbie	14282	Tanaka, Cheryl	10936	Taylor, Margaret	14482
Sweno, Janet	10884	Tanaka, Stuart	11551	Taylor, Stuart	11228
Sweno, Janet	12132	Tang, Jinmei	11373	Taylor-Mikes, Terri	10480
Swenson, William	15890	Tanis, Karen	12887	Teague, Barbara	13621
Swigart, Loretta	14477	Tanking, David	11164	Teague, Beryl	13509 13728
Swiger, Calvin	12655	Tank-Murphy, Cindy	13164	Teague, Charles	13194
Swinehart, Jeff	12313	Tantillo, Don	15943	Teague, Lyman	13436 13508
Swinford, A	12310	Tantillo, Joanne	15943	Tedei, Sandy	14088
Swords, Patricia	12374	Tappen, Barbara	15751*	Teel, Tommy	11239
Sylvester, Steve	12872	Tarbet, James	11503	Teeter, Charles	14996
Symbal, Dennis	11026	Tarczynski, Meredith	15614*	Tegeder, Wayne	10961
Symbal, Kelly	15614*	Tardrew, Philip	12578	Tegtmeyer, Mike	15751*
Szczesny, Terry	15751*	Tardy, Lawrence	10239	Tegtmeyer, Tiffany	15751*
Szewczyk, Michelle	16883	Tardy, Lawrence	15346	Teichmiller, Alan	13830
Szusgen, Pauline	15751*	Tardy, Suzanne	10239	Tejan, Richard	15614*
Szydlowski, Mike	14123	Tarvid, Donna	10303 15479 15973 16035	Telfer, Michael	14137
Szymanek, David	17291	Tarvid, Russell	10330 12470 13752	Tellalian, Martin	16353
Tabac, Roberta	14819*	Tarwid, James	11749	Tendering, Scott	10739
Tabel, Bryce	11019	Tarwid, Robert	11750	Tenhoopen, Carrie	11159
Tabel, Ethan	11360	Tascone, Carl	16189*	Tenorio, Carlos	10788

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Teodosi, Gina	14819*	Thompson, Diana	13356 15365	Threlkeld, Charlie	12964
Ter Haar, Donald	12793	Thompson, Jim	16039	Thrun, Scott	12580
Terrel, Alan	15751*	Thompson, Julian	14848	Thudium, Christine	16367
Terrel, Bea	15751*	Thompson, Mark	13472 14356	Thursland, Patricia	14819*
Tertler, Randy	16316	Thompson, Martin	10308 16456	Thursland, William	14819*
Teschke, John	14819*	Thompson, Nancy	15614* 17078	Thurston, Rita	11914
Tews, Carol	10417	Thompson, Pat	10399 10498	Thyfault, Brad	12055
Thaller, Michael	10501	Thompson, Pat	12219	Thyfault, Chuck	11922
Thanniakry, James	14875	Thompson, Rachel	15453	Tibble, Ron	16978
Theodore, Janice	13458	Thompson, Rita	14848	Tibensky, Gail	12175 14819* 15170
Therrien, Mary	16131	Thompson, Sandra	16456	Tibensky, James	15170
Therrien, Walter	16131	Thompson, Sheila	15689	Tichnor, Harry	15544
Thiess, David	10769	Thompson, Thomas	10481	Tichy, Pamela	11290
Thiess, Susan	11145 12586	Thompson, Ty	16884	Tichy, Robert	11290
Thiry, Timothy	15751*	Thoms, Sr, Christopher	14819*	Ticknor, Robert	14862*
Thode, Judith	15079 16435	Thomson, Robert	13438 15751*	Tidd, Rick	10111
Thode, Matthew	15078	Thomson, Sharon	11311	Tierney, Timothy	13861
Thomas, Carina	13820 14819*	Thomson, Shirleen	14819*	Tigges, Ann Marie	14819* 15751* 15819
Thomas, Colette	14883	Thorak, George	14862*	Tihinen, Lauren	11461
Thomas, Eugene	13089	Thoresen, Ron	10517	Tikwart, Robert	11737
Thomas, Kristin	15415	Thorndyke, Taylor	12055	Tillman, Janet	12731 12735
Thomas, Lindy	12403	Thorne, Mary	10099	Tillman, Joan	10218
Thomas, Rodney	14819*	Thorns, Dorothy	13275	Tillrock, Donna	14819*
Thomason, Juliann	15818	Thorns, William	13275	Tillrock, Ed	14819*
Thome, Ted	15572	Thornton II, Michael	16519	Tillrock, Ian	14819*
Thompson, Andrea	12904	Thornton, Elizabeth	11042 16317 16519	Tilly, Jennifer	11013
Thompson, Antonette	16889	Thornton, Renate	10913	Timmerman-Huenecke, Carrie	14988
Thompson, Bill	11698	Thorsen, Alfred	15751*	Tinaglia, Anthony	11133
Thompson, Christi	15752*	Thoss, Peter	12442	Tinaglia, Anthony	15614* 17057

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Tingler, Michelle	15614*	Tomaszewski, Mary Lou	12394	Trebac, Marilea	11227
Tinogba, Tony	13312	Tomecek, Carolyn	10531	Trefil, Anna	10222
Tionff, John	16885	Tomecek, Michael	10483 10531	Trefil, Christina	10222
Tipsword, John	13202	Tomes, Otto	10295 10426	Trefil, Jo	10222
Tischauser, John	10456	Tomkiewicz, Mary	14819*	Trefil, Wayne	10222
Titus, Jr., Gordon	14862*	Tomkiewicz, Thaddeus	14819*	Trela, Doris	14286
Titus, Rose	14862*	Toppel, Monica	15732	Trela, Jerome	14284
Tkachuk, Nick	15754	Torkelson, Howard	16443	Tremblay, Julie	13617 13992
Tobin, Holly	16623	Torphy, Laura	15403	Tremblay, Kevin	13992
Tocke, Dale	15614*	Torres, Alex	14862*	Trenn, Robert	15751*
Tocke, Eileen	15614*	Torres, Larrissa	14819*	Trento, Claudio	12538
Todd, Frank	15585	Torrey, Janet	16318	Trevarthan, Michael	14197
Todd, Marsha	16886	Tortorelli, Julie	11814	Trevarthan, Sherry	14199
Tofighi, Shadon	12472	Tortorice, Ross	10006	Triphahn, Scott	14819*
Tognocchi, Dorothy	14862*	Tortorici, Mary	14819*	Trivelli, Jennifer	14819*
Toigo, Christine	14784	Toth, Alan	12044	Trivelli, Julie	14819*
Toigo, Gerald	14785	Toth, Margaret	12041	Trivelli, Mauro	14819*
Tokarski, Lupita	15868	Totsch, Beverly	16000	Trivelli, Richard	14819*
Tokman, Mila	10402 12548	Tourville, Ray	11955	Trivelli, Rosemary	14819* 15443
Tokman, Sam	10402 12548	Townsager, Bruce	10774	Troha, Christine	14862*
Tolani, Carrie	11031	Townsager, Mary	10774	Trom, Maureen	11756
Tolle, Judy	15771	Townsend, Kimberly	15583	Trotsky Bell, Kari	10164
Tolomei, John	10506	Tracy, Lorrie	15761	Trotta, Ian	12055
Tolomei, Sharon	15614*	Traeder, Terry	15907	Trotta, Ray	16887
Tolosko, Paul	12700	Trafelet, Terri	16997	Trotta, Sherry	16887
Tolva, Darla	15751*	Trajano, Ariel	15751*	Troup, Dianne	13855
Tolva, Kevin	15751*	Trallersall, Deborah	16736	Trout, Lisa	13064
Tom, Karen	10199	Tran, Tung	15751*	Troutsh, Tim	16888
Toman, Arne	13474	Trascritti, Karen	12481 16603 16604	Troy, Marie	11242
Toman, Julia	10057	Trautman, Carol	15614*	Trtan, Louis	10049
Tomany, Joan	13740	Trautman, John	15614*	True, Sezuan	13043
Tomany, Stephen	13843	Traver, Cynthia	14819*	True, Thomas	13044
Tomasik, Brian	12163 15751*	Traver, Dan	14819*	True, Thomas	13045
Tomaszek, Jim	15465	Trawinski, James	11929	Trujillo, Juan	14818*

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Trujillo, Ramiro	15751*	Umbenhower, Mrs.Edward	14862*	Unknown	15657
Trumbull, Natalie	13385	Uminski, Maria	15030	Unknown	15657
Trusillo, Nancy	11516	Umlauf, Kathy	11719	Unknown	15662
Trusty, Brian	15935	Ungerer, Hillary	16893	Unknown	15664
Tsao, K	14266	Unknown	10060	Unknown	15691
Tsiapas, Lynn	15507 16471	Unknown	10212	Unknown	15751*
Tubin, Stephen	15969	Unknown	10235	Unknown	15794
Tucker, David	16742	Unknown	10531	Unknown	16297
Tudisco, Nicole	12867	Unknown	10588	Unknown	16320
Tudisco, Tony	12867	Unknown	10600	Unknown	16568
Tufano, Stacey	14819*	Unknown	10755	Unknown	16613
Tufo, John	14791	Unknown	10771	Unknown	16620
Tullos, Jon	13554	Unknown	11058	Unknown	16632
Tullos, Lisa	13553	Unknown	11203	Unknown	16894
Turay, Paul	13068	Unknown	11257	Unknown	16895
Turner, Barbara	17053	Unknown	11675	Unknown	16896
Turner, Bryan	15614*	Unknown	11926	Unknown, Cindy	13359
Turner, Daniel	15842	Unknown	11950	Unknown, Daniel	11127
Turner, Glenn	16338 16339	Unknown	11951	Unknown, Denna	13412
Turner, Lori	15850	Unknown	12002	Unknown, Information	15602
Turpin, Robin	16890 16891 16892	Unknown	12482	Unknown, Jane	10200
Tursi, Mike	10768	Unknown	12500	Unknown, Jeremy	12366
Tutecht, Debra	15690	Unknown	12832	Unknown, John	12514
Tvrdik, Dorothy	14862*	Unknown	13507	Unknown, Laura	11434
Tyler, John	11265	Unknown	13546	Unknown, Maria	10531
Tyler, Judith	11259	Unknown	13663	Unknown, Mary	13657
Uhran, Katelyn	11679	Unknown	14138	Unknown, Mayra	12453
Uhran, Kathleen	10727	Unknown	14487	Unknown, Natalie	16717
Uhran, Megan	12035	Unknown	14504	Unknown, Natasha	11948
Uhran, Michael	12032	Unknown	14921	Unknown, Ramone	16861
Uhrik, Angela	10747	Unknown	15086	Unknown, Regina	10531
Ukockis, Robert	10377 13729	Unknown	15098	Unknown, Richard	14555
Ullom, Lisa	14503	Unknown	15602	Unknown, Russ	16867
Ulmer, David	10300	Unknown	15602	Unknown, Sam	10200
Ulmer, David	10356	Unknown	15602	Unknown, Stephen	13075
Ulreich, Christina	15911	Unknown	15652	Urban, Eugene	15135
Umbenhower, Edward	14862*	Unknown	15653	Urban, Nadine	15715

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Urban, Susan	17125	Van Broekhoven, Nancy	11489	Vari, Corrine	13920
Urbanczyk, Adriana	15363	Van Dam, Susannah	14326	Varkalis, Mary	16537
Urbanski, Lenore	14862*	Van Dyke, Elizabeth	16897	Varkalis, Michael	16537
Urben, Mark	12830 15831	Van Linden, William	12896	Varley, Madelyn	15188
Urben, Tracy	12829 15834	Van Milligan, Carl	14856	Varley, Roger	15188
Ure, Alisha	11980	Van Milligan, Marilyn	14855	Varrige, Julie	11187
Ure, John	11979	Van Poucke, Mike	12724 12787	Vasak, Glenda	14819*
Urick, Jenny	16583	Van Poucke, Mike	15828	Vasanthan, Arul	13028
Urlaub, Bret	15751*	Van Setten, Gerhardus	10362	Vasconez, Charles	16160
Utterback, Vera	15751*	Van Sloten, Alan	16718	Vashinko, Lorraine	14862*
Uwe, Frank	15614*	Van Wyk, Aletta	15852	Vaughan, Angela	14182
Uyekawa, Frank	14802	Van Wyk, Lettie	16322	Vaughn, Rheta	16485
Uyekawa, Glenn	15741	Van, Georgeanne	11205	Vaundry, Dean	13607
Vabro, Chelsea	14862*	Vaname, Tracy	12509	Vaziri, Ira	10217
Vabro, Katherine	14862*	VanBlake, Jan	10947	Vaziri, Nancy	10217
Vabro, Richard	14862*	Vanderbilt, DC, Brian	15614* 17058	Veerapaneni, Belle	15462
Vaccher, Pamela	11977	Vanderheyden, Michael	11682	Vega, Chris	12055
Vacco, Philip	13842 15998	Vanderheyden, Susan	11390 12635	Vega, Guadalupe	11573
Vacko, William	16730	Vanderplow, Paul	14710	Vega, Jesus	11571
Vahl, David	16547	VanderVelde, Mark	13114	Vegter, Donna	13705
Vahl, Kristy	16587	VanderVelde, Roxanne	13113	Vehymer, Mike	13361
Vainisi, Ann	12462	Vanderze, Don	13688	Veihl, Jr., Robert	14124
Vainisi, Frank	12462	Vanderzee, Jackie	12501	Veis, Randall	15943
Vajarsky, Joe	14819*	VanHooser, Kris	12848	Velde, Charles	16159
Vajda, Mike	14400	VanKampen, Kelly	12502	Velde, Shirley	16157
Valadez, Michael	13187	VanKampen, Michael	12502	Veldhuizen, Barabara	13572
Valente, Jeanne	13613	Vanlandingham, Michael	15545	Velleuer, Helen	10634
Valk, Marni	16038	Vanttory, Catrina	12055	Velleuer, Helen	11567
Vallmuth, Susan	12056	Varanasi, Ravi	15751*	Velleuer, Ron and Holly	11029 11030
Valskis, Andrew	11768	Varanasi, Sita	15751*	Venejlni, Michael	14740
Valskis, Sheri	11769	Vargo, Carol	13066	Venhuizen, Cornelius	13543

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Venhuizen, Joanne	13547	Vogel, Karole	11965	Walker, Curt	15751*
Vera, Sherri	14862*	Vogel, Sharon	12060	Walker, Jane	15133
Verain, Roberta	15751*	Vogt, Bret	12055	Walker, Jennifer	11471
Verbeek, Karen	17106	Vogt, William	16075	Walker, Leroy	14781
Verbout, Kim	17163	Volkodan, Steve	16397	Walker, Lonnie	15237
Verhagen, Clint	15692	Vollmer, Simon	12545 14782	Walker, Mary	13561
Verrando, Robert	14587	Voltolina, Claudine	14976	Walker, Mary	13730
Verschoor, Curtis	10858	Voncina, Timothy	14819*	Walker, Roberta	14781
Verschoor, Marie	10863	Vonnahme, Tracey	16571	Walkowiak, Marilyn	10190
Vertelka, Gail	12797	Vontin, Howard	15763	Walkowiak, Robert	10190
Vescovi, Kathy	13709	Vosen, Susan	14358	Wall, Billy	16323
Vessos, Sharon	14862*	Voska, Molly	12055	Wall, Deborah	10381
Vidinich, Tricia	13470 14445	Vosloo, Meghan	13290	Wallace, Chris	11972
Vidricko, Joe	14139	Vosloo, Stephan	12663	Wallace, Chris	14230
Vietri, Joyce	14505	Voss, Annette	14904	Walls, Geoffrey	15751*
Vile, Allie	12056	Votanek, James	11136 12581	Walls, Kathleen	15751*
Villagomez, Daniela	14862*	Vuolo, Nicholas	15709	Walls, Michael	15751*
Villasenor, Lupe	15693	Vuolo, Tracy	15709	Wally, Claire	10885
Villers, Deborah	11672	W, Ronald	11178	Walsh, Charles	13485
Villwock, Nancy	14917	Waack, Christopher	11408	Walsh, Cynthia	16125
Vinicky, Kelli	17168	Waack, Kirsten	11408	Walsh, Jason	16126
Vinicky, Lin	12285 13980	Wach, Susan	13053	Walsh, Loretta	13731
Vinicky, Ronald	12836	Wadhwa, Manish	15751*	Walsh, Peter	13413 14050
Visconti, Christine	10933	Waggoner, John	14623	Walsh, Tim	13185
Vishanoff, Brenda	12338	Wagner, Blair	10268	Walsh, William	15751*
Vishanoff, Robert	12337	Wagoner, Anna Marie	12745 12786	Walterman, Jeff	12055
Visker, Susan	15985	Wahlund, Joseph	10545	Walterman, Stephanie	12055
Vitacco, Nancy	10444	Wakey, Gordon	15943	Walters, Laura	13243
Vitale, Heather	10567	Wakey, Patricia	15694 15943	Walton, Bob	12444
Vitale, Mark	10563	Walczak, Albert	16687	Walzak, Karen	16898
Vitas, Bob	10533	Waldack, Yvonne	14948	Wamble, Louis	16581
Vizin, Viktoria	12722	Walder, Donald and Juanita	15236	Wang, Frany	10390
Vlamis, Mary Jane	13945	Walding, Peggy	13942	Wang, Stephanie	15391
Vlcek, Elizabeth	13838	Wales, Ruth	13666	Wang, Yuan	15751*
Vlcek, Scott	14966	Walker, Berta	14100	Wangler, Taryn	14277
Voaden, Michael	12790	Walker, Bill	16649	Wanskak, Mary	13094

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Ward, John	10534	Way, Wendy	15091	Weigand, Joan	15751*
Ward, Kelly	12623	Way, William	15091	Weigand, Kenneth	10569
Warner, Di	14819*	Wayne, Ann	15614*	Weigand, Mike	15751*
Warnock, Michael	14561	Wayne, Martin	10683 15614*	Weigand, Walter	15751*
Warren, Jerry	16228 16229	Weathered, Tom	11089	Weiler, Bonnie	13993
Warren, Renee	16228 16229	Weathers, Va Louise	14055	Weiler, Gerard	10578
Warren, Robert	16621	Weaver, Barbara	10310 16551 16552	Weinert, Pam	12058
Warwood, Chris	14519	Weaver, Cathy	15115	Weinert, Thomas	12059
Warwood, John	10487 14519 16061	Weaver, Dennis	15116	Weinstein, Richard	16369
Warzon, Gerald	10023 13126	Weaver, Jan	12213	Weir, Anthony	13906
Wascher, Jim	14935	Weaver, Keith	10309 16953 16956	Weis, Gina	14819*
Washburn, Jane	14310	Weaver, Olivia	12055	Weisman, Barry	14819*
Washburn, Theodore	14325	Webb, Marilyn	15758	Weiss, Lee	15751*
Washington, Kathy	16574	Webb, Rex	15758	Weiss, Mary	15751*
Washington, Ronald	16574	Webb, Robert	14185	Weissend-Wilson, Patricia	16968
Washington, Sharon	14819*	Webb-Capecci, Margaret	16950	Wekony, Madison	12055
Wasniewski, Unknown	15751*	Weber, Anthony	17100	Wekony, Morgan	12055
Waterman, Jennifer	15751*	Weber, Richard	12799	Welch, Linda	10940
Waterman, Todd	15751*	Weber, Sandra	17099	Welch, Sally	13732
Watkins, Jeff	11170 12633	Weber, Sheryl	14819*	Wellander, Pamela	14819*
Watkins, Jim	15751*	Weber, Thomas	12669	Wellander, Thomas	14819*
Watkins, Lori	10910 12634	Webster, David	12656	Weller, Kevin	13982
Watkins, Maureen	12082 15751*	Weeden, Walter	12756	Welling, Patricia	12267
Watkins, Tammy	15751*	Wegner, Gigi	14928	Wells, Caryll	14862*
Watson, Amy	15826	Wegner, Jennifer	12869	Welsh, Jennifer	11082
Watson, Fred	10901	Wegner, Troy	13128	Welsh, Suzanna	16899
Watson, John	11224	Wegrzyn, Janice	14819*	Welter, Diane	15994
Watson, Pamela	10901	Wegrzyn, Jodi	14819*	Welter, John	15995
Watt, Brian	10551	Weh, Jeanette	15943	Welter, Margaret	15751*
Way, Gerard	12055	Weick, Joanne	10261	Wendt, Ginny & Larry	10867

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Wendt, Jr., William	12645	Wetterling, Leah	16172	Whitley, Doug	10202
Weng Ma, Lihsiang	14574	Wetterling, Suzanne	16174 16453	Whitlock, Mark	15372
Wenger, W	15949	Wever, Karen	11278	Whitmer, Chuck	10838
Wenner, Hardy	12264	Weyand, S.	15751*	Whitmer, Laurie	10838 16900
Wenner, Stella	10848 12264	Weyer, Elizabeth	12780	Whitney, John	12975
Wennerstrom, Nicholas	13678	Wheatley, David	10696	Wiaduck, Jack	12254
Wenz, Ann	10643 12144 16507	Wheatley, Stephanie	10784	Wiborg, Terri	16119
Wenz, Carl	10646 12144 16507	Wheeland, Eleanor	13788 17127	Wicker, Sandra	14359
Wenzel, Cheryl	16324	Wheeler, Alex	16540	Wickstrom, Amy	15371
Werez, Casey	12055	Wheeler, Rosalee	16565	Wickstrom, Richard	15371
Wermes, James	14483	Wheeler, Sandy	16539	Wideman, Susan	15614*
Werner, Gregg	11895	Whigham, Brianne	12055	Widlowski, Patricia	13510
Werner, James	10655	White, Adam	16393	Widlowski, Robert	16488
Werner, Jason	16980	White, Andrew	14551	Widmer, Steve	12062 15751*
Werner, Jen	12055 12056	White, Cathy	15176	Widmoyer, Danny	12055
Werner, Jennifer	16980	White, Darlene	13224	Wieborg, Terry	12483
Werner, Parveen	15385	White, Donna	13244	Wiechern, Charles	13486
Wertin, William	14862*	White, Eric	10055	Wiechern, Joan	15200
Wesolowski, Edward	10582	White, Joan	17051*	Wiedman, Renee	15943
West, Judy	11161	White, Lloyd	12282	Wiedow, Marilyn	17051*
West, Mike	13931	White, Lynn	10602	Wiehecl, Lee	10268
West, Susan	13931	White, Preston	16591	Wieland, Jered	10161 10170
Westbrook, April	13637	White, Rich	15410	Wielunski, Susan	14918
Westcott, Charles	11430 15171	White, Richard	13244 14819*	Wiencek, Tom	15474
Westcott, Lorraine	11428 15169	White, Thomas	12365	Wier, Larry	10531
Westerfield, James	10018	White, Tonya	15277	Wiercinski, Kathy	15436
Westerman, Cindy	11887	Whitehead, Linda	16102	Wiermanski, Marie	12161 14819*
Westlund, Jessica	13872	Whitehead, Robert	16102	Wiese, Christine	16937 17006
Weston, Florine	12974	Whitfield, Steve	13620	Wiggins, Michael	10451 13151 13326

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Wilcox, Bob	15525	Williams, Rachel	13487	Wilson, Virginia	15710
Wilcox, James	11541 12638	Williams, Scott	15976	Wiltgen, Brenda	16944
Wilder, Sue	11434	Williams, Stephen	15751*	Wiltgen, Kevin	15062
Wilhelm, Scott	16901	Williams, Vera	14836	Wingate, Chris	13908
Wilhoit, Laurie	13623	Williams, Wesley	15134	Wingfield, Karen	13593
Wilk, Thomas	17051*	Williamson, Thomas	17005	Wink, Natalie	12055
Wilkes, Tina	17010	Williamson, Virginia	17005	Winke, Lawrence	15943
Wilkin, John	10122 10557 12439	Willis, Frank	16902	Winkelman, Pat	12288
Wilkin, Peter	10104	Willis, Lois	16902	Winkelman, Pat	16903
Will, Diane	12837	Willis, Rebecca	15027	Winker, Jenny	15239
Willemsen, Thomas	11354	Wills, Bernice	13653	Winkler, Kathleen	15614*
Willer, Craig	15751*	Wills, Carrie	17170	Winner, Greg	16973
Willer, Sheila	15751*	Wills, Joyce	11032	Winnick, Grace	13200
Willett, Mike	10386	Wills, Kevin	17169	Winnie, Jayne	13605
Williams, Ashley	15976	Wills, Mary	16474	Wintermute, Terri	15855
Williams, Catherine	12702	Wills, Peter	11272	Winthrop, Ira	15008
Williams, Claudia	15134	Wills, Thomas	16461	Winward, Mike	15836
Williams, Craig	12056	Willson, Robert	15938	Wirtz, John	10706
Williams, Edwina	14845	Wilmont, Nancy	15695	Wirtz, Lynn	10677
Williams, Henry	12897	Wilmot, Karen	10011	Wischart, William	16904
Williams, Holly	15976 16187	Wilson, Anne	13859	Wisdom, Jeff	13939
Williams, III, Benjamin	14845	Wilson, Carol	16150	Wisdom, Kristi	13569
Williams, Joel	13487	Wilson, Eric	13795	Wiselka, Karren	14741
Williams, Kathleen	15016	Wilson, James	11015	Wiseman, Susie	15751*
Williams, Kaylee	15976	Wilson, James	13847	Wishney, Pamela	10193
Williams, LaWanda	15751*	Wilson, James	15053	Wisner, Paul	10002 11506 12151 12192 12375 12695 13257 13446 13447 14110
Williams, Maggie	15976	Wilson, Linda	10821	Wisner, Paul	12149
Williams, Mark	12781	Wilson, Monica	15751*	Wisniewski, Breda	15751*
Williams, Mark	15751*	Wilson, Ronald	16325	Wisnioush, Jim	15614*
Williams, Meghan	12324	Wilson, Silas	16969	Wisnioush, Yolanda	15614*
Williams, Peter	12324	Wilson, Thomas	14819*	Witczak, Taylor	12055

Table E-2. Comments Received on the Draft EIS					
Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Witek, Eric	12920	Wolf, Sharon	13437	Wooten, Marilyn	12649
Witek, Erin	12920	Wolfe, Paul	16132	Wooter, Charlene	12277
Witek, Mary	13877	Wolfe, Susan	16132	Worley, Greg	16567
Withrow, John	11570	Wolfe, Terese	15711	Worlsman, Deborah	11564
Witken, David	10531	Wolfe, Tom	15986	Worthen, Kathryn	16905
Witkowski, Jane	12866	Wolff, Bob	12583	Worthington, Kristine	13974
Witt, Lorrie	13930	Wolff, Gerald	13744 14111	Worthy, Susan	14871
Witt, Tammy	13930	Wolfgram, Daniel	11040	Wortmann, Tina	12484
Witt, Terry	15751*	Wollek, Stanley	15712	Wozniak, Ray	14862*
Witthoff, Nicole	15751*	Wollert, Brandt	14819*	Wozniak, Tamara	15751*
Wittle, Jacqueline	14779	Wollert, Kathleen	14819*	Wright, Jeff	15614*
Wittman, Paul	12358	Wollert, Kortney	14819*	Wright, John	10985
Witvoet, Eugene	15278	Wollert, Stacey	14819*	Wright, Ken	12587
Wloch, Cathy	11364	Wollney, Lois	10820	Wright, Tamu	13414 14843
Wodarz, Krista	11334	Wollney, Ruth	14975	Wroblewsi, Greg	16664
Wodarz, Peter	11334	Wolny, Danota	14819*	Wscolek, John	15764
Wodrich, Debbie	15614*	Wolter, Marlene	14862*	Wsol, Sharon	12534
Wodrich, Michael	15614*	Wonak, Janet	15751*	Wulff, Marion	10741 16111
Woerner, Carl	13079	Woodlock, Agnes	11751 16326	Wulff, Robert	10793
Woerner, Roberta	13079	Woodlock, Don	11216	Wycken, John	12515
Wofoun, Rick	11834	Woodlock, Rachel	10659	Wyckoff, Holly	12640
Wohler, Dina	15292	Woodlock, Ryan	11605	Wyrick, Pat	16018
Wojcicki, Rose	13319	Woodman, Tracy	13469	Wyrick, Rich	16018
Wojciechowski, Barbara	14742	Woods, Dan	11348	Wywialowski, Linda	15614* 17059
Wojciechowski, John	15576	Woods, Debra	15573	Wywialowski, Neil	15614* 17079
Wojciechowski, Karen	15339 15751*	Woods, Dorothy	10246	Xia, Simon	10811
Wojcik, Becky	15279	Woods, Ed	13970	Yachinich, Debbie	15751*
Wojcik, Tom	14862*	Woods, Helen	13970	Yager, Kelly	14174
Wojtowicz, Leonard	13776	Woods, James	16202	Yalden, Robert	16579
Wolak, Elizabeth	14862*	Woods, Kelly	16203	Yamamoto, Louise	11857
Wolf, Edward	12705	Woods, Patricia	16205	Yancey, Meghan	12055
Wolf, Greg	11087	Woods, Paula	10336 15772	Yanchick, Christine	13741 15197
Wolf, Heather	12248	Woosley, Eileen	17172	Yaney, John	15579
Wolf, Noel	13189	Woosley, Kevin	17173	Yanisch, Gail	15280

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Yaniz, Analia	16189*	Zak, Adam	12631	Zelaitis, Marchelle	13964
Yaniz, Antonio	16189*	Zak, James	14862*	Zelaitis, Max	13964
Yaniz, Antonio	16189*	Zak, Myra	14862*	Zelenik, Cynthia	12196 12391 14819*
Yaniz, Nicole	16189*	Zakrzewski, Adam	16328	Zelenik, Robert	12061 12196 12198 12387 14819*
Yantes, LeAnn	12278	Zakrzewski, Sheila	11359	Zelenik, Robert	12236
Yarbrough, Pauline	15281	Zalewski, Dorothy	13631	Zelisko, Catherine	11976
Yarbrough, Regina	14962	Zambrano, Greg	15728	Zeller, Donald	17150
Yard, Patricia	14655	Zambrano, Kathy	15726	Zeller, Laura	17150
Yates, Arlene	15296	Zamzig, John	13733	Zemaitis, Stase	14862*
Yates, Maureen	10160 14521 16678	Zancho, William	12850 12851 12853 12855	Zemaitis, Vytautas	14862*
Yates, Peter	17118	Zanon, Gloria	15614*	Zemansky, Robert	16906
Yeagley, Jeanne	10989 10990 10991	Zanon, Louis	15614* 17060	Zerantky-Wolff, Wanda	14125
Yekek, Jeff	10529	Zanotti, Jean	10184	Zetek, Anne	14862*
Yeker, Elina	10379 15716	Zapotocky, Tony	16939	Zetek, Willard	14862*
Yeker, Jeff	10380 15716	Zaremba, Jim	11393	Zeugner, Christine	15751*
Yoder, Laurie	13622	Zaremba, Wendy	11154	Zgoda, Juliana	10649
Yoder, Paul	15614*	Zarosi, Geraldine	10809	Zgoda, Michael	10649
Young, Gregory	15751*	Zarosi, Robert	10809	Zgoda, Michael	11595
Young, Joan	11046	Zastro, Donna	12308	Zhang, Xiaolong	10396
Young, Michael	13995	Zastro, Earl	12835	Ziarnik, Andrew	11059
Younger, Jr., Cole	12157	Zatt, Earle	11453	Ziarnik, Natalie	11060
Yovan, Louis	13155	Zatt, Marguerite	11455	Ziarnik, Zachary	11061
Yovan, Nicole	13156	Zawacki, Thomas	14552	Ziegler, Colleen	13462
Yurcisin, Andy	12938	Zazzetti, Cynthia	14051	Ziegler, Mary	13379
Z, Robert	15614*	Zazzetti, Joseph	14051	Zientek, Theodore	14486
Zablocki, Rudolph	14819*	Zdarsky, Amanda	14862*	Ziessow, Janet	10080 14327
Zachrich, Craig	10976	Zdarsky, Michael	14862*	Zilke, Daniel	10185
Zahradnik, Fred	10667	Zegley, Margaret	15552	Zilke, Nancy	10186
Zaika, Elana	16327	Zei, Frederick	11676	Zimmer, Janice	11738 13260
Zajeski, Dan	13448	Zekich, Florence	16974	Zimmer, Mary	13267

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Commenter Name	Comment Number	Commenter Name	Comment Number	Commenter Name	Comment Number
Zimmer, Robert	11764 13626	Zizzo, Dean	12299	Zubrzycki, Norman	15751*
Zimmer, Sarah	10100	Zizzo, Sue	12292	Zuidema, Julie	11310
Zimmerman, Calvin	15503	Zolinski, Richard	15751*	Zukouski, Russell	17007
Zimmerman, Linda	14642	Zorko, Mark	10520	Zurales, Gregory	16158
Zimmerman, Patricia	13976	Zoufal, Genevieve	16321	Zurales, Lisa	14927
Zimmerman, Richard	14838	Zoumboulis, Dean	12069 13481 13794 14485 14819* 14878 14881 15433 15713 15714 16340	Zwieg, Hugh	11533
Zimmermann, Kristine	14819*	Zoumboulis, George	14484	Zwieg, Pamela	11532
Zine, Donna	10041	Zoumboulis, George	15238 15282	Zwiener, Doug	11837
Zipsie, Brandi	16591	Zovala, Mercedes	14862*	Zwiener, Elizabeth	11829
Zito, Stephanie	14819*	Zuback, Christopher	17051*	Zydek, Karen	16907
Zivak, Tamara	12056	Zubinski, Tony	14558	Zymali, Erin	15888

E.1 Comment Letter from United States Department of the Interior

16668

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2904

IN REPLY REFER TO:

September 29, 2008

ER 08/833

Ms. Phillis Johnson-Ball
Surface Transportation Board
395 E Street, SW
Washington, DC 20423
Ref: STB Finance Docket No. 35087

Dear Ms. Johnson-Ball:

The Department of the Interior (Department) has reviewed the July 2008 Draft Environmental Impact Statement (DEIS) for the proposed Canadian National Railway Company and Grand Trunk Corporation (Applicants) acquisition of the Elgin, Joliet, and Eastern Railway Company (EJ&E). Coordination between the Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) and the U.S. Fish and Wildlife Service (Service) began during the scoping process. With respect to resources or issues for which the Department or its bureaus have jurisdiction or special expertise, we offer the following comments and recommendations for your consideration.

GENERAL COMMENTS

The DEIS provides a considerable amount of general information on issues of concern to the Department, but detailed analysis is often lacking. The proposed action and alternatives, which include the construction of six new connections and the installation of 19 miles of double track, would result in environmental impacts of varying severity depending on the particular location within the project area. All alternatives would result in greater environmental impacts than the no action alternative. The DEIS does not adequately identify adverse impacts to the Service's trust resources (federally listed species and migratory birds) and does not fully disclose impacts to other wildlife. As a result, the DEIS fails to consider and describe appropriate mitigation for these environmental impacts.

There is confusion about which agencies own or manage conservation lands in the two affected States, where conservation lands are located in relation to either the EJ&E or CN tracks, and about lands that have utilized Land and Water Conservation Fund monies, among other issues. A major problem in sections of the DEIS dealing with the Indiana portion of the project is a failure to provide adequate maps and descriptions of the main line and other tracks in the Gary/Hammond/East Chicago/Whiting area (Lake Front Line, City Track, etc.) so that specific locations of important natural resources areas can be ascertained in relation to the tracks (Figures 2.1-1, 3.1-1, and 3.11-1 are not of sufficient detail to be adequate; Figure E-1, Sheets 29 through 32, provide better detail but do not name the tracks or provide the Segment numbers that are used throughout the text). The text does not clearly distinguish between the EJ&E main line and other EJ&E tracks in the discussion of project impacts. In particular, the proximity of any EJ&E tracks to the Indiana Dunes National Lakeshore is not clearly apparent, other than the Gaylord Tract in Griffith.

The specific comments below address these concerns in more detail and provide recommendations to correct these deficiencies in the final EIS. We also recommend that SEA coordinate further with the Service to resolve differences of opinion concerning project impacts to Service trust resources. If differences remain, SEA should ensure that the opposing views are disclosed and adequately discussed in the final EIS.

SPECIFIC COMMENTS

Proposed Action and Alternatives (Chapter 2)

Section 2.2.1.4, Planned Phased Integration of Applicants' Operating Plan: This section discusses the proposed phased implementation of the CN take-over of the EJ&E system. The Lake Front Line and Whiting Branch are mentioned several times, but no mention is made about the Hammond Branch, City Track, or the other tracks listed on Table 3.3-2 of Appendix E. It is indicated that service would not change on the Whiting Branch, but in Phase 3 there would be longer trains on the Lake Front Line, which essentially borders Lake Michigan through northwestern Gary and northern East Chicago, Whiting, and Hammond, Indiana to South Chicago, Illinois. These longer trains on the Lake Front Line are not discussed in Chapter 4, Environmental Consequences, section of the DEIS, despite the fact that these longer trains could adversely impact other existing and proposed uses of the Lake Michigan shoreline (e.g., the Marquette Plan, including a trail).

It is also not clear which track borders the north side of Clarke and Pine and Pine Station State Nature Preserves, west and east, respectively, of Clark Road in Gary. (Table 3.3-2 in Appendix E lists 2 at-grade crossings of Clark Road using names not found anywhere in the text.) Because these habitats are unique, this track and any changes or lack of changes in operation need to be mentioned here and discussed in Chapter 4, Environmental Consequences.

Section 2.4.1, Rail Connection Alternatives-Munger, Illinois: This section describes all of the alternatives considered for the six proposed rail connections, including the proposed and no-build alternatives. The Service supports the No-build at Munger alternative to avoid direct or indirect impacts (noise) to Service trust resources (migratory birds) that would result from the Munger build alternatives in Pratt's Wayne Woods Forest Preserve (PWWFP). As the DEIS notes in Section 3.11.6.3, PWWFP provides important habitat for state listed, wetland, and grassland birds. If a build alternative is chosen, the Service supports the Applicant's Proposed Munger Connection (Section 2.4.1.2) because changes were made to the Original Munger alternative to avoid PWWFP land (wetlands in particular). The Munger Alternative-UP Connection would also avoid wetland impacts at PWWFP; however, other offsite environmental

impacts (impacts to the southern end of Pratt's Wayne Woods and Brewster Creek Fen Nature Preserve) would result from this alternative.

Section 2.4.2, Rail Connection Alternatives-Joliet, Illinois: The Service supports the No-build at Joliet alternative to avoid direct impacts with the Hine's emerald dragonfly which occupies habitat in the vicinity of this alternative. This issue will be addressed in Section 4.11, Biological Resources and should be addressed in the final EIS.

Table 2-9: This table presents a summary of potential environmental impacts due to changes in rail operations. We disagree with several of the conclusions made by SEA in regard to impacts on biological resources. The conclusions are located in the proposed action column. Specifically, we disagree with SEA's conclusions that the proposed action would not have an adverse effect on plant communities, wildlife, conservation and natural areas, wetlands, federally listed species (including the Hine's emerald dragonfly), state listed species, and water resources. Since land not currently used for railroad purposes will be taken for the proposed rail connections, plant communities and wildlife habitat will be affected and, in some cases, wetlands will be filled. Stating that wetlands would not be affected "as no changes in drainage patterns would occur" is incorrect. The filling of wetlands will adversely affect the wetlands whether or not drainage patterns are modified by the filling. Some conservation lands will be adversely affected by increases in numbers of trains passing them, with resultant noise and air pollution impacts. We disagree with the conclusion that the noise level increase of 65 dBA or greater would not result in adverse effects. These statements in Table 2-9 do not agree with the discussion of project impacts in Chapter 4, Environmental Consequences. These discrepancies should be addressed in the final EIS.

Table 2-10: This table presents a summary of potential environmental impacts for the Munger Connection. We agree with SEA's conclusion that the Proposed Munger Connection would result in "increased noise and indirect loss of habitat, potentially decreasing the breeding activity of marsh birds." However, this conclusion should be made for the Munger-Original Proposal and Munger-Northwest Quadrant alternatives.

We disagree with SEA's conclusion that there would be no effects to federally listed species. This determination cannot be made for the eastern prairie fringed orchid without conducting a habitat assessment or surveys in suitable wetland habitat. The conclusion in the table should be revised in the final EIS. This issue is addressed in greater detail in our comments regarding Section 4.11, Biological Resources.

Table 2-11: This table presents a summary of potential environmental impacts for the Joliet Connection. We disagree with SEA's conclusion that there would be no effects to federally listed species. As noted above, the proposed construction could result in take of the Hine's emerald dragonfly. The conclusion in the table should be revised in the final EIS. This issue is addressed in greater detail in our comments regarding Section 4.11, Biological Resources.

Tables 2-12 and 2-16: These tables present summaries of potential environmental impacts for the Matteson Connection and for proposed double tracking. We disagree with SEA's conclusion that there would be no effects to federally listed species since this determination cannot be made for the eastern prairie fringed orchid without conducting a habitat assessment or surveys in

suitable wetland habitat. The conclusions in the tables should be revised in the final EIS. This issue is addressed in greater detail in our comments on Section 4.11, Biological Resources.

Table 2-13, Summary of Potential Environmental Impacts – Griffith Connection: This table indicates that there would not be an effect on local parks, but in Chapter 4, Environmental Consequences, it is acknowledged that the Griffith Historical Park and Depot Museum may be affected to some extent because it is immediately adjacent to the proposed connection. This table also states that there would be no effect on wildlife, despite the fact that several acres of prairie, woodland, and wetland habitat would be converted to railroad embankments and tracks. Chapter 4, Environmental Consequences, acknowledges that wildlife will be impacted by this connector. These discrepancies should be addressed in the final EIS.

Table 2-14, Summary of Potential Environmental Impacts – Ivanhoe Connection: This table also states that there will be no effect on wildlife. However, birds and small mammals that utilize the existing remnant prairie along the south side of the CSXT tracks will lose habitat. Under Biological Resources, it is indicated that there will be "potential effect on wetlands and dry woodlands species" of State-listed threatened and endangered species, but under Water Resources, it is stated that the project "would not affect wetlands." This inconsistency needs to be addressed.

Table 2-15, Summary of Potential Environmental Impact – Kirk Yard Connection: This table makes similar statements about potentially affecting wetland and prairie species of threatened wildlife, while not affecting wildlife or wetlands. These inconsistencies need to be corrected.

Affected Environment (Chapter 3)

Section 3.1.2.2, Yard Operations: This section states that the Whiting Yard in Indiana is located "just southeast of Kirk Yard," although it is actually about 6 miles northwest of Kirk Yard.

Section 3.3.1, Regional and Local Highway Systems: The discussion in this section, as well as in section 4.3.1, of existing conditions and with-the-project conditions of highway/rail at-grade crossings in Gary, Indiana, does not adequately describe the crossing situation in that community. At this time, the only grade-separated crossing of the EJ&E tracks with a roadway in Gary is Industrial Highway (former US 12) near Gary-Chicago International Airport. Industrial Highway has an at-grade crossing of the CSXT Railroad double main line track a short distance northwest of the EJ&E grade separation. However, Chicago Avenue intersects Industrial Highway in the same general area, parallel to the CSXT tracks, and has an interchange with Cline Avenue/SR912. This configuration will change, however, when the EJ&E tracks are moved around Gary-Chicago International Airport, at which time the grade-separation will be removed and at-grade crossings will be provided at Industrial Highway and Chicago Avenue. At some unknown date, a grade separation will again be provided over Industrial Highway and Chicago Avenue will be closed. However, the airport's ultimate plans, not covered under the 2005 FAA Record of Decision, are to close Industrial Highway entirely in order to lengthen the north-south runway.

Fifth Avenue (US 12-20) is a 4-lane highway that is the main entrance to the west side of Gary and includes an interchange with Cline Avenue about 0.5 mile west of the EJ&E at-grade crossing; it is a Department of Transportation designated heavy truck route that traverses the city

west to east. This highway is not even mentioned on page 3.3-37. Ninth Avenue is a 2-lane city street that crosses the EJ&E at-grade. It does not intersect with Cline Avenue and currently does not proceed into Hammond but connects with a service road parallel to Cline Avenue that connects with 15th Avenue. Therefore, it is not an alternative to either 5th or 15th Avenues. Fifteenth Avenue is a 2-lane city street serving commercial and industrial properties near the EJ&E at-grade crossing and mostly residential properties to the east; 15th Avenue intersects with Cline Avenue. Twenty-fifth Avenue is a 2-lane city street primarily serving residential areas; it does not intersect with Cline Avenue, but does proceed into Hammond. The seven unnamed roadways that have grade separated crossings of some part of the EJ&E tracks in Gary need to be named, and it should be acknowledged that they are not main entrances to the city from the west over the EJ&E double track main line.

Therefore, at this time, only Industrial Highway and Chicago Avenue are available to provide unobstructed access to the west side of Gary from Cline Avenue, which is the main north-south highway connection to Interstate Highways 80-94 and 90, area steel mills, and adjacent communities west of Gary. This unobstructed entrance will be lost during the unknown time period after the initial relocation of the EJ&E tracks around Gary-Chicago International Airport and before the construction of the Industrial Highway grade separation over the EJ&E (even though Industrial Highway may eventually be closed). With increased numbers of trains and longer trains on the EJ&E tracks with the project, access to and from the west side of Gary to Cline Avenue and adjacent communities could be significantly compromised unless another grade separation is provided.

This possible traffic impairment into and out of Gary is of concern to this Department because of the proximity of Ivanhoe Dune and Swale Nature Preserve and Ivanhoe South Dune and Swale to both the EJ&E tracks and 5th Avenue. Since 5th Avenue/US 12-20 is the major highway access for western Gary, it would appear that a grade separation will be needed at this location, regardless of the current and estimate traffic volumes (Level of Service) discussed in the DEIS. Either a grade separation of the EJ&E over 5th Avenue or 5th Avenue over the EJ&E would likely adversely impact the Ivanhoe Dune and Swale natural area complex. These preserves support the federally endangered Karner blue butterfly (*Lycaeides melissa samuelis*) and numerous Indiana-listed species of plants and animals. These dune and swale habitats are recognized as a Globally Imperiled Ecosystem.

Therefore, we request that the Surface Transportation Board provide a detailed discussion of the possible need for a grade separation at 5th Avenue/US 12-20 and the EJ&E Railroad, as well as the environmental consequences of such a separation, in the final EIS. Either grade separation structure would require retaining walls rather than side slopes in order to reduce the footprint of the structure and the impact on the Ivanhoe preserves. We believe that it is necessary for STB to address this issue because a grade separation would not be needed at this location "but for" the proposed project.

The discussions about Hammond, East Chicago, and Whiting need to make clear that the EJ&E lines being addressed are not the main line extending south and west from Kirk Yard into Illinois, which is the line that will experience the increases in numbers and sizes of trains. These cities are instead along lightly used spur lines that apparently would not have increased traffic as a consequence of the project.

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Section 3.3.4, Airports: This section, as well as section 4.3.4, needs to discuss the ultimate plans of Gary-Chicago International Airport to close Industrial Highway at some unknown time in the future if the north-south runway is to be extended.

Section 3.5, Land Use: This section describes the land at the proposed Griffith connection between the CN and EJ&E Railroads as "vacant land." This land is apparently not zoned but is just there, unoccupied by a specific use. Based upon the Service's review of the area, it would more naturally be called "open space" since it consists of dry sand prairie, wetland, and savanna/woodland. Several abandoned rail rights-of-way cross the site, but native habitats dominate. Zoned "land use" does not necessarily describe the current land use, as is the case at this site. This same type of distinction can be made at the proposed Ivanhoe connector site, which is apparently zoned "open space" but is primarily industrial land, except for remnant prairie along the south side of the CXST track. "Open space" is the correct designation for the Ivanhoe dune and swale complex north of the proposed Ivanhoe connector.

Section 3.5.5, Public Lands: This section discusses various types of public lands in the project area but leaves the reader very confused about the subject. Both Indiana and Illinois have Nature Preserve systems; Indiana has County Park systems and no Forest Preserve systems; Illinois has Forest Preserve systems and no County Park systems within the counties affected by the proposed project. These distinctions are not made clear in this Public Lands discussion. This section needs to clearly explain the similarities and differences in the public land systems between Indiana and Illinois. For example, Table 3.5-2, Forest Preserves Adjacent to the EJ&E Rail Line, does not make clear that this system exists only in Illinois; all it states is that there are no forest preserves located near the EJ&E rail line in Lake County, Indiana. A reviewer unfamiliar with the distinctions between the two State systems would therefore believe that there are no designated, significant natural habitats along the EJ&E line in Indiana, which is not the case.

Section 3.5.5.6, Nature Preserves, and Table 3.5-3: The information provided in this section is also confusing. Listed lands are described as "south of" or "west of" the EJ& E line, but there is no indication if they are immediately adjacent to the main rail line or one of the spur lines, which is the important issue. Hoosier Prairie in Griffith is, in fact, along both the CN line and the EJ&E line. When the entire site is considered, it is about 600 acres in size, not the 430 acres listed in the table. Ivanhoe Dune and Swale is east, not west, of the EJ&E main line. Clarke and Pine and Pine Station Nature Preserves are along the south side of one of the spur lines of the EJ&E; this line should be named in the table.

Table 3.5-4, Resource-Rich and Protected Areas Adjacent to the EJ&E Rail Line: This table is also very confusing. Apparently, this terminology is used only in Illinois for specific resources; however, this is not made clear either in the discussion or in this Table. The last line of the table states that "No protected areas are located near the EJ&E rail line in Lake County, Indiana." This would lead the reviewer to conclude that there is nothing of importance along the EJ&E Railroad in Indiana, which is clearly not the case. Therefore, it must be made clear that this Resource-Rich and Protected Areas designation refers only to Illinois; any references to Indiana need to be removed.

Table 3.5-9, Trails and Greenways in Lake County, Indiana: This table is incorrect about most of the trails. The Northwest Indiana Regional Planning Commission (NIRPC) does not manage

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the trails, although they published the regional trail map and are involved in trail planning. The Little Calumet River Trail is a component of the Little Calumet River Flood Protection and Recreation Project being constructed by the Chicago District, U.S. Army Corps of Engineers, with the Little Calumet River Basin Development Commission (LCRBDC) being the local sponsor and the trail manager, in conjunction with the cities and towns the trail passes through. The trail is located, or will be located, along levees either north or south of the river and crosses the EJ&E min line tracks in Griffith. The Grand Calumet River and Marquette Corridor Trails do not exist, although there is a Marquette Trail on a portion of an abandoned Indiana Harbor Belt (IHB) rail corridor within the Indiana Dunes National Lakeshore (INDU) in Gary. The Marquette Trail is administered by INDU. The plan is for a trail near the Lake Michigan shoreline of Indiana between Illinois and Michigan, not Ohio. The only part presently existing is in the vicinity of Whihala Beach County Park in Whiting, which may mean it is near the EJ&E Lake Front Line. Portions of the Grand Calumet River trail are in the planning stage; it will be constructed on city streets and the river shoreline both north and south of I-90/Indiana Toll Road. The Oak Savanna Trail is along an abandoned railroad grade and is administered by the Lake County Parks and Recreation Department. The Prairie Duneland Trail is also along an abandoned railroad grade and is administered by Portage, Chesterton, and Porter County.

Table 3.5-11, Land and Water Conservation Fund Properties: This table omits Hoosier Prairie and Clarke and Pine Nature Preserves, although both have received funding from the Land and Water Conservation Fund. We acknowledge that the National Park Service Website references (http://waso-lwcf.ncrc.nps.gov/public/index.cfm) do not list these two properties, but information about the funding is available from the Indiana Department of Natural Resources, Divisions of Outdoor Recreation and Nature Preserves.

Section 3.10.2, Existing Conditions: This section describes the existing conditions with respect to noise and vibration. It describes the Kirk Yard as being "between the shore of Lake Michigan to the north, the US Steel Gary Works to the east, an interstate highway to the south, and rail lines to the west." However, Kirk Yard is not along the shoreline of Lake Michigan; it is inland about a mile and the US Steel Gary Works is between it and the Lake.

Section 3.11, Biological Resources: This section describes the biological resources of the Study Area, which is a 1-mile-wide corridor centered on the EJ&E and CN rail lines.

Section 3.11.1, Background, and 3.11.6, Conservation and Natural Areas within the Illinois Study Area: Figure 3.11-1 in section 3.11.1 displays natural areas that would be affected by the proposed action and section 3.11.6 describes the natural areas. We note that the northern portions of MacArthur Woods and Middle Fork Savanna were not highlighted on the figure and were not described in these sections. These forest preserves are located along the EJ&E arch and provide habitat for Service trust resources. Therefore, the final EIS should highlight and describe these natural areas.

Figure 3.11-1 should be revised to designate the rail lines by segment number, since segment numbers are used in the text.

Table 3.11-1, Invasive and Nonnative Plant Species: Spotted knapweed (*Centaurea maculosa*) is another significant nonnative, invasive plant species that should be added to the list in this table and discussed in section 3.11.3.2, particularly since it is prevalent along railroad rights-of-way.

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Table 3.11-2, Common Wildlife Species in the Study Area, and Table 3.11-3, Common Migratory Birds in the Study Area: These tables actually list many species that are very uncommon in the area, including those that are Indiana and/or Illinois listed rare species, as shown in Table 3.11-7, State-listed Threatened & Endangered Species Potentially within Illinois and Indiana Study Area. Common species would instead include American robin, blue jay, gray squirrel, white-tailed deer, and similar species that have adapted to living in human-dominated habitats. The rarer species are most often found within the Nature Preserves, Forest Preserves, and other significant habitats. Osprey, black-crowned night heron, and common loon are not "common" migratory birds within the study area (Table 3.11-3). Some of the birds listed migrate through the area but are not known to nest, while others on the list are known nesters.

There is also a large heron rookery in Lake County, Indiana, west of Cline Avenue and south of the Little Calumet River, which is about a mile west of the EJ&E main line. Although the rookery itself is outside of the mile-wide Study Area, the birds feed along the river in the vicinity of the railroad river bridge and numerous other locations along the river and area wetlands. Great blue heron, great egret, green heron, and black-crowned night heron have been known to nest at this rookery.

Section 3.11.7, Conservation and Natural Areas within the Indiana Study Area: This section mentions "county forest preserves," but Indiana does not have a County Forest Preserve system, instead having a County Park system. This section continues the confusing conservation land discussions mentioned previously in our comments and needs clarification. Table 3.11-5 and the discussion in this section need to indicate what community the various lands are located in, particularly since some of them are not shown on Figure 3.11-1. We have no idea if any of the unnamed high quality natural communities discussed include the EJ&E prairie, which is located east of Clark Road at the west end of the Kirk Yard. This sand prairie and wetland complex is a remnant dune and swale habitat not far from Clarke and Pine and Pine Station Nature Preserves and is an area the Indiana natural resources agencies are interested in preserving and enhancing, possibly as mitigation for the impacts of this STB project. This area is discussed further in our comments on Chapter 6, Mitigation.

Except for the Gaylord Butterfly Tract, the Hoosier Prairie State Nature Preserve is owned and managed by the Indiana Division of Nature Preserves, even though it is a component of the Indiana Dunes National Lakeshore and a National Natural Landmark. The Gaylord parcel is south of the main section of Hoosier Prairie and is adjacent to the south side of the EJ&E right-of-way in Segment 5B. Hoosier Prairie also includes an 18-acre parcel adjacent to the south side of the EJ&E main line immediately west of Kennedy Avenue.

The discussion of Clarke and Pine and Pine Station Nature Preserves should identify which EJ&E track is adjacent to the properties. Pine Station is both north and south of the Grand Calumet River and it is both owned and managed by the Indiana Division of Nature Preserves.

It is not clear why the Indiana Dunes National Lakeshore is mentioned, because other than owning the Gaylord Butterfly Tract in Griffith, it appears that INDU is not located along any of the EJ&E tracks. Therefore, the proximity of INDU to any of the EJ&E tracks needs to be clarified.

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Section 3.11.8, Threatened, Endangered, and Sensitive Species: This section describes the federally listed species that have the potential to occur in the study area. In reference to the Hine's emerald dragonfly, it is noted that the Service has an agreement with EJ&E rail line for train operations on the Paul Ales Branch and that trains operate between 4 to 6 miles per hour to reduce adult mortality from direct train collisions. Furthermore, the DEIS notes that the reduced speeds minimize impacts to larval Hine's emerald dragonflies from "squishing" ground water from beneath the railbed, releasing sediments into larval habitat next to the railroad embankment. The final EIS should clarify that the speed limits were imposed by the special conditions of the 1996 U.S. Army Corps of Engineers (COE) permit (Permit # 199600211). Additionally, it should be clarified that the there is not an agreement in place between EJ&E and the Service; Commonwealth Edison was the applicant for the 1996 permit. It is our understanding that EJ&E operates trains on the line, the Metropolitan Water Reclamation District owns the land within the right-of-way, and Midwest Generation owns the rail line.

In reference to habitat for the eastern prairie fringed orchid, the EIS should also list wet to mesic prairie and marsh edges as suitable habitats. The DEIS notes two locations where the orchid was last recorded in the vicinity of the EJ&E. However, the orchid could be found in suitable wetland habitat throughout the study area and, as noted above, habitat assessments need to be conducted to determine whether suitable habitat is present.

Concerning the Karner blue butterfly, no critical habitat has been designated for the species anywhere throughout its range, so the Study Area is not the only area with no designated critical habitat. All of the Karner blue's larval stages utilize wild lupine (*Lupinus perennis*) as their sole food source, not just "several" of them.

In its February 12, 2008, letter to STB concerning the Draft Scope of Study for Finance Docket No. 35087, the Service's Bloomington, Indiana, Ecological Services Field Office stated that the proposed project area is within the range of the federally endangered Indiana bat (*Myotis sodalis*). The Service indicated that this species may be found along the floodplain of the Little Calumet River, which is crossed by the EJ&E main line tracks. However, this species is not listed on table 3.11-6 and is not discussed in this section of the DEIS. Based upon knowledge of the species, it is the position of the Service that the Indiana bat is considered to be present in suitable habitat unless proven otherwise. The Little Calumet River floodplain is considered suitable habitat although no studies have been undertaken along the river corridor in Lake County to prove or disprove the presence of the Indiana bat. The species is known along the East Branch of the river in adjacent Porter County. We therefore request that the Indiana bat be addressed in this section of the final EIS, as well as in section 4.11.

Section 3.12, Water Resources: This section discusses the various permits that may be needed by the Applicants because of project impacts to wetlands and/or Waters of the United States or Waters of the States. However, it confuses the Indiana Department of Environmental Management's (IDEM) Section 401 authority with the Federal Consistency Review requirements of the Indiana Department of Natural Resources. These are two separate and distinct reviews done by different agencies. Also, the discussion only addresses use of Nationwide Permits or the Indiana Regional General Permit No. 1, not the procedure if an individual permit is required under Section 404 of the Clean Water Act or Section 10 of the 1899 Rivers and Harbors Act. Both types of permits need to be discussed.

Section 3.12.5, Wetlands: This section notes that the Applicants would be required to conduct wetland delineations as part of Section 404 of the Clean Water Act. The Service recommends that the delineations and habitat assessments (e.g., Floristic Quality Assessments) be conducted during the growing season for greatest accuracy and reliability.

This section also needs to acknowledge publicly owned wetlands along the Little Calumet River in Lake County, Indiana. These wetlands are owned by the LCRBDC as part of the flood control project lands.

Environmental Consequences (Chapter 4)
As stated previously, we believe that a grade separation will likely be needed at 5th Avenue in Gary, Indiana, because it is the main west-side access into and out of the city. Therefore, the consequences of such a structure need to be addressed in this section.

Section 4.2.5, Hazardous Material Transportation Safety: This section needs to indicate whether or not herbicides and pesticides that could impact wildlife will be carried by the trains and may be released in an accident. If such materials spilled near a site containing endangered wildlife, such as the Karner blue butterfly, the population could be decimated before containment and clean-up is achieved. Temporarily restricting use of a water body that has received a spill may help keep humans away, but it will not help the wildlife that utilize the water body and cannot escape it.

Section 4.5, Land Use: This section states that the proposed action would not affect public lands in Indiana (page 4.5-3). We disagree. The Gaylord Butterfly Tract and the Hoosier Prairie 18-acre Kennedy Avenue tract would be affected by proximity effects, such as increased noise, because they are immediately adjacent to the EJ&E main line. The 18-acre Kennedy Avenue tract could also be impacted by any changes to the at-grade crossing at location. As previously noted, both Clarke and Pine and Hoosier Prairie Nature Preserves are Section 6(f) Land and Water Conservation Fund properties.

Construction of the Griffith connector (page 4.5-11) may not impact land use patterns, but it would certainly impact current use at the site, which is undeveloped open space. This is described as 3.25 acres of vacant land, which is actually sand prairie, wetland, and savanna/woodland. Section 4.11, Biological Resources, states that although there are natural habitats in the proposed connection areas, "the affected wildlife habitat is general minor [sic] and wildlife is mobile" so the proposed construction would not affect wildlife. This no-effect is not accurate. Wildlife forced to move from their habitat or die are "affected"; any eggs or immobile individuals will be killed. Wildlife do not necessarily have other habitats to move into because those habitats are already occupied. Wildlife have specific home ranges of certain sizes, and wildlife cannot be "stacked" into remaining habitats. Therefore, all of the wildlife species utilizing the 3.25 acres of natural habitat at the Griffith connector will be adversely affected through loss of habitat. These wildlife include insects, amphibians, reptiles, birds, and mammals. More detailed descriptions of the habitats at the Griffith connector site are necessary (page 4.11-16). The wetland at the Griffith connector site is not just a palustrine emergent seasonal type; it also includes scrub-shrub and forested components (Table 4.12-7, Wetland Effects from Proposed Connections). We agree that a botanical survey is necessary at the Griffith connector site prior to construction. Such a survey is also needed at the Ivanhoe connector site because of the remnant prairie along the south side of the CSXT tracks.

Section 4.10, Noise and Vibration: This section discusses noise impacts from the proposed action and estimates the number of noise-sensitive receptors that would be affected by increased average noise levels (in dBA). However, SEA's analyses only considered noise impacts on humans and did not consider the effects of noise on wildlife (specifically migratory birds), although the effects on wildlife are mentioned in Section 4.11. In this section, SEA determined that noise levels less than 65 dBA are generally not considered adverse to human health and welfare. SEA also determined that the majority of the EJ&E segments would experience noise levels of 65 dBA or greater and that seven of the segments would experience noise levels of 70 dBA or greater. The noise levels for some of these segments could approach 100 dBA since the existing noise levels at some of the monitoring stations in Table 3.10-2 show dBAs currently above 80 dBA and up to 92 dBA. In addition, average sound exposure levels (SEL) for locomotives horns, locomotives, and rail cars along the EJ&E are 104.1 dBA, 93.9 dBA, and 91.7 dBA, respectively.

Section 4.10.1.1 of the DEIS notes that the Board requires an evaluation of potential noise effects as part of an environmental analysis. However, SEA did not evaluate the potential noise effects on a major component of the environment, wildlife. Research exists that indicates thresholds for which adverse effects would be seen in wildlife, particularly in migratory birds. The issue of noise impacts to migratory birds is discussed in more detail in our comments on Section 4.11. Because of the numerous natural areas located adjacent to the EJ&E arch and the potential for adverse effects from the increased noise levels, noise impacts and their effects on wildlife should be considered and discussed in this section of the final EIS.

Sections 4.11.1 and 4.11.3, Biological Resources: These sections present the methodology SEA used to determine potential effects from the proposed action on biological resources and details the potential effects by category. In the summary of findings, we agree with the statement that wildlife and natural areas would experience a higher probability of exposure to hazardous material spills and that bird populations may experience behavioral or physiological effects and masking of communication signals because of increased noise. We also agree that several forest preserves, nature preserves, and state parks would be affected by the increased train traffic. However, we do not agree with the determination that only bird populations within 500 feet of the rail line could be affected. This issue is discussed in greater detail in our comments below on Section 4.11.3.1, Proposed Changes in Rail Line Operations-Wildlife.

We disagree with the finding that only the Hine's emerald dragonfly and Karner blue butterfly could be affected by the proposed action. As noted above, determinations about the eastern prairie fringed orchid cannot be made without surveys or habitat assessments such as a Floristic Quality Assessment. We also disagree with the finding that changes in rail operations would not affect the Hine's emerald dragonfly and that the orchid only has the potential to occur at the Proposed Griffith Connection.

We disagree with several of the conclusions at the end of section 4.11.3, which are:
(1) the risk of hazardous materials spills would increase but the probability is still remote,
(2) the probability of train/animal collisions would increase but would remain low,
(3) the noise effects to wildlife, particularly migratory birds, would increase but effects are expected to remain slight, and
(4) impacts to the Hine's emerald dragonfly from ground vibration are not expected to change.

The final EIS should discuss the benefits of the proposed actions on wildlife, as a result of reduced train activity inside of the EJ&E arch. For example, based on maps provided, existing adverse impacts (e.g., noise, collisions) to wildlife would be reduced on the Freeport Subdivision (south of Schiller Woods Forest Preserve), the Joliet Subdivision (along the Palos Preserves), and the South Bend Subdivision (north of Wampum Lake Woods and Thornton Lansing Road Nature Preserve).

Section 4.11.3.1, Proposed Changes in Rail Line Operations -Wildlife: This section acknowledges that rail line operations would lead to increased noise (see above). Numerous studies investigating the effect of noise on wildlife have been conducted. In this regard, birds have been studied the most (with most of those studies involving the effects of traffic on birds). Very little research has been completed showing the affect of railroad noise on birds. However, a recent study by Waterman et al. (2004) on meadow birds in the Netherlands showed that wetland birds were adversely affected by railroad noise levels ranging from 42 to 49 dBA.

The DEIS notes that several of the highway studies documented lower species diversity and lower breeding densities near roads and highway traffic. However, most of these studies do not conclusively show that noise is the main cause of these effects and that other variables associated with noise (e.g., visual disturbance) are not factors. In a series of studies in the Netherlands, Reijnen et al. (1987, 1995, 1996, 1997), Reijnen and Foppen (1994, 1995), and Foppen and Reijnen (1994) have shown that the number of breeding woodland and grassland birds have declined significantly near roads as a result of noise. The farthest distance for which reductions in the numbers of breeding birds were still observed from the roads was 1500 meters (4,921 feet). These studies also showed that noise levels as low as 50 dBA resulted in an adverse effect on breeding birds (with several studies showing an effect below 60 dBA). In these studies, 33 of 45 investigated woodland bird species were adversely affected by noise and 7 of 12 grassland species were adversely affected. Forman et al. (2002) also showed that several species of grassland birds (especially bobolink and eastern meadowlark) decreased in numbers and breeding densities near roads. Waterman et al. (2004) found adverse effects of railway noise in meadow/wetland bird species within 15 areas along existing railroads. These birds consisted mostly of shorebirds and ducks. The threshold noise level at which bird densities were adversely affected varied little among the species studied and, as noted above, ranged from 42 to 49 dBA.

Although it can be argued that the studies indicating an adverse effect on birds do not clearly isolate noise as an exclusive source of disturbance, it is widely agreed that noise has a negative effect on birds. The reference to the 500-foot distance as a threshold for reduction of adverse effects to birds can be disputed based on other studies showing an effect at longer distances (up to 1500 meters).

The DEIS identifies the numerous natural areas along the EJ&E arch and describes the vast numbers of migratory birds (including state listed species) that frequent these natural areas. Thus, the DEIS highlights the importance of these natural areas as bird concentration areas.

The final EIS should compare the predicted noises levels from the proposed action (including the increased number and frequency of trains) to noise levels and distances that have shown an adverse effect on migratory birds. Based on the studies reviewed by the Service showing adverse effects at greater distances than noted in the DEIS and adverse effects on breeding bird

densities at lower noise levels than noted in the DEIS, the proposed action would adversely affect migratory birds.

This section also notes that wildlife and natural areas would experience a higher probability of exposure to hazardous material spills and train collisions. SEA acknowledges the potential increase in the possibility of hazardous materials releases; however, due to regulatory and other safeguards in place, SEA believes the possibility of hazardous materials releases are remote. We disagree with this conclusion because, as SEA highlights, the increase in hazardous materials releases would increase with the increased amount of train activity. This increased probability would occur regardless of the regulatory safeguards currently in place. SEA evaluated the frequency of release (before and after the proposed action) of hazardous materials based on statistics provided by the Applicants. The results are shown in Table 4.2-23. However, these results and other results fail to support SEA's determination that hazardous releases are remote. The final EIS should provide data that shows the potential frequency of spills with the proposed number of carloads transporting hazardous materials per day (anticipated at up to 500 carloads per day). Table 4.2-23 shows potential intervals between anticipated hazardous material releases in years. The final EIS should also provide data that compares the frequency of spills (with the proposed number of carloads) with other rail lines transporting comparable numbers of cars per day over similar distances. This comparison of data could show whether the possibility of hazardous materials releases is remote.

Section 4.11.3.1, Proposed Changes in Rail Line Operations - Natural Areas: This section identifies four categories of risk to natural areas. Again, the 500-foot distance is provided; however, it is noted that animals in the area already live with daily noise from trains and therefore, noise could only have minor effects on wildlife and natural areas adjacent to the EJ&E arch. These statements do not take into account the increased number of trains proposed to operate on the EJ&E arch and the subsequent increased frequency of disturbance. Although it is acknowledged that some bird species habituate to increased noise levels, this ability to avoid the impacts of noise may be due to the fact that species able to habituate are native generalists or non-native colonizers (Kasloo and Tyson 2004, Slabbekoorn and Ripmeester 2008). Slabbekoorn and Ripmeester (2008) note that several of the native generalists or non-native colonizers are able to adapt to urban noise conditions. Rare and declining bird species along the EJ&E arch that would be subject to the increased number of trains may not be able to habituate to the increased disturbance levels because they are not native generalists, non-native colonizers, or urban species. Several of these species are on the Service's Region 3 Fish and Wildlife Resource Conservation Priorities (RCP) list and have also been identified as focal species by the Service's "Focal Species Strategy for Migratory Birds." In addition, several of these bird species are listed as endangered or threatened species by the state of Illinois.

The DEIS also notes that animals living in and passing along the EJ&E arch may be at higher risk of being struck by trains due to increased traffic. However, the DEIS goes on to state that these animals have adapted to the existing train traffic, and there would not be an effect on animal populations. For both conclusions, the final EIS should use analyses to support these claims, factoring in the increased number of trains and increased frequency of the trains traveling along the EJ&E arch. Lower densities and diversity of wildlife near roadways may be due in part to increased mortality from collisions with vehicles. We would expect to see increased mortality from collisions with trains if there is an increase in the number of trains.

Section 4.11.3.1, Proposed Changes in Rail Line Operations - Federally Listed Species: This section notes that vibration of the tracks causes sediments to be pushed from the rail bed into larval Hine's emerald dragonfly habitat, resulting in adverse impacts to Hine's emerald dragonfly larvae. It is also noted that the proposed action would not change operations on the Paul Ales Branch; therefore, the DEIS concludes that Hine's emerald dragonfly larvae would not be affected beyond current operations.

The DEIS notes the dispersal ability of adults, indicates (in Figure 2.2-1) that 42.3 trains would pass through the area per day, and that the risk of collisions for adults could increase in EJ&E Segment 9B (at the southern most end of designated Critical Habitat). A study in Door County Wisconsin demonstrated Hine's emerald dragonfly mortality that resulted from collisions with vehicles (Soluk and Moss 2003). We believe that Hine's emerald dragonflies would also be vulnerable to passing trains and that more trains would increase this risk. However, SEA concludes that increases in traffic on this segment are not likely to adversely affect the Hine's emerald dragonfly. The Service disagrees with this conclusion and questions how SEA made this determination given the information provided to them. As noted in Section 3.11.8.1, adult Hine's emerald dragonflies were observed in 2004 in the area of Segment 9B. More recent surveys in 2007 also identified adults in this area, which is less than 0.12 miles north of Segment 9B, well within the flight distance of an adult dragonfly.

We do not concur with SEA's conclusion that the proposed action would not adversely affect the Hine's emerald dragonfly. For this reason, we recommend that SEA consider requesting formal consultation as described in section 7 of the Endangered Species Act of 1973, as amended. We recommend that SEA inform the Applicants to consider carrying out actions that would enhance the habitat for Hine's emerald dragonflies, but that would not create an attractive nuisance near railroad tracks. SEA should request formal consultation if its actions would result in adverse effects to the listed species. For example, if SEA's actions would modify train speeds or modify numbers of trains on specific lines, then SEA's actions would directly or indirectly lead to adverse effects on the Hine's emerald dragonfly. SEA and the Applicants should also seriously consider joining in the effort to develop a Habitat Conservation Plan (HCP) in the lower Des Plaines River Valley. At present, the Applicants do not have the permission to take the federally listed species. The Endangered Species Act provides two possible approaches to an applicant to gain permission from the Service to take listed species. That permission may be granted after conducting a review necessary as part of a formal consultation. Permission to take may also be granted following review and approval of an HCP and accompanying section 10(a)(1)(b) permit application.

Table 4.11-2, Potential Effects on Federally Listed Species Along the EJ&E Rail Line Due to Operational Changes: Contrary to the information provided in this table, the Karner blue butterfly is not present in EJ&E Segment 5B.

Section 4.11.3.1, Proposed Changes in Rail Line Operations - State Listed Species: This section discusses the state listed species that occur in the study area. Although this section discusses state listed species, we provide comment because all the grassland, marsh, and rookery bird species listed in Table 4.11-3 are Service trust resources and most of them are listed as rare and declining bird species by the Service. Of the species listed in Table 4.11-3, Henslow's sparrow, short-eared owl, upland sandpiper, and king rail are on the Service's RCP and Focal Species lists. Black tern, common moorhen, least bittern, black-crowned night heron, and American

bittern are on the RCP list. Sandhill crane is on the Focal Species list. All of the birds on the RCP list are listed due to their rare or declining status and, therefore, have a need for special conservation attention. Focal species are those the Service is targeting for a return to healthy and sustainable levels.

Table 4.11-3 needs to include black-crowned night heron and Franklin's ground squirrel in the segment along Clarke and Pine and Pine Station Nature Preserves, since both species are found at these preserves. Henslow's sparrow is listed in the table as likely being present in Segment 4, which is the developed town of Griffith. We strongly doubt that this grassland species is present in the developed community, although it may be present along the CN Segment 33 at Oak Ridge County Park or CN Segment 23A at Hoosier Prairie.

This section also discusses increased Blanding's and spotted turtle mortality due to increased rail traffic. Although we agree with this assessment, we do not agree with SEA's conclusion that only minor effects are expected because habitat structure would not change and both species currently occur in the rail environment. The final EIS should address turtles being trapped between railroad rails and how increased train activity would result in longer periods of being trapped. Research has shown that prolonged periods of being trapped between railroad rails can result in mortality and physiological stress (overheating) on turtles (Kornilev et al. 2006).

Rookery species of birds could be adversely impacted by any activity that adversely impacts the Grand Calumet River and Little Calumet River, because herons and egrets regularly feed along these rivers, including near the EJ&E bridges.

Concerning Dune Invertebrate Species (page 4.11-13), the Gaylord Butterfly Tract and Hoosier Prairie Kennedy Avenue tract are directly adjacent to the EJ&E main line tracks and are not buffered from them by petroleum storage facilities.

Section 4.11.3.2, Proposed New Constructions/Connections - Wildlife: As noted above and in the DEIS, PWWFP is an important bird area and noise would adversely affect birds in the area. In addition to the increased numbers of trains, noise from construction could adversely affect breeding birds during the breeding season. This could be minimized by restricting construction during the breeding season (April – August). This recommendation holds true for all Munger alternatives except for the Munger-UP Connection alternative.

The section also states that "because the affected wildlife habitat is generally minor and wildlife is mobile, SEA determined the construction of the connections would not affect wildlife." We disagree with the determination and again note that the DEIS emphasizes the habitat value and diversity of state listed bird species at the Munger location. The presence of the high number of state listed species does not support the conclusion that the affected habitat is generally minor. Furthermore, no wildlife survey data have been provided for the Matteson alternatives, although the DEIS indicates that wetlands and wetland birds are likely present in the area of this connection. Therefore, based on the lack of supporting information, we cannot concur with SEA's determination. The final EIS should address these issues.

Section 4.11.3.2, Proposed New Constructions/Connections - Natural Areas: Refer to the comments above.

Section 4.11.3.2, Proposed New Constructions/Connections - Federally Listed Species: Figure 2.2-1 indicates that train activity would increase to two trains per day along the Joliet Subdivision, in the area of the Proposed Joliet Connection. Take of adult Hine's emerald dragonflies may be currently occurring on the Joliet Subdivision. An increase in train activity would result in further take. Adult Hine's emerald dragonflies were observed approximately 0.17 miles west of the Joliet Subdivision and approximately 1.10 miles northwest of the Proposed Joliet Connection in 2004. The Service has tried unsuccessfully to address the issue of take with Canadian National in the past (see enclosed letter). Due to the proposed increased train activity within the flight distance of an adult dragonfly, the Service concludes that the proposed action would likely adversely affect the Hine's emerald dragonfly and take could occur.

The DEIS notes that the eastern prairie fringed orchid could occur at the proposed Griffith Connection or wetland margins. As stated above, the orchid could be found in suitable wetland habitat throughout the study area, and surveys or habitat assessments need to be conducted in areas of new construction or double tracking to determine whether suitable habitat is present. Therefore, there is insufficient information to conclude that the orchid is not likely to be adversely affected.

Section 4.11.3.2, Proposed New Constructions/Connections - State Listed Species: Refer to the comments above.

Section 4.11.3.2, Proposed New Constructions/Double Track - Federally Listed Species: The Service agrees with SEA's determination that the orchid, mead's milkweed, and prairie bush clover could be affected by double track construction if suitable habitat is present. In addition to the proposed surveys, wetland delineations and habitat assessments should be conducted in wetland areas.

Section 4.12 and 4.12.3.2, Water Resources: The Service agrees with SEA's findings in this section that increases in rail traffic would result in a corresponding increase in the risk of hazardous spills, which could affect water resources. The DEIS notes that wetlands would be directly impacted during construction of connections and double tracking and that wetland delineations would be conducted as part of the permitting process. The final EIS should also indicate that habitat assessments should be conducted as well to determine if suitable habitat is present for the orchid and to help determine mitigation ratios for proposed wetland impacts.

Table 4.12-1, Potentially Affected Lakes and Preserves: This table lists conservation lands that contain water but fails to include Ivanhoe Dune and Swale and Ivanhoe South. These areas contain water/wetlands in the form of interdunal swales and should be listed on this table and discussed in the text.

Indirect and Cumulative Effects (Chapter 5)

Section 5.3, Potential Indirect Effects of the Proposed Action: In Section 5.3, SEA concludes that the proposed action could result in indirect effects from increased rail activity in the East Joliet and Kirk Yards and general indirect effects throughout the region. Section 5.3.1 discusses the general indirect effects of the project, **but does not** address any potential indirect effects on biological resources. This section does not disclose indirect impacts from the proposed action

and does not address indirect impacts to biological resources in the study area. The final EIS should address indirect effects to all biological resources listed in Chapter 4, or provide substantial documentation if the conclusion is that the proposed action would not result in indirect effects on biological resources.

Section 5.4, Related Projects, and Section 5.5, Site-Specific Cumulative Effects Analysis of Related Projects: These sections discuss past, present, and foreseeable cumulative effects on natural resources from the proposed action and at other areas outside the EJ&E right-of-way which should be considered in the cumulative impacts analysis as described in the National Environmental Policy Act (NEPA). In section 5.5.1, SEA concludes that the interaction between the proposed action impacts and the proposed Metra Star Line could result in minor cumulative impacts. Table 5.5-1 indicates that PWWFP would be affected and effects to biological resources would be minor. We believe that the impacts will be far more substantial than indicated in the DEIS. Departmental comments regarding Chapter 4 describe our concerns with respect to impacts of the proposed project to biological resources, particularly migratory birds. The impacts from the proposed action and the proposed Metra Star Line would occur along the same areas of the EJ&E arch and would adversely impact (specifically via noise) migratory birds in the same natural areas along the EJ&E arch. Furthermore, it is noted that the proposed Metra Star Line could result in a new dedicated track within the EJ&E right-of-way. A new track could have far greater direct construction impacts than the Applicants' proposal. The final EIS should more fully disclose the cumulative effects of the proposed Metra Star Line and the proposed project. The final EIS should address increased noise impacts and the increased probability of collisions with wildlife. Additionally, in the final EIS, Section 5.5.2 should provide figures depicting the locations of the proposed Star Line commuter stations so that determinations could be made about potential adverse impacts to natural areas and wildlife.

Mitigation (Chapter 6)

Section 6.2, Applicants' Voluntary Mitigation Measures: Chapter 6 discusses mitigation, including proposed voluntary mitigation measures offered by the Applicants as described in this section. We believe that a significant number of the Applicants' proposed mitigation measures are, in fact, best management practices that should be automatically required as part of the proposed action. Others, such as VM 64 concerning wetland fills and VM 65 concerning NPDES permits, are actions that are required by law and are not voluntary. Air quality VM 43, concerning switching to locomotives that emit fewer air pollutants, is commendable, but a time table needs to be established and adhered to. As stated, the proposal is open-ended on when it will occur, which could be many years away. The Applicants did not propose any mitigation measures to compensate for unavoidable impacts to biological resources.

Section 6.3, SEA's Preliminary Environmental Mitigation Measures: This section discusses the preliminary recommended environmental mitigation measures that are based on SEA's environmental analysis of the proposed action. SEA proposes mitigation measures to address effects not addressed by the Applicants' voluntary mitigation. We do not understand why adherence to required safety plans, including Occupational Safety and Health Administration (OSHA) requirements, is considered mitigation.

Several of the SEA proposed mitigation measures use terms such as "regularly inspect" or "communicate regularly" with other entities concerning noise and vibration (Nos. 24 and 26),

without defining "regularly". Noise and possibly vibration also affect wildlife, so a clearly defined inspection schedule should be required.

The Department's Recommendations for Additional Mitigation

As noted in our above comments, we believe that the DEIS does not fully disclose all potential project impacts to natural resources. To address these potential impacts, as well as to augment some of SEA's proposed mitigation measures, we offer the recommendations below. These recommendations should be added to the indicated subsections in Chapter 6 in the final EIS.

Section 6.3.10.1, Noise:

- The Applicants should construct noise barriers in all locations where the EJ&E arch crosses through or is adjacent to a natural area that has been identified in the DEIS as an area where birds are concentrated. These areas have been discussed previously and are identified in various places in the DEIS. The noise barriers should be constructed on the outside of the existing or proposed tracks (both sides) and the Applicants should review existing research that discusses the heights, shapes, and materials used to construct the barriers (e.g., use of absorbent material) in order to mitigate noise impacts to birds and wildlife. These should be designed in association with designated wildlife crossings to permit the safe crossing by wildlife. The Service can provide technical assistance in the noise barrier review. The Applicants should construct these barriers to keep the noise levels below 50 dBA in these areas. Noise barriers should also be discussed as a potential mitigation measure in section 6.3.11.2.

Section 6.3.11.3, Federally-Listed and State-Listed Threatened and Endangered Species:

- The Applicants should continue to abide by the special conditions of the 1996 COE Permit # 199600211 for train operations on the Paul Ales Branch in order to minimize further impacts to larval Hine's emerald dragonflies.

- The Applicants should conduct wetland delineations and habitat assessments in all construction areas to determine if suitable habitat is present for the eastern prairie fringed orchid. If suitable habitat is present, the Applicants should conduct orchid searches during the bloom date: June 28 through July 11, with searches conducted a minimum of three non-consecutive days within this time period.

- The Applicants should construct turtle ramps, drop boxes, or other structures that reduce the possibility of turtles becoming trapped within railroad rails, in all locations where the EJ&E arch crosses through or is adjacent to wetland areas. These structures should be placed at regular intervals in identified wetland areas. The Applicants should also construct turtle crossings in areas where turtles are concentrated (e.g., PWWFP). The Service can provide technical assistance in the selection and placement of these structures.

Section 6.3.14.6, Biological Resources:

- We agree with proposed Mitigation 30 concerning the Karner blue butterfly in the West Gary Recovery Unit. However, we do not agree with proposed Mitigation 57 concerning development and implementation of a plan for the restoration of dune and swale in the Ivanhoe connector area.

Based upon experience with attempts to recreate dune and swale habitat, we know that it has not been successful, even in areas not as heavily disturbed as the industrial property that would be affected by most of the connector. Therefore, we request that this proposed mitigation be deleted and replaced with mitigation to require the preservation and enhancement of the EJ&E prairie at the northwest end of the Kirk Yard. As previously mentioned, this area retains many natural qualities and is considered significant habitat for native plants and animals. It also supports wetlands, which likely need enhancement due to the encroachment of invasive species of plants and possibly animals. Therefore, it may be suitable to serve as required mitigation for the loss of wetlands at the Griffith connector, subject to approval by the regulatory agencies. Preservation of this prairie/wetland complex could be through a deed restriction and management agreement with the Indiana Division of Nature Preserves or through gift or sale to that agency.

- As discussed in our comments regarding section 3.3.1, we believe that a grade separation of the EJ&E over 5th Avenue or 5th Avenue over the EJ&E in Gary will likely be needed, resulting in impacts to the Ivanhoe dune and swale preserves. Mitigation measures to avoid, minimize, and offset any impacts need to be developed and included in the final EIS.

- The Applicants should avoid construction at PWWFP during the bird breeding season (April – August) to avoid disturbance of breeding birds in the vicinity.

- The Applicants should construct a hazardous materials containment system at PWWFP to capture hazardous materials in the event an accidental spill in this important wetland and bird habitat.

- We agree that Mitigation 62, concerning clearing of all equipment to reduce or prevent spread of invasive plant species, is necessary and desirable. However, the equipment would also need to be cleaned to remove invasive animal species, many of which are microscopic, such as veligers of invasive mussels that could spread into natural lakes and streams.

Section 6.3.14.7, Water Resources:

- The Applicants should conduct wetland delineations and associated habitat assessments to determine the floristic quality of wetlands that would be impacted by construction activities. The habitat assessments would be useful in determining the wetland mitigation replacement ratios, which could be higher than the 3:1 ratio noted in section 6.3.14.7.

- The Service believes that areas adjacent to the existing rail lines that currently support breeding grassland and wetland birds would become less suitable due to the increased number of trains and associated noise. We recommend that the Applicants consider conducting wetland and habitat restoration at one or more sites more remote from the rail lines to offset any reduced breeding bird productivity. There are a number of publically owned sites near the EJ&E arch that are currently undergoing habitat restoration or may be suitable candidates for restoration where impacts could be adequately offset. If this option is pursued, the Service could provide technical assistance in identifying potential sites.

Short-Term Use versus Long-Term Productivity of the Environment (Chapter 7)

In this chapter, SEA concludes that there would be some short-term construction disturbance which could have some impacts on resources. However, these would be eliminated upon completion of the construction activities. SEA also concludes that there would be no long-term impacts to resources. We disagree with SEA's conclusion that there would be no long-term impacts to resources and that short-term or long-term impacts would only result from disturbance associated with construction.

We believe that noise impacts to birds would be a long-term impact on birds. In addition, mortality of wildlife from train collisions and wildlife being trapped for longer periods between rails would also be long-term impacts. The final EIS should address these impacts on resources.

Section 7.2, Potential Hazardous Material Release: We disagree with SEA's conclusion that there would be no short or long-term impacts resulting from hazardous materials releases in the proposed construction areas. Due to the increased number of trains, the proposed action would create long-term impacts on resources (e.g., at PWWFP). The final EIS should address this issue more thoroughly.

Section 7.3.1, Wetlands: We agree with SEA's statement in section 7.3 that wetland productivity could be affected through permanent losses and adverse impacts to wetland function. However, section 7.3.1 states that long-term productivity would not be affected because the wetlands and wetland functions would be restored or replaced via mitigation. In addition, SEA states that wetlands and wetland functions would be protected by best management practices. We disagree with both conclusions.

Typically, wetland mitigation through section 404 of the Clean Water Act has focused on mitigating direct loss of habitat. However, we have suggested that increased noise would have a long-term impact on breeding bird productivity, which would not likely be considered during permit review, nor is it adequately considered in the DEIS. Offsite bird habitat restoration, as suggested previously in our comments, should be considered as a means of maintaining wetland bird productivity. Similarly, best management practices would offset some water quality and quantity impacts at the area of impact but would not address the impacts to wetland wildlife associated with increased rail noise. The final EIS should address these issues.

Irreversible and Irretrievable Commitments of Resources (Chapter 8)

Section 8.1.3, Protected Species: We disagree with SEA's conclusion that the proposed action would not irreversibly or irretrievably affect any particular animal populations. We believe that there would be ongoing impacts to wildlife that would not be fully mitigated with the mitigation measures presently proposed in the EIS. Our comments include recommendations that could improve the mitigation and lend support to SEA's conclusions.

Appendix M – Biological Resources Analysis

Section M.3.1, Natural Areas with Potential for Impacts: As noted previously, Middlefork Savanna Forest Preserve and MacArthur Woods Forest Preserve should be added to this section

and other applicable sections in the final EIS. Descriptions of these areas and the resources that could be affected should also be included in the final EIS.

For most of the natural areas listed in the section, SEA makes the same determinations that increased noise could only affect animal behavior within 500 feet of the rail line (and these animals already live with daily noise) and that the increased potential for animal/train collisions is not likely to adversely affect any particular animal populations. Again, we disagree with these conclusions. The language in the final EIS should be changed in this section to reflect our other requested changes listed throughout our comment letter.

Section M.3.1.1.9, Lake Renwick Forest Preserve: This section discusses the significance of the Lake Renwick Heron Rookery Nature Preserve. This section also acknowledges that flushing events from trains or train noise have been documented at the rookery. We do not agree with SEA's conclusion that there would not be a measurable impact on birds in the rookery from increased train noise. We also do not agree that SEA's determination that the increased potential for animal/train collisions would not likely adversely affect the rookery. The final EIS should address these issues.

Section M.3.1.1.14, Sauk Trail Woods and Indian Woods Forest Preserve: We disagree with SEA's determination that minimal impacts from increased noise and collisions on wildlife or habitat because this area is not being managed for wildlife or habitat. Just because a natural area is not being managed for wildlife or habitat does not mean wildlife is not present (and could be adversely affected). This language should be changed in the final EIS for this section and any other section for which this determination was made.

Table M.3.2-1, Natural Areas with No Impacts from the Proposed Action: We do not agree with SEA's inclusion in this section of natural areas that provide habitat for migratory birds and which are in close proximity to the EJ&E arch. The final EIS should address these issues.

SUMMARY COMMENTS

The DEIS provides general information on natural resources of concern to the Department, but detailed information and associated analysis is often lacking. Confusing information is presented about which agencies own or manage conservation lands in the two affected States and where conservation lands are located in relation to either the EJ&E or CN tracks. The DEIS inadequately identifies adverse impacts to the Service's trust resources (federally listed species and migratory birds) and does not fully disclose impacts to other wildlife. As a result, the DEIS inadequately identifies appropriate mitigation for these environmental impacts.

We offered numerous recommendations in these comments to address the aforementioned inadequacies of the environmental impact statement and thereby assist the SEA in fully disclosing and appropriately mitigating anticipated adverse environmental impacts.

The Department recommends that SEA coordinate with the appropriate Service field office(s) to discuss the concerns expressed and attempt to resolve the opposing views of the two agencies about anticipated project impacts to Service trust resources and mitigation needed to address the impacts. The results of the coordination, particularly any remaining differences of opinion, should be disclosed and adequately discussed in the final EIS.

The Department looks forward to continued coordination with SEA and the Applicants to ensure that project impacts to resources of concern to the Department are adequately addressed. For matters related to fish and wildlife resources and federally listed threatened and endangered species in the Illinois portion of the study area, please continue to coordinate with Mr. Shawn Cirton, U.S. Fish and Wildlife Service, 1250 South Grove Ave., Suite 103, Barrington, Illinois 60010, phone (847) 381-2253, extension 19, fax (847) 381-2285. For the Indiana portion of the study area, please continue to coordinate with Ms. Elizabeth McCloskey, P.O. Box 2616, Chesterton, Indiana 46304, phone (219) 983-9753, fax: 219-983-9816.

We appreciate the opportunity to review the document and provide comments.

Sincerely,

Michael T. Chezik
Regional Environmental Officer

Enclosure

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cc:
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E.2 Comment Letter from United States Department of Transportation

15304

U.S. Department of Transportation
Office of the Secretary of Transportation

General Counsel

1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

September 30, 2008

Hon. Anne K. Quinlan, Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: Finance Docket No. 35087

Dear Secretary Quinlan:

Enclosed herewith for filing in the above-referenced proceeding please find the Comments of the United States Department of Transportation on the Draft Environmental Impact Statement (designated as DOT-6). Please contact me if you have any questions.

Respectfully,

PAUL SAMUEL SMITH
Senior Trial Attorney

(202) 366-9280

Enclosure

DOT-6

Before the
Surface Transportation Board
Washington, D.C.

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

Comments of the
United States Department of Transportation
On the Draft Environmental Impact Statement

Introduction

The acquisition of the Elgin, Joliet & Eastern Railway Company ("EJ&E") by the Canadian National Railway Company and the Grand Trunk Corporation (collectively, "Applicants" or "CN") would result in the shift of significant amounts of traffic from rail lines that traverse the central urban core of Chicago to lines that run through suburban and exurban communities and other areas in the region. That shift would yield significant benefits as well as burdens, which would fall unevenly over the metropolitan area.

In this portion of the proceeding the Surface Transportation Board ("STB" or "Board") considers the transaction's environmental effects. The National Environmental Policy Act ("NEPA") requires the agency to take a "hard look" at the environmental consequences of the proposed acquisition, but does not demand that environmental values outweigh all others. *Robertson v. Merthow Valley Citizens Council*, 490 U.S. 332, 350-51 (1989). The Board accordingly fulfills its statutory obligations overall by weighing

"the anticipated public benefits against the potential adverse effects to the national transportation system, interstate commerce, and affected regions and communities." Draft Environmental Impact Statement ("DEIS") at 6-2, 6-3; *see* 42 U.S.C. §§ 4321 et seq.; 49 U.S.C. § 11324(d).

The United States Department of Transportation ("DOT" or "Department") has already expressed its view that the transaction warrants approval (subject to fairly minor conditions) pursuant to the underlying regulatory standard. 49 U.S.C. § 11324(d); DOT-4 (filed March 13, 2008). The Section of Environmental Analysis ("SEA") has now prepared a comprehensive analysis of the environmental and related impacts of the proposed acquisition. DOT comments herein only on specified portions of the DEIS, notably the prospects for rail congestion on the EJ&E lines and its consequences. We offer as well recommendations on mitigation efforts and responsibilities appropriate to this case. [1]

Before turning to the DEIS, however, DOT wishes to note a basic apprehension with the potential for processes like this one to impede clearly beneficial transportation projects because of very localized concerns.

The Uses of NEPA

Addressing the environmental concerns arising from this transaction raises a key issue vital to providing the rail capacity needed to meet growing transportation demands in an environmentally benign manner. That issue requires weighing potentially

[1]/ DOT takes no position with respect to matters covered in the DEIS that are not mentioned herein.

significant localized environmental impacts with a project's clear national and local environmental, economic, and other benefits.

Using EJ&E tracks to divert traffic currently passing through downtown Chicago, and investing to expand the capacity of the EJ&E, will provide significant benefits to businesses and consumers throughout the country, as well as to large numbers of residents in the Chicago area. On the other hand, as the DEIS indicates, the significant traffic shifts that make this merger beneficial from a national and regional transportation perspective negatively affect communities along the EJ&E.

The DEIS identifies a great many impacts of varying character and consequence, and lists mitigation options that might be implemented. The task at hand is to identify those impacts that are sufficiently meaningful to warrant mitigation, the most appropriate mitigation measure(s) in each case, and -- for those instances in which mitigation requires a financial (rather than, say, an operational) commitment -- sources of funding.

In commenting on the scope of the EIS earlier in this proceeding, DOT stressed that:

> It is simply not possible as a financial or operational matter to mitigate, for example, all vehicular safety and delay issues by a grade-separation at every crossing, or all noise issues by barring the use of train horns within earshot of homes or offices. Moreover, such a narrow perspective tends to emphasize more parochial concerns at the expense of others who are similarly situated with interests no less legitimate. By contrast, a more inclusive focus allows for a more realistic and efficient approach to mitigate adverse effects in cases, like this one, involving large traffic flows, numerous communities and even more numerous grade crossings, and finite resources.

DOT-3 at 3-4 (filed February 15, 2008).

This broad perspective properly serves the Board and the public interest, and helps to avoid more narrowly based decisionmaking. *See, e.g., CSX Corp., et. al, -- Control -- Conrail Inc,. et al.,* 3 S.T.B. 196, at 356-59 (1998). We urge the Board to adhere to this perspective as it considers possible mitigation measures for impacts that cannot be resolved by agreement among the parties. Delays in approval and/or the imposition of overwhelming mitigation costs on participating carriers could also provide an unintended and unfortunate incentive to railroads to forego otherwise beneficial transactions or seek alternatives that do not require regulatory approval. [2]

In sum, the overarching standard for the STB in this proceeding should be to assure that the transaction has net positive benefits, that significant impacts are fully disclosed and addressed where feasible, and that the Applicants take what steps they can to minimize impacts for which they are responsible. The Department agrees with SEA that it would be unreasonable to impose on the Applicants all the burdens required to mitigate virtually every impact in this case. DEIS, at 6-17. NEPA does not require this, [3] and sound public policy counsels against it, for it would frustrate the rationalization of the rail industry and deprive the public of the manifest benefits of that process -- higher efficiency, lower costs, reduced emissions, etc.

[2]/ For example, most of the traffic currently on the more congested parts of the EJ&E stems not from that carrier's own trains but from Union Pacific ("UP") and BNSF Railway ("BNSF") trains operating via trackage rights. DEIS, at 4.1-9. CN as well as these other railroads could potentially route additional trains over an independent EJ&E without need for STB approval. The impacts of any resulting increases in traffic over the line in that event would be neither studied nor mitigated.

[3]/ *See Robertson*, 490 U.S. at 352 ("There is a fundamental distinction [ ] between a requirement that mitigation be discussed in significant detail to ensure that environmental consequences have been fairly evaluated, on the one hand, and a substantive requirement that a complete mitigation plan be actually formulated and adopted, on the other.")

CN should not be held responsible for mitigation measures that are beyond its authority to implement, nor should it alone bear the costs of mitigating impacts that arise from a combination of the proposed transaction and other sources. The Department sets forth below recommendations on both reasonable mitigation options for the impacts we address, and appropriate funding mechanisms.

The Transaction's Public Benefits

Chicago has long been the nation's single most important railroad center, where all major carriers on the continent come together. It is unfortunately also the country's principal rail bottleneck. Moving traffic through the metropolitan area can add more than one day to transit time, with attendant costs to railroads, shippers, consumers, and the environment. *Id.* at 1.2-5. In recent years major public and private sector stakeholders have joined to form the Chicago Region Environmental and Transportation Efficiency ("CREATE") project, a massive undertaking to enhance transportation efficiency and safety in the area by improving and maximizing use of certain rail corridors, constructing multiple grade separations and rail over- and underpasses, upgrading rail facilities, etc. [4]

A lack of adequate funding has impaired CREATE's progress, but the pending transaction would effectively relieve some of the problems CREATE was meant to resolve. The shift in rail traffic from the CN to the EJ&E would make greater use of and expand existing capacity, reduce rail congestion, increase transportation efficiency, and enhance safety. *See, e.g.,* CN-2 at 23, Operating Plan (Exhibit 15), Verified Statement ("VS") of David L. Novak. Benefits will accrue to CN, of course, but also to shippers in

[4]/ For a fuller explanation, see www.createprogram.org.

the form of faster and more reliable service and lower logistics costs, and eventually to consumers in the form of lower prices. [5]

The transaction also will benefit the public by enhancing safety on a net basis even without any mitigation measures in place. The DEIS finds that both the rate and the number of train accidents overall will decline. DEIS, at 4.2-4; Table 4.2-3. [6] Accidents between motor vehicles and trains at grade crossings would also decrease. *Id.* at 4.2-17. SEA found there would be a substantial reduction in the risk of release of hazardous materials on the CN lines and a potential increase on the EJ&E, but the possibility "would remain remote." *Id.* at 4.2-38. Finally, the number of people exposed to the varied burdens of significant levels of rail traffic -- vehicular delays, risks to safety and air quality, etc. -- will be cut substantially, from more than 900,000 to about 335,000. *Id.* at 4.2-37.

But these benefits are not unalloyed. The shift in rail operations that is the driving force for the transaction often means that a benefit for one localized area entails a detriment for another. Simply put, a reduction in trains on the CN's urban tracks and the addition of trains on the EJ&E's suburban tracks commonly improves the quality of life for the former and decreases it for the latter. *Id.* at ES-12, -14. The significant adverse impacts must be addressed and mitigated to the extent feasible. In these times of strained rail capacity, DOT concentrates on the DEIS's treatment of rail congestion on the EJ&E and its consequences.

[5]/ As it has since the Staggers Act, competition from other railroads and modes of transportation will ensure that much of the benefit will be passed on to consumers.

[6]/ Rail accidents on the pertinent lines would decline by 8%, while accidents in rail yards would increase slightly because of increased switching activity because of the merger. DEIS, at 4.2-7. The SEA proposes mitigation conditions that should reduce the risk of such accidents.

Rail and Vehicular Congestion

The SEA measures the capacity of the EJ&E line to accommodate the train volumes projected by Applicants in their Operating Plan and finds that, even after completion of the proposed capital projects, such traffic levels would put the EJ&E "at or very near to capacity." DEIS, at 4.1-39. On this basis SEA considers that the Applicants' traffic projections "while optimistic, present a reasonable basis on which to conduct the environmental impacts analysis." *Id.* The Department, however, believes that the DEIS finding depends to some degree upon unrealistic assumptions, and thus may understate the likely extent of rail congestion on the EJ&E and its consequences.

The DEIS assesses the capacity of the EJ&E using three different analytical techniques. The first is a "bottleneck analysis" of a line segment over which the capacity to add trains cannot be readily or inexpensively increased. DEIS, at 4.1-21. SEA chose to study an eleven mile segment between Walker (near Plainfield, IL) and Rock Island Junction (near Joliet, IL), which includes the Des Plaines River Bridge, the EJ&E's East Joliet Yard, and other operational and physical constraints. SEA concluded that "the Applicants' Operating Plan would consume all or nearly all of the main line capacity of this bottleneck." *Id.* at 4.1-26.

This statement implies there will be no adverse impacts on the segment, but that will be the case only if pertinent assumptions hold true. However, consideration of just one of the factors included in the study -- the Des Plaines River Bridge -- leads DOT to believe that congestion and its consequences are virtually inevitable on this segment as a practical matter.

The bridge currently opens an average of 17 times a day, and river traffic has the right-of-way; if boats arrive when trains are approaching the bridge, those trains must be held. There are limited locations to hold trains on each side of the river that have sufficient length to park waiting trains without blocking highway grade crossings. *Id.* at 4.1-23. Given the Applicants' plan to operate 42 trains a day over this segment, and the other related problems noted in the DEIS, it is very likely that trains will be delayed, that the above sidings will prove inadequate, and that stopped trains will block roadway grade crossings. *Id.* at 4.1-21, -26

The second analytical technique SEA used to measure the adequacy of the EJ&E to absorb the traffic projected by the Applicants is the Line Occupancy Index ("LOI") Analysis, which compares a rail line's nominal capacity (involving train speed, methods of operation, etc.) with the actual number of trains that will occupy the line. *Id.* at 4.1-27. LOIs "between 70 and 100 indicate that the rail line segment has exceeded its practical capacity, and maintenance activities will likely result in interruption to train traffic, or rerouting of train traffic to other lines, or temporary reductions in rail service levels offered to shippers, or all three." *Id.*

The results of this analysis show a dramatic increase in LOIs with multiple EJ&E segments rising to or well into the 70 to 100 range. Figure 4.1-8. Although SEA again concludes that the Applicants' Operating Plan "would consume nearly all of the main line capacity" of the EJ&E (but only under ideal conditions), the DEIS also finds that the EJ&E "could have insufficient capacity to allow for non-interference with the existing trains of other railroads that cross the EJ&E rail line without incurring delays to Applicants' trains." DEIS, at 4.1-29. Clearly, it will be very difficult to operate the

number of trains CN proposes in a timely manner over these segments without adversely affecting vehicle travel.

The third analytical tool used in the DEIS is the Rail Traffic Controller ("RTC") Model, reportedly industry dispatching software which runs simulations based on a railroad's physical plant, train characteristics, etc. *Id.* at 4.1-32. RTC model results are primarily expressed in "delay ratios," which measure time lost in rail operations as trains wait for a clear track. *Id.* A delay ratio of 20 or higher is generally avoided in the industry. *Id.* [7]

Applying the RTC model to the Applicants' Operating Plan yielded a delay ratio of 28; adding more trains from any source (such as Metra or UP) would multiply the ratio dramatically. *Id.*, Table 4.1-2. Another RTC output ("stringline diagrams") confirmed that implementing the Applicants' Operating Plan would produce "major delays at several locations" on the EJ&E. *Id.* at 4.1-33.

DOT believes even these findings and conclusions to be overly optimistic because of the assumptions employed in the study. For instance, in the RTC exercise SEA assumed: that freight trains crossing the EJ&E main line at grade are given precedence over trains on the EJ&E main line, that these trains are evenly spaced throughout each 24-hour period, that bridge lifts at Joliet operate 20 times per day at equal intervals over 24 hours, and that trains leaving the EJ&E would promptly be accepted by the CN and other railroads. *Id.* at 4.1-32.

[7]/ "High delay ratios indicate a rail system that is overloaded with trains, or that trains are of excessive length or insufficient horsepower for the system, or all three." DEIS, at 4.1-32. They reflect a system operating close to capacity and thus very vulnerable to factors, like mechanical malfunctions or track maintenance, that commonly hinder trains. *Id.* at 4.1-33.

But such assumptions would make scheduling trains on the EJ&E much simpler than it really is, for they do not reflect the reality of more nearly random train arrivals, inconsistent times between bridge lifts, and delays due to connecting carriers failing to accept trains promptly. In other words, they do not recognize the inevitable clustering of events that would result in trains on the EJ&E main line having to stop for potentially longer periods than planned.

Naturally, the consequences of delayed trains are not limited to the CN. As already noted, a significant number of trains from other railroads (*e.g.*, BNSF, UP) now operate over the EJ&E and would likely feel the effect of operating "at or near capacity." *Id.* at 4.1-3, -27, -33. Moreover, some Amtrak trains and significant numbers of Metra commuter trains cross certain of these potentially congested spots; if rail-to-rail crossings are blocked, passengers may face delays. Finally, there are only a very limited number of sidings with both sufficient length for the longer trains proposed and no highway grade crossings nearby. If major train congestion develops on the line, highway-rail grade crossings may be blocked, with resulting vehicular delays.

The SEA found that 15 at-grade highway crossings and 11 providers of emergency services would experience such considerable traffic delays as a result of the transaction as to be "substantially affected." DEIS, at 4.3-2; Tables 6.3-1 and 6.3-2, at 6-18, -21. [8] The SEA estimated that the proposed merger and incremental growth rates would impose a net increase of 475 vehicle-hour delays per day at these crossings by 2015. *Id.*, Table 4.3-3. It must be remembered that these calculations assume a particular

[8]/ A crossing is "substantially affected" if the proposed consolidation caused blockage or resulted in more than 40 hours of delay per day, or if the crossing would be at or over capacity. *Id.*

train speed; if trains must proceed more slowly because of congestion or some other factor, total delays will increase. If trains must actually stop when they are not at sidings, crossings may be blocked for more extended periods. Although such blockages can occasionally occur anywhere due to mechanical problems, accidents, or other unavoidable circumstances, it is unacceptable for rail carriers to block crossings routinely due to inadequate system capacity. DOT urges the SEA to ground the final EIS on reasonable operating assumptions and to ensure that it fully address the extent of rail congestion on the EJ&E and its consequences.

Mitigation – Funding

Virtually all rail consolidations entail adverse impacts of one sort or another. Demonstrable reductions in competition are relatively easily identified and resolved; negative environmental consequences on communities are more difficult to mitigate. Very often the best resolutions are those reached by agreements among the parties themselves, and DOT continues to encourage these. But in the absence of such agreements, the STB must choose appropriate conditions.

The Department believes that applicants in rail consolidation cases should adopt operational practices that are sensitive to local conditions, and should participate in the funding required to mitigate other transaction-related impacts. Pre-existing conditions are not the responsibility of such applicants, even though they may add to a merger's effects. That is the case here: there is already traffic congestion at rail crossings in many communities along the EJ&E, by no means all of it caused by EJ&E trains. DEIS, at 6-

17. Thus, remedial measures should be funded only partially by the Applicants and partially by affected communities.

SEA is considering a range of mitigation options for the highway/at-grade rail crossings and emergency service providers it identified as "substantially affected." *Id.* at 6-19, -21. DOT agrees with the DEIS that the identified crossings and emergency service providers each warrant mitigation measures. One of the options listed is a "Traffic Impact Mitigation Fund," which would require the Applicants to work with appropriate public agencies to establish a pool of money (including a one-time contribution from CN) to be administered by interested agencies to redress the delay and safety impacts of the proposed transaction. *Id.*, at 6-20.

The Department supports this option. A regional mitigation fund, with monies from the Applicants and other local, state, and federal sources, could finance those mitigation measures and projects that make the most sense from the proper (broader) perspective. We acknowledge that between the townships, counties, and states involved in this proceeding, developing and implementing such a fund would not be simple, but we share SEA's hope that such an approach offers an attractive opportunity for effective solutions. *Id.* at 6-19. Since most of the environmental benefits from reduced traffic through Chicago occur in the same state as the negative impacts on the suburban counties, one obvious participant in and potential contributor to a Traffic Mitigation Fund would be the Illinois Department of Transportation.

DOT also wishes to suggest a possible means to determine the approximate appropriate size of a fund insofar as it is devoted to vehicular delays. This approach would determine the present monetary value of the annual cost of delays over the

foreseeable future by multiplying the annual cost by an appropriate discounting factor. [9] The Applicants' share of that amount would depend upon the STB's view of the extent to which CN's post-merger operations contributed to the delays.

The Department also suggests imposing a time restriction on the use of Applicants' money in any mandated general mitigation fund. If that money cannot be committed to particular projects within a certain period (*e.g.*, five years), it should revert to the Applicants. Reaching agreement among the various entities on allocating the fund will be difficult. The threat of loss of a significant amount of money will give them an incentive to work cooperatively. It will also assure that the mitigation is provided in a timely manner, as the impacts are felt.

Mitigation – Operational Limits

The Applicants have made the fairly standard representation that they can operate the merged railroads efficiently and without untoward consequences. CN-2 at 209-211, Operating Plan (Exhibit 15). Nonetheless, operational problems have resulted from past mergers, and these can reduce or defer the anticipated public benefits from a given transaction. Moreover, the Department has indicated its expectation that implementation of the Applicants' Operating Plan under current and projected circumstances will produce

[9] We do not advocate any particular value, but simply to illustrate this concept one would accept the DEIS estimate that total net delays would increase by 475 vehicle hours per day by 2015 as a result of the proposed merger and incremental growth. Table 4.3-3. Assuming (1) that each vehicle has one person (the average is probably higher), and (2) that the value of that person's time on an hourly basis is $21.69 (the approximate average wage rate), yields a delay cost of $10,302 per day, or about $3.86 million a year. The present value would of course depend on discount rate used. A ten percent rate over a twenty year period would produce a present delay value of nearly $33 million. Use of 2015 projections in the DEIS (at the request of various parties) supports adjusting the discounting to take into account when delays actually begin and when mitigation measures are funded.

congestion on the EJ&E beyond that forecast by the SEA, and that vehicular delays will increase commensurately.

Applicants in rail consolidation proceedings should generally be held to their representations. But even when they make none, such carriers should not be permitted to implement their mergers in a way that results in persistent roadway blockages or other substantial vehicular delays. In these circumstances, if delays materially in excess of SEA's projections occur with any consistency, DOT proposes that the Board adopt a condition that would require CN to limit its train operations over the EJ&E to the level necessary to redress transaction-related delays. [10]

CN could readily divert trains to its existing lines in the Chicago area to relieve problems beyond those foreseen in the DEIS. The prospect of this sanction and its operational disadvantages vis-à-vis use of the EJ&E line should provide a clear incentive to the Applicants to align traffic shifts more carefully with the capacity available on the EJ&E at any given time.

Mitigation - West Chicago

Departmental personnel visited several of the areas studied in the DEIS and noted that the City of West Chicago in particular is apt to face considerable impacts that may not be easily mitigated. Specifically, the fact that the EJ&E crosses the main line of the UP in West Chicago at grade, where both railroads also cross a number of roadways,

[10] The affected communities could document such instances and petition the Board in the oversight period we have previously recommended to impose this measure. *See Union Pacific/Southern Pacific Merger*, 1 S.T.B. 233, 515-518 (1996), in which the STB did not permit the level of rail operations through the city of Reno, Nevada, called for in the Operating Plan in order to preserve the environmental status quo while studies were underway to determine the precise number and location of grade separations. Here, such a limit would be put in place only after other mitigation measures failed to prevent substantial vehicular delays beyond those estimated in the DEIS.

makes any solution difficult. We urge careful attention to address the complex potential problems at this location when more trains will be using the EJ&E line.

DOT is especially concerned that the pedestrian crossing at West Chicago High School (south of the crossing between UP's main line and the EJ&E) may be blocked by standing trains waiting to proceed across the UP line. Students and others may be tempted to cross under the standing EJ&E trains, a particularly dangerous activity. Yet this crossing is not even mentioned in the DEIS inventory of pedestrian crossings. DEIS, at 4.2.-35. We recommend a specific condition here, such as a lit pedestrian underpass, to avoid a tragedy.

Mitigation – Gary/Chicago International Airport

The EJ&E line is immediately adjacent to the end of the main runway at Gary/Chicago International Airport ("GCIA"). The Federal Aviation Administration has previously studied and agreed to fund an extension of that runway to enable GCIA to meet federal airport safety standards, which project would require the relocation of the EJ&E track. DEIS, at 3.3-94, -96. The SEA observes that the merger would not affect existing operations at GCIA, and that as a result of a Preliminary Memorandum of Understanding ("PMOU") that CN has committed to honor, the transaction would not affect the runway extension project. Id. at 4.3-91.

The PMOU was entered into by the airport, EJ&E, and two other rail carriers involved in the relocation (CSX and Norfolk Southern). By its terms it is "non-binding" on the parties (and thus on CN), but it establishes a clear framework leading to "future binding agreements" by which the parties clearly anticipate successful completion of the

runway project and relocation of the EJ&E and related rail facilities. PMOU at 2-7. Through the PMOU the rail carriers have expressed their willingness to accommodate the project so long as their operations and legal interests are not affected and GCIA provides the funding. *E.g.*, *id.* at 13, 16. The FAA has already committed funds to relocate the rail line and issued a letter of intent to reflect its preliminary support for additional financing in the amount of roughly $20 million. DOT-3 at 2. If more is necessary, GCIA is responsible for that funding; it may return to the FAA and/or seek other sources.

Particularly insofar as the Applicants have voluntarily agreed to comply with the PMOU, DOT fully anticipates that CN would use its good faith best efforts in carrying out this undertaking. Although the PMOU does not itself guarantee the completion of the rail line relocation/runway project, with no apparent operational or financial reason for opposition, there would be every reason to expect that the parties could resolve any remaining issues. The Board would of course be available during the oversight period we have recommended to consider documented complaints that the Applicants are not abiding by their representations in this regard.

Metra Star Line

Specific mitigation action at this point with respect to Metra's planned "Star Line" is premature. If that line comes to pass, however, the Department will be concerned with the addition of a substantial number of trains to the EJ&E line during rush hours. They will be running more or less at right angles to the large numbers of existing Metra commuter trains during those same periods. DOT for now will continue

to monitor developments through its directly concerned program offices, the Federal Railroad Administration and the Federal Transit Administration.

Conclusion

The pending transaction promises both substantial public benefits and significant adverse environmental burdens. The Board should consider its overall responsibilities under both applicable regulatory standards and NEPA and approve the consolidation of the CN and EJ&E subject to conditions addressing competitive and environmental impacts.

Those conditions that are appropriate here are familiar. They proceed from a broader rather than a narrower perspective. They also require the Applicants to maintain the status quo and, where that is not feasible (as it is not with respect to certain environmental matters), to work in good faith with affected parties and to contribute financially to mitigate impacts that threaten serious disruptions. If and when these efforts fail to prevent substantial vehicular delays beyond those projected, the train volumes that give rise to such impacts should be reduced.

Respectfully submitted,

D.J. GRIBBIN
General Counsel

September 30, 2008

CERTIFICATE OF SERVICE

I hereby certify that on this date I have caused a copy of the Comments of the United States Department of Transportation on the Draft Environmental Impact Statement in Finance Docket No. 35087 to be served by first class mail, postage prepaid, upon all Parties of Record in this proceeding.

Paul Samuel Smith

September 30, 2008

E.3 Comment Letter from United States Environmental Protection Agency

16595

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V
77 West Jackson Boulevard
Chicago, IL 60604

Office of Enforcement & Compliance Assurance
NEPA Implementation
Mail Code: E-19 J
Fax Number: (312) 353-5374

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To: Phillis Johnson-Ball
Section of Environmental Analysis
Surface Transportation Board
Department of Transportation
395 E Street, S.W.
Washington, D.C. 20423

Phone: 202 - 245 - 0304 Fax: **202 - 245 - 0454**

From: Norm West

Phone: **312 - 353 - 5692** Fax: as above

Date: 10 / 3 / 2008 Number of pages, including this cover sheet: **13**

Comments:

On behalf of the U.S. EPA we provide the following comments to the DEIS your office published for public and agency comment, regarding the Canadian National Railway Company Acquisition of the Elgin, Joliet & Eastern Railway Company. We appreciate the extension afforded us for obtaining review and concurrence by our Administrator's offices at this time of the federal fiscal year. We look forward to a phone conversation with your office, I believe we settled on 2:00 pm your time, on Monday, October 6, 2008. If that turns out to be a problem, let us know. Thank you for the encouraging working relationship we have established through this project effort.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 0 3 2008

REPLY TO THE ATTENTION OF

R-19J

Victoria J. Rutson
Chief
Section of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

Re: Comment on the Surface Transportation Board Draft Environmental Impact Statement for the Canadian National Railway Company Proposed Acquisition of the Elgin, Joliet and Eastern Railway.
CEQ #20080290

Dear Ms. Rutson:

In accordance with U.S. Environmental Protection Agency responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA), we have reviewed the Draft Environmental Impact Statement (DEIS) for the Canadian National Railway Company's (CN) proposed acquisition of the Elgin, Joliet and Eastern Railway Company (EJ&E) ("the proposal"). EJ&E operates approximately 200 miles of railroad that forms an arc around metropolitan Chicago from Waukegan, Illinois to Gary, Indiana.

The proposed acquisition would serve three purposes and needs:
1) improve CN operations in and beyond the Chicago area by providing a continuous rail route around the congested city center, a route that would be under their sole ownership and would connect with CN's five rail lines radiating from Chicago;
2) reduce CN dependency on purchasing use of the Belt Railway Company Clearing Yard in the city center and provide the Kirk (Gary, Indiana) and Joliet Yards and smaller rail facilities for train and railcar classification work and handling; and
3) provide CN a new business relationship with approximately 100 industrial and utility companies serviced by EJ&E, plus additional companies serving those industries.

EPA participated in a number of early public and agency scoping meetings and, on February 15, 2008, submitted comments on the Surface Transportation Board's (STB) Notice of Intent to Prepare an Environmental Impact Statement. EPA project staff toured the project area with STB's consultants in March 2008. We submitted detailed scoping comments on April 24, 2008. Our scoping comments

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discussed surface waters and stormwater run-off, air quality, environmental justice, railroad and highway crossings, coordination with other freight and passenger rail operations in the Chicago area, and cumulative impacts. Our scoping comments also requested that proposed mitigation actions be presented in the DEIS in detail, including measures to evaluate their success.

The following comments outline our major concerns. These comments are discussed in greater detail in the enclosed Detailed Comments on the Draft Environmental Impact Statement for the Proposed Canadian National Railway Acquisition of the Elgin, Joliet & Eastern Railway (detailed comments), which also comments on other issues, such as noise, climate change science, surface water, wetlands, stormwater run-off, floodplains, threatened and endangered species, invasive species / railway maintenance, cumulative / indirect impacts, and cultural resources. Based on these comments, we have rated the DEIS as "Environmental Concerns – Insufficient Information" (EC-2).

RAIL OPERATIONS

Because the projected level of rail operations will determine the level of all potential impacts, the Final Environmental Impact Statement (FEIS) should provide additional information to support the rail traffic projections put forth in the proposal. We commend the STB for providing three special analyses addressing this concern, i.e., a bottleneck assessment, a maximum capacity analysis, and Rail Traffic Controller modeling. The proposal clearly shows that rail operations on the EJ&E arc will be at capacity immediately if the proposal is implemented, with most of CN's traffic diverted from CN's existing lines. The capacity of the EJ&E arc may change if key bottlenecks are reduced. Future CN traffic growth in the Chicago area would either revert to the existing CN lines and/or be accommodated on the EJ&E arc if bottlenecks are reduced. We acknowledge the difficulty of forecasting long-term changes in traffic. Nonetheless, EPA recommends that the STB project traffic growth on the existing CN lines and on the EJ&E arc if its capacity changes due to bottleneck reductions. Please discuss in the FEIS the direct, indirect, and cumulative impacts of this potential future traffic growth.

The DEIS notes that most hazardous materials transported following this proposal, would move in "key trains" and that all EJ&E segments will be designated as "key routes" under Federal Railroad Administration regulations. These trains will move at mandated reduced speeds. Rail operations, capacity, and efficiency modeling for this proposal should consider these slower speeds in projecting traffic capacity on the EJ&E tracks, and how much traffic might need to remain on the existing CN lines through the City of Chicago and inner ring suburbs.

We recommend the STB include in the FEIS and Record of Decision (ROD) a requirement that if the proposal is approved, CN or its successors would initiate an adaptive management (AM) program. This AM program would stipulate that if any segment of the proposed rail system sustains an increase of some pre-specified number of average daily trains for a pre-designated period of time, then the applicant or its successors would re-evaluate the impacts of that increased traffic volume and provide mitigations as appropriate. These mitigation measures should be acceptable to the STB and compliant with any regulatory requirements applicable to specific impacts, as determined by the relevant regulatory agency. We concur with the STB proposal to establish a public/private mitigation fund, and suggest it be part of the AM with an annual contribution by CN or its successors adequate to sustain needed mitigation measures. This fund would appropriately be managed by a state or regional

planning agency for the project area, and provide for possible receipt of other contributions as might be provided by federal, state, and/or local governments.

Further explanation is needed in the FEIS regarding how existing and future Metra and Amtrak passenger rail services will be accommodated under the proposal. The DEIS contains assurances that the planned Metra STAR line will be accommodated within the parameters of the proposal, but no specifics are provided. This is a concern, given that the EJ&E arc, which would host a portion of the STAR line, will operate at capacity as soon as the proposal is implemented.

The proposal calls for enhancing the existing rail-to-rail connection at Munger in DuPage County, Illinois. The DEIS indicates that this enhancement will provide little operational improvement, but would impact wetlands, biota, and a county forest preserve. We conclude that the hydrological impacts are potentially greater than described in the DEIS. Therefore, we recommend that the Munger connection enhancement component of the proposal be dropped from further consideration in the FEIS.

HAZARDOUS MATERIAL TRANSPORT AND RAIL SAFETY

The DEIS states that the railroad industry has a low risk of accidents and spills, and that should an accident or spill occur, rapid emergency response involving containment and clean-up would follow, led by local governments as first responders. These assurances apply to both public safety and natural resource impacts, including spills to water, when potential impacts could spread quickly. We note that all segments of the proposed project will be designated as hazardous key routes. Both CN and EJ&E have a history of higher incident rates than the railroad industry as a whole. The higher incident records for both railroads involved are not adequately explained in the DEIS. CN's corporate rail safety record, both in the United States and Canada, as well as EJ&E's, warrant further explanation in the FEIS. No installation of containment measures or preventative measures are proposed in the DEIS. We recommend the FEIS include procedures for spill prevention for CN's operations in the Chicago area and installation of containment measures near sensitive water resources (e.g., Cuba Marsh, the heron rookery near Plainfield, the Des Plaines River, and the Grand and Little Calumet Rivers).

The FEIS should provide a list of significant, geographically vulnerable natural areas that need special planning and possible structural measures for spill protection. This should be compiled in consultation with the U.S. Fish and Wildlife Service offices, the Departments of Natural Resources in Illinois and Indiana, and the STB convened Illinois Natural and Water Resources Stakeholder Group. A management plan for responders and any structural mitigation measures should be developed in consultation with hazardous waste programs at EPA, Illinois EPA and the Indiana Department of Environmental Management. This plan should be available for emergency use and incorporated into broader emergency planning at the local and regional levels.

AIR QUALITY

We appreciate that the DEIS includes a general conformity analysis and an air toxics assessment. However, diesel particulates were not included in the air toxics analysis, and should be added in the FEIS. Both the conformity analysis and the air toxics "hot spot" analysis should include

projected emissions for the Kirk and Joliet yards, which will experience significantly increased operations if the proposal is implemented. We recommend that the three at-grade crossings where the hot spot analysis shows that EPA reference levels will be exceeded be considered high priorities for grade separation mitigation. We commend CN for proposing voluntary air mitigation to include diesel emission reduction strategies, such as low-emission switching engines in the yards and anti-idling measures.

ENVIRONMENTAL JUSTICE

EPA recommends that STB provide clearer explanations in the FEIS of the methods used to evaluate potential for disproportionate impacts and use updated census data if available and appropriate. Impacts should be consistently evaluated across the entire project study area, including potential environmental justice communities.

We appreciate the opportunity to comment on the DEIS for this proposal. We welcome the opportunity to work with STB to address our comments prior to issuance of the FEIS. If you have questions regarding these comments, please contact me or my staff member, Norm West by phone at 312-353-5692, or at west.norman@epa.gov.

Sincerely,

Lynn Buhl
Regional Administrator

Enclosures:
1. Summary of Ratings Definitions and Follow-up Actions
2. Detailed Comments on the Draft Environmental Impact Statement for the Proposed Canadian National Railway Acquisition of the Elgin, Joliet & Eastern Railway

SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION*

Environmental Impact of the Action

LO-Lack of Objections
The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns
The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impacts. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections
The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory
The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS sate, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1-Adequate
The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alterative and those of the alternatives reasonably available to the project or action. No further analysis or data collecting is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information
The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate
EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft FIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft FIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment

Detailed Comments on the Draft Environmental Impact Statement for the Proposed Canadian National Railway (CN) Acquisition of the Elgin, Joliet & Elgin Railway (EJ&E)

The following detailed comments are provided by the U.S. Environmental Protection Agency (EPA) on the Surface Transportation Board (STB) draft Environmental Impact Statement (DEIS) published in the Federal Register under CEQ #20080290. We acknowledge the extensive mitigations proposed both voluntarily by the applicant and recommended by STB. Voluntary mitigation (VM) measures referenced in our comments are proposed by CN.

We commend STB for responding to EPA scoping comments on many issues, specifically including:

- Considerations of alternatives to improve train storage and train speed and reduce impacts are incorporated into the DEIS.
- The DEIS evaluates at-grade crossings and identifies crossings for various mitigations.
- The DEIS considers land use impacts and compliance with Indiana's Coastal Zone Management Act.
- The DEIS considers climate change impacts and greenhouse gas emissions.
- Some air quality hot spot analysis is provided, and VM is proposed to refit rail yard locomotives with EPA-recommended idling control systems.
- STB undertook an extensive analysis of existing and proposed project noise. Several VMs address these noise issues, including construction noise, wayside noise, and noise at rail-to-rail crossings and switches. Appropriate assessments for vibration impacts were included.
- VM #31 and VM #68 propose the use of native plant materials to cover construction site disruptions in consultation with local conservation offices.

The following discussion presents our detailed concerns, which should be addressed in the FEIS. These issues include some general observations regarding the DEIS sections on Purpose and Need, Alternatives, and Mitigation, and then specific details concerning hazardous materials transportation, rail and community safety, air emissions, environmental justice, noise, surface waters, wetlands, stormwater run-off, floodplains, threatened and endangered species, invasive species, cumulative and indirect impacts, and cultural resources.

Purpose and Need, Alternatives, and Mitigation

The Purpose and Need section essentially reiterates the proposed action. The FEIS should provide analyses and a clear explanation as to why the alternatives that were dismissed without detailed study fail to meet the purpose and need.

Our avoidance, minimization, and mitigation scoping comments requested delineation of all avoidance and minimization efforts, for the overall project, for project components, and for individual or specific impacts. We acknowledge the mitigation measures proposed; however, the DEIS mainly focuses on proposed mitigation measures and does not provide much explanation of other options for avoidance, minimization and mitigation that may have been considered but not selected. Our scoping

comments requested mitigation measures be presented in detail with follow-up measures for maintaining and evaluating mitigation success. These were typically not provided in the DEIS, and should be addressed in the FEIS.

Hazardous Materials Transport

Please include hazardous materials transport in the Rail Safety section of the FEIS for clearer understanding. The DEIS should be revised to reflect the Federal Railroad Administration's (FRA) June 1, 2008 guidance on "key routes" and "key trains." That guidance supersedes the DEIS statement, "Neither the number of daily trains nor the commodities carried are a factor in establishing the classification of the track." Spill mitigation measures in Section 6, including VM #15, should include adherence to EPA regulations 40 CFR Part 263, and should explicitly include working with EPA, state environmental agencies, and local agencies on spill responses.

The DEIS acknowledges that the proposal increases the potential for yard accidents due to increases in car handling activity. The DEIS only references that CN must prepare a Safety Integration Plan (SIP) and comply with applicable Federal and state regulations. EPA believes that STB should consider additional mitigation and explain that measures beyond the legal minimums may be appropriate to protect the public health and natural resources. We also recommend that the STB consider adding substantive mitigation measures that specifically contribute to spill prevention and strategic containment for the project area, especially near sensitive water bodies.

Recent research indicates that broken rails, particularly at weld points, are the leading cause of major derailments and accidental releases of hazardous materials on U.S. Class I railroads. Ongoing research, such as that being conducted by Professor Christopher Barkan of the Railroad Engineering Program at the University of Illinois, is developing new methods to locate and correct such rail problems. We recommend that these methods be considered for inclusion in the adaptive management program to enhance spill prevention.

The DEIS does not give much detail on potentially impacted vulnerable facilities, such as schools, hospitals, nursing homes, high density housing, and oil/chemical facilities, although it does provide detail regarding environmentally sensitive areas, hazardous waste sites, and regulated chemical handling facilities. We recommend the community sites be more fully addressed in the FEIS regarding hazard analysis and risk assessment.

The DEIS did not provide any detailed information or statement on CN's hazardous materials (HAZMAT) spill response capabilities. CN seems to rely totally on local responders, despite a wide variability of local HAZMAT response capabilities in the area. No CN equipment lists, contractors, or corporate HAZMAT teams are mentioned. The FEIS should provide more detail which would be useful in determining what impacts to human health and the environment might result from a delayed or under-supplied and understaffed response. We note that STB mitigation #10 states that CN will assist in providing training to the affected local community responders, with an option to perhaps offer training in Chicago. We recommend that such training be provided specifically for the Chicago area to maximize participation for all affected response local responders.

Rail and Community Safety

The DEIS identified that some rail-highway at-grade crossings could have a higher potential for vehicles to become trapped on the tracks between the warning devices, due to local conditions. This is a significant safety concern. EPA recommends that all at-grade crossings on the EJ&E are be evaluated for this risk, and that all crossings with a higher potential for such a risk be mitigated.

Air Emissions

The mobile source air toxics (MSAT) analysis was performed at railroad crossings for five air toxic compounds. The FEIS should supplement the MSAT analysis by adding diesel particulate matter (PM), which EPA considers a priority MSAT. However, while EPA considers diesel exhaust a likely human carcinogen, and available evidence supports this conclusion, EPA cannot at this time provide a cancer potency value, i.e., unit risk factor (URF), for diesel PM. However, in EPA's recent final rule setting standards for locomotive and marine diesel engines (73 Federal Register 37096, June 30, 2008), EPA conducted dispersion modeling to assess diesel PM concentrations near ports and rail yards across the nation. In that study, 0.2 and 2 ug/m^3 were employed as levels indicating elevated exposures.[1] For non-cancer effects, EPA has a reference concentration (RfC) of 5 ug/m^3 for diesel PM. These factors could be used to estimate exposures to diesel PM of potential health significance.

Climate Change Science

EPA recommends that the background and context for the climate change discussion in the DEIS be revised to reflect, in brief, the relevant climate change science at http://epa.gov/climatechange/. EPA's site references reports from the Intergovernmental Panel on Climate Change, and provides links to the U.S. Climate Change Science program. The executive summary of the "Scientific Assessment of the Effects of Global Climate Change on the United States," by the National Science and Technology Council (May 2008), also synthesizes the climate change science.

Environmental Justice

The environmental justice (EJ) analysis should include citations for the "relevant orders and guidelines" and to the "environmental justice criteria" mentioned in the DEIS, and said to have been developed by EPA and STB. The EJ analysis should explain why census block groups were selected as the unit of analysis. This analysis should consider the availability of other demographic data to supplement the 2000 census data, and/or explain the decision not to use such data. EPA's April 1998 "Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses" notes:

[1] ICF International, September 28, 2007. Estimation of diesel particulate matter concentration isopleths for marine harbor areas and rail yards. Memorandum to EPA under Work Assignment Number 0-3, Contract Number EP-C-06-094. This memo is available in Docket EPA-HQ-OAR-2003-0190. This analysis was published in the peer-reviewed proceedings of the Air & Waste Management Association's annual conference in 2008 (Paper #719).

> census data have been shown to be unreliable in some cases, in part because the level of aggregation may not offer a fine enough mesh to identify the existence of such communities. Also, census data are based on self-reporting. These data are not always consistent and are prone to undercounting minority populations and low-income populations due to a perceived reluctance for certain populations to divulge information.

The "Study Area" for the EJ analysis is defined as "census block groups along the EJ&E rail line within 1,500 feet of rail segments where the number of trains would increase by at least eight trains per day and that would be designated as key routes for hazardous material transportation" and "[a]long the CN rail line, ...census block groups within 400 feet of rail segments where the number of trains would decrease by at least eight trains per day and the segments would not be designated key routes for hazardous materials transport." The EJ analysis should explain the rationale for this definition of the Study Area.

The FEIS analysis should explain why other types of impacts evaluated elsewhere in the DEIS are not evaluated in the EJ Analysis, or should include an evaluation of such impacts. Where a localized impact is found in the DEIS yet found not to be significant based on comparison to the overall DEIS Study Area, it may still merit evaluation in the EJ analysis. EPA's 1998 NEPA Guidance states:

> ...Minority communities and low income communities may comprise a very small percentage of the total population and/or geographical area. Therefore, the assumptions and inputs used in conjunction with traditional analytical tools for studying potential impacts under NEPA, and the results of the analyses, may not fully reflect the impacts that may be borne by these smaller communities or populations. An analysis of disproportionate impacts will develop an understanding of how the total potential impacts vary across individual communities. This allows analysts to identify and understand what portion of the total impacts may be borne by minority or low-income communities, to assess whether they are disproportionately high and adverse, and to develop alternatives and mitigation measures if necessary.

Appendix I should provide additional information to explain the statistical analysis and the conclusion of the EJ analysis. In particular, the following questions are not answered by the provided information:

- How were the marginal probabilities derived?
- What do the different marginal probabilities demonstrate?
- Why are the marginal probabilities in Tables I.2-2 (Actual noise impacts) and I.2-3 (Expected noise impacts) identical?
- Why are there only 2 tables? Shouldn't there be four: minority/actual; minority/expected; low-income/actual; low-income/expected?
- The DEIS states, "Further analysis revealed that the high and adverse train noise impacts are not disproportionately borne by minority or low-income environmental justice populations." What analysis supports that statement?

Noise

Although several sensitive noise receptors, such as Fermi Lab, are identified, we suggest that the noise analysis be expanded to include specific information on any schools, libraries, eldercare facilities, hospitals, and churches that will be exposed to an Ldn of 65 dBA or greater.

EPA requests STB provide justification of its statement that mitigation at the Ldn of 65 dBA is unreasonable. Section 4.10 states that 1,559 noise-sensitive receptors would experience an Ldn of 70 dBA or greater along seven segments of the EJ&E rail line. In Section 4.10.3, there is discussion that states that it is appropriate that the applicant determine where noise walls could provide noise reductions for receptors that are predicted to experience an Ldn of 70 dBA or greater. We believe that the FEIS should provide more detail on the locations of possible noise walls along these segments (such as placing them on Figure L-1). The FEIS should also provide more information on which noise walls are likely to provide benefits and be both reasonable and feasible. We believe it is important that this mitigation be part of the EIS process and not be developed at a later time as currently proposed. The consideration of other options for noise mitigation should be discussed in the FEIS.

Surface Water, Wetlands, and Stormwater Run-off

CN will be responsible for applying for and securing any wetland Clean Water Act (CWA) Section 404 permits, including State water quality certification under CWA Section 401, which may be needed to construct CN's proposed connecting track and double track projects. However, information in the FEIS could support decision-making during the Section 404 permit review process, especially because the applicant must demonstrate compliance with the CWA Section 404(b)(1) Guidelines prior to obtaining an individual Section 404 permit. The Section 404 (b)(1) Guidelines require that projects be evaluated first to avoid and then minimize impacts to waters of the United States (including wetlands). Remaining impacts must then be mitigated. A permit cannot be issued if there is a practicable alternative that would have fewer adverse impacts on the aquatic ecosystem.

EPA recommends that the FEIS should fully discuss all of the alternatives for the proposed connecting track and double track projects. A number of the connecting track alternatives are able to avoid wetlands and waters entirely. Others have varying amounts and types of impacts to wetlands. Several of the preferred alternatives in the DEIS have higher impacts than some of those not preferred. The FEIS should explain the trade-offs of the selection process, especially at Munger and Matteson. Consideration of alternatives is less clear for the double tracking proposals. Please document in the FEIS what has been done to avoid and minimize wetland and water impacts, by refining the major alternatives.

The FEIS should explain how the proposal will comply with state and county wetland regulations. The States of Illinois and Indiana and many counties in the Chicago metropolitan region have developed rules to regulate wetlands that are outside of the Federal jurisdiction. For example, Lake County, Illinois requires buffers for all Federal and county jurisdictional waters. Buffers are areas of predominantly vegetated land adjacent to drainage ways, wetlands, lakes, ponds, or other surface waters, which may or may not be waters of the United States. Buffer width requirements are based on the quality and size of the wetland.

We note that wetlands in the DEIS are described predominantly in terms of their vegetative quality. A description of any other significant ecological services for these wetlands should be included in the FEIS to better inform mitigation.

The DEIS summarizes previous NEPA activities by the Federal Aviation Administration at the Gary International Airport, pertaining to the EIS/ROD on the runway extension and EJ&E track re-routing. That summary is helpful. Subsequent to the NEPA process, the Gary/Chicago International Airport applied for a Clean Water Act (CWA) Section 404 Permit from the Detroit District of the Corps of Engineers, which was published by the Detroit District as Public Notice No. 93-145-126-7 on January 22, 2007 (replacing the original publication of December 28, 2006). We understand that a decision on this permit is still pending. The project as proposed in the Public Notice reflected the wider loop of the final alignment, Alternative 1-D. However, the Public Notice did not indicate whether or not the proposed crossing of the CSX and Norfolk Southern Railroad (NS) rail tracks by the EJ&E tracks would be at grade or grade-separated. It is unclear whether or not the June 27, 2008, preliminary memorandum of understanding between the Gary/Chicago International Airport, EJ&E, CSX and NS would change what was proposed for Section 404 permitting by the Airport. The DEIS indicates that CN will abide by the Section 404 permit conditions if the permit is issued. The FEIS should report the status of these activities.

Aircraft at the Gary/Chicago International Airport cannot use the full length of the existing main runway because of the vertical impediment of the EJ&E tracks, which are elevated on an embankment. The physical location of these tracks further limits extension of the runway and its safety zone. Consequently, the EJ&E tracks currently limit flight operations. However, if the track relocation cannot be resolved, due to grade crossing problems or some other issue, can the operations under CN's proposed EJ&E acquisition (essentially tripling the number of trains traversing this section of track) proceed effectively over the existing track? How will the change in traffic on the EJ&E tracks under CN's proposal impact flight operations at this airport? Please address this scenario in the FEIS.

The DEIS refers to best management practices (BMPs) for construction run-off in special cases. These special cases and BMPs should be fully described in the FEIS. We recommend the FEIS should stipulate that sediment basins and other mitigations be designed for 100-year flood levels.

Floodplains

The DEIS (Table 4.12-3) indicates 28 surface water impacts from double track construction would result in increased flood elevations up to 1 foot, 9 of which are within FEMA floodplains. Nine others would exceed a 1-foot flood level elevation, 3 of which would be in FEMA-mapped floodplains. An additional 11 drainage structures (Table 4.12-4) are indicated as possibly causing moderate increases (5 to 10 feet per second) in hydraulic flow velocity; 18 could cause major increases (greater than 10 feet per second). The FEIS should include additional information for these floodplains, indicating the acreage and stream length of these impacts. The DEIS is unclear whether these figures represent potential impacts prior to avoidance and minimization or, as implied in the mitigation section, they are conditions proposed to be partially mitigated using BMP protection systems. Stream relocations are also indicated as a possibility. The FEIS should provide details for these impacts and

commit the applicant to negotiate with appropriate local jurisdictions and the Illinois Natural and Water Resources Stakeholder Group on these issues.

Threatened and Endangered Species /Wildlife and Habitat / Invasive Species

Based on the STB stakeholder meetings EPA attended with many federal, state and local representatives, we conclude that the DEIS understates the potential for impacts to threatened and endangered species, wildlife, and habitat, and the consequences of invasive species. We recommend that STB consult with this Illinois Natural and Water Resources Stakeholder Group to more fully identify impacts and formulate appropriate mitigation procedures to include both in the FEIS and in the recommended adaptive management program.

We understand that CN plans to follow some Canadian practices using herbicides in right-of-way maintenance. At a minimum, U.S. and state regulatory requirements for pesticide use must be followed. An expanded discussion of right-of-way maintenance practices should cover the entire EJ&E arc, from Gary to Waukegan. The portion of the EJ&E arc from Leithton to Waukegan is not presently included in the project area, but the impacts of right-of-way maintenance to several significant waters, including the Lake Michigan coastal area, should be addressed in the FEIS.

Cumulative and Indirect Impacts

The DEIS includes a section on Indirect and Cumulative Impacts; however, there is little analysis presented for these determinations. The FEIS should describe the accumulation of impacts to different natural resources and present how the proposed project could add to those impacts, or improve the status of those resources through mitigation for the impacts of the proposed project.

Cultural Resources

The DEIS indicates that during scoping, the applicant requested information from the public regarding historic resources that might be impacted by the proposal, and on the basis that no structures were presented, concludes there will be no impacts to these resources. However, a survey of historic resources has apparently not been undertaken by the applicant or STB. STB is responsible for complying with the National Historic Preservation Act, including determining the area of potential effects and evaluating all existing historic and archaeological resources that are listed or may be eligible for listing on the National Register of Historic Places. For example, EJ&E's Joliet Yard, which is proposed to be acquired by CN, contains an historic roundhouse that is currently in disrepair. Please note that vibration can be a source of impacts to historic structures, even if the construction activities are not directly adjacent The FEIS should provide a detailed discussion of STB's and the applicant's assessment of all historic resources and proposed mitigation measures, including coordination with the State Historic Preservation Officers (SHPO) in Illinois and Indiana.

E.4 Comment Letter from the Applicants

15801

Surface Transportation Board
Incoming Correspondence Record

#EI-14176

E-Filing Cover Sheet Information

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Submitter's Comments

STB's Comments

See attachment

Image Attachment(s)

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September 30, 2008

BY E-FILING

Ms. Victoria J. Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

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

Dear Ms. Rutson:

Pursuant to the July 25, 2008, decision of the Surface Transportation Board, Canadian National Railway Company and Grand Trunk Corporation submit the enclosed comments on the scope of the final environmental impact statement to be prepared in this proceeding.

Yours truly,

Paul A. Cunningham

Counsel for Canadian National Railway Company and Grand Trunk Corporation

Enclosures

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35087

CANADIAN NATIONAL RAILWAY COMPANY
AND GRAND TRUNK CORPORATION
– CONTROL –
EJ&E WEST COMPANY

APPLICANTS' COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

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September 30, 2008

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Part 1 – Applicants' Voluntary Mitigation Proposal

CN submitted a comprehensive Voluntary Mitigation Proposal ("VMP") to SEA on June 26, 2008, detailing the conditions that CN proposed that the Board impose to mitigate adverse environmental impacts both generally and at specific locations. This proposal, discussed in chapter 6 of the DEIS (at 6-3 through 6-12), was intended to cover communities that do not enter into individual mitigation agreements with CN.

Individual mitigation agreements are often preferable to Board-imposed mitigation, because they can cover issues and provide remedies that are outside the Board's authority or that or are not directly related to the Transaction. But for those communities for which CN is unable to reach an agreement, the voluntary mitigation plan serves as a backstop to ensure that adverse impacts are still subject to reasonable mitigation, regardless of whether the Board would have the power to impose those mitigation conditions absent CN's consent. The conditions CN has proposed were based on CN's extensive experience in past control transactions, conditions that were accepted by railroads in previous control proceedings, and conditions that were requested during the scoping process or CN's negotiations with affected communities.

CN's voluntary mitigation proposal is intended to provide for mitigation that meets the standards of relevance, reasonableness, and support set forth by the Board in previous cases: "any conditions the Board imposes must relate directly to the transaction before it, must be reasonable, and must be supported by the record before the Board."[1] Thus, CN's proposal is

[1] Draft Environmental Impact Statement at 6-1, *San Jacinto Rail Ltd. – Constr. & Operation Exemption – Build-Out to the Bayport Loop Near Houston, Harris County, TX*, STB Finance Docket No. 34079 (STB served Dec. 6, 2002) ("*Bayport Loop DEIS*"); Draft Environmental Impact Statement at 5-1, *S.W. Gulf R.R. – Constr. & Operation – In Medina County, TX*, STB Finance Docket No. 34284 (STB served Nov. 5, 2004) ("*SW Gulf DEIS*"). *See also* 1 Draft Environmental Impact Statement at 3-3, *CSX Corp. – Control & Operating Leases/Agreements –*

intended to provide for mitigation of all relevant environmental impacts which are shown to be likely as a result of the CN/EJ&EW Transaction, and which are significant when measured under the standards applied by the Board in previous cases. CN's voluntary mitigation proposal reasonably addresses the significant impacts of the Transaction, while not jeopardizing CN's ability to realize the public benefits anticipated as a result of the Transaction.

Based on SEA's thorough analysis and recommended mitigation in the DEIS, CN is now submitting a revised voluntary mitigation proposal that would provide further relief to impacted communities. Subject to a limited number of exceptions, CN agrees to almost all of the additional mitigation proposals included in the DEIS even though such extensive mitigation is not required by NEPA, by the Board's governing statute, the ICC Termination Act of 1995 ("ICCTA"), 49 U.S.C. §§ 10101 *et seq*, or by the rules of the Council on Environmental Quality ("CEQ") or the Board.[2] The list of voluntary mitigation measures CN is now agreeing[3] includes 101 discrete elements. CN expects the total cost of this revised program to be roughly $60 million.[4]

Conrail Inc., STB Finance Docket No. 33388 (STB served Dec. 12, 1997) ("*Conrail DEIS*") (for an environmental mitigation condition to be imposed without consent it "must be reasonable, must be directly related to the impact caused by the Acquisition, must be appropriate to the scope and degree of the environmental impact, and should not unduly frustrate the ability of the Applicants to realize the anticipated public benefits of the proposed . . . Acquisition.").

[2] CN's proposal may not include all specific items of SEA's proposed additional mitigation that relate to routine compliance with regulatory requirements in connection with implementation of mitigation or of the Transaction. CN intends, nevertheless, to comply fully with any applicable laws and regulations. If greater specificity is desired regarding this commitment, CN would appreciate the opportunity to comment on any further SEA proposals in that regard.

[3] Because CN is voluntarily agreeing to much of the mitigation suggested by SEA, uncertainties regarding the extent of the Board's authority to impose environmental conditions in minor transactions may not need not to be resolved. CN reserves its rights to challenge the Board's authority to impose any unreasonable conditions.

[4] Though CN believes the concerns raised by some of the more vocal local activists are largely overstated or unsupported, it continues to reach out to the affected communities in the hope of

APPLICANTS' VOLUNTARY MITIGATION MEASURES

Applicants propose the following voluntary mitigation measures for the Board to consider in issuing its final decision. These measures refine and supplement the 70 voluntary measures Applicants listed on June 26, 2008, and include 32 of the additional measures which SEA, recommended should the Board authorize the Application. DEIS at 6-13—6-31. Applicants plan on implementing the proposed mitigation within the later of three years after approval of the Application or the completion of the capital improvements described in the operating plan.

The individual mitigation measures are organized by the Environmental Impact Categories found in the Corrected Final Scope of Study, served April 28, 2008.

1. SAFETY

Grade Crossings

VM 1. Applicants shall consult with appropriate agencies to determine the final design and other details of the grade crossing protections or rehabilitations on EJ&EW's rail line. Implementation of all grade crossing protections shall be subject to the review and approval of the Federal Railroad Administration ("FRA") and the appropriate state Departments of Transportation.

VM 2 Applicants shall coordinate with the appropriate state departments of transportation, counties, and affected communities along the EJ&E rail line to develop a program for installing temporary notification signs or message boards, where warranted, in railroad right-of-way ("ROW") at highway/rail at-grade crossings, clearly advising motorists of the increase in train traffic on affected rail line segments. The format and lettering of these signs shall comply with the Federal Highway Administration's (FHWA) *Manual on Uniform Traffic Control Devices* (FHWA 2007b) and shall be in place no less than 30 days before and six months after the acquisition by CN of the control of EJ&EW. The Applicants shall conduct a media campaign throughout the affected counties and communities surrounding the EJ&E rail line advising the public of increased operations along the EJ&E rail line. The campaign shall include the use of different media (radio, television, newspaper, Internet). Applicants shall distribute all information in both English and Spanish, where appropriate.

VM 3 Where necessary for implementation of a Quiet Zone, and in consultation with the affected community, FRA, and the appropriate state Department of Transportation, Applicants shall construct or install roadway median barriers to reduce the opportunity for vehicles to maneuver around a lowered gate.

reaching some agreements, and has proposed a mitigation budget of $60 million – a full 20% of the acquisition cost of EJ&EW.

VM 4 Applicants shall cooperate with the municipalities affected to determine which improvements would be necessary for existing Quiet Zone to maintain FRA compliance.

VM 5 Applicants shall cooperate with interested communities for the establishment of Quiet Zones and assist in identifying supplemental or alternative safety measures, practical operational methods, or technologies that may enable the community to establish Quiet Zones.

VM 6 Applicants shall consult with affected communities to improve visibility at highway rail at-grade crossings by clearing vegetation or installing lighting to illuminate passing or stopped trains.

VM 7 Within 6 months of acquisition by CN of the control of EJ&EW, Applicants shall cooperate with the Illinois Department of Transportation, Indiana Department of Transportation and other appropriate local agencies to coordinate a review of corridors surrounding highway/rail at-grade crossings to examine safety and adequacy of the existing warning devices, and identify remedies to improve safety for highway vehicles.

VM 8 Where grade-crossing rehabilitation is agreed to, Applicants shall assure that rehabilitated roadway approaches and rail line crossings meet or exceed the standards of the State Department of Transportation's rules, guidelines, or statutes, and the American Railway Engineering and Maintenance of Way Association ("AREMA") standards, with a goal of eliminating rough or humped crossings to the extent reasonably practicable.

VM 9 For each of the public grade crossings on EJ&EW's rail line, Applicants shall provide and maintain permanent signs prominently displaying both a toll-free telephone number and a unique grade-crossing identification number in compliance with Federal Highway Regulations (23 C.F.R. Part 655). The toll-free number shall enable drivers to report accidents, malfunctioning warning devices, stalled vehicles, or other dangerous conditions and shall be answered 24 hours per day by Applicants' personnel. At crossings where EJ&EW's ROW is close to another rail carrier's crossing, Applicants shall coordinate with the other rail carrier to establish a procedure and share information regarding reported accidents and grade-crossing device malfunctions.

VM 10 Within 6 months of acquisition by CN of the control of EJ&EW, Applicants shall cooperate with school and park districts to provide fencing where schools or parks are within one-quarter mile of the right of way and to identify at-grade crossings where additional pedestrian warning devices may be warranted.

VM11 Applicants shall continue ongoing efforts with community officials to identify elementary, middle, and high schools within 0.5 miles of EJ&EW's ROW and

provide, upon request, informational materials concerning railroad safety to such identified schools.

VM 12 Within 6 months of the effective date of the Board's final decision, Applicants shall initiate review of the locations of designated pedestrian and recreational trail at-grade crossings along the EJ&E rail line that would see an increase in train traffic under the Proposed Action. The Applicants shall cooperate in the review with local agencies and community trail groups to assess the adequacy of the existing warning devices, to ascertain if particular trail uses or issues reduce the effectiveness of these warning devices, and to identify appropriate remedies to improve safety of pedestrian and recreational trail users.

Construction

VM 13 Before starting any construction activities for the proposed connections or installation of double track, Applicants shall develop – in conjunction with the affected communities and local fire and emergency response departments along the EJ&E rail line – an adequate plan for fire prevention and suppression and subsequent land restoration during construction and operation along the EJ&E rail line. Applicants shall submit the plan to local communities and local fire and emergency response departments. Applicants' plan shall ensure that all non-turbocharged locomotives are equipped with functional spark arrestors on exhaust stacks, and carry fire extinguishers suitable for flammable liquid fires, electrical fires, and combustible materials fires, as well as provide for the installation of low-spark brake shoes on all locomotives.

2. HAZARDOUS MATERIALS TRANSPORTATION

VM 14 Applicants shall comply with the current Association of American Railroads ("AAR") "key route" guidelines, found in AAR Circular No. OT-55-I, and any subsequent revisions.

VM 15 Applicants shall comply with the current AAR "key train" guidelines, found in AAR Circular No. OT-55-I, and any subsequent revisions.

VM 16 To the extent permitted and subject to applicable confidentiality limitations, Applicants shall distribute to each local emergency response organization or coordinating body in the communities along the key routes a copy of the Applicants' current Hazardous Materials Emergency Response Plans.

VM 17 Applicants shall incorporate EJ&EW into their existing Hazardous Materials Emergency Response Plan.

VM 18 Applicants shall comply with all hazardous materials regulations of the United States Department of Transportation (including the Federal Railroad Administration and the

United States Pipeline and Hazardous Materials Safety Administration) and Department of Homeland Security (including the Transportation Security Administration). Applicants shall dispose of all materials that cannot be reused in accordance with applicable law

VM 19 Upon request, Applicants shall implement real-time or desktop simulation emergency response drills with the voluntary participation of local emergency response organizations.

VM 20 Applicants shall continue their ongoing efforts with community officials to identify the public emergency response teams located along EJ&EW and shall provide, upon request, hazardous material training.

VM 21 Applicants shall conduct Transportation Community Awareness and Emergency Response Program (TRANSCAER) workshops (training for communities through which dangerous goods are transported) in those communities along the EJ&E rail line that request this training.

VM 22 Applicants shall assist in the hazardous materials training emergency responders for affected communities that express an interest in such training. Applicants shall support through
funding or other means the training of one representative from each of the communities located along the EJ&E rail line segments where the transportation of hazardous materials would increase. Applicants shall complete the training within 3 years from the date that the Applicants initiate operational changes associated with the Proposed Action.

VM 23 Applicants shall develop internal emergency response plans to allow for agencies to be notified in an emergency, and to locate and inventory the appropriate emergency equipment. Applicants shall provide the emergency response plans to the relevant state and local authorities within 6 months of acquisition by CN of the control of EJ&EW.

VM 24 Applicants shall provide dedicated toll-free telephone number to the emergency response organizations or coordinating bodies responsible for communities located along the EJ&E rail line. This telephone number shall provide access to applicant personnel 24 hours per day, seven days a week, enabling local emergency response personnel to obtain and provide information quickly regarding the transport of hazardous materials on a given train and appropriate emergency response procedures should a train accident or hazardous materials release occur.

VM 25 In accordance with their Emergency Response Plan, Applicants shall make the required notifications to the appropriate Federal and state environmental agencies in the event of a reportable hazardous materials release. Applicants shall work with the appropriate agencies such as the United States Fish and Wildlife Service, Illinois Environmental Protection Agency and Indiana Department of Environmental

Management to respond to and remediate hazardous materials releases with the potential to affect wetlands or wildlife habitat(s), particularly those of federally threatened or endangered species.

VM 26 Prior to initiating any Transaction-related construction activities, Applicants shall develop a spill prevention plan for petroleum products or other hazardous materials during construction activities. At a minimum, the spill prevention plan shall address the following:

- Definition of what constitutes a reportable spill;
- Requirements and procedures for reporting spills to appropriate government agencies;
- Methods of containing, recovering, and cleaning up spilled material;
- Equipment available to respond to spills and location of such equipment; and
- List of government agencies and Applicants' management personnel to be contacted in the event of a spill. In the event of a reportable spill, Applicants shall comply with their spill prevention plan and applicable Federal, state, and local regulations pertaining to spill containment and appropriate clean-up.

3. TRANSPORTATION SYSTEMS

Grade Crossing Delay

VM 27 Applicants shall comply with the Voluntary Mitigation Agreement concluded with the City of Joliet, which among other things addresses delay at the public highway/rail at-grade crossings at Woodruff Road and Washington Street.

VM 28 Although Applicants have not identified any grade crossings, other than Woodruff Road and Washington Street, that would require mitigation under SEA's established standards, Applicants shall, upon request, cooperate with municipalities and counties in support of their efforts to secure funding, in conjunction with appropriate state agencies, for grade separations where they may be appropriate under criteria established by relevant state Department of Transportation. Applicants shall contribute their statutorily required amount of funding to the cost of the grade separation.

VM 29 Applicants shall examine train operations for ways of reducing highway/rail at grade crossing blockages,

VM 30 Applicants shall cooperate with the appropriate state and local agencies and municipalities to:

- Evaluate the possibility that one or more roadways listed in Table ES-1 could be closed at the point where it crosses the EJ&E rail line, in order to eliminate the at-grade crossing.

- Improve or identify modifications to roadways that would reduce vehicle delays by improving roadway capacity over the crossing by construction of additional lanes.

- Assist in a survey of highway/rail at-grade crossings for a determination of the adequacy of existing grade crossing signal systems, signage, roadway striping, traffic signaling inter-ties, and curbs and medians.

- Identify conditions and roadway, signal, and warning device configuration may trap vehicles between warning device gates on or near the highway/rail at-grade crossing.

- Cooperate with state and local agencies to develop and implement a plan to grade-separate the highway/rail crossing.

VM 31 Applicants shall install power switches along EJ&EW where Applicants determine that manual switches could cause stopped trains to block grade crossings for excessive periods of time and that power switches would increase the speed of rail traffic and reduce the likelihood of such blockages.

VM 32 In order to minimize the number of trains being stopped by operators at locations that block grade crossings on the EJ&EW system, Applicants shall work with other railroads to establish reasonable and effective policies and procedures to prevent other railroads' trains from interfering with Applicants' trains on EJ&EW.

VM 33 Applicants' design for wayside signaling systems shall be configured and implemented to minimize the length of time that trains or maintenance-of-way vehicles or activities occupy at-grade crossings or unnecessarily activate grade-crossing warning devices.

VM 34 Applicants shall install control signals ("A" block or absolute stop signals) at the ends of sidings, double track sections, crossovers, and other control switch locations (Applicants 2008a).

VM 35 Applicants shall operate under U.S. Operating Rule No. 526 (Public Crossings), which provides that a public crossing must not be blocked longer than 10 minutes unless it cannot be avoided and that, if possible, rail cars, engines, and rail equipment may not stand closer than 200 feet from a highway/rail at-grade crossing when there is an adjacent track (Applicants 2008a). If the blockage is likely to exceed this time frame, then the train shall then be promptly cut to clear the blocked crossing or crossings.

VM 36 Applicants shall develop and submit to SEA a report on frequency and duration of trains delay at crossing for a period covering the first three years of operational changes.

Commuter and passenger rail service

VM 37 Applicants shall abide by the commitment made to Amtrak in a letter dated March 10, 2008 concerning Amtrak's use of the St. Charles Air Line (Air Line). In general, the commitment allows Amtrak to remain indefinitely on the Air Line after CN's trains are re-routed from the Air Line onto the EJ&E rail line should the Proposed Action be approved and implemented, thereby preserving Amtrak's access to Chicago's Union Station and Amtrak's ability to continue to provide service to and from points such as Champaign and Carbondale, Illinois. Applicants shall abide by the commitment to capping the cost to Amtrak for maintaining the Air Line at the current level, indexed for inflation (Applicants 2008p).

VM 38 Applicants shall operate the key interlockings at West Chicago and Barrington, Illinois, according to the current agreements under which EJ&E operates. Those agreements require EJ&E to give priority to passenger trains over either UP or EJ&E freight trains (Applicants 2008k).

VM 39 Applicants shall work with Metra to explore all options for service on the proposed STAR Line, including use of the EJ&E rail line. The timing and implementation of STAR Line service remain subject to numerous variables, including securing government funding, but the Applicants are committed to continuing discussions with Metra on the STAR Line (Applicants 2008j).

VM 40 During and after construction, Applicants shall maintain the pedestrian tunnel from the Metra Park-n-Ride lot to the Metra train station on the east side of the Chicago Subdivision rail line at Matteson (Applicants 2008l).

VM 41 Applicants shall comply with any written and executed curfew agreements that are now in effect regarding operations affecting passenger or commuter train service.

Emergency vehicle delay

VM 42 Applicants shall notify Emergency Services Dispatching Centers for communities along the affected segments of all crossings blocked by trains that are stopped and may be unable to move for a significant period of time Applicants shall work with affected communities to minimize emergency vehicle delay by maintaining facilities for emergency communication with local Emergency Response Centers through a dedicated toll-free telephone number; and providing, upon request, dispatching monitors that allow Emergency Response Center dispatching personnel to see real-time train locations.,

VM 43 Applicants shall make Operation Lifesaver programs available to communities, schools, and other organizations located along the affected segments.

VM 44 For up to 3 years after acquisition by CN of the control of EJ&EW , Applicants shall provide Operation Lifesaver programs in Spanish, upon request.

Construction

VM 45 At least one month prior to initiation of Transaction-related construction activities, Applicants shall provide the information described below regarding Transaction-related construction of sidings, double-tracking, or connections, as well as any additional information, as appropriate, to fire departments and the Local Emergency Planning Commissions ("LEPC") for communities within or adjacent to the construction area:

- The schedule for construction throughout the project area, including the sequence of construction work relating to public grade crossings and approximate schedule for these activities at each crossing;
- A toll-free number to contact Applicants' personnel, to answer questions or attend meetings for the purpose of informing emergency-service providers about the project construction and operations; and
- Revisions to this information, including changes in construction schedule, as appropriate.

VM 46 In undertaking Transaction-related construction activities, Applicants shall use practices recommended by AREMA and recommended standards for track construction in the AREMA Manual for Railway Engineering.

VM 47 During Transaction-related construction concerning at-grade crossings, when reasonably practicable, Applicants shall consult with the appropriate state Department of Transportation regarding detours and associated signage, as appropriate, or maintain at least one open lane of traffic at all times to allow for the quick passage of emergency and other vehicles.

VM 48 Applicants shall minimize temporary road closures during construction activities associated with the connections and double track. Applicants shall manage construction schedules to:
- Minimize highway/rail at-grade crossing closures
- Relay highway/rail at-grade crossing closure schedules to local emergency service providers

4. LAND USE

General Land Use

VM 49 Before beginning construction activity, Applicants shall survey all suitable habitats potentially impacted by the construction activity for Federally- and state-listed threatened or endangered plant species. If any listed plant species are located,

Applicants shall implement a mitigation plan in consultation with the appropriate Federal and state agencies.

VM 50 If identified in the area, Applicants shall coordinate with USFWS-Indiana and The Nature Conservancy (TNC) to monitor effects on the Karner blue butterfly in the West Gary Recovery Unit.

VM 51 Applicants shall continue the existing agreements for Paul Ales Branch operation for the protection of the Federally-listed Hine's emerald dragonfly.

VM 52 Applicants shall identify suitable habitat for Franklin's ground squirrel within construction limits, and minimize mowing along the ROW beyond what is necessary for reasonable railroad maintenance and safety.

VM 53 Land areas that are directly disturbed by Applicants' Transaction-related construction and are not owned by the Applicants (such as access roads, haul roads, and crane pads) shall be restored to their original condition, as may be reasonably practicable, upon completion of Transaction-related construction.

VM 54 During construction, temporary barricades, fencing, and/or flagging shall be used in sensitive habitats to contain construction-related impacts to the area within the construction Right Of Way ("ROW"). Staging areas shall be located in previously disturbed sites and not in sensitive habitat areas.

VM 55 To the extent reasonably practicable, Applicants shall confine construction traffic to a temporary access road within the construction ROW or established public roads. Where traffic cannot be confined to temporary access roads or established public roads, Applicants shall make necessary arrangements with landowners to gain access from private roadways. The temporary access roads shall be used only during project-related construction. Any temporary access roads constructed outside the rail line ROW shall be removed and restored upon completion of construction unless otherwise agreed to with the landowners.

VM 56 During Transaction-related earthmoving activities, Applicants shall remove topsoil and segregate it from subsoil. Applicants shall also stockpile topsoil for later application during reclamation of disturbed areas along the ROW. Applicants shall place the topsoil stockpiles in areas that would minimize the potential for erosion and use appropriate erosion control measures around all stockpiles to prevent erosion.

VM 57 Applicants shall commence reclamation of disturbed areas as soon as reasonably practicable after Transaction-related construction ends along a particular stretch of rail line. The goal of reclamation shall be the rapid and permanent reestablishment of native ground cover on disturbed areas. If weather or season precludes the prompt reestablishment of vegetation, Applicants shall use measures such as mulching or erosion control blankets to prevent erosion until reseeding can be completed.

VM 58 Applicants shall limit ground disturbance to only the areas necessary for Transaction-related construction activities.

VM 59 Applicants shall review the limits of land disturbance prior to construction to determine whether any U.S. Department of Commerce, National Geodetic survey monuments (that is, a government owned permanent survey marker) would be disturbed. If any survey monuments would be disturbed, Applicants shall give a 90-day notification to the U.S. Department of Commerce.

VM 60 Applicants shall consult with the appropriate state, county personnel, Forest Preserve and trail managers prior to construction activities on state land and shall flag the boundaries of the ROW.

VM 61 Applicants shall notify the trail managers of new construction that intersects trails during final design. Where possible, Applicants shall maintain access to all existing trails, greenways, and scenic corridors during construction. If temporary trail closures are required during construction, Applicants shall provide appropriate signage to detour pedestrian and recreational trail users to a safe alternate route.

VM 62 Before construction of the Applicants' Proposed Munger Connection adjacent to the Pratt's Wayne Woods Forest Preserve, Applicants shall flag the boundaries of the CN ROW, the EJ&E ROW, and the portion of the Commonwealth Edison ROW required for construction. Applicant shall remain within the flagged boundaries. Unless agreed by the Forest Preserve Management, no construction shall take place outside of the flagged construction area. Where possible, Applicants shall maintain access during construction activities to all existing roads, trails, and facilities within the Pratt's Wayne Woods Forest Preserve.

VM 63 Applicants shall require contractors to dispose of waste generated during Transaction-related construction activities in accordance with all applicable Federal, State, and local regulations.

Community Outreach

VM 64 Prior to initiation of Transaction-related construction activities, Applicants shall name a Community Liaison to: consult with affected communities, businesses, and agencies; seek to develop cooperative solutions to local concerns regarding construction activities; be available for public meetings; and conduct periodic public outreach regarding Transaction-related construction activities. The Community Liaison shall be available to consult with businesses and agencies until all Transaction-related construction activities are complete. Applicants shall provide the name and phone number of the Community Liaison to mayors and other appropriate local officials in each community where Transaction-related construction activities will occur.

VM 65 Applicants shall continue their ongoing community outreach efforts by maintaining, throughout the period of construction of Transaction-related sidings, double-track, and connections, a website about the construction.

Residential

VM 66 Applicants' Transaction-related construction vehicles, equipment, and workers shall not access work areas by crossing residential properties without the permission of the property owner or occupant.

Business and Industrial

VM 67 Applicants' Transaction-related construction vehicles, equipment, and workers shall not access work areas by crossing business or industrial areas, including parking areas or driveways, without advance notice to the business owner.

VM 68 Applicants shall work with affected businesses or industries to appropriately redress Transaction-related construction activity issues affecting any business or industry.

VM 69 To the extent reasonably practicable, Applicants shall ensure that entrances and exits for businesses are not obstructed by Transaction-related construction activities, except as required to move equipment.

State Lands

VM 70 Applicants shall consult with the General Land Office ("GLO") of Illinois to coordinate an Easement Agreement for crossing State-owned parks to reach Transaction-related construction areas.

Utility Corridors

VM 71 Applicants shall make reasonable efforts to identify all utilities that are reasonably expected to be materially affected by the proposed construction within their existing ROW or that cross their existing ROW. Applicants shall notify the owner of each such utility identified prior to commencing Transaction-related construction activities and coordinate with the owner to minimize damage to utilities. Applicants shall also consult with utility owners to design the rail line so that utilities are reasonably protected during Transaction-related construction activities.

VM 72 Applicants shall use the services of a qualified pipeline engineering firm that is familiar with the project area to assist in the identification of the various pipeline crossings and to assist in the design of crossings as necessary for Transaction-related construction activities.

5. AIR QUALITY

VM 73 Applicants shall accelerate implementation of EPA locomotive emissions reduction efforts by installing idling control systems on their switching locomotives assigned to the Chicago area and shall accelerate replacement of switching locomotives that are excluded from EPA emission standards and are now in service at Chicago-area yards that will experience increased yard activity as a result of the Transaction with locomotives that are compliant with EPA Tier 0 or more stringent emission standards.

VM 74 Applicants, to the extent reasonably practicable, shall adopt efficient fuel saving practices that may include a range of operating practices that will help reduce locomotive emissions, such as shutting down locomotives when not in use and when temperatures are above 40 degrees.

VM 75 To minimize fugitive dust emissions created during Transaction-related construction activities, Applicants shall implement appropriate fugitive dust suppression controls, such as spraying water or other approved measures. Applicants shall also regularly operate water trucks on haul roads to reduce dust.

VM 76 Applicants shall work with their contractors to make sure that construction equipment is properly maintained and that mufflers and other required pollution-control devices are in working condition in order to limit construction-related air emissions.

6. NOISE AND VIBRATION

VM 77 Applicants shall work with affected communities that have sensitive receptors that would experience an increase of at least 5 dBA and reach 70 dBA to mitigate train noise to levels as low as 70 dBA by cost effective means as are agreed to by an affected community and Applicants. In the absence of such an agreement, Applicants shall implement cost effective mitigation that could include such measures as (1) constructing noise control devices such as noise barriers, (2) installing vegetation or berming, or (3) installing, or providing funding for installation of, enhanced warning devices in order to provide the level of warning necessary to allow the community to request a waiver from Federal Railroad Administration (FRA) of the requirement to sound the horn and achieve quiet zone requirements.

VM 78 Applicants shall consult with affected communities and work with their construction contractors to minimize, to the extent reasonably practicable, construction-related noise disturbances near any residential areas.

VM 79 Applicants shall work with their construction contractors to maintain Transaction-related construction and maintenance vehicles in good working order with properly functioning mufflers to control noise.

VM 80 In addition to the development of other noise mitigation measures, Applicants shall consider lubricating curves where doing so would both be consistent with safe and

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efficient operating practices and significantly reduce noise for residential or other noise sensitive receptors. Applicants shall also continue to employ safe and efficient operating procedures that, in lieu of, or as complement to, other noise mitigation measures can have the collateral benefit of effectively reducing noise from train operations. Such procedures include:

- inspecting rail car wheels to maintain wheels in good working order and minimize the development of wheel flats;
- inspecting new and existing rail for rough surfaces and, where appropriate, grinding these surfaces to provide a smooth rail surface during operations;
- regularly maintaining locomotives, and keeping mufflers in good working order; and
- removing or consolidating switches determined by Applicants to no longer be needed.

VM 81 To minimize noise and vibration, Applicants shall install and maintain rail and rail beds according to AREMA standards.

VM 82 Applicants shall comply with FRA regulations establishing decibel limits for train operations.

VM 83 Applicants shall install or relocate a Wheel Impact Load Detector (WILD) on the EJ&E rail line within three years of acquisition by CN of the control of EJ&EW.

7. BIOLOGICAL RESOURCES

VM 84 For impacts to non-jurisdictional isolated wetlands habitat along the new line, Applicants shall survey the route to determine if the Hines Emerald Dragonfly is present along the ROW.

VM 85 Upon consultation with U.S. Fish and Wildlife Service, should the Hines Emerald Dragonfly be observed on the site of Transaction-related construction activities, Applicants shall implement appropriate measures prior to and during construction to reduce or eliminate impacts on the Hines Emerald Dragonfly.

VM 86 Prior to initiating Transaction-related construction activities, Applicants shall consult with the local offices of the Natural Resource Conservation Service ("NRCS") to develop an appropriate plan for restoration and re-vegetation of the disturbed areas (including appropriate seed mix specifications).

VM 87 During construction activity, Applicants shall take reasonable steps to ensure contractors use fill material appropriate for the project area.

VM 88 Applicants shall, to the extent reasonably practicable, revegetate the bottom and sides of the drainage ditches using natural recruitment from the native seed sources in the stockpiled topsoil.

8. WATER RESOURCES

VM 89 In the case where there is a potential for a railroad drainage ditch to influence wetland hydrology, Applicants shall construct low permeability clay berms (wetland berms adjacent to the drainage channels that would be proximal to the isolated wetlands). These berms would minimize the impact to surface water drainage from the proposed drainage ditch.

VM 90 Applicants shall compensate in accordance with USACE regulations in both Illinois and Indiana for wetland impacts that cannot be avoided and for impacts that are determined by USACE to be on waters of the U.S. for construction related to the proposed action.

VM 91 Applicants shall maintain drainage ditches as permanent vegetated swales to provide storm water retention and treatment. Removal of accumulated sediments shall be conducted only as necessary to maintain storm water retention capacity and function.

VM 92 To minimize sedimentation into streams and waterways during construction, Applicants shall use best management practices, such as silt fences and straw bale dikes, to minimize soil erosion, sedimentation, runoff, and surface instability during project-related construction activities. Applicants shall seek to disturb the smallest area possible around any streams and shall conduct reseeding efforts to ensure proper revegetation of disturbed areas as soon as reasonably practicable following Transaction-related construction activities.

VM 93 In order to control erosion, Applicants shall establish staging and lay down areas for Transaction-related construction material and equipment at least 300 feet from jurisdictional waters of the United States and in areas that are not environmentally sensitive. Applicants shall not clear any vegetation between the staging area and the waterway or wetlands. To the extent reasonably practicable, areas with non-jurisdictional isolated waters will not be used for staging and lay down and will only be impacted when necessary for construction. When Transaction-related construction activities, such as culvert and bridgework, require work in streambeds, Applicants shall conduct these activities, to the extent reasonably practicable, during low-flow conditions.

VM 94 During Transaction-related construction activities, Applicants shall require all contractors to conduct daily inspections of all equipment for any fuel, lube oil, hydraulic, or antifreeze leaks. If leaks are found, Applicants shall require the contractor to immediately remove the equipment from service and repair or replace it.

VM 95 Applicants shall employ best management practices to control turbidity and disturbance to bottom sediments of surface waters during Transaction-related construction. Applicants shall implement best management practices in wetlands or other waters of the United States to avoid adverse downstream impacts on fish, mussels, and other aquatic biota.

VM 96 Applicants shall implement their current noxious weed control program during construction and operation of Transaction-related sidings, double-track, and connections. All herbicides used by Applicants shall be approved by the U.S. EPA.

VM 97 Applicants shall ensure that any herbicides used in ROW maintenance to control vegetation are approved by the U.S. EPA and are applied by licensed individuals who shall limit application to the extent necessary for rail operations. Herbicides shall be applied so as to prevent or minimize drift off of the ROW onto adjacent areas.

VM 98 During construction, Applicants shall prohibit Transaction-related construction vehicles from driving in or crossing streams at other than established crossing points.

VM 99 Applicants shall, to the extent reasonably practicable, ensure that any fill placed below the ordinary high water line of wetlands and streams is appropriate material selected to minimize impacts to the wetlands and streams. All stream crossing points shall be returned to their pre-construction contours to the extent reasonably practicable and the crossing banks will be reseeded or replanted with native species immediately following project-related construction.

VM 100 Applicants shall obtain a National Pollutant Discharge Elimination System ("NPDES") storm water discharge permit from U.S. EPA or appropriate State agencies for Transaction-related construction activities.

9. MONITORING AND ENFORCEMENT

VM 101 Applicants shall submit quarterly reports to SEA on the progress of, implementation of, and compliance with the mitigation measures for a period covering the first three years of operational changes.

Part 2 – Applicants' Comments on the Draft Environmental Impact Statement

I. Preface & Background

A. Preface

CN welcomes this opportunity to Comment on the DEIS. It offers this preface to put its comments in perspective.

There is no real question that the CN/EJ&EW Transaction[5] would further the public interest in meeting important national and regional transportation needs and improving the economy. The most significant question in this proceeding has become whether the Transaction will "survive" the length of the Board's environmental review.

At the outset, that seemed to be an easy question. The Transaction is a simple one – the acquisition of 158 route miles of operating railroad. It would have two principal sources of environmental impacts: 1) the shifting of trains from CN lines to under-utilized EJ&E lines (a shift that, as railroads respond to Chicago's rail congestion, might occur without the Transaction and without regulatory review); and 2) the construction of facilities not otherwise subject to the Board's jurisdiction to better accommodate those additional trains. And CN entered upon the Transaction ready and willing to mitigate all environmental impacts that might be reasonably attributed to the Transaction under the Board's existing standards for measuring and mitigating such impacts. CN was prepared for serious environmental review.

Thus, when the Board determined to conduct its first EIS for a "minor" transaction, CN agreed, without waiving any rights, to assist and fund the Board's EIS on the very reasonable

[5] Applicants incorporate by reference the short forms and abbreviations set forth in the Table of Abbreviations at CN-2 at 8-11.

assumption that the Board could readily complete the "hard look" it had undertaken with regard to the Transaction in time for CN to consummate the Transaction before the end of 2008. CN therefore saw little risk that the EIS would ultimately threaten termination of the Transaction at year's end under CN's Stock Purchase Agreement with EJ&E.

The Board, however, did not do what was necessary, as required by Congress and Supreme Court precedent, to conduct an expeditious and disciplined review process. Instead, the Board embarked on a review that may, in proportion to the substantive environmental issues presented, be the most time-consuming and expensive in the agency's history. The study is expected to cost $20 million or more just for SEA's consultants; the preparation of the DEIS alone consumed, for every route-mile of railroad being acquired, about $79,000.00 in consultant fees and 422 consultant hours.

In the course of this study, when it became clear that the Transaction might be at risk by virtue of delay, the Board rejected CN's requests for either an expedited process to allow the closing of the Transaction by year's end, or if expedition was beyond the Board's capacity, a bifurcated process that would allow the closing of the Transaction by year's end and the protection of the environmental status quo until the Board completed its environmental review. As a result, there is now a very real risk that the Transaction will be terminated before the Board's has finished its review.

While many legitimate concerns were raised in good faith about the Transaction prior to the DEIS, no one explicitly identified any matters that, in light of the Board's prior experience, could have warranted such an expenditure of money and time. The draft and final scope of study for the EIS took a long time to develop, but both were conventional. They presented no significant issues that had not been encountered by the Board or its consultants in the past. And

they required the consultants working under the Board's supervision to employ no science, methodologies, or technology that were not readily available to professional evaluators of environmental impacts. This was very familiar territory to an agency that had conducted many inquiries into the impacts of train operation and railroad construction on the environment.

With the production of the DEIS, however, it became clear that the extraordinary length and cost of the Board's process was almost entirely attributable to its response to the controversy over the Transaction's potential impacts that had been generated[6] by a number of opposing communities along the EJ&E. And that reaction appears also to have influenced the substance of the DEIS. Where controversy has been greatest, the DEIS appears to reflect more a reaction to that controversy than to an independent, professional environmental review.

Thus, the DEIS departs from established practice and precedent to include certain assessments that have little real basis in science, logic, or economics, that lack reasonable proportion or perspective, and have no predicate in law or generally applicable public policy. This is most obvious with respect to the increased delay at railroad grade crossings that would accompany a shift of trains from other lines to the EJ&EW. There, the DEIS appears to have abandoned rigorous objectivity with respect to the matters warranting study, the vehicle traffic data used to support its analyses, the proper measure of impacts that require mitigation, and the proper allocation of the cost of mitigation, and gives short shrift to the beneficial impacts of the Transaction on the majority of the impacted population in the region. In short, the DEIS's assessment of a few controversial subjects, is unreasonable.

The basis for CN's concerns about the impact of controversy on the DEIS process is well illustrated by the opposition of the Village of Barrington, Illinois, an affluent suburb of some

[6] *See e.g.*, CN-39 at 3.

10,000 residents located along the EJ&E. Barrington has been among the most vocal of the opponents of the Transaction, and its well-funded activism appears to have influenced the Board's approach to the Transaction in ways that are not necessarily in the broad public interest.

The village is traversed by the lines of EJ&E and UP and currently experiences about 60 freight and commuter trains a day on the UP line, and about 5 trains per day on EJ&E. After the Transaction, CN proposes to run an additional 13 trains a day through the village – for a total of approximately 18 trains per day over the EJ&E line. These 13 new trains would be about 17% of the total trains experienced daily by the citizens of Barrington.

From Barrington's reaction to these 13 new trains per day, one would never guess that what is at issue is an average delay of a few seconds a month for the average motorist using a railroad crossing. Yet, in an effort to whip up opposition and influence the Board's adjudicatory process, village leaders have characterized these impacts essentially as threatening to end life as it is now known in Barrington. The village president refers to the proposed Transaction, apparently without any irony, as "the greatest challenge we have ever faced."[7]

These efforts to influence the Board's focus in its environmental review appear to have had a profound impact. For example, the review process paid scant attention to the benefits of the Transaction to the many communities inside the EJ&E arc or to issues of environmental justice.[8]

There are many communities that now experience the trains that CN would like to shift to the EJ&E at traffic levels equivalent to those that communities along the EJ&E would experience

[7] Press Release, President Darch Gives State of the Village 2008 (May 19, 2008), http://www.ci.barrington.il.us/News/NewsReleaseDetail.asp?ID=232.

[8] C. Berry and E. Bueno de Mesquita, "Stalemate over Rail Plan Reflects Failure of Political Leadership," *available at* http://media1.dailysouthtown.com/multimedia/berrymesquitacn.pdf_20080911_13_16_26_47.imageContent.

if the Transaction were approved. For example, Harvey, in southern Cook County, has a population of 30,000 with a median income of roughly $32, 000. Harvey has 9 grade crossings on CN's line through the center of its town and CN proposes to reduce train traffic on that line from 15 trains a day to 1 train a day – a reduction almost directly equivalent to the increase in traffic through Barrington. According to calculations submitted to SEA by CN, Harvey will see a reduction in average delay per vehicle which almost exactly matches the average increase in delay per vehicle for Barrington.

Yet, reading the DEIS, one would be hard pressed to find any detailed discussion of this benefit and like benefits to the many citizens who would be positively affected by the Transaction. These citizens number far more than those who would be negatively affected. While the Board sponsored 6 scoping meetings and 7 open houses at communities along EJ&E, it made no attempt to reach out to the people of Harvey and similarly situated communities to solicit their input on the Transaction. Yet the need for such an assessment was obvious, as shown by Exhibit 1.

The lack of perspective in the DEIS concerning reciprocal benefits seems contrary to the purposes of NEPA. NEPA was not intended to be a tool to be used to prevent change that has demonstrable economic, environmental, and social benefits for the region generally and for minorities and other environmental justice communities in particular.

Fortunately, all of this is merely prologue to the next step in the process ordained by the Board. There is no requirement in NEPA or any other law or policy for the Board to continue to bend its standards in the face of controversy. The Board should revert to its prior standards and expeditiously produce an FEIS based on solid law, science, reason, and economics from a balanced perspective, informed by generally applicable public policies. Given the SEA's well-

established professional capacities, and proper Board direction, this should not be a difficult matter.

The good news is that most of the analyses conducted for the DEIS were not distorted by reaction to controversy and are reasonable. CN accordingly has generally endorsed and accepted, as part of its comprehensive Voluntary Mitigation Plan much of the analyses and mitigation recommended in the DEIS.

With respect to matters where the DEIS appears to be most affected by controversy, CN has made an effort to determine, and reflect in this response what a reasonable approach would indicate. It has sought to supply the most accurate data, to take into account the overall environmental impacts, and to use well-established indicators of impact, the need for mitigation, and the proper allocation of the costs of mitigation. On that basis, even though the Transaction will produce environmental impacts that, on a regional basis, are almost entirely positive, CN continues to stand by its commitment to voluntarily provide mitigation of all impacts at levels that would meet or exceed the Board's prior standards for impact analysis, prescription of mitigation, and sharing of mitigation costs.

Contrary to the early judgments of some observers, all of the environmental impacts that the Board has previously required to be mitigated can be reasonably mitigated here, albeit at great expense. This is reflected in CN's new Voluntary Mitigation Program, revised to reflect the DEIS and CN's own revised analyses, which would cost roughly $60 million -- a proportion of the Transaction's cost that is unprecedented in STB history.

Where there are real problems – such as at the two crossings in Joliet where the level of service would have been reduced to what has previously been recognized as an unacceptable level – CN has already agreed to mitigate them. Where other communities would be interested

in a grade separation, CN has already agreed to work with them to identify sources of funding and has committed to paying its fair share as established under long-standing practice and legal requirements. Where noise levels would exceed SEA's established levels for mitigation, and where CN is unable to reach a mitigation agreement with a community, it has agreed to work with the community to implement cost-effective mitigation.

CN cannot reasonably be expected to pay for mitigation imposed in response primarily to controversy. CN, however, fully recognizes that reasonable parties may differ as to the best approach to these matters. It continues to be willing to accept other mitigation proposed by the Board so long as the mitigation is reasonable, in light of sound science, logic and economics, and generally applicable public policies. It looks forward to working with the affected communities to implement all reasonable mitigation imposed by the Board's final EIS.

B. SEA's comprehensive assessment of the environmental impacts of the proposed transaction generally satisfies the requirements of NEPA and the Board's environmental regulations.

In preparing the five-volume Draft Environmental Impact Statement ("DEIS") for the proposed acquisition of EJ&E West Company ("EJ&EW") by Applicants Canadian National Railway Company and Grand Trunk Corporation (together, "CN" or "Applicants"),[9] SEA examined the potential environmental impacts of the Transaction with a level of scrutiny unprecedented in a "minor" control proceeding. As reported in the DEIS, that examination clearly took a "hard look" at the potential environmental impacts of the Transaction, and comprehensively addressed every environmental issue that the Board would be required to

[9] Applicants hereby incorporate by reference the short forms and abbreviations set forth in the Table of Abbreviations at CN-2 at 8-11.

analyze in satisfaction of its obligations under NEPA,[10] assuming it applies.[11] The DEIS accordingly provides a solid basis for expeditious completion of the environmental review, publication of the Final Environmental Impact Statement ("FEIS"), and issuance by the Board of a decision on the merits.

C. CN generally agrees with the factual analysis undertaken by SEA.

The DEIS supports the conclusion that in many respects the Transaction would have minor impacts, and in some cases would produce substantial environmental benefits. For virtually every adverse impact caused by increased train traffic on the EJ&E arc, the Transaction would cause a countervailing benefit from reduction of train traffic on lines used by CN through Chicago. For example, the DEIS recognizes that the Transaction would lead to region-wide decreases in freight rail accidents (8%), DEIS at 4.2-4, and highway/rail at-grade crossing accidents (9%), DEIS at 4.2-17. And because the communities adjacent to the lines with reduced traffic are more densely populated than those on the lines with increased traffic, the number of residents benefited is greater than those who would experience adverse environmental effects. Thus, the Transaction should be regarded as causing a net environmental benefit. This is true even without considering such factors as how increased rail capacity would make it more likely that any increases in freight traffic in the Chicago area would move on trains rather than trucks, which are acknowledged to cause greater environmental harm, because of higher fuel consumption and higher emissions of air pollutants per unit of freight transported.

[10] In fact, it might be argued that the analysis was far more extensive than NEPA would require for this relatively small transaction.

[11] On September 18, 2008, CN filed in the United States Court of Appeals for the D.C. Circuit a petition for a writ of mandamus making a legal challenge to the Board's application of NEPA. *In re Canadian Nat'l Ry.*, No. 08-1303 (D.C. Cir. Sept. 18, 2008). *See also* CN's assessment of the applicability and requirements of NEPA, discussed below in Section V.

Even in cases where the DEIS does not cite environmental benefits, it recognizes that the Transaction would have either no effect or no significant adverse impact (*e.g.*, commuter capacity and passenger rail service (*id.* at 4.1-41—4.1-49); intercity passenger rail service (*id.* at 4.1-50–4.1-51); rail operations (*id.* at 6-12); passenger rail safety (*id.* at 6-15); navigable waterways (*id.* at 6-22); airports (*id.* at 4.3-91); hazardous waste sites (*id.* at 6-23); prime farmland (*id.* at 4.5-1); socioeconomics (*id.* at 6-23); environmental justice (*id.* at 6-23); energy use (*id.* at 4.8-7); air quality (*id.* at 4.9-30); climate (*id.* at 4.9-31); wildlife (*id.* at 6-25); and other biological resources (*id.* at 4.11-26); floodplains and streams (*id.* at 4.12-7, 4.12-8); surface water quality; wetlands (*id.* at 4.12-7); and cultural resources (*id.* at 6-26)). Where the Transaction might lead to significant adverse impacts, the DEIS indicates that effective mitigation is possible. *See, e.g.*, *id.* at 4.4-4 (adequate procedures can mitigate impact to hazardous waste sites from construction).

CN agrees with these important conclusions, but believes that in many cases the true benefits of the Transaction – which must be weighed against its adverse impacts – are much greater than indicated in the DEIS. Additionally, CN takes exception to SEA's treatment of a relatively small number of issues, as described in more detail below. It appears that in some cases, portions of the DEIS are based on flawed data or faulty assumptions, thereby over-estimating the potential negative impacts and under estimating the potential positive impacts. In other cases, SEA proposes mitigation that might not be warranted if more accurate or relevant data and assumptions were used.

Subject to the modifications proposed by CN below, the DEIS provides a solid foundation for the Final Environmental Impact Statement ("FEIS"). In preparing the FEIS, SEA should carefully consider what recommendations for mitigation are factually warranted, within

the legal purview of the Board, and consistent with the appropriate balance of public benefits and interests related to this Transaction.

D. Given the substantial thoroughness of the DEIS and the goals of NEPA, SEA should complete its environmental review in time to permit a final decision by the Board that would be effective by December 31.

Despite the substantial and continuing opposition to the Transaction, the DEIS confirms that the impacts are neither unusual nor greater than those in previous railroad control proceedings. Even under some of the unwarranted or questionable assumptions made by SEA (including in some instances unreasonably altering the Board's established standards for mitigation, which are based on defensible criteria), few impacts exceed the established or new thresholds applied by SEA. Given the overall thorough job SEA did in preparing the DEIS and the superficial nature of most of the critical comments offered to date, there is no apparent reason why SEA should not complete its review in time to allow CN to close on the Transaction by the end of the year.

If, however, SEA determines that, despite the thoroughness of the study it has thus far made of the Transaction, yet further analysis of specific environmental effects is needed, then this requirement should not cause action on the Application to be delayed past December 31. The Board should instead act promptly on the Application, and assuming it finds that the Transaction otherwise qualifies for approval, condition that approval on CN's submitting to such additional environmental analysis as may reasonably be required, and to such reasonable further mitigation as the study indicates is necessary.[12]

[12] *Cf. Union Pacific Corp. – Control & Merger – Southern Pacific Rail Corp.*, 1 S.T.B. 233 (1996) (approval of major transaction conditioned on further study to determine appropriate mitigation of localized environmental impacts in Reno and Wichita; applicants required to

II. CN's Outreach & Mitigation Agreements

A. CN's outreach efforts

CN has reached out to all potentially affected communities along the EJ&E line, and has offered reasonable measures to mitigate adverse environmental impacts of the Transaction. CN has already been able to reach a significant mutually acceptable agreement with one community, and is actively negotiating with others. CN remains willing to negotiate with any community that seeks to do so in good faith.

A.1 CN has sought to enter into agreements with all other communities on the EJ&E lines to provide reasonable mitigation of adverse environmental impacts potentially resulting from Transaction-related increases in rail traffic.

CN's outreach process began when CN and USS announced the Transaction in September 2007. CN contacted officials in communities along the line, offering briefings and other information on the Transaction. Prior to the scoping process, CN held at least 23 meetings with 14 of these communities, as well as with officials from DuPage, Will, Cook, and Lake counties.

Upon completion of the scoping meetings held by SEA earlier this year to receive comments on the scope of study of the proposed environmental impact statement, CN launched its formal community outreach program. A dedicated team of senior CN officers, along with environmental experts retained specifically for this purpose, offered to meet with any community along the EJ&E line to identify their environmental concerns associated with increased train traffic and to negotiate a voluntary mitigation agreement to address those concerns. Since SEA's

maintain environmental status quo pending completion of study and determination of mitigation), *aff'd sub nom. Western Coal Traffic League v. STB*, 169 F.3d 775 (D.C. Cir. 1999).

scoping meetings, CN officials have met with officials of 31 of the 33 communities[13] along the EJ&E line in connection with this initiative, with more than 80 meetings to date, along with numerous communications by telephone, e-mail, and letter. Discussions with the communities are at varying stages. CN has also held two "emergency response" seminars covering 12 towns in Will and Lake counties.

Any agreements that are signed as a result of this outreach process will be written to take effect upon CN's implementation of the Transaction, pursuant to a Board decision approving CN's application. CN is willing to have the Board's approval of the application be conditioned on CN's adherence to these agreements in lieu of any location-specific environmental conditions which the Board might otherwise impose.

A.2 CN has reached a mutually acceptable agreement that provides reasonable mitigation for the city of Joliet.

CN has successfully negotiated a settlement agreement with the City of Joliet, which was submitted to SEA on August 26, 2008, and which addresses all of Joliet's concerns regarding the environmental impacts of the Transaction, including delay at crossings on Washington Street and Woodruff Road, which the DEIS identified as potential candidates for mitigation. CN requests that the terms of the agreement be imposed as a condition in lieu of other location-specific mitigation SEA may otherwise impose.

III. The DEIS correctly identified alternatives to the proposed Transaction.

SEA identified two alternatives to approval of the Application (described in the DEIS as the "Proposed Action"). The first is approval of the Application with conditions, including

[13] Officials from Long Grove and Deer Park have declined to meet with CN.

environmental mitigation conditions, and the second is the "No-Action" alternative, which CEQ regulations require be examined in any EIS.[14] SEA appropriately omitted other alternatives that were suggested to it in the scoping process.

SEA properly discounted the Chicago Region Environmental And Transportation Efficiency Program ("CREATE") as an alternative to the Transaction, on the grounds that CREATE would not meet the Transaction's purposes of giving CN control of its own route around Chicago, giving CN access to EJ&E's Kirk and East Joliet Yards, and allowing CN to benefit from the supply line provided by EJ&E to various industries it now serves, including the steel, chemical, and petrochemical industries. But the most fundamental reason that CREATE is not an adequate alternative to the Transaction is that the one goal of the Transaction that CREATE has the potential to address – the reduction of congestion that slows down CN's trains (and others) within Chicago – cannot be realized if the elements of CREATE that benefit CN are not financed and implemented.

Its founders originally estimated in 2003 that CREATE would cost approximately $1.53 billion, with the rail participants collectively to contribute $232 million to pay for the estimated railroad benefits of the Project, and the remainder to be funded from federal, state, and local sources to pay for the Project's public benefits, including grade separations.[15] CN was the only railroad participating in CREATE that would be required to relocate its operations through

[14] 40 C.F.R. § 1502.14(d). CEQ has explained that consideration of the No-Action alternative is required even in cases (such as this one, *see* 49 U.S.C. § 11324(d) and discussion in section V.B., below) where "the agency is under a . . . legislative command to act." Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, 46 Fed. Reg. 18,026, 18,037 (1981) ("Forty Questions").

[15] *See, e.g.*, Joint Statement of Understandings Regarding the Proposed CREATE Project, Section II.6 (June 13, 2003), Chicago Region Environmental And Transportation Efficiency Program, Final Feasibility Plan 25 (Aug. 2005) ("CREATE Feasibility Plan"), *available at* http://www.createprogram.org/pdf/final_feasibility_plan.pdf.

Chicago to a new route to be constructed as part of the CREATE project. CN agreed to contribute $63.4 million toward the rail assets (rail, ties, ballast, and signals) required for the construction of that route, called the Central Corridor.[16] It was understood by the participants in the project that the railroads' financial contributions and their continuing participation were dependent upon full authorization and availability of the public funds required for the project.[17]

In 2005, however, in the SAFETEA-LU legislation,[18] Congress authorized significantly less federal funding for CREATE than its proponents had sought. The lower funding provided would enable only a very limited partial implementation of CREATE in the upcoming years, and, with continued funding uncertainties, leaves realization of the remainder of the project – including construction of a new CN Central Corridor route through Chicago – in serious question.

Thus, the availability of CREATE as an alternative to the Transaction is something that CN – or the Board – cannot count on in the near term or intermediate future, which means it is not presently able to satisfy any of CN's purposes in entering the proposed Transaction. The Transaction, on the other hand, could start meeting those purposes immediately upon approval by the Board.

[16] Under CREATE, the railroads would only be required to pay for those improvements that would actually benefit their operations, and thus the public, not the railroads, would be responsible for paying for grade separations in connection with the project. *See, e.g.*, CREATE Feasibility Plan at 25. This is true even though construction of the Central Corridor would have substantial environmental impacts on the adjacent communities, including the taking and demolition of local residences.

[17] CREATE Feasibility Plan at 9, 15 ("Except as provided in Section IV hereof [regarding $2.5 million to be provided for additional engineering], the Railroad Financial Contribution to the Project shall be contingent upon a binding commitment that establishes the availability, on terms and conditions satisfactory to the Participating Railroads, of all Additional Funding and of third-party properties necessary to complete the entire Project.").

[18] Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), Pub. L. No. 109-59, § 1301(m), 119 Stat. 1144, 1203 (2005).

Moreover, as neither CN nor the Board is in any position to implement CREATE, NEPA does not require its consideration as an alternative to CN's application. *See Envtl. Law & Policy Ctr. v. Nuclear Regulatory Comm'n*, 470 F.3d 676, 684 (7th Cir. 2006) (reasonable for agency to conclude that NEPA does not require consideration of alternatives that applicant is in no position to implement). And, as CN is a private applicant for a federal license, the Board can "accord substantial weight to the preferences of the applicant" because Congress, in drafting NEPA, "did not expect agencies to determine for the applicant what the goals of the applicant's proposal should be." *City of Grapevine v. Dep't of Transp.*, 17 F.3d 1502, 1506 (D.C. Cir. 1994) (quoting *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190 (D.C. Cir. 1991)) (quotations omitted). Under NEPA, there is therefore no legal requirement for SEA to consider CREATE as an alternative.

SEA also properly rejected the vague suggestions of other commenters that construction of an outer rail bypass at some unspecified location should have been examined as an alternative to the Transaction. As SEA has observed, DEIS at 2-69, construction of a bypass would have much more damaging environmental impacts than the proposed Transaction, because it would require creation of a new right-of-way over potentially hundreds of miles far outside Chicago. Proponents of building a Chicago rail bypass further west have not provided the slightest indication of where it might be built (*i.e.*, in who else's back yard), how long it would be, how disruptive its construction would be, how long it would take before trains could use it, or, significantly, how much it would cost. Wherever it was proposed, the residents, businesses, and landowners in the affected communities could be expected to protest at least as vigorously as the much smaller number of people affected by the construction of DM&E's proposed new rail line into the Powder River Basin.

IV. Comments on specific "Environmental Resource Categories" addressed in the DEIS.

A. Rail Operations

CN generally concurs with SEA's assessment that the Transaction would have limited impacts on freight and passenger rail operations on the affected segments. However, CN wishes to respond to (1) SEA's characterization of the Suburban Transit Access Route ("STAR") Line, now under consideration by Metra, as "reasonably foreseeable" (DEIS at 4.1-39), requiring examination of the potential impacts of the Transaction on that project in connection with CN's proposed rail operations; (2) comments that have been made by opponents to the Transaction, to the effect that local communities would be devastated by the frequent passage of trains of 10,000 feet in length; and (3) comments that CN's traffic projections are unrealistically low.

A.1 Metra's proposed STAR Line project is not reasonably foreseeable.

In past environmental review proceedings, SEA and the Board have evaluated the impacts of proposed transactions on "reasonably foreseeable commuter rail inception or expansion plans (i.e., where capital improvements are planned, approved, and funded)." Notice of Final Scope of Environmental Impact Statement, *CSX Corp. – Control & Operating Leases/Agreements – Conrail Inc.*, STB Finance Docket No. 33388, slip op. at 5 (STB served Oct. 1, 1997). In this proceeding, however, SEA has deviated from its past practice in order to describe the impacts of the Transaction on the STAR Line, but provides no justification for this change in policy.[19] At the same time, however, the DEIS itself provides evidence of how speculative the proposed service is (DEIS at 4.1-45).

[19] *Cf. Bowen v. Georgetown Univ. Hosp.*, 488 U.S. 204, 209-13 (1988) (agency may not retroactively revise rule absent express authority).

The STAR Line is not "reasonably foreseeable" for at least three basic reasons. First, the threshold Alternatives Analysis under the Federal Transit Administration's New Starts program has not been completed, and the STAR Line has thus not yet been determined to be the preferred alternative to carry out the planned service so as to qualify for federal funding. Second, funding for the STAR Line is not complete. Metra's website notes that it is "currently seeking funding under the latest transportation bill" and that "state money will be a necessary component of the overall funding package."[20] Neither the Illinois legislature nor Illinois DOT has taken any steps toward funding the STAR Line. Implementation of the STAR Line, in the absence of the CN/EJ&EW Transaction, is, thus, far from "reasonably foreseeable," and should be regarded by SEA as at best speculative.

In any event, those who have attacked the Transaction as likely to kill the STAR Line are mistaken. As noted above, it is not at all certain that Metra's proposed service would ever come to life, whether or not the Transaction were implemented. In fact, CN's voluntary mitigation plan includes a commitment to "work with Metra to explore all options for service on the proposed STAR Line, including use of the EJ&E rail line" (VM 39) According to Philip Pagano, the executive director of Metra, while it would be easier to implement the STAR Line without CN running on EJ&E, he believes that Metra can "co-exist[] on a rail line with both freight and commuter traffic" and can do so "at a reasonable price."[21] Additionally, Metra has a long history of working cooperatively with freight railroads, including CN, which already shares two of its existing lines (the Joliet and Waukesha subdivisions) with Metra.

[20] *See* Frequently Asked Questions for the STAR Line, http://metraconnects.metrarail.com/faq.php?line=star (last visited Sep. 30, 2008).

[21] *See* Andre Salles, *Illinois Officials Still Think EJ&E Sale A Bad Idea*, Chic. Sun-Times, Aug. 6, 2008, *available at* http://www.ble.org/pr/news/headline.asp?id=23161.

A.2 Communities would not be divided by 10,000-foot CN trains after implementation of the Transaction, and in any event CN has proposed a mitigation condition to prevent lengthy blockages of road crossings by CN trains on the affected line.

Some commenters have raised the spectre of frequent 10,000 foot long CN trains running over the EJ&E line,[22] blocking several road crossings at a time, and potentially cutting a community in two if the train should stop while on those crossings. Such comments fail to recognize that 10,000 feet is the *maximum* length of the intermodal train moving to or from Prince Rupert, British Columbia, that CN expects to move over the Waukesha Subdivision (and, if the CN/EJ&EW Transaction is implemented, on the EJ&E line) once a day after Phase 1 of the Fairview Container Terminal at Prince Rupert is operating at full capacity. At that time, no more than two such trains per day are expected to move over the EJ&E line (one in each direction, with the westbound train (headed toward Price Rupert) largely carrying empty containers), and the average length of all trains moving on that line would be 6,321 feet (as compared to an average length of 6,423 feet for CN trains that would move on lines through Chicago in the absence of the CN/EJ&EW Transaction).[23]

Despite the false alarms raised by some commenters, the prospect of highway crossings being blocked for long periods by stopped 10,000-foot trains is not reasonable. As the DEIS

[22] *See, e.g.*, Kevin P. Cramer, *CN Rail Deal in Danger*, N.W. Herald, July 9, 2008, http://www.nwherald.com/articles/2008/07/09/news/nation_and_world/doc487443ccdb13f10834 2497.txt (Barrington Hills village president quoted as raising prospect of "a 10,000-, 12,000-foot freight train running through every 43 minutes" without citing any source).

[23] *See* Letter from Paul A. Cunningham, Counsel, CN, to Victoria J. Rutson, Chief, SEA, Exhibit A (Feb. 15, 2008), *available at* http://www.stbfinancedocket35087.com/html/inforequest.html; letter from Paul A Cunningham to Victoria J. Rutson, Exhibit A (Feb. 29, 2008), *available at* http://www.stbfinancedocket35087.com/html/inforequest.html.

explains,[24] the EJ&E line provides locations where trains as long as 10,000 feet could be held, without blocking any road crossings. Moreover, under CN's current operating procedures, dispatchers and locomotive engineers are required to follow U.S. Operating Rules No. 526 (Public Crossings),[25] which provides that a public crossing must not be blocked longer than 10 minutes unless it cannot be avoided and that, if possible, rail cars, engines, and equipment may not stand closer than 200 feet from a road crossing when there is an adjacent track. (In cases where a train nonetheless stops in such a way as to block a crossing, the crew would be required to cut the train at the crossing location so that the parts of the train would be clear of the crossing while the train was stopped, and then would have to reattach the cut cars once the train was cleared to proceed.)

In any event, CN has proposed, as part of its VMP, that adherence with U.S. Operating Rule No. 526 (Public Crossings) be imposed as a condition of Board approval of the Transaction (VM 35). If so imposed, it would be enforceable by the Board at the request of individuals or communities affected by blockages in violation of the condition.[26]

A.3 The rail traffic volumes reported in CN's Operating Plan are a reasonable basis for SEA's analysis of the environmental impacts of the Transaction.

Some commenters have challenged SEA's use of the post-Transaction rail traffic data reported in CN's Operating Plan as the basis for its analysis of environmental impacts caused by the Transaction. (It has been suggested, for example, that CN's projection that rail traffic in the

[24] *See* DEIS at 3.1-17 – 3.1-20, Table 3.1-3.

[25] *See* Letter from Paul A. Cunningham, Counsel, CN, to Victoria J. Rutson, Chief, SEA, Exhibit E (Feb. 15, 2008).

[26] Because it would be imposed by a federal agency, such a condition would not be subject to federal preemption, as would state and local laws prohibiting road crossing blockages. *Cf. Vill. of Mundelein v. Wisc. Cent. R.R.*, 882 N.E.2d 544 (Ill. 2008), *petition for cert. filed*, 76 U.S.L.W. 3597 (Apr. 24, 2008) (No. 07-1355).

Frankfort area will rise from 6 to 28 trains per day is "quite conservative," considering that CN could make improvements that would increase the capacity of the line after consummation of the Transaction, without subjecting those improvements to any environmental study.[27])

As CN has already explained to SEA, however, there appear to be no better indicators of the reasonably foreseeable relevant traffic flows than those reflected in the Operating Plan (which are comparable to those used by the Board in past environmental reviews), and any projection of greater flows would be both unreliably speculative and unnecessary for SEA's purposes.[28] While it is true that CN, like any owner of a rail line, can make capacity improvements without regulatory review, limited only by its financial resources and its ability to acquire any land that might be needed to widen its right-of-way, that fact provides little basis for determining how much traffic the railroad would carry. The theoretical ability to enhance capacity gives no reason to believe that the traffic would grow to fill it.

Finally, as CN explained above, and in its April 21 letter, SEA's analysis under NEPA is not required to evaluate impacts from action that the Board cannot, by denying approval of the Application, prevent. *Dep't of Transp. v. Pub. Citizen*, 541 U.S. 752, 767 (2004); *see also* section V.C, below. The traffic figures reported in CN's Operating Plan are, for reasons set forth in the April 21 letter, more than sufficient to provide a basis for analysis of impacts caused by such "but-for" trains.

Some commenters, however, have argued that the traffic accounted for in the Operating Plan is too low to serve as a basis for SEA's environmental review because it fails to include

[27] Susan Lafferty, *Frankfort: EJ&E study 'inadequate,'* Joliet Herald News, Sept. 17, 2008, *available at* http://www.suburbanchicagonews.com/heraldnews/news/1167497,4_1_JO17_FRRAIL_S1.article.

[28] Letter from Paul A. Cunningham, Counsel, CN, to Victoria J. Rutson, Chief, SEA, at 3 (Apr. 21, 2008) ("April 21, 2008 Letter"), *available at* http://www.stbfinancedocket35087.com/html/inforequest.html.

traffic moving through the Port of Prince Rupert after completion of the proposed Phase 2 of the Port's Fairview Container Terminal. If that expansion were completed, it is argued, then the capacity of the Port would rise from 500,000 truck-equivalent units ("TEUs") to 2 million TEUs, causing a proportionate increase in Prince Rupert intermodal traffic on CN lines through Chicago, and the environmental analysis of the Transaction should therefore extend to impacts of this additional traffic. But construction of Phase 2 is not reasonably foreseeable at present, and SEA was right to exclude it from its examination of impacts if the proposed Transaction.

Phase 1 of the Fairview Terminal began operations in October 2007. It currently handles 300,000 TEUs per year, which require five weekly trains in each direction. If the Terminal were to operate at the full capacity of Phase 1 (500,000 TEUs), it would require 10 trains a week (one train a day in each direction). CN assumed that Phase 1 would in fact eventually operate at capacity, and it factored the potentially resulting train traffic into its Operating Plan, which SEA relied on as the basis for its analysis of the impacts of the Transaction.

Although the Prince Rupert Port Authority has discussed expanding the Terminal beyond Phase 1, no decision to undertake that expansion has been made. The Port Authority does not have the funds necessary for the proposed expansion, and neither the federal nor provincial government has indicated that it would provide them. Thus, if the Terminal is to be expanded into Phase 2, that decision that must be made by RREEF Infrastructure, the new owner of Maher Terminals, which operates the Terminal.[29] RREEF is facing substantial uncertainty – even apart from the current financial uncertainties in the U.S. and elsewhere – as to whether to invest in the expansion for several reasons, including the following:

[29] *See RREEF Infrastructure Completes Maher Terminals Acquisition*, Bus. Wire, July 5, 2007; RREEF, Infrastructure, Business Overview, https://www.rreef.com/cps/rde/xchg/infr_en/hs.xsl/692.html.

1. Demand for trans-Pacific intermodal traffic is lower than previously expected. Growth in that traffic is now projected to grow at levels of 5 to 7% between 2010 and 2020, rather than between 10 and 20% as previously forecast.

2. West Coast ports at Vancouver, Tacoma, and Los Angeles, which compete with Prince Rupert, are expected to expand their capacity by up to 5.4 million TEUs between now and 2020, making demand for transportation through Prince Rupert even weaker. In addition, a new container facility has been proposed for construction in Mexico at Punta Colonet, with a capacity of 2 million TEUs per year. As these projects are completed, the demand for expansion at Prince Rupert could readily change.

3. Expansion beyond Phase I would require negotiations with the Canadian Department of Oceans and Fisheries for environmental permitting, because of possible negative impacts on fish and wildlife habitat. A satisfactory outcome of those negotiations is by no means assured.

4. The expansion would require deposit of fill on land and water to which First Nations (Canadian Native Americans) have asserted claims. Before construction could begin, those claims would need to be resolved, through a process of negotiating with five First Nations bands that have inconsistent positions regarding appropriate compensation. These negotiations are likely to be more complex than comparable negotiations with First Nations in connection with Phase 1 of the Terminal, which, unlike Phase 2, involved construction on the site of an existing terminal rather than one on undeveloped property.

For these reasons, CN believes that any statements by the Prince Rupert Port Authority regarding early commencement and completion of Phase 2, however optimistic, offer little basis for anyone to conclude that Phase 2 is reasonably foreseeable. In the end, it is not the Authority

that will determine to spend the money needed for the expansion. RREEF, which would be making the investment, has not yet determined to do so.

B. Freight Rail Safety

CN agrees with SEA's conclusion that there would be an overall system-wide decrease in accidents. DEIS at 4.2-1. As the DEIS makes clear, and the following tables illustrate, CN has a better safety record than EJ&E; consequently, the DEIS appropriately projects that the Transaction would lead to a decrease in number of accidents.

Railroad	Average Accident Rates per Million Train Miles[30]	Average Main Track Accident Rate per Million Train Miles[31]	Average Yard Accident Rate per Million Yard Switching Miles[32]
CN	4.2	1.5	11.7
EJ&E	18.2	3.1	33.3

CN, moreover, has an established history of improving safety and decreasing accidents on a line after assuming control. After CN's acquisition of both Illinois Central and Wisconsin Central, the safety record of each of those systems improved.[33] And to the extent that reduction in rail congestion in Chicago makes shippers less likely to shift from rail transportation to the inherently more unsafe truck transportation, it will enhance overall hazmat safety.

In addition to the thorough analysis provided in the DEIS, CN submitted a detailed Safety Integration Plan ("SIP"), pursuant to STB and FRA regulations, and FRA has declared that it is

[30] Source: DEIS Table 4.2-1

[31] Source: DEIS Table 4.2-2

[32] Source: DEIS Table 4.2-2

[33] Federal Railroad Administration, United States Department of Transportation, 2002 Railroad Safety Statistics: Final Report, Table 1-7, *available at* http://safetydata.fra.dot.gov/OfficeofSafety/publicsite/publications.aspx?itemno=7.05 (train accident rate on IC declined from 7.82 accidents per million train miles in 1998 (the year before its acquisition) to 6.13 in 2000 (the year after acquisition); train accident rate on WC declined from 8.27 in 2000 (the year before acquisition) to 5.21 (the year after acquisition)).

satisfied with the SIP, submitted by CN on June 27, 2008.[34] Some commenters have noted a Canadian Parliamentary report concerning past CN safety matters in Canada. While safety is always a top priority, CN's operations in Canada are subject to a different regulatory regime, and only statistics related to CN operations in the US are relevant for purposes of the DEIS because those are the only ones that can properly be compared with EJ&E.

In its Voluntary Mitigation Plan, CN has adopted (as VM 13), substantially all of SEA's proposed additional mitigation item no. 37 (regarding development of a fire prevention and suppression plan in connection with Transaction-related construction). SEA's proposal, however, is not reasonable to the extent that it would require installation of low-spark brake shoes on railcars in addition to locomotives. CN cannot require shippers and other railroads to install brake shoes on their equipment, yet must haul those cars if interchanged by other railroads or tendered by shippers. And, even as to CN's own cars, requiring retrofitting to install low-spark brake shoes would be prohibitively expensive, and not justified by the expected reduction in incident of accidental fires.

C. Vehicle Safety

CN agrees with SEA's analysis that vehicle safety would improve in the region as a result of the Transaction, DEIS at 4.2-17, and that no crossings would experience a significant increase in the frequency of accidents. DEIS at 4.2-19. SEA's proposed additional mitigation measure no. 4 (regarding a media campaign CN would be required to conduct about increased operations along the EJ&E rail line) is reasonable to the extent that it would require CN to use radio and

[34] Letter from Joseph Boardman, Administrator, FRA to Victoria J. Rutson, Chief, SEA (Sept. 12, 2008), *available at* http://www.stb.dot.gov/ect1/ecorrespondence.nsf/PublicIncomingByDateReceived/2AA0AD5F7FB0E15D852574CC007328E6/$File/13680.BOARDMAN.PDF?OpenElement

newspapers for that campaign, and CN has modified item VM 2 of its VMP to reflect SEA's item no. 4 to that extent.

However, it would be unreasonable to require that CN also hold public meetings to notify the public of increased operations. SEA has already held two rounds of meetings around the EJ&E arc, once in connection with the scope of its environmental review and once to receive comments on the DEIS. Any medium used to inform the communities about the public meetings could just as readily be employed to inform them about the fact of increased traffic volumes. There is no need for residents who have read or heard about those increases to come to a public meeting to hear about them again, nor is there any reason to require CN to bear the expense of setting up such superfluous meetings.

D. Hazardous Materials Transportation Safety

The DEIS determined that while "hazardous material releases have historically been, and should continue to be, extremely rare . . . there would be a potential increase in the possibility of a release because of increased train miles resulting from the longer route, and more carloads of hazardous materials, on the EJ&E rail line." DEIS at 4.2-38. CN agrees that the "possibility of a hazardous materials release would remain remote" both because of the existing regulatory requirements and CN's own safety-focused operating environment. Moreover, to the extent that reduction in rail congestion in Chicago makes shippers less likely to shift from rail transportation to the inherently more unsafe truck transportation, the Transaction would enhance overall hazardous materials safety.

In addition, as the DEIS properly observes, the Transaction would result in the movement of hazardous materials across the Chicago region more quickly than under the No-Action Alternative. DEIS at 4.2-38. Not only would this improve safety, by reducing the time during

which people in the vicinity of CN's lines would be exposed to risk, but it would also improve security, by reducing the time during which hazmat railcars would be vulnerable to vandalism, terrorism, or other malicious activities that could lead to a harmful release.

Moreover, the DEIS overlooked recent federal regulations that suggest that the Transaction may cause less of an increase in the volume of hazardous materials moving on the EJ&E line than assumed in the DEIS. Those regulations may require more of those materials to move on the EJ&E line, even under the No-Action Alternative.

In April 2008, the Pipeline and Hazardous Materials Safety Administration adopted an Interim Final Rule that could require rail carriers to alter their existing routes for hazardous materials in order to avoid dense urban populations. *See Hazardous Materials: Enhancing Rail Transportation Safety and Security for Hazardous Materials Shipments*, 73 Fed. Reg. 20,752, 20,771 (Apr. 16, 2008) (issuing 49 C.F.R. §§ 172.820, 172.822, 49 C.F.R. Part 172 Appendix D; revising 49 C.F.R. § 174.9). The new regulations require every rail carrier of certain hazardous materials to "analyze the safety and security for each route" that handles the materials, "identify practicable alternative routes over which it has the authority to operate," and then use the analysis to select the best route to be used. *Id.* In determining practicable alternative routes, railroads must consider the use of interchange agreements with other carriers. *Id.* at 20,766, 20,771. Because a "primary safety and security concern" addressed by the regulations is "the prevention of catastrophic release or explosion in proximity to densely populated areas, including urban areas," *id.* at 20,760, the regulations could well lead railroads such as CN to select alternatives routings for hazardous materials shipments rather than current ones through the city of Chicago, and to enter interchange agreements that would increase the hazardous materials traffic on EJ&E, even without acquiring EJ&E's lines.

It is thus entirely possible that a much higher volume of hazardous materials traffic would be transported over EJ&E under the No-Action alternative than the DEIS projects. While it may not be presently possible to quantify this potential increase in hazardous materials traffic, SEA's analysis does not appear to take it into account at all and is thus extremely conservative in this regard.

CN has added VM 23 to its Voluntary Mitigation Plan, to reflect the substance of SEA mitigation item no. 11 (regarding emergency response plans), except with regard to two points. Notification of individual residing in a community affected by a hazardous materials emergency is properly the responsibility of appropriate agencies, who are more familiar than the railroad with the community and its inhabitants, and with the best way to inform them in the event of an emergency. Also, it would be unreasonable to require CN to provide response plans to relevant agencies almost immediately (60 days) after the effective date of the Board's final decision, especially given the DEIS's conclusion that the expected interval between hazardous materials releases on the affected EJ&E lines would, at worst, decline to 71 years. VM 23 would therefore instead require CN to develop internal emergency response plans for the notification of agencies, not individuals, in an emergency and to provide its response plans to relevant authorities within six months of CN's acquisition of EJ&EW.

SEA has also proposed additional mitigation measure no. 12 (regarding provision of "toll-free telephone numbers" to the emergency response organizations or coordinating bodies responsible for each community located along the EJ&E rail line). The substance of this proposal has been incorporated into VM 24, in CN's voluntary mitigation plan. It would be unreasonable, however, to obligate CN to establish more than one toll-free number, and equally unreasonable to require CN to establish a Spanish-language option, as SEA proposal no. 12 does.

While official emergency response organizations and coordinating bodies in the United States may have bilingual capabilities, so that they may better serve those of their constituents who are not fluent in English, it would be unreasonable to assume that those organizations and bodies may themselves be unable to communicate in English. It would be even more unreasonable to impose extra costs and burdens on CN on the basis of such an unreasonable assumption.

E. Transportation Systems – Regional and Local Highway Systems

SEA evaluated the effects of the Transaction on the regional and local highway systems by estimating the change in vehicle delay at highway/rail at-grade crossings and then assessing how increased delays could affect regional mobility. SEA concluded that 15 grade crossings[35] would be "Potentially Substantially Affected" by the Transaction, meaning that, according to SEA, traffic congestion at those crossings would likely cause "a serious impact on the overall mobility of the respective communities under the Proposed Action" and that mitigation at those crossings was therefore "appropriate and warranted." DEIS at 6-18, 6-19. SEA did not recommend specific mitigation, but suggested "a menu of mitigation options" up to and including complete grade separation (*i.e.*, construction of an overpass or an underpass for the railroad or the highway), for which CN could be called on to pay up to 25 to 50 percent of the costs. *Id.* at 6-19—6-21.

SEA arrived at its list of 15 grade crossings for potential mitigation by applying not only its established Level of Service ("LOS") standard (under which only two grade crossings would

[35] In addition, two other crossings appear to meet aspects of SEA's standards for mitigation in this case, but were not included on the list of crossings that SEA determined required mitigation. Those two crossings are Diamond Lake Road (which Table 4.3-11 notes exceeds the queue length criterion) and IL 60&83, which table 4.3-4 notes exceeds the total delay criterion). Since those crossings present some common issues with the 15 listed, they are discussed below.

have been considered for grade separation),[36] but also other standards. SEA relied on Federal Highway Administration ("FHWA") guidelines that, according to SEA, "suggest that grade crossings should be considered for grade separation or otherwise eliminated across the railroad right-of-way whenever one or more" of 11 conditions exist. *Id.* at 4.2-14—4.2-15. Of those 11 conditions, SEA ultimately determined that, in application, only three indicated that mitigation might be required: "crossing exposure" (for three crossings); "total delay" (12 crossings), and high expected accident frequency (one crossing). *Id.* at 4.2-17—4.2.-19, 6-18—6-19.[37] In addition to the FHWA guidelines, SEA created a "queue length" standard, which it had not previously applied, under which a crossing was judged to be "seriously affected" if SEA determined, based on its projection of vehicular traffic volumes in 2015, that the queue of vehicles stopped at the crossing for a passing train would be long enough to block a major thoroughfare, *id.* at 6-18—6-19.

As discussed below, SEA's analysis of transportation systems was arbitrary and greatly overstated both the number of locations where mitigation, including grade separations, should be considered and the range of contribution that could reasonably be expected from CN for such grade crossings. There was no basis for SEA to alter the criteria it had previously used to identify grade crossings to be considered for mitigation, especially for grade separation. In

[36] DEIS at 6-18.

[37] The specific FHWA guidelines used are: (1) for vehicle crossing exposure, the product of the number of trains per day and ADT exceeds 1,000,000 in urban areas; (2) for "total delay," "vehicle delay exceeds 40 vehicle hours per day; and (3) for "accident frequency," the expected accident frequency for active devices with gates, as calculated by the USDOT Accident Prediction Formula, including 5-year history, exceeds 0.5. DEIS at 4.2-14—4.2-15; Federal Highway Administration, U.S. Department of Transportation, Railroad-Highway Grade Crossing Handbook 151 (rev. 2d ed. Aug. 2007) ("FHWA Handbook"), *available at* http://safety.fhwa.dot.gov/xings/07010/07010.pdf.

addition, SEA's data and methodology used to analyze traffic volumes were flawed and resulted in greatly overstated average daily vehicular traffic ("ADT"). Finally, it would be unreasonable, beyond the Board's authority, and contrary to good public policy, to require CN to pay more than the maximum fixed by statute and regulations for the railroad's share of grade separation costs or to otherwise apply to CN standards for assessing impacts, determining the need for mitigation, or allocating the cost of mitigation that are not generally applied to railroads causing similar impacts in the states and localities at issue.

E.1. CN has reached an agreement to assure mitigation of the only two vehicular crossing delay impacts of the Transaction that could reasonably be found to warrant grade separation under the standards previously applied by the Board for this purpose.

As discussed below, in past proceedings, SEA and the Board have determined that grade separation to mitigate Transaction-related vehicular delay should be considered at grade crossings where the following three criteria are met:

- Post-Transaction LOS would decrease at least one LOS grade and the Post-Transaction LOS would be at LOS E or F;
- Transaction-related train traffic would increase by at least eight trains per day; and
- Increased train speeds would appear not to be feasible or sufficient to mitigate Transaction-related delay impacts.

Draft Environmental Impact Statement at G-7, *Dakota, M. & E. R.R. Construction into the Powder River Basin*, STB Finance Docket No. 33407 (STB served Sept. 27, 2000) ("*DM&E DEIS*"); *accord*, *Conrail DEIS* at C-15.[38] Under these criteria, the only candidates for grade

[38] LOS is described in section E.2.a, below.

separations would be the crossings at Woodruff Road and Washington Street in Joliet.[39] CN has successfully negotiated a settlement agreement with the City of Joliet, which was submitted to SEA on August 26, 2008, and which addresses all of Joliet's concerns regarding the environmental impacts of the Transaction, including delay at the Woodruff Road and Washington Street crossings. CN requests that the terms of the agreement be imposed as a condition in lieu of other location-specific mitigation SEA may otherwise impose at these crossings.

E.2. SEA has offered no rational basis for the prescription of grade crossing separations where roadway performance is not impaired below levels of service as measured by generally accepted and roadway performance standards.

In previous environmental reviews, SEA has determined mitigation for vehicle delay at grade crossings based on the degradation in the LOS at the grade crossing. For the reasons discussed below, the LOS criterion is a reasonable and defensible standard for imposing mitigation that leads to predictable and rational results. In the absence of any demonstration that LOS is insufficient as a criterion for determining mitigation, it would be unreasonable to abandon its use and base mitigation on other standards.

[39] At both crossings, the projected number of daily trains would rise by 21.8. CN has determined that the LOS would fall from B to E at Woodruff Road and would fall from A to E at Washington Street. *See* letter from Paul A. Cunningham, Counsel, CN, to Victoria J. Rutson, Chief, SEA, Exhibit B (Sept. 26, 2008), *available at* http://www.stbfinancedocket35087.com/html/inforequest.html. SEA has calculated that LOS would fall to F at both crossings. DEIS, App. E., Att. E at 11. The current configuration of the tracks crossing these highways would not permit the movement of trains at speeds faster than 10 mph.

E.2.a. It would be arbitrary, capricious, and unreasonable for the Board, as suggested by SEA, to abandon its past practice of using LOS as the principal indicator of the need for mitigation due to potential vehicle delay.

LOS has long been used as a measure of operational efficiency for roadways and signalized intersections. The criteria for and descriptions of LOS are provided by the *Highway Capacity Manual*.[40] LOS is a measure of quality, describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience. HCM at 2-2. LOS is expressed as a letter grade ranging from LOS A (free flowing) to F (severely congested) and is measured quantitatively by the average delay for all vehicles. Each LOS designation is also intended to reflect and describe qualitatively the user's perception of the operational conditions within the traffic stream. *Id.* at 2-3. Thus, LOS encompasses both quantitative and qualitative elements.

Because of similarities between a signalized intersection and a railroad/highway at-grade crossing, SEA adopted the LOS methodology in the *Conrail* proceeding and applied it in its environmental review in that case. *Conrail DEIS* at C-14. SEA also incorporated the LOS methodology into its criteria for determining when grade separations could be warranted. *Id.* at C-15. Basing mitigation initially, if not conclusively, on a decline in LOS is reasonable because the LOS standard is heavily studied, well understood, and widely used. Most important, the LOS criterion takes into account the change in the overall performance of vehicular traffic at the crossing, as opposed to the exceedance of a single delay criterion, which may or may not indicate degradation in roadway performance that warrants mitigation. As SEA stated in *Conrail*, it chose the criterion to "identify grade crossings where there would be a significant *degradation* in

[40] Transportation Research Board, Highway Capacity Manual (2000) ("HCM"). According to SEA, each state uses the HCM for capacity-related analysis, which governs the functional facility parameters needed to meet specified levels of performance. DM&E DEIS at G-4.

level of service as a result of . . . significant increases in proposed train traffic." *Id.* at C-15 (emphasis added). While the LOS criterion used in the HCM may not be completely representative of the conditions at highway/rail at-grade crossings, SEA's use of it was logical because a decline to an LOS of E or F represents a level at which existing infrastructure is no longer sufficient to effectively handle both vehicles and trains and where delay becomes significantly noticeable to most people.

The LOS criterion has been used by SEA since *Conrail*, where it was the basis for the only grade separation ordered as part of that proceeding.[41] Only a few months before issuing the DEIS in this proceeding, in an Environmental Assessment ("EA"), SEA used the LOS criterion as the sole determinant of whether mitigation for vehicle delay was required.[42]

LOS is based on the level of delay experienced by each vehicle that passes through the crossing – including vehicles delayed and not delayed by a train – and is calculated by dividing the total amount of time vehicles are delayed at a crossing by the total number of vehicles that travel through the crossing in a 24-hour period.[43] In other words, it is a measure of the average

[41] Compare 6B Final Environmental Impact Statement, App. G, at G1, *CSX Corp. – Control & Operating Leases/Agreements – Conrail Inc.*, STB Finance Docket No. 33388 (STB served May 29, 1998) ("*Conrail FEIS*") (listing Randolph Street in Dekalb County, Indiana as the only crossing with a post-acquisition LOS of F) with 5 *Conrail FEIS* at 7-31 (imposing as a condition that CSX "continue negotiations . . . for the expeditious implementation of a grade separation at CSX's Randolph Street highway/rail at-grade crossing.").

[42] *See Ariz. E. Ry. – Constr. & Operation – In Graham County, AZ*, STB Finance Docket No. 34836, Draft Environmental Assessment at 4-8 & Appendix F (STB served Feb. 25, 2008) ("Traffic/transportation impacts would be considered significant if the Proposed Action resulted in excessive delay as characterized by an exceedance of LOS standards established in the Highway Capacity Manual." *Id.* at 4-8. The EA found that traffic would operate at a LOS of B or C at two relevant crossings, and that "LOS B and LOS C are considered acceptable levels of service for roads of this type. SEA has determined that no mitigation would be required." *Id.* at 4-10.)

[43] When calculating the average delay for all vehicles (on which LOS is based), SEA also multiplied the amount of time vehicles are delayed by 2 to produce "a conservative estimate of delay." DEIS, Appendix E, Attachment E1 at E-8—E-9.

amount of time a vehicle can reasonably be expected to be delayed each time it crosses a rail line. Some days a driver may not be delayed at all, while on others that same driver may be the first to arrive at a crossing as the gates are lowered. But over time, a driver will be delayed by a certain amount of average time each time he or she crosses that crossing.

The following table shows the LOS criteria used in the *HCM*:[44]

LOS	Average Delay per Vehicle Using the Crossing[45] (seconds/vehicle)
A	≤ 10
B	≥ 10-20
C	≥ 20-35
D	≥ 35-55
E	≥ 55-80
F	≥ 80

The following table shows the post-Transaction delay per vehicle using the crossing, as calculated by SEA and reported in the DEIS, and the corresponding LOS for each of the crossings identified by SEA as potentially requiring mitigation:

[44] *See also id.* at E-9, Table E.2-3.

[45] Delay per vehicle is the estimated average delay experienced for all vehicles at an affected grade crossing including vehicles not delayed by train traffic. It is most easily defined as the aggregate delay incurred by vehicles divided by total traffic at the crossing.

Post-Transaction Delay and Level of Service Calculations for Crossings Determined by SEA to Require Mitigation, as Reported in the DEIS[46]

Crossing	Post-Transaction Average Delay per Vehicle[47] (seconds/vehicle)	Level of Service
Allanson Road	19.4	B
Diamond Lake Road	13.2	B
IL 60 & 83	12.0	B
Old McHenry Road	9.6	A
Ela Road	7.8	A
Hough Street (IL 59 & 63)	6.6	A
Liberty Street	18.0	B
Ogden Avenue (US 34)	12.0	B
Montgomery Road/83rd Street	12.0	B
135th Street	12.0	B
Woodruff Road	108.0	F
Washington Street	102.0	F
Cicero Avenue	12.0	B
Western Avenue	12.0	B
Chicago Road	24.0	C
Lincoln Highway (US 30)	12.0	B
Broad Street (IN)	18.0	B

This table shows SEA's determination of post-Acquisition average delay as of 2015, and not merely the change attributable to the Transaction. The table shows that only two crossings, with a post-Transaction LOS of F, exceed SEA's established threshold for grade separations; performance is not even close to being substantially impaired for any other crossings. As discussed above, CN has already reached a negotiated agreement regarding these two crossings

[46] *See* Table E1.2-1, in Attachment E1 of Appendix E. These figures do not take into account the several ways, discussed below, in which the DEIS overestimates delay at grade crossings. As noted in footnote 34, Diamond Lake Road and IL 60&83 are included in this table and discussion although neither is listed in Table 6.3-1.

[47] Delay per vehicle is the estimated average delay experienced for all vehicles at an affected grade crossing including vehicles not delayed by train traffic. It is most easily defined as the aggregate delay incurred by vehicles divided by total traffic at the crossing

(Washington Street and Woodruff Road in Joliet), which are the only crossings that meet SEA's established LOS criteria of significance for consideration of mitigation.

E.2.b. The hyperbole of local opponents concerning the impacts of delay is starkly contrary to the facts and cannot justify SEA's departure from its prior use of established LOS standards for identifying crossings requiring mitigation.

Citing substantial percentage increases in traffic, rather than focusing on the more relevant absolute levels of traffic that are commonly found throughout the region, many Transaction opponents have argued that their communities would be virtually destroyed by vehicle delays at grade crossings absent multiple grade separations. To them, any analytic methodology used by the Board that does not justify grade separations for their communities is necessarily flawed. As discussed in this section, however, the facts are very different. When the impacts of vehicular delay are brought down to the level of specific impacts on individual drivers it becomes evident that grade separations beyond those that would be found using the Board's customary LOS criteria are unnecessary and cannot possibly be justified on the basis of costs and benefits. Opponents' hyperbolic descriptions of delay impacts provide no basis for the Board to deviate from its LOS standard by applying new and different standards for the identification of crossings potentially warranting mitigation.

The Village of Barrington provides one case on point. At SEA's open house in the Village of Barrington, its director of community and financial services said "there are actually three grade crossings that will be substantially impacted in Barrington if this acquisition is approved. Providing grade separations at each of these crossings is estimated to cost upwards of $80 million each which means that Barrington would have to have $240 million in funding for

grade separations."[48] All of this for a community that has only some 10,000 residents, many of whom are not old enough to drive.

The following table shows that in fact there would be minimal impacts attributable to the Transaction on the three crossings that Barrington believes will be "substantially impacted":

Delay Calculations for Three At-Grade Crossings in Barrington, as Reported in the DEIS[49]

	Northwest Highway	Hough Street	Lake/Cook Road
Total post-acquisition average delay for every vehicle that passes through the crossing (seconds per day)	6.6	6.6	6.6
Total post-acquisition average delay per vehicle delayed by a train (minutes per day)	1.6	1.6	1.6
Change in total time gates are down at crossing (minutes per day)	43.5	43.4	43.4
Change in the percent of the day gates are down at a crossing	3.0%	3.0%	3.0%
Total number of vehicles delayed per day	1,182	844	499
Total number of vehicles over the crossing per day	33,662	24,056	14,222

The average vehicle passing over these crossings would be delayed by a total of 6.6 seconds each time it passed over the crossing – or about the amount of time it takes to read this sentence. For each vehicle using the crossings, that is equivalent to an additional 40 minutes a year, assuming one crossing a day. The crossing itself would be blocked only an extra 44 minutes a day – equal to 3% of the day.

Thus, according to the calculations in the DEIS, a vehicle would be delayed at the three Barrington crossings because of a train once every 28.5 days, or 13 times a year – a little more

[48] Transcript of Scoping Meeting for the proposed Canadian National Railway Company Acquisition of the Elgin, Joliet & Eastern Railway Company (Aug. 27, 2008), *available at* http://www.stb.dot.gov/ect1/ecorrespondence.nsf/PublicIncomingByDateReceived/43533F042EC11BD8852574BB0042B1DB/$File/12377.BEAN.PDF?OpenElement. A subsequent speaker identified those three crossings as US Highway 14 (Northwest Highway), State Road 59 (Hough Street), and Lake Cook Road. *Id.* at 44. No one has identified the basis for the $80 million estimate.

[49] All numbers come from the DEIS, which overstates by 2 the number of trains (18.3) that would operate over EJ&E does not use updated train speeds, and projects ADT to 2015. The actual impacts upon implementation of the Transaction would therefore be even less.

than once a month.[50] When delayed by a train, a driver's trip would be delayed, on average, by 1.6 minutes. In other words, the "substantial impacts" that Barrington believes warrant $240 million in mitigation, would amount to a total of 1.6 minutes of delay every 4 weeks for each driver using those crossings.

To put that cost in perspective, the DEIS estimates that a total of 2,525 vehicles a day (3.5% of the total vehicles that cross on a given day) would be delayed at those three crossings. Across all three Barrington crossings, vehicles would experience a total increase of 3,721 minutes of delay a day,[51] or a total of 62 hours a day, or 22,630 hours per year, or about 678,900 hours in the 30 years over which the cost of the grade separation could be expected to be amortized. Given that Barrington believes it would be necessary to spend $240 million to mitigate the 30-year impact of 678,900 hours, in order to justify the mitigation cost on the basis of a cost benefit/benefit analysis, SEA would need to find that the opportunity cost of the time of the average vehicle occupant using the crossings in Barrington is at least $353 an hour.[52]

This is just one example of the how opponents of the Transaction have often grossly overstated the impacts the Transaction would have at crossings for communities along the EJ&E line. Minimal impacts are projected for most such crossings; daily delay per vehicle is projected to be a matter of seconds. The following table shows in detail (using DEIS data that, as is

[50] For example, at the Northwest Highway, SEA estimates an ADT of 33,662, with 1,182 drivers delayed per day. Assuming a different 1,182 drivers are delayed on day 2 than day 1 means that a single driver will be delayed every 33,662 / 1,182 = 28.5 days. Conversely, if it is the same 1,182 drivers that are delayed every day, then every other driver would not be delayed at all. Reality will likely be somewhere in the middle, with some drivers being delayed more frequently than others. But the average driver would be delayed every 28.5 days.

[51] *See* DEIS at 4.3-11—4.4-15 (Table 4.3-4) (difference between Proposed Action and No-Action alternatives at Northwest Highway equal to a total of 1,744 minutes of delay a day; at Hough Street, 1,243 minutes; and at Lake/Cook Road, 735 minutes).

[52] $240,000,000 divided by 678,900 hours equals $353 dollars/hour.

demonstrated below, overstates delay) the impacts of the Transaction on drivers using crossings in various jurisdictions on EJ&EW:

Selected Post-Transaction Delay Calculations, as Reported in the DEIS, for Jurisdictions Along EJ&E

	Weighted Average Delay per Vehicle[53] (seconds)	Weighted Average Delay per Delayed Vehicle[54] (minutes)	Average Gate Down Time[55] (% of a 24 hour period)
Overall	13.64	1.8	6.0%
By State			
Illinois	14.17	1.8	6.1%
Indiana	11.18	1.7	5.4%
By County			
Lake (IL)	8.92	1.8	4.0%
NW Cook (IL)	6.79	1.6	3.6%
Dupage (IL)	12.56	1.7	6.1%
Will (IL)	19.55	1.9	6.9%
SE Cook (IL)	16.14	2.0	7.1%
Lake (IN)	11.18	1.7	5.4%
By Community			
Libertyville (Lake)	13.20	2.3	4.9%
Mundelein (Lake)	12.00	2.1	4.6%
Hawthorn Woods (Lake)	9.38	1.9	4.1%
Lake Zurich (Lake)	9.29	1.9	4.2%
Barrington (Lake/Cook)	6.63	1.6	3.5%
Hoffman Estates (Cook)	7.20	1.7	3.7%
Elgin (Cook)	6.55	1.5	3.4%

[53] Delay per vehicle is the estimated average delay experienced for all vehicles at an affected grade crossing. In other words, it is the aggregate delay divided by total traffic at the crossing. This column shows the weighted average of delay per vehicle for all crossings in the listed jurisdiction.

[54] Average delay per delayed vehicle is the average amount of time that a driver would be delayed at a grade crossing as a result of a single train event, assuming uniform vehicle arrival. This column shows the weighted average of delay per delayed vehicle for all crossings in the listed jurisdiction.

[55] Average gate down time as a percentage of a 24 hour period measures the total time the crossing is blocked during a 24 hour period. Total gate down time is the product of the blocked crossing time per train and the number of trains per day. This column expresses that result as a percentage of a 24 hour period.

Selected Post-Transaction Delay Calculations, as Reported in the DEIS, for Jurisdictions Along EJ&E

	Weighted Average Delay per Vehicle[53] (seconds)	Weighted Average Delay per Delayed Vehicle[54] (minutes)	Average Gate Down Time[55] (% of a 24 hour period)
Bartlett (Dupage)	6.60	1.5	3.7%
Wayne (Dupage)	7.80	1.6	4.0%
West Chicago (Dupage)	15.08	2.0	6.5%
Naperville (Dupage)	12.00	1.6	5.4%
Aurora (Dupage)	13.30	1.6	6.8%
Plainfield (Will)	11.98	1.5	6.6%
Crest Hill (Will)	12.50	1.5	7.2%
Joliet (Will)	56.89	3.3	9.7%
New Lenox (Will)	12.00	1.7	5.2%
Frankfort (Will)	10.26	1.7	5.2%
Matteson (Cook)	13.05	2.0	5.9%
Park Forest (Cook)	12.00	1.9	6.3%
Chicago Heights (Cook)	24.58	2.4	8.2%
Sauk Village (Cook)	6.00	1.4	5.1%
Lynwood (Cook)	12.00	1.7	6.1%
Dyer (Lake, IN)	12.00	1.6	6.0%
Schererville (Lake, IN)	12.00	1.5	5.4%
Griffith (Lake, IN)	14.05	1.8	5.6%
Gary (Lake, IN)	6.00	1.5	4.7%

This table shows that, overall, vehicles using the crossings would, on average, experience less than 14 seconds of delay. When a vehicle is stopped at a crossing, the average wait time would be less than 2 minutes. Overall, gates would be down for an average of 6.0% of the day, for a total average of 86 minutes a day.[56]

[56] This analysis comes from the DEIS, which as discussed elsewhere, substantially overstates the impact of the Transaction on vehicle delay. Under CN's analysis, which was submitted to SEA on September 26, 2008, overall average delay per vehicle would be 5.9 seconds; average delay per delayed vehicle would be 1.7 minutes; and blocked crossing time per day would be 5.4%.

Such delays are not unusual for the region, as many communities see more traffic than CN proposes to route via EJ&E. The following chart compares the traffic on main lines of three of CN's competitors into Chicago:

Comparison of Major Rail Lines in the Chicago Region

Railroad (line)	Length of Line (miles)	Average Number of Trains (Freight & Commuter)	Number of Communities Impacted	Total Number of Public Grade Crossings	Total Number of Grade Separations
EJ&E Post-Transaction (Leithton to Gary)	105	20-40	33	99	42
BNSF (Eola to IHB)	19.5	142	9	23	15
UP West (West Chicago to Proviso)	15.9	107	8	28	8
UP North (Barrington to Mayfair)	24.3	67	8	33	7
CP (Mayfair to Roundout)	23.2	82	10	21	9

In sum, given the potential impacts of the proposed Transaction, there is no basis for concluding that the Board's LOS analysis fails to identify all grade crossing locations potentially warranting mitigation due to potential vehicle crossing delay. Accordingly, and for the reasons discussed further below, SEA's application of FHWA guideline criteria and use of a novel queue length analysis as an additional means of identifying crossing locations requiring mitigation (including possible grade separation) due to potential vehicle delay is unnecessary and unreasonable.

E.2.c. SEA has improperly used FHWA guidelines intended as non-binding threshold guidance to state transportation planners as a principal basis for prescribed mitigation.

SEA initially introduced the use of FHWA guidelines for the DEIS as relevant to its determination of whether the transaction "would significantly affect traffic safety." DEIS at 4.2-14.[57] It stated that the "guidelines suggest that grade crossings should be considered for grade separation or otherwise eliminated across the railroad right-of-way whenever one or more" of the eleven conditions listed by SEA exist. *Id.* Later in its analysis, it extended its use of FHWA guidelines to act as an independent basis for finding that mitigation is required on the basis of vehicle delay. *Id.* at 4.3-9.

SEA ultimately used three of the conditions from the FHWA guidelines – vehicular crossing exposure, vehicle delay in excess of 40 vehicle-hours per day, and "high incidence of predicted accidents" – as a basis to determine that a current grade crossing would be "substantially affected" by the Transaction and thus require mitigation, including possible grade separation. DEIS at 4.2-15. The one clearly safety-based crossing condition – high incidence of predicted accidents – was found by SEA to justify mitigation at only Woodruff Road in Joliet, which, as discussed above, already exceeded the established LOS criterion and is the subject of a settlement agreement.[58] By contrast, SEA's use of its FHWA-based "vehicle delay" guideline

[57] Similarly, in the *Bayport Loop* construction case, while SEA stated that it "conducted its grade crossings analysis in accordance with USDOT's Federal Highway Administration guidelines," Final Environmental Impact Statement at 4-23, *San Jacinto Rail Ltd. – Constr. & Operation Exemption – Build-Out to the Bayport Loop Near Houston, Harris County, TX*, STB Finance Docket No. 34079 (STB served May 2, 2003) ("*Bayport Loop FEIS*"), an examination of SEA's methodology shows that the FHWA guidelines were used in its analysis of safety impacts of the proposed new rail line, but not in evaluating delay. Instead, in assessing delay, SEA continued to rely exclusively on the LOS standard. *Compare Bayport Loop DEIS* at F-1—F-6 (grade crossing delay methodology) *with id.* at F-7 (traffic safety methodology, applying FHWA criteria).

[58] Although it should not be at issue due to the settlement, the STB should note that, in accordance with FHWA's own guidelines, Woodruff Road would not qualify as a candidate for

became the sole basis for including 7 crossings in the Board's list of 15 crossings requiring mitigation and, in combination with the volume-based "vehicle exposure" guideline, was responsible for the addition to that list of 2 more crossings. Thus, of the 13 crossings listed by SEA for mitigation that are not subject to a settlement agreement, 9 were added by SEA through its FHWA-based analysis.

This use of the FHWA guidelines was unprecedented, unwarranted, and based on a misapprehension of the purpose of the guidelines. The FHWA guidelines were neither developed nor intended to be used for the mandatory prescription of mitigation conditions, are ill-suited to that application, and were certainly not intended to be used as an independent justification for mitigation on the basis of traffic volumes or delay that would otherwise fail to meet the requirements for mitigation under the Board's LOS analysis.

The guidelines come from the FHWA Handbook. That handbook includes a list of conditions that highway planners may wish to use as guidelines when deciding whether and where to invest in traffic control devices or other measures at a highway-rail grade crossing. The conditions themselves are contained in a guidance document prepared by a Technical Working Group ("TWG") established by U.S. DOT.[59] The FHWA Handbook makes clear that

> [t]he TWG document is intended to provide guidance to assist engineers in the selection of traffic control devices or other measures at highway-rail grade crossings. It is not to be interpreted as policy or standards and is not mandatory. . . . A number of measures are included that may not have been supported by

mitigation based on high accident frequency. DEIS at 6-18. The FHWA guidelines suggest that a crossing should be considered for grade separation if "[t]he expected accident frequency for active devices with gates, as calculated by the USDOT Accident Prediction Formula, including 5-year history, exceeds 0.5." DEIS at 4.2-15; *see also* FHWA Handbook at 151. Yet according to the DEIS, the predicted frequency of accidents at Woodruff Road would be only 0.21359, or less than half the threshold that, under the FHWA guidelines, would call for consideration of grade separation.

[59] The TWG is led by representatives from FHWA, FRA, FTA, and NHTSA. The STB was not involved in the TWG.

> quantitative research but are being used by states and local agencies. These are included to inform practitioners of the array of tools being used or explored.

FHWA Handbook at 145. (Emphasis added.) The FHWA guidelines are essentially screening tools developed to provide a quick and easy means of ranking crossings so that a state can best focus its attention on crossings that could meet each state's criteria for separation. Use of these guidelines is only the first step in a multi-factor review process, which includes a benefit/cost analysis. For example, the FHWA Handbook notes that even using exposure as a "screening method should be [done] with caution and should be calibrated for values appropriate for the particular jurisdiction." FHWA Handbook at 77. Another report concludes that the exposure index is "insufficiently accurate to serve as a decision tool to provide a particular grade separation without further technical and administrative investigation."[60] While some states (but neither Illinois nor Indiana) do rely on the exposure index to rank crossings, no state uses it as an independently sufficient determinant to require a grade separation.[61]

Similarly, there is no basis for the unadulterated use of the 40-hours-of-delay guideline as a threshold for mitigation, especially since that guideline appears to be based on a "rule of thumb" that is unsupported by any quantitative analysis. The FHWA Handbook cites the *Guidance on Traffic Control Devices at Highway-Rail Grade Crossings*, Nov. 2002, (available at http://safety.fhwa.dot.gov/media/twgreport.htm) as the source of this criterion. That document, in turn, cites a San Gabriel Valley Grade Crossings Study, Final Report (1997), which was

[60] TransTech Group, Inc., A Procedure for the Provision of Highway-Railroad Grade Separations 26 (Apr. 2001), ("TransTech Report") *available at* http://www.transtechgroupinc.com/Full_Report_042008.doc. *See also* NCHRP 288, Evaluating Grade-Separated Rail and Highway Crossing Alternatives, Transp. Res. Board (1987) ("while few states have established warrants for crossing protection based on an exposure index, this approach is not recommended because an exposure index does not accurately reflect safety conditions at crossings, and, consequently, does not provide an adequate basis for decision-making").

[61] TransTech Report at 15-16 (reporting results of 50 state survey).

prepared for the San Gabriel Valley Council of Governments by Korve Engineering in connection with the Alameda Corridor project.[62] Part of the report describes a "literature search to identify criteria for grade separation." *Id.* This search indicated that there was "a variety of considerations for grade separation but few standards." *Id.* One of those considerations was a "rule of thumb" that 40 to 50 vehicle hours of delay per day is a threshold for separation. *Id.* Based on that "rule of thumb," the designers of the Alameda Corridor apparently chose the 40-hour threshold to determine when grade separations would be constructed. *Id.* This, in turn, was adopted by the TWG and included in the FHWA Handbook as one of the measures used by states and local agencies, included merely "to inform practitioners of the array of tools being used or explored."[63] No analysis or quantitative basis for this threshold appears to have been established. So far as CN is aware, the guideline has not been adopted by any state or federal agency as a primary determinant of whether a crossing should be grade-separated.

Moreover, SEA should not use the particular conditions under the FHWA guidelines relating to vehicle exposure and delay conditions as a basis for determining that mitigation is required where use of the Board's LOS criteria indicate otherwise. Those FHWA conditions are a crude means of considering the potential impacts of traffic volumes and delay. Those matters are encompassed within the more sophisticated and appropriate LOS criteria, which take into account both the existing conditions of the crossing and the future conditions.[64]

[62] *See* Brent Ogden, Engineering the Alameda Corridor – East Project (July 14, 2003), *available at* http://www.arema.org/eseries/scriptcontent/custom/e_arema/library/2003_Conference_Proceedings/0023.pdf

[63] FHWA Handbook at 145.

[64] As an example of this failing of the FHWA standards, consider total vehicle delay at Illinois Route 60&83 and Montgomery Road. Using the updated train counts supplied by CN, but holding all other aspects of SEA's analysis constant (even those which CN disputes, such as projected ADT), the calculated delay would be 43.2 hours at Illinois Route 60/83 and 41.6 hours

Further, requiring mitigation based on these conditions could misdirect the proper environmental focus – which, under NEPA is on changes to the environment caused by approval of CN's Application – to pre-existing conditions. This is because the traffic delays on which the DEIS's demand for mitigation focus are largely the product of past under-investment in local highway infrastructure, and/or in some instances community determinations to avoid or decline solutions. Some local officials are now seeking to use this proceeding as an opportunity to have someone else pay to resolve their pre-existing local problems.

For example, according to the Chief of Police for the Village of Plainfield, the population of the Village has increased from 5,000 to 40,000 in fifteen years.[65] However, investment in infrastructure has not kept pace with demand, to the point where "current vehicular traffic volumes far exceed their initial design capacity" making residents "unhappy with daily congestion within the community." *Id.* (emphasis added). Delay in this community is clearly a preexisting condition, and not something that CN would be creating. Indeed, the DEIS recognizes that CN would be causing at most, minimal impacts. See Table at section E.2.b, above, indicating that Plainfield drivers would on average experience 12 seconds of delay at

at Montgomery Road. Based on misapplication of the FHWA guidelines, both crossings would be candidates for grade separation. However, increasing train speeds at both crossings just 2 mph over the speeds SEA assumed (to 30 and 40 mph, respectively) would reduce delay at each crossing to 38.8 and 39.9 hours, respectively. This would remove both crossings as candidates for mitigation under the FHWA delay guideline. The Board need not rely on such a crude analysis in which a 2 mph difference in train speed is the difference between no imposed mitigation and a grade crossing costing potentially millions of dollars. By focusing on the change in service of the crossing, instead of an arbitrary threshold, the LOS mitigation standard avoids this problem.

[65] Letter from Donald E. Bennett, Chief of Police, Village of Plainfield, to Phillis Johnson-Ball, Deputy Chief, SEA, Sep. 8, 2008, *available at* http://www.stb.dot.gov/ect1/ecorrespondence.nsf/PublicIncomingByDateReceived/52CFC05325 6F5EEC852574C80047AAE6/$File/13332.BENNETT.PDF?OpenElement

crossings in their community. Nor is traffic congestion a particularly recent problem for most communities along EJ&E.[66]

Similarly, Hough Street in Barrington (identified by the DEIS as requiring mitigation) has long been plagued by traffic delays.[67] As long ago as 2000, traffic on the street has been operating well above capacity,[68] but Barrington has long opposed IDOT's preferred solution of widening the road from 2 to 4 lanes.[69] If Hough Street were a 4 lane road today, it would not have a queue length problem and therefore would not even be on SEA's list of crossings requiring mitigation.

Interestingly, Barrington has previously downplayed the effects of traffic congestion, with one member of the Barrington Area Council of Governments ("BACOG") stating that Barrington is "so unique that the level of traffic doesn't really compromise the quality of life;" and "you learn to live with the small area [of town] that backs up." *Id.* Moreover, Barrington subsequently (and unanimously) rejected a variety of bypass options that would take traffic off

[66] Kevin Barrett, *Local Leaders Gather to Press State for More Transportation Funding*, Chi. Daily Herald, July 29, 1999, at D3 (noting that Naperville city officials "warned that area roadways will not support exploding business and residential growth").

[67] Virginia Groark, *Barrington Committee Offers Ideas on Traffic; Hough Congestion a Longtime Problem*, Chi. Trib., Aug. 16, 2000 at Metro Northwest 1.

[68] *Id.* (noting that, in 2000, ADT on Hough was 22,000, or about 7,000 more than the ideal maximum of 15,000.)

[69] *See* http://www.ci.barrington.il.us/DocumentsAndForms/Documents/PDFs/Comp%20Plan/Chapter%208.pdf, 2000 Official Comprehensive Plan of the Village of Barrington, Ch. 8 Transportation, at 24. Widening Hough Street would have reduced delays by 24 seconds. Dennis Rodkin, *Barrington Continues to Sing Illinois 59 Traffic Blues*, Chicago Tribune, June 19, 2002, at 60. Conversely, CN's acquisition of EJ&E would increase delay in Barrington by approximately 6 seconds.

Hough Street and recommended that IDOT's "consideration of bypass options be limited to outside the BACOG area."[70]

LOS is also a better standard for determining the impacts on vehicle delay that are attributable to the increase in rail traffic that would result from the Transaction because it relates more closely to the actual experience of a driver waiting at or passing through the crossing. For example, a highway with high traffic volumes (such as Ogden Avenue) may reach the 40 hour threshold even though each individual driver is inconvenienced with only a minor delay. If tens of thousands of drivers are each delayed by a few seconds, a crossing could quickly reach the 40 hour threshold, even though each individual driver may not notice any difference in the functioning of the roadway.

Finally, to the extent there might be a safety element to the exposure criteria that is not fully encompassed by the LOS criteria, it would be adequately encompassed by the separate FHWA condition relating to frequency of accidents.[71] Thus, there is no need and no basis to use the additional FHWA conditions for exposure or delay where the Board has already applied its criteria based the frequency of accidents and LOS.

[70] http://www.ci.barrington.il.us/DocumentsAndForms/Documents/PDFs/Comp%20Plan/3rd_Amendment_(Traffic)_Ord_03-3095.pdf, Ordinance No. 03-3095, An Ordinance Amending the Official Comprehensive Plan of the Village of Barrington, Oct. 13, 2003.

[71] In fact, SEA's safety analysis in this case showed that no grade crossing would experience a substantial increase in accident frequency, and that the overall number of rail-highway accidents per year would decrease by 9% year. DEIS at 4.2-17—4.2-18.

E.2.d. The unreasonablenesss of prescribing crossing delay mitigation based on FHWA's delay standard is highlighted by the fact that doing so would undermine the public interest in funding of grade separations for vehicle/rail crossings that have significantly greater delay than the crossings at issue here.

SEA has also provided no principled reason why, if its application of the FHWA guidelines is appropriate in this proceeding, those guidelines would not be equally applicable to other railroad crossings in Illinois and Indiana. Presumably, in accordance with the FHWA guidelines applied by SEA, the crossings with the highest exposure and greatest amount of delay would be the first candidates for grade separation, and states would start at the top of the list and work their way down as funding became available. But that is not the case, and that reality underscores the fact that SEA's proposed use of the FHWA guidelines as the basis for grade separation of the EJ&EW crossing delay impacts would be aberrational and blatantly arbitrary, unreasonable, contrary to the public interest, and discriminatory as to CN.

It appears that SEA made no investigation of or attempt to rank all crossings in Illinois or Indiana on the basis of the FHWA relative exposure index. Had it done so, it would have learned that there are approximately 122 crossings in Illinois and 4 crossings in Indiana with exposure above the proposed guideline of 1,000,000.[72] It has also made no examination of the relative rank of crossings based on the FHWA delay guideline. Yet there are an estimated 133 crossings in Illinois that currently exceed the 40 hours per day threshold for delay.[73] The following table shows the relative rank of the three crossings identified in the DEIS that would remain

[72] CN's environmental consultant compiled this list with data from the FRA database, which reports both ADT and train counts for each grade crossing in Illinois and Indiana.

[73] To calculate delay at each crossing, CN's environmental consultant used data reported in the FRA database, but had to make certain assumptions regarding train length and speed. In accordance with the Illinois Commerce Commission's methodology, it was assumed that main line trains were 7,000 feet in length and operated at 30 mph or timetable speed, whichever was lower.

candidates for mitigation under the FHWA guidelines after updated train counts and speeds are applied to 2007 ADTs:[74]

Relative Rank and Hours of Delay at Three Crossings that would Exceed FHWA Delay Threshold Even with Updated Train Counts, Updated Train Speeds, and IDOT Actual 2007 ADT[75]						
	Ogden Ave		Chicago Road		Lincoln Hwy	
	Rank in Illinois	Hours of Delay	Rank in Illinois	Hours of Delay	Rank in Illinois	Hours of Delay
IDOT Actual 2007 ADT	73	53.6	49	66.3	108	44.0
CMAP-based projection of 2015 ADT[76]	70	54.4	45	68.8	106	44.5
DEIS projected 2015 ADT	34	72.5	21	87.9	45	68.6

SEA's analysis provides no defensible reason for the starkly different outcome from state rankings that result when FHWA standards are applied at locations off the EJ&E line. In effect, the Board would be requiring the funding of mitigation at crossings that would not rank as top priorities as compared to other crossings within the same state. This strongly suggests that SEA's use of FHWA conditions as a basis for ordering mitigation of vehicle/rail crossings is flawed. If SEA were to persist in using the FHWA guidelines as it has, it would place CN at an unfair competitive disadvantage relative to other railroads not facing these standards and wrongly pressure the state and federal governments to reorder their funding priorities in an arbitrary manner.

Another indicator of how flawed the FHWA standards are as an indicator of significant impacts and the need for mitigation is that there are a number of highway/highway crossings in

[74] The reasonableness of these assumptions is described in more detail in Section E.3 below.

[75] As CN argues below, if SEA were to calculate delay using the LOS criteria, correct data, and reasonable assumptions, all crossings except for two in Joliet that are already subject to a voluntary mitigation agreement would no longer qualify for mitigation.

[76] As CN argues in more detail below, SEA should rely on IDOT's actual 2007 ADTs rather than projecting any positive ADT growth, but CN nonetheless includes projected ADTs in this table for purposes of comparison.

the affected communities that presently exceed 40 hours of delay per day. These crossings show that the communities themselves do not see that crossing the FHWA 40 hour delay threshold as much cause for concern. For example, the intersection of the Northwest Highway and IL Route 59 in Barrington causes traffic delays of 172 hours a day. Yet, Barrington has made no attempt to solve this much larger delay problem. Indeed, for each other highway/rail at-grade crossing identified in the DEIS as being substantially affected by the Transaction, there is a nearby highway/highway intersection that experiences significantly more delay than would occur at the rail crossing based on post-Transaction conditions.

Thus, if SEA were to persist in resting its decisions on the FHWA guidelines it would be seeking to impose on CN a duty to separate grade crossings that communities do not impose on themselves, that no state imposes on any other railroad, and that SEA has never sought to impose on anyone but CN. This would not be balanced regulation, but an unsustainable reactionary response to political pressure that would indefensibly discriminate against CN and put it at a competitive disadvantage to all other railroads operating in the region.

E.2.e. There can be no basis for requiring grade separation as mitigation for crossings delays without a proper determination that the value of the mitigation is warranted by the cost of the separation and by the relative value of the mitigation at one crossing as opposed to the value of mitigating delay at other crossings. SEA has not conducted that analysis.

There is also no rational basis for SEA to suggest use of the FHWA guidelines without undertaking or conditioning use of such guidelines upon undertaking a cost-benefit analysis of proposed crossings. FHWA, and the Illinois Department of Transportation ("IDOT"), either

recommend or require a cost-benefit analysis prior to deciding when to separate a crossing.[77] Other reports on grade separations have recognized that economics play an important role in grade separations.[78] As SEA itself has stated:

> The cost to grade separate a crossing can be substantial . . . and the decision should not be based solely upon the outcome of the screening criteria . . . . The decision to grade separate a crossing should be based on a benefit/cost analysis that takes into consideration the aggregate benefits from many factors.

DM&E DEIS at G-7. Likewise, FHWA recognizes that "[t]he decision to grade separate a highway-rail crossing is primarily a matter of economics" that should "be based on long-term, fully-allocated life-cycle costs." FHWA Handbook at 77. There is no rational basis to require grade separations in this case without reference to such a benefit/cost analysis. In *DM&E*, SEA recommended using a benefit/cost analysis "to assist in making informed decisions about when to grade separate a crossing." *DM&E DEIS* at G-7. Unless it conducts or even considers a cost/benefit analysis, SEA risks imposing conditions that could require construction of a grade separation where the costs would greatly outweigh the benefits.

IDOT's approach is a good example of the benefit/cost analysis. IDOT uses a relatively simple benefit/cost analysis to determine whether existing or proposed grade crossings should be eliminated and/or replaced with a grade-separation. It uses two criteria both of which must be met for a grade crossing to be considered.[79]

First, IDOT calculates the annual Expected Crash Frequency ("ECF"), expressed in crashes per year, for the crossing. To calculate the annual ECF, IDOT multiplies (1) a factor

[77] FHWA Handbook at 155-65; Illinois Department of Transportation, Bureau of Local Roads and Streets Manual at 40-1(7) (Nov. 2006) ("IDOT BLR Manual"), *available at* http://www.dot.state.il.us/blr/manuals/Chapter%2040.pdf.

[78] TransTech Report at 27 ("Cost of grade separation improvements compared to the value of expected benefits is an important component of the technical analysis.").

[79] IDOT BLR Manual at 40-1(7).

based on the average 10-year ADT, (2) a factor based on the existing crossing protections, and (3) the number of trains per day. If the annual ECF exceeds 0.02 (that is, one additional crash every 50 years), the crossing meets the first threshold for separating.

Second, IDOT calculates the annual benefit-cost ratio for grade separating the crossing. If the benefit-cost ratio exceeds 1.0 (that is, the annual benefits exceed the annual costs), it meets the second threshold for consideration for separation. To calculate the benefit-cost ratio, IDOT uses a four step process.

First, IDOT calculates the Annual ECF savings by subtracting current ECF (that is, without the separation) from the future ECF (with the separation). Second, IDOT calculates the expected annual benefit of the grade separation. The annual benefit is the cost of a crash which is based on statistics provided by the National Safety Council ("NSC") and the Illinois Commerce Commission, multiplied by the Annual ECF savings. Third, IDOT calculates the annual cost of the grade separation, which is the total cost of the grade separation divided by the expected life of the structure, plus the additional cost of maintaining the grade separation as opposed to gates. Fourth, IDOT compares the annual benefits to the annual costs. If the annual benefits exceed the annual costs, the crossing meets IDOT's criteria for separating.

The following table shows the results of IDOT's cost benefit analysis as applied to the crossings identified by SEA as requiring mitigation, using the same assumptions regarding ADTs and train counts as in the DEIS:

Application of IDOT's Benefit/Cost Criteria[80] to Crossings[81] Identified by SEA as Requiring Mitigation					
Crossing	CN's Estimate of Construction Cost of Grade Separation	Total Annual Cost[82]	Total Annual Benefit[83]	Benefit/Cost Ratio (must be higher than 1.0 to be considered for separation)	Does crossing qualify for separation under IDOT benefit/cost analysis?
Allanson Road	$12,250,000	$434,933	$30,557	0.070	No
Diamond Lake Road	$10,000,000	$359,933	$12,784	0.036	No
IL 60&83	$7,500,000	$264,400	$38,856	0.147	No
Old McHenry Road	$17,800,000	$619,933	$46,093	0.074	No
Ela Road	$8,800,000	$319,933	$32,477	0.102	No
Hough St (IL 59&63)	$10,000,000	$359,933	$32,477	0.090	No
Liberty Street	$9,600,000	$346,600	$63,194	0.182	No
Ogden Ave (U.S.34)	$9,000,000	$314,400	$127,543	0.406	No
Montgomery Road	$9,000,000	$326,600	$75,606	0.231	No
135th Street	$10,000,000	$359,933	$32,655	0.091	No
Woodruff Road	$12,500,000	$443,267	$34,970	0.079	No
Washington Street	$6,000,000	$214,400	$23,396	0.109	No
Cicero Avenue	$13,000,000	$459,933	$64,257	0.140	No
Western Avenue	$6,500,000	$231,067	$50,555	0.219	No
Chicago Road	$17,000,000	$593,267	$60,485	0.102	No
Lincoln Hwy (U.S. 30)	$15,500,000	$531,067	$88,579	0.167	No

None of the crossings identified by SEA would be justified under IDOT's existing benefit/cost formula, further highlighting the minimal impacts of the transaction. All parties recognize that capital transportation budgets are stretched thin; to waste scarce resources without

[80] IDOT uses two criteria to determine whether existing or proposed grade crossings should be eliminated and/or replaced with a grade separation: when the expected crash frequency (ECF) for grade crossing gates exceeds 0.02 and the benefit-cost ratio exceeds 1.0.

[81] Broad Street in Griffith is not included because it is in Indiana.

[82] Assumptions: annual maintenance costs are $14,400 for a railroad overpass and $26,600 for a railroad underpass and grade separation has a 30 year life. The annual cost is the total construction cost divided by the 30 year expected life, plus maintenance costs.

[83] Assumptions: cost of a crash equals $688,379 (based on most recently published data on crash probabilities from the Illinois Commerce Commission and crash damages from the NSC); crash frequency is calculated using the formula Expected Crash Frequency ("ECF") = A * B * T, where A is a factor based on ADT, B is a factor based on existing crossing protections, and T is the number of trains. The annual benefit equals the ECF multiplied by the cost of a crash.

determining whether a separation is economically justified would violate the purposes of NEPA, as well as common sense.

E.3. SEA did not properly analyze impacts on vehicular traffic and therefore overstated the Transaction's impact on delay at grade crossings.

SEA's analysis of grade crossing delay mistakenly used data and assumptions that significantly overstated the likely impacts of the Transaction. Specifically, (1) SEA failed to use the most recent data regarding train counts, train speeds, and ADT; (2) SEA unreasonably used projected ADT data; and (3) even if it were reasonable to use projections of future ADTs, SEA's methodology for projecting ADT was unreasonable. The more reasonable assumptions set forth below indicate that, even under the flawed FHWA guidelines, only 4 crossings are potential candidates for mitigation.

E.3.a. SEA should use the train counts most recently reported by CN.

SEA should use updated train counts provided by CN. The train counts used in the DEIS included two trains that, at the time the Application was filed, CN believed would be rerouted over EJ&EW for interchange with CSXT at Kirk Yard. However (as CN advised SEA in April and May), CN has been unable to obtain CSXT's consent to an interchange of those trains at Kirk Yard, and they will therefore not be rerouted.[84] The DEIS notes the updated train counts (see the note preceding Appendix C to the SIP, which is included as Appendix B of the DEIS),

[84] Letter from Paul A. Cunningham, Counsel, CN, to Victoria J. Rutson, Chief, SEA, at 2 & n.1 (May 23, 2008), *available at* http://www.STBfinancedocket35087.com/html/inforequest.html; April 21, 2008 Letter, ("at least two of the trains that CN projected just six months ago would move over EJ&EW following the Transaction are unlikely to do so"); *id.*, Attachment 1 ("The figures reflected in the Operating Plan include two trains that CN interchanges with CSX that CN expected to route over EJ&EW from Leithton to Kirk Yard. However, as a result of conversations with CSX, CN no longer expects those trains to be operated over EJ&EW.")

but fails to update the data used in its analyses accordingly. For the FEIS, SEA's analysis of delay should take this change in train counts into account.

E.3.b. SEA should use updated train speeds.

CN has redesigned the connection between the CN and EJ&E lines at Matteson to allow faster operating speeds on the main line though the connection than would the configuration originally planned by CN and submitted in its Application. CN submitted the revised design to SEA on August 21, 2008. CN has also modified its plans for improving the connection between the CN and EJ&E lines at Leithton so that southbound trains coming onto EJ&E from CN's Waukesha subdivision and northbound trains moving onto the Waukesha subdivision from EJ&E would be able to move at higher speeds than the design CN originally submitted for its planned improvement to this connection. CN submitted the revised design to SEA on September 18, 2008. For both connections, CN used its Train Performance Calculator ("TPC") to recalculate speeds of trains over grade crossings near the connections, and reported those speeds to SEA on September 26, 2008. (The updated train speeds reported on September 26 also corrected an error in CN's earlier calculation of the weighted average of the CN, EJ&E, and other train speeds on the EJ&E line, which gave excessive weight to the "other" (i.e., non-CN, non-EJ&E) trains. Additionally, to increase the accuracy of the results, CN calculated the train speed at each crossing as the average of the speeds as the head end, the midpoint, and the tail end of the train passed over the crossing, and reported the train speed as the average of those three speeds, instead of simply reporting the speed of the midpoint of the train at each grade crossing, as was done in the calculations reported previously.) For the FEIS, SEA should use these updated train speeds in its analysis of delay at grade crossings. Using updated train speeds would remove

Liberty Street, Montgomery Avenue, Broad Street, Cicero Avenue, Illinois Route 60/83, and Allanson Road as candidates for mitigation under the FHWA guidelines.

E.3.c. SEA should use the most recent reports of Average Daily Vehicular Traffic ("ADT") information.

CN agrees that SEA should obtain ADT data from a reliable, regional source and not rely on local source that could potentially be biased or use methodologies to collect and record ADTs that are inconsistent with those used by other jurisdictions. To the extent that traffic counts throughout the region are collected by a single agency using a reliable methodology, SEA should rely on those data. Fortunately, IDOT regularly collects traffic counts for roads throughout the region, and supplies its data to FRA for inclusion in FRA's grade crossing database.[85]

To ensure the most accurate analysis, SEA should use the most recent information on ADT available from IDOT and reported in the FRA's grade crossing database. In Illinois, traffic is counted on state-maintained routes every other year, while county highways and township roads are generally counted every five years.[86] According to the records maintained by FRA, IDOT updated the ADT information for several roads (both state- and county-maintained) with grade crossings over EJ&E, and that information has been available from FRA since March 31, 2008. Where this information is available, SEA should use it, because, as discussed below in section E.3.3, SEA's estimated 2007 ADT was off by over 60% compared to ADTs actually observed by IDOT.

[85] *See, e.g.*, Illinois Department of Transportation, Illinois Highway Information System: Railroad Information and Procedure Manual at ii (Jan. 2002), *available at* http://www.dot.il.gov/irrismanual.pdf. With the updated train speeds noted in the preceding section, the one Indiana crossing as to which the DEIS recommended mitigation would no longer trip the threshold criteria.

[86] Illinois Department of Transportation, Illinois Traffic Monitoring Program at 37 (2005), *available at* http://www.dot.state.il.us/itmp.pdf

The following chart shows those crossings where IDOT has recently updated the reported ADT, and compares the 2007 ADTs projected by SEA (based on growth rates it assigned to each county) with the ADTs currently observed and reported by IDOT and available in the FRA database. (As discussed below, Current Roadway LOS is included in order to indicate which highways are currently at or near capacity.)

Comparison of SEA's Estimated 2007 ADTs with 2007 ADTs Reported by IDOT

Crossing	SEA 2007 estimated ADT	IDOT 2007 reported ADT	Previously reported year	Previously reported ADT	Current Roadway LOS[87]
Diamond Lake Road	7,103	4,900	2004	6,500	C
IL 60&83	23,413	22,900	2005	23,300	F
Gilmer Road	14,729	12,600	2004	12,700	E
Old McHenry Road	25,596	21,400	2004	21,400	D
Oakwood Road	5,354	3,750	2004	4,900	B
Main Street (Lake Zurich)	13,792	5,900	2005	13,000	D
Old Rand Road	8,414	5,900	2004	7,700	B
Ela Road	16,892	15,000	2004	14,300	E
Cuba Road	10,249	7,600	2004	8,300	D
Northwest Hwy	26,573	26,800	2005	25,600	D
Hough Street/ IL 59&63	18,990	17,800	2005	17,800	E
Ogden Ave	36,177	36,400	2005	34,100	F
Main Street (Plainfield)	17,505	15,800	2005	16,500	E
Nelson Road	5,791	1,009	2004	5,300	C
Cicero Ave	28,257	21,500	2005	27,700	E
Chicago Road	24,788	21,600	2005	24,300	D
Lincoln Hwy	36,622	27,000	2005	35,900	F

The table shows that, in many instances, ADT has either stayed relatively constant (Gilmer Road, Old McHenry Road, Hough Street) or has declined substantially (Diamond Lake Road, Cicero Avenue, Chicago Road, Lincoln Highway). This is not surprising, because, as the table above demonstrates, many of the roadways currently operate at or above capacity, which

[87] The roadway LOS (which is different from a crossing LOS) is determined by calculating the volume to capacity ratio, which is the total daily volume divided by the total capacity. Capacity is determined based on the type of road and the number of lanes. For roadways with an LOS of F, the ratio is greater than 1.0, meaning that volume exceeds capacity. DEIS at 3.3-27.

limits the potential for growth in traffic. It is unclear why ADT at some crossings has fallen, but among the possible reasons for the decrease are higher gas prices, changes in demographic or traffic patterns, or construction of additional alternative routes.[88] In any event, the ADT observed in 2007 for several crossings is substantially lower than the ADT that SEA projected for 2007, strongly indicating that SEA's projections based on assumed annual growth percentages significantly overstate actual 2007 ADTs for all other crossings on the EJ&E arc.

E.3.d. There is no rational basis for using projected ADTs; SEA should use 2007 ADTs.

It is unprecedented and unreasonable to base mitigation requirements on ADT projected for eight years, to 2015. It is one thing to discuss impacts in terms of taking a "hard look" at the Transaction, but it is a different matter when an agency uses highly questionable projections as the sole basis for imposing mandatory mitigation. SEA has never before based mitigation on impacts that would not be projected to occur until many years in the future, and might not occur

[88] The FHWA, which measures vehicle miles traveled ("VMT") on a monthly basis, reports that, as of March 2008, cumulative VMT had fallen by 17.3 billion miles since November 2006. Press Release, Federal Highway Administration, Americans Driving At Historic Lows (May 23, 2008), *available at* http://www.dot.gov/affairs/fhwa1108.htm. That trend has continued through the summer of 2008, and since November of 2007 Americans have driven 53.2 billion fewer miles than they did over the same period a year earlier – topping the 1970s' total decline of 49.3 billion miles. Press Release, Federal Highway Administration, American Driving Reaches Eighth Month of Steady Decline (Aug. 13, 2008), *available at* http://www.dot.gov/affairs/fhwa1708.htm.

at all.[89] In all previous EISs, SEA relied on currently available ADTs without projecting them into the future.[90]

There are good reasons why SEA has historically declined to project future vehicular traffic as a basis for prescribing environmental mitigation, and there are good reasons to again decline to do so now. Predictions with the level of precision and reliability necessary to serve as the basis for very costly mandatory mitigation would, as a practical matter, be exceedingly difficult or impossible to make for the reasons discussed in the attached memorandum by Professor Jeffrey Dubin of the University of California Anderson School of Management (Exhibit 2). These include the difficulty of reasonably forecasting ADTs for such a long period, the uncertainty regarding their actual growth rates, the problems with assuming that a single county growth rate can be applied to a specific crossing, and the particularly large variances and uncertainties regarding underlying factors such as population growth rates and gasoline prices that can be expected to strongly influence ADTs. He explains that each of these sources of uncertainty makes any effort to forecast route specific vehicular traffic highly problematic and of limited utility. Prof. Dubin Memo, Exhibit 2 at 12-13.

[89] CN is aware of only one instance in which SEA used projected ADTs, and that was an Environmental Assessment where the issue was not imposition of expensive mitigation, but confirmation of the absence of significant impacts. *See Arizona E. Ry. – Construction & Operation – In Graham County, AZ*, STB Finance Docket No. 34836, Draft Environmental Assessment at 4-10 & Appendix F (STB served Feb. 25, 2008).

[90] See *Bayport Loop DEIS* at F-8 (ADT information was provided by TxDOT and was based on 2001 data, with the exception of three crossings for which 1996 or 1992 data were used because 2001 data were not available); *SW Gulf DEIS* (served Nov. 2004) at 4-15 (ADTs based on 2002 figures from TxDOT or 2003 figures from Medina County Commissioner); *DM&E DEIS* at G-1 (SEA obtained data from the FRA database and supplemented it with field observations and information supplied by DM&E and state officials); *Conrail FEIS* at 4-32 (SEA used ADTs contained in FRA database, updated for locations where state or local government agencies provided that information).

In addition, based on the information available, it appears as likely or more likely that future changes in ADT will be zero or negative rather than positive for the affected roads. Accordingly, Professor Dubin concludes that a growth rate no higher than zero should be assumed for purposes of SEA's ADT analysis. *Id.* This evidence is compelling.

For example, recently observed data by both IDOT and FHWA indicates that Americans and the citizens of Illinois are driving less, a trend that may continue as gas prices remain at historically high levels. The following chart shows the actually observed growth rates on some roads in northeastern Illinois:

Growth Rate at Selected Intersections Based on Last Two ADT Measurements by IDOT

Crossing	2007 reported ADT	Previously reported year	Previously reported ADT	Observed Growth Rate
Diamond Lake Road	4,900	2004	6,500	-8.99%
IL 60&83	22,900	2005	23,300	-0.86%
Gilmer Road	12,600	2004	12,700	-0.26%
Old McHenry Road	21,000	2004	21,400	-0.63%
Oakwood Road	3,750	2004	4,900	-8.53%
Main Street (Lake Zurich)	5,900	2005	13,000	-32.63%
Old Rand Road	5,900	2004	7,700	-8.49%
Ela Road	15,000	2004	14,300	1.61%
Cuba Road	7,600	2004	8,300	-2.89%
Northwest Hwy	26,800	2005	25,600	2.32%
Hough Street/ IL 59&63	17,800	2005	17,800	0.00%
Ogden Ave	36,400	2005	34,100	3.32%
Main Street (Plainfield)	15,800	2005	16,500	-2.14%
Nelson Road	1,009	2004	5,300	-42.47%
Cicero Ave	21,500	2005	27,700	-11.90%
Chicago Road	21,600	2005	24,300	-5.72%
Lincoln Hwy	27,000	2005	35,900	-13.28%

This trend of flat to decreasing ADT is consistent with national and state-wide trends. The FHWA has noted that Americans and the citizens of Illinois and Indiana have been driving

less. The following chart shows the month-to-month change in vehicle miles traveled on urban arterial roads both nationally and in Illinois and Indiana, as reported by FHWA.[91]

Month-over-Month Change in Vehicle Miles Traveled on Urban Arterials			
Month	Nationwide Change in VMT (Urban Arterials)	Illinois-wide Change in VMT (Urban Arterials)	Indiana-wide Change in VMT (Urban Arterials)
Nov-07	-0.40%	0.90%	-1.0%
Dec-07	-3.80%	-6.30%	-6.1%
Jan-08	-1.70%	-1.30%	-2.7%
Feb-08	-0.40%	-1.90%	0.9%
Mar-08	-3.70%	-6.00%	-7.9%
Apr-08	-1.00%	-1.40%	-3.5%
May-08	-3.20%	-4.10%	-6.8%
Jun-08	-4.20%	-4.50%	-4.9%

VMT is a measure of demand for automobile travel and is thus closely related to ADT. Based on the data in the chart above, it would not be surprising for ADTs at many crossings to exhibit zero or negative growth rates going forward.

One obviuous source of decreased demand for automobile travel is increased gasoline prices. Unsurprisingly, gasoline prices have risen substantially over the period of time for which FHWA has reported decreased VMT. In the face of high gasoline prices, consumers have short, intermediate, and long term responses; each would have a negative effect on ADT.

In the short term, drivers can make fewer trips,[92] make shorter trips, or make more combined trips or they can choose to take transit, bike, or walk.[93] In the medium term,

[91] Traffic Volume Trends, from which this data is compiled, is a monthly report based on hourly traffic count data reported by the States, and is available at http://www.fhwa.dot.gov/ohim/tvtw/tvtpage.cfm. These data are collected at approximately 4,000 continuous traffic counting locations nationwide.

[92] National gasoline consumption has been declining, indicating motorists are driving less. *See* Energy Information Administration, Short-Term Energy Outlook (Sept. 4, 2008) 4, *available at* http://www.eia.doe.gov/emeu/steo/pub/sep08.pdf ("Total U.S. petroleum and other liquids consumption is projected to decline by 610,000 bbl/d, or about 3 percent, in 2008"). Since February 2007, month over month consumption has declined in Illinois. *See* http://tonto.eia.doe.gov/dnav/pet/hist/a103620171m.htm.

consumers may choose to purchase more fuel-efficient vehicles, which could have a positive effect on ADT growth (or a neutral one, if the new vehicles are used to replace existing ones).[94] In the long term, drivers may take more significant measures, such as moving to be closer to their jobs or mass transit. All of these responses will tend to drive down ADT.

This underscores another reason it would be unreasonable for SEA to base mitigation on effects expected at some arbitrary time in the future. If it is true that ADT growth is either flat or negative (as recently observed data suggests), then current 2007 ADT is actually a conservative estimate of impacts from delay. There are simply too many unknowns regarding important inputs into SEA's model to support conditions that would impose upon CN a duty to pay now to mitigate effects that may never actually occur. SEA's use of only current ADT in taking a "hard look" at delay impacts has been judicially upheld, and there is no sound reason to change that methodology now.

In light of such evidence and broad trends against ADT growth, SEA's assumptions of uniform positive growth rates are unsupportable. The Board should instead use the latest available actual ADT data from IDOT or other like sources.

E.3.e. Even if SEA projects growth in vehicular traffic, any projections should be based on reasonable growth assumptions and not on the arbitrary assumptions contained in the DEIS.

Even if SEA concludes that it must project ADT for the purpose of conducting a "hard look" at the impacts of the Transaction, it should use more appropriate growth rates for vehicular

[93] Metra, for example, has seen a significant increase in ridership. *See* Jon Hilkevitch and Richard Wronski, Record ridership strains CTA, Metra, Pace – and it's likely to get worse, Chic. Trib., Sept. 2, 2008 (noting that, "fueled by high gas prices," Metra ridership increased 5% for the first half of 2008 and that Metra expects 2008 to be its third straight record-setting year).

[94] Although supply of fuel efficient vehicles has yet to catch up with demand, by the time current fuel inefficient vehicles are replaced on a large scale by fuel efficient ones, long-term impacts from high gasoline prices may begin to influence ADT.

traffic than those applied in the DEIS. As discussed by Professor Dubin (Exhibit 2 at 4-5), one way to assess the accuracy of SEA's forecasts is by examining its estimates of 2007 ADT versus the actual 2007 ADT counts that have now been completed. The following chart shows the crossings where IDOT updated its ADTs for 2007 (as reported to and available in the FRA database) and compares those figures with SEA's projected 2007 ADTs.

Comparison of SEA Projected 2007 ADT to Actual 2007 ADT Reported by IDOT			
Crossing	SEA's 2007 Estimated ADT	IDOT's Reported Actual ADT	Percent Difference
Diamond Lake Road	7,103	4,900	45.0%
Gilmer Road	14,729	12,600	16.9%
Old McHenry Road	25,596	21,000	21.9%
Oakwood Road	5,354	3,750	42.8%
Main Street (Lake Zurich)	13,792	5,900	133.8%
Old Rand Road	8,414	5,900	42.6%
Cuba Road	10,249	7,600	34.9%
Northwest Hwy	26,573	26,800	-0.8%
Hough Street/ IL 59&63	18,990	17,800	6.7%
Ogden Ave	36,177	36,400	-0.6%
Main Street (Plainfield)	17,505	15,800	10.8%
Nelson Road	5,791	1,009	473.9%
Cicero Ave	28,257	21,500	31.4%
Chicago Road	24,788	21,600	14.8%
Lincoln Hwy	36,622	27,000	35.6%
Average SEA Percentage Error			**60.6%**

Sources: DEIS at 3.3-7-14; FRA, Office of Safety Analysis, http://safetydata.fra.dot.gov/officeofsafety/publicsite/crossing/XingLocResults.aspx?state=17&countycity=&railroad=EJE&radionm=County&street=.

As the table illustrates, SEA's growth assumptions begin with an average over-estimation of 2007 ADT of 60.6%. This suggests strongly that SEA's chosen growth rates are too high. Moreover, as noted by Professor Dubin, the fact that SEA's forecasts are so far in error during

the earliest years of the forecast suggests that the degree of error could compound radically as the forecast horizon is extended to 2015 and beyond. *Id.* at 5.

These poor results are not surprising given the fatally flawed approach used by SEA for forecasting ADT growth. First, using a single growth rate for an entire county is unrealistically simplistic, because, among other factors, population growth is not uniform throughout the county. Developable areas that are closer to jobs and retail may be built up before outlying areas, and real-world growth in ADT would reflect this uneven growth in a way that county-wide projections do not. Also, as roads become congested, drivers begin to avoid them in favor of alternative routes.[95] Thus, ADT on a congested road might stay relatively constant (at a level that represents the capacity of the road), while traffic on alternative routes would grow, at least until those roads also reached their capacity. Professor Dubin explains that use of macro data such as county-wide growth rates on a micro basis at individual crossings substantially undermines SEA's forecasts due to resulting disaggregation uncertainty. Memorandum of Professor Dubin, Exhibit 2 at 5-6.

Second, the growth rates used by SEA are not supported by current demographic trends. SEA states that growth rates for Cook and Lake (IL) Counties were supplied by county engineering offices.[96] For other counties, SEA "estimated the percentage of growth for each year and each county using data from the late 1980s to 2006 to project ADT for the year 2007."[97] The

[95] TransTech Report at 35 ("[A]s capacity of a road is approached, the traffic will spread over time to form longer peak periods, or will divert to less congested roads. This can work in reverse; a road that is not currently at capacity can have an abnormal increase of traffic due to diversion from a more congested parallel route.").

[96] DEIS at 3.3-4.

[97] *Id.*

following table shows population growth in each of the counties that would be impacted by the EJ&E Transaction.

Comparison of SEA's Estimated County-wide ADT Growth Rates to Historic and CMAP's Projected Population Growth Rates

County	SEA Applied ADT Growth Rate	1980-1990 Growth Rate	1990-2000 Growth Rate	2000-2007 Growth Rate	2007-2030 Projected Growth Rate
Cook	1-2%	-0.26%	0.51%	-0.25%	0.52%
Lake (IL)	3%	1.51%	2.17%	1.40%	0.74%
Dupage	3%	1.74%	1.41%	0.39%	0.34%
Will	3%	1.01%	3.41%	4.27%	2.06%
Lake (IN)	3%	-0.90%	0.17%	0.22%	0.54%

Source: U.S. Census data, except future growth data, which is from CMAP, http://www.chicagoareaplanning.org/data/forecast/2030_revised/ENDORSED_2030_forecasts_9-27-06.pdf

As the table indicates, SEA's ADT growth rates are substantially higher than the historical growth rates in population that one would expect to correlate with SEA's projections. The table also indicates that 4 of the 5 counties are substantially developed and are unlikely to exhibit high levels of future growth. Cook and Lake (IN) counties have been substantially developed since before 1980, and have historical and projected future growth rates that are significantly below those figures used by SEA. While Lake (IL) and Dupage counties experienced significant growth in the periods 1980-1990 and 1990-2000, that growth has tapered off as the counties have now become fully developed. Moreover, even in those periods of relatively high growth, neither county saw the level of explosive growth that SEA has projected between the present and 2015. SEA's selected growth rate for Will County, which is the least inconsistent with population growth rate, is still a full percentage point higher than projections provided by CMAP.[98] See discussion of CMAP projections below.

[98] CMAP is an official Metropolitan Planning Organization, and is created by and operates under state law. CMAP was created to address regional transportation planning issues in northeastern Illinois.

As Professor Dubin shows in his memorandum, one of the most unsupportable aspects of SEA's forecast is in fact its unwarranted assumption that growth rates will be constant and positive. Memorandum of Professor Dubin, Exhibit 2 at 10-12. The table below powerfully illustrates that growth factors vary across crossings within individual counties, and that overall growth rates have in recent experience largely been negative instead of positive.

Comparison of Recent Annual ADT Growth Rates with SEA's Assumed Growth Rates

Street	County	Start Year	Start ADT	End Year	End-ADT	Growth Rate	SEA's Assumed Annual Percentage Growth Factor
Allanson Road	Lake	2004	15,300	2007	14,400	-2.00%	3
Old McHenry Rd.	Lake	2004	21,400	2007	21,000	-0.63%	3
Ela Road	Lake	2004	14,300	2007	15,000	1.61%	3
Hough St. Ill (59&63)	Lake	2005	17,900	2007	17,800	-0.28%	3
Liberty Street	DuPage	2004	15,200	2005	15,400	1.32%	3
Ogden Ave. (U.S.34)	DuPage	2005	34,100	2007	36,400	3.32%	3
Cicero Ave.	SE Cook	2005	27,700	2007	21,500	-11.90%	1
Chicago Rd.	SE Cook	2005	24,300	2007	21,600	-5.72%	1
Lincoln Hwy.	SE Cook	2005	35,900	2007	27,000	-13.28%	1
					Simple Average	**-3.06%**	

Source: Developed from data collected by FRA's Office of Safety Analysis, http:/safety data.fra.dot.gov/officeofsafety/publicsite/crossing/xingqryloc.aspx.

This shows that SEA's assumption of constant positive growth rates is untenable. It also reinforces the point that negative or zero near term and long term growth rates are just as likely at crossings of interest as positive growth rates.

For all of the above reasons, there are no grounds for SEA to depart from prior precedent and attempt to forecast ADTs with positive growth. Given the recent lack of growth in ADT, and the added fact that the impacts of the tremendous rise in gasoline prices are just beginning to be seen in changes in driving patterns and data reflecting those changes, the Board has ample

grounds for relying on current ADTs as a conservative (*i.e.*, likely high) estimate of future ADTs.

Alternatively, if the Board believes it can develop its own reasonably reliable forecasts of ADTs, it should use a more reliable and accurate methodology than that used for the DEIS, so that its projections properly reflect the anticipated zero or negative growth in ADT for most or all crossings.

As discussed above, however, making any projections regarding ADTs is not a simple matter. Therefore, as a final and least supportable option, if the Board believes it is compelled to forecast ADTs rather than rely on the latest available IDOT information, and the Board also believes it cannot reasonably do so itself, it might consider as a last resort utilizing CMAP information to develop projected ADTs. CMAP, an official government planning agency, maintains a list of projected ADTs for roads in northeastern Illinois. Nonetheless, as noted by Professor Dubin, CMAP's data will suffer from both model and data lag, and thus will likely project ADT that is too high. *See* Memorandum of Professor Dubin, Exhibit 2 at 13 For example, the future impacts of greatly increased gasoline prices will not be fully reflected in the CMAP data. This is one of the chief reasons it would be more accurate and defensible for the Board to utilize the most recent IDOT data.

Nonetheless, as compared to the DEIS projection methodology, CMAP's projections have the benefit of being well-studied and widely used, and of taking into account many of the considerations discussed above. CMAP's projections use a professionally recognized four-step transportation model that takes into account: trip generation; trip distribution; modal split; and

trip assignment.[99] CMAP's projections also take into account the fact that all roads are not equally attractive to drivers, who select the most efficient routes and avoid those that become congested if faster options are available. In other words, CMAP maintains a reasonably-robust transportation planning model for predicting, on a roadway by roadway basis, future ADTs.

While CMAP projects ADTs to 2030 and not to any years between then and the present, implied growth rates can be used to calculate projected ADTs for 2015, as set forth in the following table.

Comparison of SEA's 2015 Projected ADT to CMAP's 2015 Projected ADT

Crossing	SEA 2015 projection	CMAP 2030 projection	Implied CMAP growth rate	CMAP 2015 projection	Difference from SEA 2015 projection
IL 60 & 83	29,659	27,000	0.72%	24,250	-5,409
Diamond Lake Road	8,998	7,000	1.56%	5,547	-3,451
Old McHenry Road	32,424	27,000	1.10%	22,918	-9,506
Ela Road	21,398	17,000	0.55%	15,667	-5,731
Hough Street (IL 59 & 63)	24,056	18,000	0.05%	17,869	-6,187
Liberty Street	20,696	18,000	0.68%	16,259	-4,437
Ogden Avenue (US 34)	45,828	38,000	0.19%	36,949	-8,879
Montgomery Road/83rd Street	27,131	24,000	0.88%	21,030	-6,101
135th Street	11,766	15,000	2.50%	10,357	-1,409
Woodruff Road	10,659	16,000	3.23%	9,930	-729
Washington Street	11,714	9,000	0.91%	7,851	-3,863
Cicero Avenue	30,598	32,000	1.74%	24,689	-5,909
Western Avenue	24,717	32,000	1.52%	25,506	+789
Chicago Road	26,842	24,000	0.46%	22,406	-4,436
Lincoln Highway (US 30)	39,656	28,000	0.16%	27,344	-12,312
Broad Street (IN)[100]	19,572	21,681	0.81%	16,484	-3,088

[99] *See, e.g.*, Illinois Department of Transportation, Transportation Research Center, *Developing Long Range Traffic Projection Models for Illinois* at 11 (June 2004) *available at* http://www.dot.state.il.us/materials/research/iva_h1_fy03.exe.
("The most commonly accepted procedure for performing travel demand modeling is the 4-step process of trip generation, trip distribution, mode split, and trip assignment. . . . Common applications of travel demand models [include] predicting changes in travel patterns that result from changes in demographic characteristics and transportation supply.").

[100] Information from Northern Indiana Regional Planning Commission.

Certainly, if any use of projections is warranted, use of these CMAP 2015 ADTs would be more reasonable than using SEA's constant annual growth factors. *See* Exhibit 2 at 13 (despite CMAP's data and model lag, it provides a more accurate indicator of future growth than SEA's approach). They are based on projections by a professional, local planning agency that has the experience, expertise, and ability to make these kinds of projections. Further, they are based on a rigorous transportation model that is widely used for planning purposes in the Chicago area and is route specific. Use of projections for 2015 derived from CMAP's projections would eliminate Old McHenry Road as a candidate for mitigation.

E.4. Queue length is not a rational basis to require mitigation, and even if it were indicative of a need for mitigation, it would not require a grade separation.

SEA evaluated the operations of roadways that cross rail line segments expected to experience a change in rail traffic in order to assess the impact on regional mobility. Part of this assessment was an analysis of queue lengths, which SEA studied "to determine effects on local access and circulation due to the queued vehicles blocking crossing roadways." DEIS at 4.3-9. SEA determined that there would be a "serious" effect if the queue length at a crossing blocks a roadway that is not blocked under the No-Action Alternative. DEIS at 4.3-10. SEA calculated the queue length by estimating the number of vehicles in line at the end of the blocked crossing time of a single train event and multiplying that by an average vehicle length. If the queue length was longer than the storage length,[101] SEA determined the crossing could be substantially affected. SEA has never previously required mitigation based on this criterion, and it should not do so here.

[101] Storage length is the roadway distance from the at-grade crossing to the major thoroughfare, multiplied by the number of lanes.

E.4.a. Queue length is not a rational basis for requiring mitigation

There are a number of reasons why the queue length criterion, as used by SEA, is inappropriate for determining mitigation, and would be especially inappropriate for requiring a grade separation. First, the queue length criterion is based on the impact of a single train; because it is independent of changes in rail traffic volume, it can lead to anomalous results. For example, even if CN were proposing to add just one train to EJ&E, the crossings at Ela Road, Hough Street, 135th Street, and Lincoln Highway would still require mitigation under the queue length standard. Under SEA's logic, there could be substantial impacts where applicants propose increasing train traffic by fewer than three trains per day, below SEA's established thresholds, which only require analysis where train traffic would double (in tonnage) or increase by three or more trains a day. *See* DEIS at 4.3-1.

Second, it would be excessive for the Board to order mitigation on the basis of its queue length analysis because it is against the law in Illinois for a driver to enter an intersection "unless there is sufficient space on the other side of the intersection . . . to accommodate the vehicle he is operating without obstructing the passage of other vehicles . . . notwithstanding any traffic-control signal indication to proceed." 625 ILCS 5/11-1425(a). Thus, queue length from a grade crossing would only affect operation of an intersecting roadway where motorists were in violation of Illinois law. Where motorists follow the law, they will not enter the intersection if there is not sufficient space to clear it, and would therefore not interfere with operation of the intersecting road.[102]

[102] There are other potential problems with the queue length analysis. For example, CN is aware of only one previous environmental review where SEA calculated the actual length of the affected queue (rather than merely calculating the number of vehicles in the queue), and in that draft EA, served only seven months ago, SEA estimated queue length using a length of 17 feet 8 inches per vehicle, instead of the 25 feet assumed for this review. *See Ariz. E. Ry. – Constr. & Operation – in Graham County, Ariz.*, STB Finance Docket No. 34836, Draft Environmental

E.4.b. Even if it were reasonable for SEA to use queue length as a basis for finding a grade crossing to be "potentially substantially affected," the DEIS properly recognizes that solutions other than grade separations are appropriate.

Even if use of queue length were an appropriate criterion for imposing mitigation, the DEIS properly recognizes that there are effective solutions other than designating a crossing for grade separation. The most cost-effective solution is simply installing signs reminding motorists of their legal obligation not to enter an intersection where there is not enough space to clear it. Such "don't block the box" measures have been successfully implemented in jurisdictions, including Washington, D.C., facing intersection gridlock. Another possibility, recognized by the DEIS, are traffic signal revisions to manage queuing, or signalization interconnection. Such revisions would entail forwarding preemption/notification of an approaching train to the roadway traffic signal controller and railroad active warning devices at the same time. This information would cause the signal to alter its phasing to limit the queue buildup at the grade crossing.

There is more than one way to limit queue buildup using signalization interconnection, but the simplest would be limiting any movements that would conflict with the train. Alternatively, a traffic detection loop could be installed that would permit conflicting movements (i.e., allowing cars to be added to the queue) until the queue reaches a particular length, and then stop all conflicting movements. If uncontrolled left or right turns exist and contribute to queue length problems, signage could be installed to limit this problem. Therefore, as properly recognized in the DEIS, grade separations are neither justified nor required at those intersections where queue length is the sole ground for imposition of mitigation.

Assessment at 4-9 (STB served Feb. 25, 2008). The DEIS provides no explanation for the change in SEA's queue length assumptions.

E.5. Use of updated data, corrected assumptions, and proper analysis in keeping with past precedent, eliminates all crossings as candidates for mitigation other than Washington Street and Woodruff Road.

The preceding sections discuss (1) why it is unreasonable to abandon the LOS criteria for determining the applicability of mitigation, (2) various data that can and should be updated as part of SEA's FEIS, and (3) assumptions and analyses that should be corrected, in order to reasonably analyze whether there are potential impacts at vehicular grade crossings of the EJ&E line to determine if mitigation is warranted.

In sum, correcting the data – specifically the train counts and train speeds – underlying SEA's analysis would remove 6 crossings (Allanson Road, IL 60&83, Liberty Street, Montgomery Road, Cicero Avenue, and Broad Street) as candidates for mitigation even under the flawed FHWA guidelines. Using 2007 ADTs, which, as CN demonstrates above is a more reasonable basis for analysis than the county-wide growth rates applied by SEA, would remove a further 2 crossings (Old McHenry Road and Western Avenue) as candidates for mitigation under those guidelines. Recognizing that the queue length criterion is an inappropriate basis for mitigation would eliminate 4 further crossings (Diamond Lake Road, Ela Road, Hough Street, and 135th Street) as candidates for mitigation. Finally, recognizing that the FHWA guidelines are inappropriate for determining mitigation would eliminate the final 3 crossings (Ogden Avenue, Chicago Road, and Lincoln Highway). None of the crossings identified by SEA, with the exception of Washington Street and Woodruff Road (which are already the subject of a voluntary mitigation agreement) are therefore properly candidates for mitigation.

The following table summarizes the above paragraph, with each "NMR" signifying that at the given crossing No Mitigation is Required based on the assumption in the column heading.

Summary of How Reasonable Assumptions Regarding SEA's Grade Crossing Analysis Eliminates Certain Crossings as Candidates for Mitigation (NMR: No Mitigaiton Required)							
Crossing	Mitigation Agreement	Update Train Counts*	Update Train Speeds	Use 2015 ADTs based on CMAP growth rates	Use 2007 ADTs	Eliminate Queue Length Analysis	Use Only LOS criteria
Allanson Road			NMR	NMR	NMR		NMR
IL 60 & 83			NMR	NMR	NMR		NMR
Diamond Lake Road						NMR	NMR
Old McHenry Road				NMR	NMR		NMR
Ela Road						NMR	NMR
Hough Street						NMR	NMR
Liberty Street			NMR	NMR	NMR		NMR
Ogden Avenue (US 34)							NMR
Montgomery Road/83rd Street			NMR	NMR	NMR		NMR
135th Street						NMR	NMR
Woodruff Road	NMR						
Washington Street	NMR						
Cicero Avenue			NMR	NMR	NMR		NMR
Western Avenue					NMR		NMR
Chicago Road (IL 1)							NMR
Lincoln Highway (US 30)							NMR
Broad Street			NMR	NMR	NMR		NMR

* Would reduce findings of impacts, but would not by itself result in the removal of any of the listed crossings as candidates for mitigation.

This table demonstrates that under a proper analysis, the only two vehicular-rail at grade crossings warranting potential mitigation are the two grade crossings in Joliet (Woodruff Road and Washington Street), both of which are already subject to the mitigation agreement between the City of Joliet and CN.

E.6. Even if there were a rational basis for prescribing grade separations at crossings other than those in Joliet, the allocation of responsibility for any such crossing should be that traditionally applied under federal and state law.

One of the mitigation options that SEA is considering is for CN to pay up to 50% of the cost of a grade separation. For the reasons discussed below, such an allocation would violate the equitable principles inherent in the Transaction because CN is reducing delay and queue length at a number of grade crossings from levels that would meet SEA's criteria under the No Action Alternative but would not under the Proposed Action. Any mitigation imposed by the Board must recognize and take into account the substantial savings for those crossings. Additionally, SEA's proposed allocation would be contrary to decades of established federal policy. Absent exceptional circumstances, which, as the DEIS indicates are not present here, SEA should adhere to the traditional cost allocations for grade separations.

E.6.a. In considering responsibility for funding grade separations, SEA should take into account reductions in crossing delays.

The following tables list crossings on current CN lines into Chicago that currently meet the same standards for grade separation that SEA proposed be applied to crossings on the EJ&E line, but which would cease to be candidates for mitigation under those standards if the Transaction were approved:

Crossings on CN Lines that Exceed the 40 Hours of Vehicle Delay Threshold Under the No-Action Alternative but Not the Proposed Action[103]		
Crossing	No-Action Delay (hours)	Proposed Action Delay (hours)
Golf Road (IL 58)	48.3	1.5
Rand Road (US 12)	44.7	1.3
95th Street (US 12/US 20)	42.5	0.0
170th Street	57.2	8.5

Crossings on CN Lines that Exceed the Queue Length Threshold Under the No-Action Alternative but Not the Proposed Action Alternative[104]	
Crossing	Queue would block the following major thoroughfare
1st Avenue	North Avenue (IL 64)
Euclid Avenue	Wolf Road
Butterfield Road	Townline Road (IL 60)
26th Street	Harlem Ave (IL 43)
Des Plaines Ave	Cermak
Cermak	1st Ave/Golfview Ave (IL 171)
Wolf Road	Harrison St
79th Street	Columbus Ave
103rd Street	Kedzie Ave
111th Street	Kedzie Ave
Kedzie Ave	95th Street
95th Street	Kedzie Ave
99th Street	Kedzie Ave
119th Street	Kedzie Ave
127th Street	Kedzie Ave
Oakton Street	Rand Road (US 12)
Thacker Road	Graceland
Rand Road (US 12)	Golf Road (IL 58)

As SEA is well aware, many of CN's trains operate via trackage rights to navigate their way through the Chicago Terminal District. As a result of the Transaction, CN would

[103] All calculations regarding pre- and post-Transaction delay are taken from the DEIS. *See* DEIS at Table 4.3-6.

[104] All information regarding which crossings would have queue lengths that block major thoroughfares under the No Action Alternative but not the Proposed Action is taken from the DEIS. *See* DEIS at Attachment E1 pages 106-24.

substantially reduce operations on these shared lines – some of which cause considerable delay at grade crossings. For example, in a 2002 report, the Illinois Commerce Commission identified 30 crossings that delayed the most motorists per day, and 30 crossings that caused the most total delay per day.[105] The following table lists the crossings included in that report where CN would reduce or cease operations as a result of the EJ&E Transaction:

Grade Crossings Identified by the Illinois Commerce Commission as Experiencing Excessive Delay That Would Benefit From Reduced CN Traffic[106]					
Crossing	Community	No Action Trains	Proposed Action Trains	No Action Delay (hours)	Proposed Action Delay (hours)
Cumberland Ave. (Metra)	River Grove	3.6	0.0	11.5	0.0
Marquette Road (BRC)	Chicago	5.6	0.0	7.5	0.0
Archer Ave. (BRC)	Chicago	10.1	4.0	37.4	2.7
63rd Street (BRC)	Chicago	5.6	0.0	7.1	0.0
55th Street (BRC)	Chicago	5.6	0.0	13.2	0.0
47th Street	LaGrange	10.2	1.0	15.7	0.9

Some of the grade separations that are planned as part of CREATE are current at-grade crossings over rail lines on which CN train volumes would decrease as a result of the Transaction. Consequently, if the Transaction were approved, it is possible that these crossings would no longer require a separation, and the public money allocated for those projects could be reallocated to other crossings. The following table lists grade separations planned in connection with CREATE on which CN would reduce operations:

[105] *See* Illinois Commerce Commission, *Motorist Delay at Public Highway – Rail Grade Crossings In Northeastern Illinois* at 18-19 (July 2002), available at www.icc.illinois.gov/downloads/public/rr/021114rrdelay.pdf.

[106] All information regarding train counts and pre-and post-Transaction delay is from CN's analysis of grade crossings, which was submitted to SEA on September 26, 2008.

Grade Separations Planned as Part of CREATE[107] that Will Benefit From Reduced Rail CN Traffic			
Crossing	Community	No Action Trains	Proposed Action Trains
Archer Ave. (BRC)	Chicago	10.1	4.0
47th Street (IHB)	LaGrange	10.2	1.0
East Ave. (IHB)	LaGrange	10.2	1.0
31st Street (IHB)	LaGrange	10.2	1.0
71st Street (IHB)	Bridgeview	9.6	1.0
115th Street (IHB)	Alsip	9.6	1.0

In its 2030 Regional Transportation Plan, CMAP has designated several roads in the Chicago area as forming what CMAP calls the Strategic Regional Arterial ("SRA") System.[108] Many of the grade crossings on CN's lines that would experience reduced rail traffic as a result of the Transaction are on the SRA roads, as illustrated by the following table (SRA's identified by boldface):

Grade Crossings That Are Part of CMAP's Strategic Regional Arterial System That Would Benefit from Reduced CN Rail Traffic[109]						
Crossing	Community	No-Action Trains	Proposed Action Trains	No-Action Delay (hours)	Proposed Action Delay (hours)	Queue would block the following thoroughfare
Crossings that meet SEA's Thresholds						
Golf Road (IL 56)	Des Plaines	19.1	4.0	48.3	1.5	n/a
Rand Road	Des Plaines	19.1	4.0	44.7	1.3	n/a
95th Street (US 12 / US 20)	Evergreen Park	3.4	0.0	42.5	0.0	Kedzie
1st Avenue	River Grove	3.5	0.0	6.6	0.0	**North Ave (IL 64)**
Butterfield Road	Vernon Hills	19.1	4.0	5.6	0.6	**Townline Road (IL 60)**
26th Street	North Riverside	4.4	1.7	6.7	0.7	**Harlem Ave (IL 43)**
Des Plaines Ave	North Riverside	4.4	1.7	7.4	0.8	**Cermak Ave**
Cermak Ave	North Riverside	4.4	1.7	16.9	1.8	**1st Ave/Golfview Ave (IL 171)**
Kedzie Ave	Evergreen Park	3.4	0.0	33.4	0.0	**95th Street**
127th Street	Blue Island	3.4	0.0	32.0	0.0	Kedzie
Other Crossings						
159th Street (US 6)	South Holland	19.5	1.0	30.4	1.4	n/a
55th Street	Chicago	5.6	0.0	35.9	0.0	n/a
87th Street	Chicago	3.4	0.0	27.4	0.0	n/a
Townline Road	Mundelein	19.1	4.0	12.7	1.3	n/a
Half Day Road (IL 22)	Prairie View	19.1	4.0	19.5	0.7	n/a
Touhy Ave	Des Plaines	19.1	4.0	37.7	1.0	n/a
IL 59	Bartlett	3.0	1.7	7.4	1.2	n/a
County Farm Road	Hanover Park	3.0	1.7	4.6	0.7	n/a
North Ave (IL 64)	Villa Park	3.0	1.7	8.3	1.5	n/a

[107] *See* CREATE Final Feasibility at 53-54. All information regarding train counts and pre-and post-Transaction delay is from CN's analysis of grade crossings, which was submitted to SEA on September 26, 2008.

[108] CMAP, SRA Map: http://www.cmap.illinois.gov/WorkArea/showcontent.aspx?id=5584; CMAP, 2030 Regional Transportation Plan for Northeastern Illinois, at 98 n.137, 252-254 (June 12, 2008), *available at* http://www.cmap.illinois.gov/WorkArea/showcontent.aspx?id=8726. (System Description and System List, respectively)..

[109] All information regarding train counts and pre-and post-Transaction delay is from the DEIS, *see* DEIS at Table 4.3-6, as is information regarding which crossings would have queue lengths that block major thoroughfares under the No Action Alternative but not the Proposed Action is taken from the DEIS, *see* DEIS at Attachment E1 pages 106-24.

Any mitigation that SEA might recommend must take these crossings into account. The purpose of mitigation is not to create a public windfall. As the above tables indicate, the rerouting of trains now operating on CN lines in Chicago would have substantial environmental benefits – benefits that would offset the adverse environmental impacts experienced by communities along the EJ&E line.[110] In deciding on an appropriate allocation of mitigation expenses, SEA should be cognizant of the fact that CN is creating net environmental and public benefits and it therefore would not be appropriate to allocate mitigation funding to CN. In the absence of a railroad creating a net public harm, it would be unreasonable to allocate mitigation

[110] *See* Letter from Paul A. Cunningham to Victoria J. Rutson (Sept. 26, 2008) (transmitting CN's grade crossing delay analysis, showing a net reduction of 228 hours of delay region-wide).

costs on that entity. Such an approach has the potential of deterring transactions for which the cost of mitigating the all problems over whatever threshold is set would be prohibitive, even for a transaction which would benefit the public overall.

E.6.b. There is no rational basis for imposing on a railroad the cost and burden of mitigation of the impacts of a control Transaction differently from the delay impacts of any other railroad operation.

The impacts described in the DEIS, for which SEA is proposing mitigation, are almost entirely the result of anticipated increases in train traffic on the affected lines. But increases in traffic on rail lines are not regulated events; they are part of the normal operation of a railroad. Railroads are free to increase traffic on their lines without federal authorization (and may even be required to increase that traffic, if that is the only way they can discharge their common carrier obligations). In particular, railroads are free to rationalize use of their systems to increase efficiency and provide much needed augmentation of capacity by shifting traffic from heavily congested lines to underutilized lines. Doing so also can have positive environmental effects (as in this case) by removing rail traffic from locations where noise, delay at grade crossings, and similar impacts fall on relatively more residents than in the locations to which the traffic is shifted.

CN's competitors are free to increase traffic on their lines, and become more efficient by shifting traffic from one line to another, without federal licensing and thus without agency environmental review, and with no obligation to mitigate impacts of those traffic shifts.[111] The

[111] For example: UP has increased traffic on the former CNW line through West Chicago to 85 to 90 trains a day, up from 55 to 60 trains per day in the mid-1990s. Judy Newman, *Midwest Bottlenecks Mean More Train Traffic in State*, Wisc. State J., June 1, 2008, at C6. Similarly, NS increased traffic over its line between Front Royal and Manassas, Virginia, in the early 1990s, without any regulatory or environmental review, from two trains a day to 18 a day, in connection

market for rail transportation will be distorted if, in the context of a control transaction, an agency requires environmental mitigation that prevents or deters an acquiring railroad from using its property in ways that will enhance the efficiency of its rail operations, when other railroads are free to use their property to make similar enhancements without incurring any mitigation costs or other regulatory obligations.

The reason that Congress requires railroads to obtain STB approval for "minor" control transactions is not so that the STB will have a hook it may use to regulate the environmental effects that may follow such transactions. It is, as the statutory standards of section 11324(d) indicate, to prevent transactions from going forward that would substantially impair competition, and where the transactions' contributions to meeting significant transportation needs would not outweigh the anticompetitive effects. In other words, Congress meant for the agency to address the kinds of adverse impacts that are particularly characteristic of control transactions. There is nothing in the text or legislative history of the Staggers Act, which established the statutory standard under which this Transaction must be evaluated, to indicate that Congress meant the agency to address the kinds of adverse impacts that are typical of rail operations generally. To the extent that control transactions may, incidentally, have environmental effects caused by the ordinary operations of the new rail system, those effects are identical, from an environmental point of view, to similar effects caused by ordinary operations of other railroads. There is therefore no good reason, as a matter of environmental policy, to regulate those effects differently in the different contexts in which they arise.

with its plan to use its existing underused lines more efficiently to provide a new routing for its traffic to the Northeast. Ann O'Hanlon, *Angry Resident Suspicious of Rail Study*, Wash. Post, June 13, 1996, at V01; Don Phillips, *Freight Railroads' Recovery Appears to Be for Long Haul*, Wash. Post, July 11, 1994, at A1.

If it is considered desirable, as a matter of public policy, to protect the interests of communities along railroad lines by prohibiting those railroads from increasing traffic on their lines (and CN doubts that it would be desirable to prevent railroads from responding to increased demand for rail service), then that prohibition should apply equally to all rail lines and should not be dependent on a nexus with a corporate transaction such as a merger or acquisition. The increases in rail traffic that result from a rail acquisition are qualitatively and quantitatively identical to impacts from increases of the same magnitude resulting from a railroad's improved marketing, better service, internal re-routing, or other causes that do not require or flow from a control transaction, or result in agency-imposed conditions, as are the impacts on surrounding communities from such increases. There is no good reason why they should be regulated indirectly in a way that allows them to occur freely under one but not the other set of circumstances.

E.6.c. Federal and state grade separation policies would limit the railroad contribution here to no more than 5% of the cost of grade crossing upgrades, including separation.

The subject of who should pay for grade separations has been actively debated for some time. The current consensus is that, because the public derives most, if not all, of the benefit from a grade crossing improvement, the public should bear most, if not all, of the cost for that improvement. In recognition of the relatively minor benefits accruing to the railroad and the relatively larger benefits accruing to the public,federal and state policies regard the proper allocation for grade crossing improvement to come primarily from governmental authorities.

Beginning in the early 1960s, the federal government became concerned with the frequency of accidents at grade crossings and began to study ways to improve safety and properly allocate costs for upgrades to crossing safety devices. In 1962, the Interstate Commerce

Commission ("ICC") (the predecessor to the Board), after a thorough investigation of the problem of highway/rail at-grade crossing safety, found that "the consensus supports a conclusion that the major costs of grade separation and protection at rail-highway grade crossings should be borne by the public since the public is the principal recipient of the benefits derived from grade-crossing protection." *Prevention of Rail-Highway Grade Crossing Accidents Involving Railway Trains and Motor Vehicles*, 322 I.C.C. 1, 83 (1964).[112]

Building on the ICC's report, Congress, in the Federal Railroad Safety Act of 1970,[113] directed the Secretary of Transportation to undertake "a comprehensive study of the problem of eliminating and protecting railroad grade crossings" and to provide "recommendations for appropriate action, including, if relevant, a recommendation for equitable allocation of the economic costs of any such program proposed as a result of such study."[114] The same year, Congress also passed the Highway Safety Act of 1970,[115] which called for "a full and complete investigation and study of the problem of providing increased highway safety at public and private ground-level rail-highway crossings . . . including the estimate of the cost of such a program."[116]

The result of these two pieces of legislation was a two-part report, jointly prepared by the staffs of FHWA and FRA, and submitted by the Secretary of Transportation to Congress. Part

[112] *See also id.* at 87 (because "highway users are the principal recipients of benefits flowing from rail-highway grade separations . . . the cost of installing and maintaining such separations and protective devices is a public responsibility and should be financed with public funds that same as highway traffic devices.").

[113] Pub. L. No. 91-458, 84 Stat. 971, 972.

[114] *Id.*

[115] Pub. L. No. 91-605, 84 Stat. 1713.

[116] *Id.* § 205(a), 84 Stat. 1713, 1743 (enacting 23 U.S.C. § 322(e)).

I[117] discussed the crossing safety problem, and Part II[118] provided recommendations, including that Congress create a federal funding program for highway/rail at-grade crossings and allocate costs for crossing upgrades (including separations) according to relative benefits. Part II included a specific discussion of the relative benefits accruing to railroads and the public from grade crossing upgrades, and the equitable allocation of costs for those upgrades. The primary benefits to the railroad were found to be reduced maintenance costs for existing grade protection devices and the reduction in cost of claims for personal injuries resulting from accidents at grade crossings.[119] Benefits to motorists included reduced accidents, reduced delay, and reduced operating costs.[120] Based on the Report, the Secretary recommended that for separations "where benefits accrue to the railroad . . . the railroad contribution would be 5 percent of the railroad benefit related portion of the project cost" and for separations "where no benefits accrue to the railroad . . . there would be no railroad contribution to the project costs."[121]

Based on these two reports, Congress passed the Highway Safety Act of 1973,[122] which established a categorical safety program (section 203) for the elimination or reduction of hazards at rail/highway at-grade crossings and further stipulated that the federal share of improvement costs was to be 90%.[123]

[117] U.S. DOT, *Railroad-Highway Safety, Part I: A Comprehensive Statement of the Problem, A Report to Congress* (Nov. 1971).

[118] United States Department of Transportation, *Railroad-Highway Safety, Part II: Recommendations for Resolving the Problem* (Aug. 1972) ("*DOT Recommendations*").

[119] *DOT Recommendations* at 104.

[120] *Id.*

[121] *Id.* at 105.

[122] Pub. L. No. 93-87, 87 Stat. 250, 282.

[123] The Act also included funds for several demonstration projects that were intended to determine the feasibility of increasing safety at highway/rail at-grade crossings in urban areas. For these projects, federal funds covered 95% of the costs, while state or local governments paid

Under the current scheme, 23 U.S.C. § 130(b) authorizes DOT to:

> classify the various types of projects involved in the elimination of hazards of railway-highway crossings, and . . . set for each such classification a percentage of the costs of construction which shall be deemed to represent the net benefit to the railroad or railroads for the purpose of determining the railroad's share of the cost of construction. The percentage so determined shall in no case exceed 10 per centum. The Secretary shall determine the appropriate classification of each project.

Pursuant to that statute, DOT has adopted regulations that explicitly stated what the ICC had recognized in the early 1960s – railroads receive no ascertainable net benefit from grade crossing improvements, including grade separations:

> Projects for grade crossing improvements are deemed to be of no ascertainable net benefit to the railroads and there shall be no required railroad share of the costs.

23 C.F.R. § 646.210(b). Thus, under the current funding scheme, a railroad's contribution to a grade separation is capped at 5% when federal dollars are used (representing the slight benefit to the railroad from the elimination of its responsibility for maintenance of existing active warning devices, and from the reduction of its potential liability for crossing accidents).

It is therefore unclear whether the Board has the authority to impose on CN a requirement that it pay more for a grade separation than the statutory maximum, or the maximum imposed by regulation. In any event, simply because a crossing has been identified as a candidate for grade separation in an environmental review does not provide any basis for imposing a greater burden on the Transaction than the law imposes on railroads generally when crossing delay call for separation.

the remaining 5%. In subsequent highway funding bills, Congress made funds available for all crossings (regardless of whether they were on federal highways) and continued to appropriate money for the section 203 program. With the Surface Transportation and Uniform Relocation Assistance Act of 1987, Pub. L. No. 100-17, 101 Stat. 132, 160, the Grade Crossing Safety Program became a permanent law, *see id.* § 121(a), 101 Stat. 132, 159 (enacting 23 U.S.C. § 130(d)-(h)).

E.6.d. The longstanding federal policy concerning the allocation of the costs of grade improvements should be maintained in this case.

Basic principles. The allocation under the federal highway assistance programs of all or most of the costs of grade improvements away from the railroads – an allocation arrived at after numerous studies over many years - is the correct allocation from the viewpoint of social welfare – in particular, allocative efficiency – and fairness. Because there is "no ascertainable net benefit to the railroad," 23 C.F.R. § 646.210(b)(1)-(2), there would be a mismatch of costs and benefits were the allocation otherwise.

The proper allocation does not change in the present circumstance, where the environmental effects at issue are the result of a minor control transaction.[124] Congress has determined that minor transactions without anticompetitive effects are in the national interest. The Application here amply demonstrates the substantial transportation benefits of this Transaction. Those benefits would accrue to shippers both on CN and on other railroads with which CN interchanges traffic or that otherwise utilize the new routings, in addition to the private benefits to CN's shareholders, who are financing the Transaction. From the viewpoint of national transportation policy, this is socially desirable investment, bringing substantial public benefits.

[124] In this section, CN discusses the public policy considerations without waiving its positions, expressed elsewhere in these Comments, that the Board may lack authority to impose environmental conditions on a minor transaction; that, under NEPA, the environmental impacts of increased train traffic are not the result of the federal action at issue (*i.e.*, the approval by the Board of the Application), which the agency is required to take in the absence of anticompetitive effects – even if the environmental impacts are, as a practical matter, the result of the Transaction itself; that the increase in train movements along the EJ&E line, including in particular hazardous materials movements, may not even be a result of the Transaction itself; and that the DEIS overstates some of the negative environmental impacts. Even if none of these positions were correct, the longstanding federal policy of allocating the costs of grade improvements away from the railroad would be the correct policy here.

In addition to transportation benefits, which include public benefits, the Transaction would have environmental effects. They are both negative and positive, and those benefits and burdens fall on different communities. Those facts may, at least superficially, complicate the question of the best allocation, but they do not change the basic principles.

From the viewpoint of allocative efficiency, investors will not invest unless the benefits they will realize exceed the costs to them, and then they will choose the investments that allow them to realize the greatest amount of net benefits. From the viewpoint of fairness, the cost of benefits should be assigned to those who benefit. Thus, the federal policy embedded in the highway assistance program implicitly reflects an answer to two related questions: Which allocation best matches costs and benefits? And, what will be the effect on socially desirable investment of allocating a greater share to the railroad than is warranted by the benefits to it?

Mismatch of costs and benefits. The benefits of grade improvements, including grade crossings, at the 15 locations identified in the DEIS, like grade improvements generally, would not benefit the railroad or its customers. The improvements will not enable trains to proceed more quickly through the crossings, and any reduction in the number of accidents would have minuscule effects on the overall efficiency of the rail system. As the regulations governing federal highway aid confirm, the benefits of the grade improvements accrue to the communities involved.

If, nonetheless, and contrary to past practice, a large share of the costs of grade improvements is assigned to CN, the result would be a mismatch of costs and benefits. It is no response to say that the proper perspective is with respect to the Transaction as a whole that benefits CN's shareholders. It is true that CN's shareholders would benefit from the Transaction, but so would CN's shippers, other shippers, and the public, including the communities that will

benefit environmentally. Moreover, CN would have already paid a market rate for the Transaction, and CN has expressed a willingness to pay the costs of reasonable mitigation in line with past Board practice. Thus, assigning more costs to CN would not bring about a match of costs and benefits even from a Transactional perspective; a Transactional perspective does not allow or provide for a matching of costs and benefits.

Effects on socially desirable investment. Moreover, assigning a large share of the costs to the railroad could have adverse systemic effects. It would not increase and could reduce the extent of socially desirable railroad investment. The proposed Transaction would bring about public benefits in the form of transportation benefits and environmental benefits. Even without precise quantification, it is reasonably evident that these public benefits together would outweigh the adverse environmental effects. Indeed, CN believes that, if the DEIS eliminated faulty data and overly conservative assumptions, it would show that the Transaction's environmental benefits alone are greater than its environmental burdens.

If a generator of net benefits to society is required to pay the costs of generating benefits that do not accrue to it, there cannot be a positive impact on overall social welfare. Instead, investment decisions will skew toward investments that have minimal public costs or that generate benefits that accrue entirely to the railroad. The fact that shareholders of the railroad might nonetheless benefit from an investment, even if a greater share of costs that do not benefit the railroad are assigned to the railroad, does not change the point that the systemic effects of such an allocation could reduce socially desirable investment.

Effects on efficient negotiation. The DEIS encourages negotiated outcomes with respect to the 15 crossings and recognizes that "agencies with a regional perspective" are important in such negotiations. *See* DEIS at ES-41—ES-42. CN agrees that, because the

benefits and burdens fall on different communities, a regional perspective that embraces both types of communities can be important. CN also agrees that negotiated outcomes can be fairer and more efficient than Board-imposed outcomes, but only if the parties to the negotiations are prepared to bear costs commensurate with the benefits they will receive. If the Village of Barrington negotiates from the implicit position that drivers in that community value their time at $353 an hour, and that Barrington should not bear the costs of the grade improvements necessary to generate a significant portion of that amount, a successful negotiation is unlikely.

Thus, while a given outcome is or is not cost-effective and cost-beneficial without regard to how the costs are allocated, the likelihood of a negotiation actually achieving a cost-beneficial and cost-effective outcome depends greatly on the allocation as understood by the parties when they enter the negotiation. When one party, in accordance with longstanding federal policy, sees "no ascertainable benefit," and the other sees large benefits, impasse is likely if the allocation of costs is the opposite of the expected benefits.

Conclusion. Longstanding federal policy regarding the allocation of the costs of grade improvements is the proper policy in the context of this minor Transaction. Other than by allocating virtually all of the costs of grade improvements to the communities that will otherwise sustain adverse environmental impacts, there is no way to align the costs with the benefits of the grade improvements.

From the perspective of all of the environmental impacts of the Transaction, both positive and negative, the participation in negotiations of a regional agency whose responsibilities include both the communities that will be negatively affected and those that will be positively affected may bring about the fairest and most efficient result. Allocating a large share of the costs to CN would not align costs and benefits; would, if anything, reduce socially desirable investment; and

would reduce the chances that negotiations would achieve cost-beneficial and cost-effective outcomes.

E.6.e. The fact that CN is a profitable company incorporated and headquartered in Canada should be irrelevant to the issues before the Board under ICCTA and NEPA

Some comments from residents of Chicago suburbs who may be affected by increased freight train traffic over the EJ&E line have displayed an unfortunate bias against companies that are profitable or have "foreign" connections. They cite no authority for the Board to treat CN differently because it is a profitable Canadian railroad. Such biases have no place in the Board's proceeding. ICCTA, NEPA, and STB's rules do not impose any nationality or profitability test on an applicant. Nor does the application of these authorities differ based on where the acquiring company is incorporated or headquartered, or its level of profitability. Indeed, in the United States' economic system it is generally regarded as a good thing for a company to be efficient and profitable.

To the extent relevant, CN notes that (1) CN or predecessor companies have been operating in the U.S. since 1880; (2) its CEO, several other key officers, and most of its U.S. employees are Americans; and (3) the Board has not deemed CN's status as a Canadian company relevant in its three prior control proceedings in the past 10 years.

Canada and the United States are long-standing allies and partners in commerce and trade who share a 5500-mile border, about 4000 miles shared with 12 states on Canada's south, and over 1500 miles with Alaska on its west.[125] Their close economic relationship is reflected in the North American Free Trade Agreement (NAFTA), which encourages trade between the U.S. and Canada. Under applicable law and STB rules, the involvement of cross-border rail traffic has no

[125] CRS, Report for Congress: United States International Borders: Brief Facts at 2 (Nov. 9, 2006).

relevance to approval of control. Similarly, CN's status as a company incorporated in Canada also has no relevance under ICCTA or STB rules, nor under NEPA or CEQ rules.

Some opponents of the Transaction have disparagingly referred to the traffic likely to move over CN's lines as nothing more than "cheap goods from China." That should be irrelevant even if it were true, because in our economic and regulatory system it is not up to the residents of Barrington, Frankfort, or other Chicago suburbs to pass judgment on what imports or other traffic CN or other railroads should be allowed or encouraged to carry on their lines. As a freight railroad lawfully operating in the U.S., CN has a historic, federally-mandated common carrier duty to move the freight that is offered to it.[126]

The freight to and from Asia that CN will be carrying over the EJ&E line will be very much like the inbound and outbound freight that other railroads serving West Coast U.S. ports are carrying now, aided by substantial public investment in the infrastructure required to do so. As a result of the CN Transaction, U.S. shippers and receivers in Chicago and other commercial centers in the central, southern, and eastern parts of the country will be better situated to handle such trade.

F. Transportation Systems – Effects on Emergency Response

CN has been actively reaching out to potentially affected communities to address emergency response issues. While SEA relied on the same formulas for analysis as have been used (and upheld)[127] in previous EISs, CN has determined, based on its discussions with affected communities, that the emergency response analysis could be more useful if it was more rigorous.

[126] CN notes that no one is before the STB complaining about the same goods carried to, from, or within the U.S. by other railroads

[127] *See Mid-States Coalition for Progress v. STB*, 345 F.3d 520, 540 (8th Cir. 2003) (finding that SEA's analysis of emergency vehicle delay in DM&E EIS complied with NEPA).

CN is therefore offering to fund a quantitative analysis of the impact of the transaction on the provision of emergency services among the communities listed in Table 4.3-13 of the DEIS (DEIS at 4.3-75). CN has contracted with Innovative Emergency Management, Inc. ("IEM"), a leading national provider of homeland security and emergency management services to federal, state, and local government, to conduct a quantitative study of the impact of grade crossing delay on emergency response times for the 11 emergency response providers identified in the DEIS. CN initially undertook this expense in order to facilitate its negotiations with some of the affected communities, but believes it has application for the EIS more generally. IEM has completed an analysis of Mundelein, which CN uses as an example below.

Based on its consultation with IEM, CN offers the following comments on the analysis of emergency response providers included in the DEIS.

F.1 The emergency response analysis included in the DEIS failed to accurately quantify impacts to emergency response.

Instead of directly measuring impacts on emergency response time, the DEIS used two measures as proxies for emergency response delay: D_A (average delay for delayed vehicles) and T (total daily blockage time at the crossing). If an at-grade crossing was within an arbitrary 2-mile radius of an emergency response facility and would experience an increase of 30 seconds or more in average delay per delayed vehicle and 30 minutes or more of total daily blocked crossing time SEA considered that facility to be potentially significantly impacted. For the reasons discussed below, this screening process was over-inclusive and likely included many emergency response provides whose response times would only be minimally impacted by the increase in train traffic that would result from the Transaction. Therefore, before mitigation can be imposed, a more detailed analysis of actual impacts on response time must be performed.

F.1.a SEA's simplistic analysis overstates effects on emergency response.

Modern traffic simulation models (such as the one created by IEM) can capture the interactive effects among vehicles, infrastructure, and traffic control devices, and the delay at a crossing can be better estimated using more realistic models of arrival patterns, queuing effects, and acceleration/deceleration behavior. These models allow for the quantification of existing emergency response times, in order to form a baseline for comparison, and can be used to demonstrate the incremental effect of an increase in train traffic on emergency response times in a community. Such models can overcome the deficiencies with SEA's simplistic analysis, which are discussed below.

First, SEA's assumptions are limiting with respect to traffic behavior, particularly as related to the determination of their value for average delay for delayed vehicles (D_A). Response time is affected by more variables than simply delay at a crossing – variability in traffic volume, traffic queues, and driver behavior can all have a direct impact on response times. A more rigorous characterization of these and other variables is potentially important.

Second, average delay for delayed vehicles does not consider the interactive effects of regular traffic and emergency vehicles at the rail/highway at-grade crossings. SEA's estimation of average delay for delayed vehicles is based on a simple formula, with the assumption that vehicles arrive in uniform patterns and a 1.3 factor for deceleration and acceleration of vehicles. This simplistic formula is acceptable for measuring effects on normal traffic, but emergency vehicles operate under a different set of rules.

Third, SEA's use of the total time the crossing is blocked does not reflect coupling effects of the train traffic, automobile traffic, and emergency call patterns as related to intersection blockage. There is only a conditional probability (which can be estimated) that a response would

be ongoing and involving an emergency vehicle already taking the specific route to the blocked crossing when that crossing is blocked. There appears to have been no part of SEA's analysis that focused on this conditional probability and thus the probability of the specific set of events at issue – the frequency of responses that are delayed at blocked crossings. SEA's analysis in the DEIS is similar to simply saying "a train could block the path of an emergency response vehicle at some point in a 24 hour period" instead of saying "how likely is it that a train would block the path of an emergency response vehicle." For example, if a given station handles 12 calls in a day, but only one of them requires the use of an at-grade crossing, then the probability that the crossing will be blocked the one time during the day when the emergency response vehicle needs to use it is extremely low.

Thus, average delay per delayed vehicle and total time the crossing is blocked do not directly indicate impacts on emergency vehicles. Rather, they indicate the impacts on regular vehicles (which accounts for the vast majority of traffic), which may at best serve as a very rough surrogate for the impacts on the relatively infrequent and episodic emergency vehicles. Instead, the DEIS should consider the special characteristics of emergency vehicles, such as having the right of way during a response or the ability to turn all traffic lights to green in the direction of travel. The DEIS should also take into account the fact that emergency vehicles can and do move to the front of the queue of vehicles stopped at a crossing and would thus have a lower average delay per delayed vehicle value than other vehicles.

SEA's simplistic model did not take these realities into account. In contrast, the response time output provided by IEM comes from a simulation that specifically treats emergency vehicle behavior and the interaction of those vehicles with normal traffic and the driving environment

(intersections, crossings, signals, etc.). IEM's model is therefore a defensible basis for deciding on what levels of mitigation may be necessary in a given community.

F.1.b The DEIS failed to consider in any meaningful way the possibility of coordination between potentially impacted facilities during a response.

Although the DEIS alluded to mutual response agreements, DEIS at 4.3-52, the analysis gave no consideration to coordination between potentially impacted facilities, which appears to be the operational norm in at least some of these communities. Thus, there is no way to judge, based just on the analysis provided in the DEIS, whether an emergency response provider could potentially lower its response time to a level below the screening response time thresholds used in the DEIS by invoking mutual aid or their own dispatch policies that would involve nearby facility resources in a response.

For example, according to its fire chief (who was not interviewed for the DEIS analysis), the Village of Mundelein typically responds with equipment from multiple stations and with equipment from both the Village and one or more of the adjacent fire districts. Thus, a response, per dispatch rules, could come from more than one station to a point outside the arbitrary two-mile radius used to identify facilities in the DEIS. In such a scenario, which happens regularly, it is possible that responders from a second or even third station could arrive faster than the screening threshold delay would imply for the station in question. The DEIS analysis does not appear to account for such a real-world coordination, which would have a direct bearing on emergency response. Thus, the impacts projected by the DEIS are overly inclusive and incomplete, and likely overstate the actual impacts on emergency response time.

Again, sophisticated models, like the one developed by IEM, can simulate these coordinated responses and more accurate estimate response times that are likely to occur if the Transaction were to be implemented.

F.2 SEA should have used a more sophisticated model to estimate impacts on those emergency response providers identified in the DEIS

As discussed above, CN has hired an expert consultant, IEM, to quantitatively assess existing and expected emergency response impacts for each of the 11 emergency response providers identified in the DEIS as likely to be substantially affected. The IEM report for Mundelein is attached as Exhibit 3, but a brief summary of IEM's analysis and results is included here.

IEM created a traffic model that was able to simulate the movements of normal vehicles and emergency vehicles on the roadways, and that further simulates the effects of delays on vehicle travel due to the presence of freight or commuter trains.[128] ADT information was provided by IDOT and CMAP, and for morning peak hour queue counts, by Parsons Transportation Group. Freight train volume, length, and velocity were collected from the DEIS, and information on commuter trains was collected from Metra's website.

Emergency response calls were assumed to originate during the peak traffic hour (as a conservative estimate of expected response time) and geographically based on the population of a given area. To accurately simulate response times, IEM assumed emergency response vehicles moved at the same speed as surrounding traffic on uncongested roads, faster than surrounding

[128] The model roadway network includes all major roads, all major roads leading to the nearest fire stations, and the road network geography, including number of lanes, number of turn lanes, location and timing of traffic controls.

vehicles on congested roadways (but slower than if unobstructed), and are allowed to bypass queues at red lights (but at a lower speed than if the light were green).

IEM carefully and thoroughly calibrated and validated the model by (1) comparing simulated peak hour queues with queues actually collected in the field, (2) comparing simulated travel times for a handful of routes to travel times observed in the field, and (3) reviewing an animated version of the model to ensure that congestion and queuing occurred in the model at the same locations and to the same extent as observed in the field.

Once the model was built, calibrated, and verified, IEM ran 3,600 Monte Carlo simulations (i.e. random samplings) for each of 4 scenarios: 2008 ADTs with existing train data; 2008 ADTs with post-Transaction train data; 2015 ADTs with existing train data; and 2015 ADTs with post-Transaction train data. The simulations indicate that the average response time by emergency vehicles in Mundelein would change very little, if at all, as a result of the Transaction. The following table shows the results of IEM's analysis:

Average Travel Time by Fire Station and Scenario (in seconds)			
Scenario	Countryside Fire Station #1	Countryside Fire Station #2	Mundelein Fire Station #2
2008 No Action	383	288	247
2008 Proposed Action	385	286	250
2015 No Action	390	287	257
2015 Proposed Action	390	287	255
Difference Between 2008 No Action and 2015 Proposed Action	7	-1	8

Thus, according to IEM's analysis, increasing rail and vehicle traffic as contemplated by the DEIS would increase average response times at two fire stations by less than 10 seconds, and

would decrease average response time at the third.[129] The portion of that increased response time attributable to increased rail traffic (*i.e.*, the difference between traffic under the 2015 No-Action Alternative and under the 2015 Proposed Action) is comparable. Statistically there is not a significant difference in response times between the respective scenarios compared. Further statistical analysis and charts and graphs are available in IEM's report.

F.3 Any mitigation should be based on actual degradation in response time as estimated by the model created by IEM

The DEIS does not attempt to quantify existing emergency response times, nor does it attempt to estimate emergency response times once the Transaction has been implemented. The former is important because it provides a baseline against which the actual effects of the Transaction can be measured, allowing SEA to measure the estimated incremental impacts fairly attributable to the increase in train traffic. To the extent that any commenters or the DEIS relies on anecdotal evidence or lay speculation about past problems or possible future scenarios, the evidence is irrelevant without substantial evidence and careful analysis of a causal relationship.

In contrast, the model developed by IEM provides a defensible quantitative means for analyzing the impacts to emergency response time and assessing the need for mitigation in a given community. If SEA is to conclude that mitigation for impacts on emergency response time is warranted, it should base that mitigation on the results of the analysis in IEM's model and not on speculation or anecdotal or potentially biased information provided by commenters. While CN was only able to complete its analysis for one community in time for this comment, it is ready, willing, and able to apply its model to other communities identified in the DEIS as being potentially substantially affected, either upon their request or at the request of SEA. CN is

[129] It is not surprising that response times would slightly decrease at Countryside Fire Station #2 in the post-Transaction scenario, as that station is proximate to a CN line that would experience a decrease in rail traffic.

confident that a rigorous, quantitative analytical process will demonstrate that impacts to emergency response providers may be overestimated by opponents and by SEA in the DEIS.

G. Land Use

CN agrees with the assessment of the DEIS that impacts on land use would be minimal.

H. Socioeconomics

Among the common suburban critiques of the Transaction is the claim that the "Transaction does nothing more than shift the problem from one town to another." Nothing, however, could be further from the truth. The problems the Transaction is designed to reduce are delay, inefficiency, and unreliability caused by slow moving trains through and across the intersecting lines in the Chicago terminal district. These are the problems CREATE was intended to resolve. The problem motivating CREATE, and motivating CN in entering this Transaction, is not vehicle delay at crossings on CN's existing lines, which is the primary problem that communities believe is being shifted to them.

Shifting trains to the EJ&E line would allow them to move more efficiently and relatively unimpeded, thus saving time throughout the regional transportation system and reducing delay at crossings overall. Moving CN's trains through Kirk Yard would allow CN to, for the most part, bypass the congested terminal district in downtown Chicago and would free up additional capacity in the yards, at the rail/rail crossings, and on the shared trackage of the terminal district. Changes in routing and the addition of $100 million in infrastructure improvements would result in positive improvements in CN's operations and the operations and fuel use of other railroads that have to move their trains through the Chicago terminal district. It is thus evident that the Transaction would have substantial, and positive, socioeconomic impacts.

CN's Application in this case did not describe those socioeconomic benefits in detail, but that was because it focused instead on the factors relevant to the statutory standard for approval and the applicable rules. While applicants for approval of "major" control transactions are required to "enumerate and, where possible, quantify the net public benefits their merger would generate," including "cost savings . . . and other merger-related public interest benefits," 49 C.F.R. § 1180.6(b)(11), no such requirement is imposed on applicants for approval of "minor" transactions. Requiring such socioeconomic information in connection with minor transactions would be contrary to Congress's purpose in enacting the Staggers Rail Act and ICCTA, which was to reduce regulatory burdens on railroads, in part by limiting the factors to be considered in reviewing non-major transactions, effectively deregulating those transactions except where they would substantially impair competition.

NEPA also does not require the Board to examine the economic or sociological consequences of its actions. *Ass'n of Pub. Agency Customers v. Bonneville Power Admin.*, 126 F.3d 1158, 1186 (9th Cir. 1997). Under CEQ regulations, "[e]conomic or social effects are not intended by themselves to require preparation of an environmental impact statement." 40 C.F.R. § 1508.14. Where economic and social effects are interrelated with natural and physical environmental effects, the EIS must "discuss" those effects, but neither NEPA nor CEQ regulations require government agencies to take economic effects into account in making their decisions. *Town of Stratford, Conn. v. FAA*, 285 F.3d 84, 89 (D.C. Cir. 2002).

It was not appropriate, however, for the DEIS to include SEA's analysis of purported impacts from elimination of redundant jobs, because the abolition of those positions (unlike, for example, Transaction-related changes in train traffic) was not interrelated with any impacts on the natural or physical environment. *Cf.* 40 C.F.R. § 1508.14. NEPA does not authorize an

agency to use its environmental review as a wedge to open up an examination of socioeconomic impacts generally; such an examination would transform the environmental review of a non-major rail control transaction into something close to a full-bore public interest analysis of the kind required for major transactions, and undo the deregulatory work of the Staggers Act.

But if the Board is to evaluate socioeconomic impacts, albeit limited to those interrelated with the natural or physical environment, in its NEPA review, then SEA should examine a much broader range of positive economic impacts than those mentioned in the DEIS here. A few of the beneficial economic impacts that the DEIS completely overlooked are described below, and a conservative valuation of their benefits is estimated. Also, if SEA is going to stand by its approach in quantifying the socioeconomic impacts that are mentioned in the DEIS, it should correct the flaws in that quantification that are described below.

The DEIS recognizes that the proposed transaction has the potential, if approved, to create powerful socioeconomic benefits for the Chicago area and the nation as a whole. For example, the DEIS states that, "[f]rom a broad societal perspective, the Proposed Action would improve the efficiency of rail operations and reduce the cost of shipping goods through the Chicago metropolitan area. Benefits include improved rail efficiency and construction employment generated while the double track and connections are being constructed." DEIS at 4.6-1. Moreover, "[t]he Proposed Action would improve the operational efficiency of the North American freight rail system by reducing transit time through Chicago." *Id.* at 4.6-23. Balanced against these gains, the DEIS claims to identify no more than "minor, negligible [adverse socioeconomic] effects." *Id.* at 6-23.

Nonetheless, the DEIS does not quantify fully, or even substantially, many of the socioeconomic benefits that would accrue if the Transaction were implemented. As explained

below, the DEIS does not account for, among other things, (1) the full measure of job gains attributable to the Transaction, (2) the value of the reduction of waiting times at at-grade crossings, and (3) the benefits to be derived from greatly improved operational efficiency of the North American freight rail system by reducing transit time and increasing the reliability of trains passing through Chicago. Even an incomplete sampling of the benefits for which the DEIS does not account demonstrates additional societal benefits on the order of $1.2 million per year from reduction in the time motorists are delayed at grade crossings, and $23.5 million each year from supply chain cost savings to CN customers as a result of greater efficiency of operations through Chicago. Together, over a 25-year period, these savings have a net present value of more than $170 million. In addition, the supply chain savings to CN customers would have downstream beneficial impacts on the national economy, so that the cost savings would result in a total gain of $54.6 million in U.S. economic output. Moreover, the Transaction would increase employment by approximately 1,025 jobs during its two-year implementation period, resulting in increased total output to the local (Illinois) economy of $155 million in each of the two years, and could potentially result in savings of approximately 1,400 jobs by relieving congestion exacerbated by future growth in rail traffic. The quantification of these benefits is explained below.

Moreover, as demonstrated below, the DEIS erroneously quantifies adverse labor impacts that it attributes to the Transaction. It exaggerates even the "minor, negligible" impacts it identifies as a result of job losses, and it fails to take account of the economic benefit to the national economy resulting from the railroad's ability, after the Transaction, to provide the same level of transportation services as it did before, but using fewer labor resources.

H.1 The DEIS does not properly assess the labor impacts of the Transaction in the Chicago area; the Transaction would actually have a significant positive impact on employment in both the Chicago region and the national economy.

When assessing labor impacts of the proposed Transaction, the DEIS examined only three effects. First, it considered the anticipated elimination of 114 redundant positions, as described in the Operating Plan, CN-2 at 226, and applied various multipliers provided by the IMPLAN input-output model to conclude that this job reduction would cause further job losses in the local economy, resulting in a total reduction of 280 jobs. DEIS at 4.6-4, H-4 & n.1. Second, the DEIS estimates that construction of new connections and double-track as part of implementation of the Transaction would create 396 new jobs during the two-year construction period, and it applied the same IMPLAN model to conclude that total employment would rise by 708 jobs, but that this job growth would be temporary, ending with the completion of construction after two years. *Id.* at 6.4-13—6.4-14. Third, the DEIS appears to conclude that the Transaction would make rail transportation more attractive to some shippers who presently move their freight by truck, leading to a decrease in truck traffic and the loss of 109 jobs in the trucking industry, with a corresponding increase in rail traffic and an increase of 53 jobs in the rail industry. The DEIS concludes, again on the basis of the IMPLAN model, that the total net impact of the shift from truck to rail transportation would be a loss of 86 jobs. DEIS at H-4; *id.* App. H, Attachment H1 at 14.[130]

The socioeconomic impacts caused by elimination of redundant positions were not an appropriate subject for analysis in an EIS prepared under NEPA, because those job reductions would result from operational efficiencies gained by combining two formerly separate

[130] While the DEIS states that "there would be no effect from the Proposed Action on local trucking firms," DEIS at 4.6-5, a calculation of such impacts is reported in Appendix H.

workforces; they would not arise from or be "interrelated" with "natural or physical environmental effects." *See* 40 C.F.R. § 1508.14.

But even if it were appropriate to examine those job eliminations, the DEIS misinterpreted their economic impact, as explained below. Further, the DEIS underestimated the total potential job growth attributable to the proposed Transaction, from both the creation of new jobs and the prevention of job losses.

H.1.a The DEIS miscalculates the employment impacts of the Transaction.

The DEIS correctly states that the proposed Transaction would create jobs in the Chicago region by providing a basis for CN to undertake construction projects involving rail connections, extension of sidings, and installation of double track. But its estimate that the Proposed Action would permanently reduce total Chicago-area employment by 280 jobs, while temporarily generating only 708 total jobs, which would disappear after completion of Transaction-related construction (DEIS at 4.6-2), greatly understates the job creation that should reasonably be anticipated as a result of the Transaction.

The DEIS's underestimation of total job growth is attributable to several errors.

First, the DEIS fundamentally misinterprets the economic significance of the reduction of positions resulting from the Transaction. These reductions, unlike job reductions resulting from reductions in output, represent cost savings whose effect on the economy as a whole is beneficial. The eliminations of positions in this case would occur because the railroad would be able to produce the *same* output as before, but with fewer resources (employees).[131] This is the

[131] SEA claims that the elimination of the 114 jobs would have negative economic impacts that "may appear high," but that this is "[b]ecause the rail transportation sector requires relatively little labor to produce a million dollars of output and each job produces a great deal of business output and value added to the region," so that "the loss of jobs would reduce the gross regional

very definition of economic efficiency. When this happens, as the Board and its predecessor agency have well understood, the public realizes an economic *gain*. In the words of the ICC, "[c]ost reductions, regardless of whether they are passed on to shippers, are public benefits because they permit a railroad to provide the same level of rail services with fewer resources or a greater level of rail services with the same resources." *Burlington N., Inc. – Control & Merger – Santa Fe Pac. Corp.*, 10 I.C.C.2d 661, 724 (1995) ("*BN/Santa Fe*"), *aff'd sub nom. W. Resources, Inc. v. STB*, 109 F.3d 782 (D.C. Cir. 1997).

Those cost savings may be passed on to shippers, and as a matter of fact "[t]hese efficiency gains, in varying degrees depending on competitive conditions, have generally been passed on to shippers as reduced rates and/or improved services."[132] In any event, the capital conserved by these efficiency gains is made available for more productive uses elsewhere in the economy, with resulting, positive, multiplier effects on output and on employment. The DEIS's failure even to mention (let alone attempt to quantify) those beneficial effects, while calculating supposed negative multiplier effects, unsupported by economic theory previously accepted by the Board, misrepresents the impacts of the Transaction.

Second, the DEIS erred by basing its estimate of job creation solely on the $100 million that CN plans to spend on capital improvements to implement the Transaction, leading to "construction employment generated while the double track and connections are being

product by $32.72 million in total." DEIS at 4.6-2, 4.6-5 n.2. But this misses the point that the proposed job reduction would make it possible for CN to produce every $1 million of output with even *less* labor, so that each railroad job would produce even *more* business output and value added to the region than before, and so that there would be no reduction in the gross regional product.

[132] *Canadian Nat'l Ry. – Control – Ill. Cent. Corp.*, 4 S.T.B. 122, 139-40 (1999); *accord, CSX Corp. – Control & Operating Leases/Agreements – Conrail Inc.*, 3 S.T.B. 196, 246 (1998) ("*Conrail*"), *aff'd sub nom. Erie-Niagara Rail Steering Committee v STB*, 247 F.3d 437 (2d Cir. 2001); *BN/Santa Fe*, 10 I.C.C.2d at 724.

constructed," DEIS at 4.6-1, while ignoring the jobs that would be created by the roughly $60 million that CN expects to spend on mitigation of the environmental impacts of the Transaction.

The DEIS estimates that construction of new connections and double-track to implement the Transaction would create 396 new jobs during the two-year construction period. SEA used the IMPLAN input model, applying various multipliers to calculate the direct, indirect, and induced labor and economic impacts of that job creation, and concluded that total jobs would rise by 708 during the construction period. But if impacts from expenditures on mitigation are taken into account, the positive economic impacts of the Transaction in the Chicago area are shown to be considerably greater than reported in the DEIS.

At CN's request, Global Insight, Inc., an economic consulting firm that is widely recognized for its expertise in modeling and forecasting, used its proprietary input-output model to conduct its own multiplier analysis of the effects of a CN expenditure of $150 million (including mitigation costs) to implement the Transaction over two years.[133] Global Insight's conclusions[134] were that that expenditure would bring about a total gain of 1,025 jobs in each of

[133] CN originally estimated that it would spend approximately $100 million in capital improvements in order to implement the Transaction. It later estimated that it would spend approximately $40 million to mitigate the environmental impacts of the Transaction. As noted above, CN now estimates that implementing its voluntary mitigation plan would cost roughly $60 million dollars. While not all of the mitigation spending would go into the construction sector, and while the applicable multipliers would differ to some degree to the extent that the expenditure went to non-construction industries, $50 million is a conservative estimate of the amount that would be spent on construction. The important point to remember here is that SEA did not examine *any* multiplier impacts from mitigation spending, which is clearly erroneous. For the sake of simplicity, Global Insight modeled the entire economic impact based on economic data for the State of Illinois, rather than attempting, as SEA did, to split the job impacts and resulting economic effects between the two states. There is no reason to believe that the multiplier effect of employment gains or reductions would be materially different in Indiana than in Illinois. (In any event, the majority of the impacts would be felt in Illinois.)

[134] *See* Global Insight, Inc., Economic Analysis for Canadian National Railway: Scenario Impact on the Illinois Economy (Sept. 2008) (attached hereto as Exhibit 4).

the two years. In addition, the expenditure would increase total employment by 1,025, labor income by $59 million, economic output by $155 million, economic value added by $73.6 million, and state tax receipts by $22 million for each year.

Third, the DEIS fails to note that CN does not plan to eliminate the 114 positions through workforce reductions or layoffs, but instead over time, primarily through attrition, as current job incumbents retire or move on to other positions (including ones that open up on CN itself). CN-2 at 226; see also *id.* App., Att. B, at 248. Thus, the personal and local dislocations that often accompany even efficient job reductions should be substantially mitigated in this case. Moreover, the Board is required by law to impose *New York Dock* labor conditions to protect the interests of employees adversely affected by control transactions such as this one.[135] These conditions would require CN to provide payments to displaced or dismissed employees for up to six years, depending on length of service, to protect those employees from loss of income from Transaction-related personnel actions. (This requirement is a powerful incentive for CN to implement job reductions in this case through attrition rather than through sudden layoffs.)

Fourth, even if SEA's use of the IMPLAN model to calculate multiplier effects from CN's planned job reductions were conceptually sound, its actual results would overstate the negative effects. Global Insight found, when it applied its input-output model to the reduction of 114 positions, that if the expected job losses had cascading negative effects through the economy (which they would not, for reasons stated above), they would lead to a total loss of 193 jobs (rather than the 280 calculated by SEA).[136]

[135] 49 U.S.C. § 11326(a); *New York Dock Ry. – Control – Brooklyn E. Dist. Terminal*, 360 I.C.C. 60, *aff'd sub nom. New York Dock Ry. v. United States*, 609 F.2d 83 (2d Cir. 1979).

[136] *See* Global Insight, Inc., Economic Analysis for Canadian National Railway: Scenario Impact on the Illinois Economy (Sept. 2008) (attached hereto as Exhibit 4). As explained above, the

Fifth, even if it were appropriate to assume that the Transaction would cause traffic to shift from truck to rail transportation,[137] it would not be appropriate to calculate the economic impact of that shift, as SEA appears to have done DEIS, App. H, Attachment H at 13, simply by looking at the immediate job losses in the trucking industry and applying multipliers to project a total job loss, offset only by corresponding job gains in the rail industry. That approach does not take into account the value of the cost savings or service improvements (which have similar economic effects to those of cost savings) that impel shippers to make such a shift. The benefits to shippers redound in turn to the shippers' customers or owners and so have beneficial multiplier effects through the local and national economy.

H.1.b The DEIS does not take into account potential positive labor impacts other than those caused by CN's planned construction activity.

The DEIS calculation of the impacts of the Transaction on employment is also incomplete because it does not reflect economic activities flowing from the Transaction other than construction activities. It thus overlooks many positive impacts on employment.

One way of estimating some of those positive impacts is by reference to the benefits that have been projected in connection with the CREATE Program, a portion of which would be achieved by the proposed Transaction. As the DEIS states, CREATE is a partnership dedicated to implementing "critically needed improvements to increase efficiency of the region's rail

assumption that 114 jobs would be abolished in the first year does not reflect CN's actual intentions; it thus leads to an exaggeration of the immediate impact of the job reductions.

[137] CN has not assumed that there would be any diversions of freight from truck to rail, and it is unclear (as noted above) whether SEA actually makes such an assumption, as the discussion of socioeconomic impacts in chapter 4 appears inconsistent with Appendix H. If in fact, however, SEA means to assume traffic diversions from freight to rail, the SEA needs also to describe fully the beneficial net environmental effects of the shift from truck to rail, including reductions in fuel consumption, highway congestion, and risk of accidents, none of which is discussed in the DEIS.

infrastructure and the quality of life of Chicago-area residents." DEIS at 2-65 (quoting www.createprogram.org/index.html). Included among the economic impacts that CREATE has studied are the impacts on employment levels expected as a result of congestion-reducing improvements to the Chicago Terminal District. CREATE estimates that it would, among other things, prevent the loss of 17,000 jobs that would be lost over the next 20 years if rail congestion problems are not addressed.[138]

The proposed Transaction would achieve part of the transportation improvement envisioned by CREATE in that it would reduce congestion by removing CN trains from rail lines in the CREATE District in central Chicago. It is therefore reasonable to expect that these improvements by CN to fluidity within Chicago would provide partial benefits comparable to those envisioned by CREATE.[139] That would include a portion of the 17,000 jobs expected to be preserved by CREATE within the CREATE District. Whatever methodology SEA may choose to calculate a proportion of the CREATE benefits that could be attributed to the Transaction, it

[138] CREATE Final Feasibility Plan at 37 (Aug. 2005).

This estimate was based on the assumption that there would be a 78.7% increase in rail freight, measured by the number of railcars, over a 20-year period. CN has maintained that any projections of rail traffic over more than a very short time horizon are likely to be inaccurate and unreliable. *See* letter of Paul A. Cunningham to Victoria J. Rutson (Apr. 21, 2008) (responding to SEA Information and Data Request #3). Nevertheless, to the extent that SEA finds any part of CREATE's projections of total growth in Chicago-area traffic to be reliable, then it may reasonably conclude that CREATE would prevent the job loss caused by the resulting increase in rail congestion. SEA may further reasonably conclude that to the extent that the Transaction would relieve some of that future congestion, it would prevent loss of a proportionate number of jobs.

[139] CN proposes to remove a total of 48.9 trains per day from its five subdivisions within the CREATE District, or approximately 8.2% of the 600 total daily trains operating in that District On those portions of its lines within the CREATE District, CN expects to reduce train traffic from 19.1 trains per day to 2.0 trains per day on the Waukesha Subdivision, from 3.0 to 1.7 trains per day on the Freeport Subdivision, from 12.6 to 2.0 trains per day on the Chicago Subdivision, and from 22.1 to 2.0 trains per day on the Elsdon Subdivision. CN also plans to increase train traffic from 1.8 to 2.0 trains per day on that portion of the Joliet Subdivision within the CREATE District, for a net decrease of 48.9 trains per day on all its lines in the District.

should at least acknowledge the likelihood that the Transaction would accomplish some widely desired transportation improvements, with positive economic and employment consequences.

H.2 The Transaction would have economic benefits, which the DEIS overlooked, from the net reduction in vehicular delays at at-grade highway crossings in the Chicago area.

Focusing on "increased traffic delays at highway/rail at-grade crossings" at locations "where the EJ&E tracks run directly through a community," the DEIS recognizes that "impacts to community cohesion are not expected to be more than moderate." DEIS at 4.6-10. It also recognizes that "[t]raffic delays would be reduced along the CN rail lines that experience decreased rail traffic" and that "this would reduce any existing, adverse effect to community cohesion along these rail lines." It makes no attempt, however, to quantify the economic benefit to the Chicago region from reduced delay at grade crossings.

CN has calculated that the Transaction would cause a net decrease of 228 hours each day to vehicles stopped at affected rail-highway grade crossings.[140] The monetary value of this time saving can be calculated by using time-value factors prescribed by the United States Department of Transportation ("DOT") in its "Departmental Guidance for the Valuation of Travel Time in Economic Analysis,"[141] which provides an objective, readily available estimate of value of time

[140] *See* Letter from Paul A. Cunningham to Victoria J. Rutson at 4 (Sept. 26, 2008); *id.*, Exhibit B.

[141] Memorandum from Frank E. Kruesi, Assistant Secretary for Transportation Policy, DOT, to Secretarial Officers and Modal Administrators, "Departmental Guidance for the Valuation of Travel Time in Economic Analysis" (Apr. 9, 1997) ("1997 Departmental Guidance"), *available at* http://ostpxweb.dot.gov/policy/Data/VOT97guid.pdf; Memorandum from Emil H. Frankel, Assistant Secretary for Transportation Policy, DOT, to Assistant Secretaries and Modal Administrators, "Revised Departmental Guidance, Valuation of Travel Time in Economic Analysis" (Feb. 11, 2003) ("2003 Revision to Departmental Guidance"), *available at* http://ostpxweb.dot.gov/policy/Data/VOTrevision1_2-11-03.pdf.

to persons delayed in transportation. DOT has instructed its modal agencies[142] to use the values and procedures set forth in this guidance document "for future DOT cost-benefit and cost-effectiveness analyses that employ measures of the value of travel time lost or saved."[143] The guidance document specifies, among other factors, the recommended percentage of hourly income, as well as the dollar value, to be used for estimating the value of time lost or saved for personal and business trips by car, as well as truck trips.

In 2003, DOT revised its Departmental Guidance to reflect updated information on hourly income. Following these revisions, DOT's estimated hourly value of travel time savings per person-hour for local travel by surface mode (measured in 2000 dollars) is:

For Personal Travel[144]	-	$10.60
For Business Travel	-	$21.20
Weighted Average (above two)	-	$11.20
Truck Drivers	-	$18.10

Because the values calculated by DOT are per person-hour, they cannot be applied until CN's calculations of vehicle-hours saved are converted into person-hours. The CMAP assumes that the number of persons per vehicle is 1.2 for work trips and 1.4 for non-work trips.[145] The 2000 U.S. Census, however, shows a larger number of persons (approximately 1.4) per vehicle

[142] *I.e.*, the Federal Highway Administration (highways), Federal Transit Administration (urban mass transit), Federal Aviation Administration (air), and Federal Railroad Administration (rail). (The omission of the Board from this listing reflects the Board's different status as an independent agency, not any view that the document is less relevant to the Board's activities.)

[143] 1997 DOT Guidance, transmittal memorandum at 1.

[144] Includes trips to work.

[145] Chicago Area Transportation Study, *Conformity Analysis Documentation: 2030 Regional Transportation Plan, FY 2004 - 2009 Transportation Improvement Program* (Oct. 2003).

for work trips in the Chicago Metropolitan Area.[146] It is therefore reasonable to assume that the average number of persons per vehicle for all trips in the Chicago area is 1.4.

Finally, it may be assumed that trucks constitute approximately 7.5% of the vehicles delayed at grade crossings. (This number is derived from the FRA's inventory of highway-rail grade crossings, which reports that trucks constitute 7.503113% of the total number of vehicles at the grade crossings on the EJ&E arc and on the lines within the arc used by CN.)

Applying these assumptions to the 228 net travel time savings calculated by CN yields these results:

1. **Local Travel Savings (excluding trucks)**
   - Number of passenger vehicle-hours saved per day
     = 228 x 0.925= 210.9
   - Number of person-hours saved per day
     = 1.4 x 210.9 = 295.26
   - Number of person-hours saved per year[147]
     = 325 x 295.26 = 95,959.5
   - Annual savings (dollar values as of 2000)
     = $11.20 x 95,959.5 = $1,074,746
2. **Local Travel Savings (trucks only)**
   - Number of truck vehicle-hours saved per day
     = 228 x 0.075 = 17.1
   - Number of person-hours saved per year
     = 1 x 325 x 17.1 = 5,557.5
   - Annual savings (dollar values as of 2000)
     = $18.10 x 5,557.5 = 100,591

[146] U.S. Bureau of the Census, Department of Commerce, U.S. 2000 Census of Population and Housing - Long Form, Table P-30 ("Means of Transportation to Work for Workers 16 and Over"). (The calculation of 1.4 persons per vehicle was made by taking the weighted average of the counts of number of persons per car for Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will counties in Illinois and Lake County in Indiana.)

[147] The number of person-hours per day was multiplied by 325, rather than 365, as a conservative reflection of the lower vehicular traffic volumes on the affected roads on weekends.

3. **Total Annual Savings (dollar values as of 2000)**
   = $1,074,746 + $100,591 = $1,175,337

The present value of 25 years of these savings would amount to $15.0 million.

Thus, the quantification that the DEIS does not undertake demonstrates that the Transaction would annually contribute an additional $1,175,337 to the Chicago-area economy. (This estimate is a conservative one, because it is based on hourly income in 2000 and therefore does not reflect increases in income since that year.)

H.3 The Transaction would provide economic benefits to shippers as a result of reduced transit time and increased reliability of train service through Chicago.

CN's proposed acquisition of the EJ&E line around Chicago would allow CN to improve the fluidity and performance of the approximately 12,000 trains per year that it moves through the Chicago region. This fluidity translates into reduced transit times and improved system reliability, thereby lowering the overall supply chain costs for CN's customers whose freight must move through Chicago. SEA's analysis of the socioeconomic impacts of the Transaction does not acknowledge or account for any of these savings, even though they constitute clear socioeconomic benefits that would result from CN's re-routing of its trains over the EJ&E line in implementation of the Transaction.

Two of the most significant shipper savings made possible by improvement in CN's service and overlooked in the DEIS are reduced carrying cost of in-transit inventory and reduced safety stock costs. While goods are in transit, they are included on shippers' financial balance sheets, but they are not available for use in production or for sale. Time spent in transit thus imposes substantial carrying costs on shippers. If travel time is reduced, shipments arrive earlier at their destinations and are available for use or sale, and rail customers' inventory costs are

lowered. In addition, more reliable service enables customers to make further savings, because they are able to reduce their levels of safety stock levels (*i.e.*, additional inventory that is kept on hand as a hedge against fluctuations around mean transit time).

To develop estimates of these savings, CN retained Oliver Wyman, a global management consulting firm with extensive expertise in supply chain and logistics management and experience in advising the rail industry. Using CN data from 2006[148] and in consultation with CN personnel, Oliver Wyman determined pre-Transaction transit times, variability of transit times, and rail yard performance for each train type (*e.g.*, merchandise, intermodal, bulk) that CN now moves to, from, or through the Chicago terminal. CN personnel, using CN's Train Performance Calculator ("TPC"), statistics provided by EJ&E on actual operating performance on its line, and their own judgment based on their operating experience, provided their estimates of the post-Transaction speeds and variability of trains operating over the routes, including the EJ&EW line, that CN would use following implementation of the Transaction.

Using this information, Oliver Wyman was able to estimate the change that could be expected in mean transit time and variability for each train type on each applicable route. Reduction in transit time was a combination of reduced line-haul transit time and, where applicable, reduced dwell time in yards.[149] (Dwell time would not be applicable to unit trains, which do not require handling in yards.) Reduction in dwell time was an important factor in calculating reduction in transit time variability because longer time needed for car handling in a

[148] This year was chosen for the sake of consistency with the Operating Plan that was submitted as part of CN's Application, and which was constructed using data from 2006, the last full year for which data was available at the time the Plan was created.

[149] Because of time pressure, Oliver Wyman calculated the improvement in yard dwell time at CN's Markham Yard, and used Markham as a proxy for the other classification facilities used by the Chicago traffic under review. This approach gave a conservative estimate of the probability of making connections at non-CN yards.

yard means greater probability that a car will miss its connection with the outgoing train that is scheduled to take it to the next terminal. (Because at CN the connecting trains generally run once a day, if a car misses its departing train, even by as little as one or two hours, it will usually be delayed a full 24 additional hours. Long dwell times in a yard, by increasing the likelihood of missed train connections, can therefore multiply the variability of transit times over the length of a movement from origin to destination.

Oliver Wyman's calculations of improvements in transit time and reliability were conservative, because they omitted (a) reductions in time spent waiting by trains that have been made up and are awaiting a crew at locations outside the EJ&E arc for a route through Chicago (which often occurs today because the railroad is reluctant to pay for costs of a crew that is train that is only sitting on the track, so it waits until it knows the train can proceed before it calls a crew for a stopped train); (b) reduced transit time and variability of transit time for CN traffic within the Chicago terminal that would continue to use its current routes, but which would move more readily because of reduced traffic on the lines within Chicago; (c) downstream improvements in yard performance or transit time outside the EJ&E arc, resulting from improvements within the arc that make it more likely that a CN train will make its next connection on time at a downstream yard; and (d) improvements to traffic through Chicago that CN does not participate, but which would benefit from the reduction of CN's use of lines inside the arc.

An inventory carrying cost model was developed to estimate the savings to CN customers from reductions in transit times. This model applies the annual cost of capital and the reduced travel time to the total value of the goods in transit. Exhibit 5 ("Supply Chain Savings to CN Customers Resulting from acquisition of EJE: Model Results") presents Oliver Wyman's

calculations of the inventory carrying costs savings, both for all industries and for selected industries representing significant commodity groups (chemicals, metals, paper, and prepared food).[150]

In addition, Oliver Wyman developed a safety stock model, using transit time and transit time variability from origin to destination, and improvements to those factors, to estimate the pre- and post-Transaction safety stock levels. The post-Transaction reductions in safety stock were aggregated into commodity groups, and an average value per ton for each group was estimated. Oliver Wyman then calculated the annual dollars of savings to customers by multiplying the average value per ton by the safety stock reduction in tons multiplied by the cost of capital for the industry group multiplied by the average value per ton. Oliver Wyman's findings are reported in Exhibit 5, aggregated both for all industries and for the representative industries for which inventory carrying cost savings were reported.[151]

Thus, Oliver Wyman calculated the total savings that CN customers could expect from reductions in inventory carrying costs and safety stocks, as a result of the Transaction, is $23.5

[150] It was CN's judgment that a reasonable measure of pre-tax cost of capital for the affected industries would be 14% (8.7% after tax), and calculations based on that number are therefore reported in Exhibit 5. If, however, this number is regarded as too high, alternative calculations based on pre-tax costs of capital of 10 and 12% (6.2% and 7.4%, respectively, after tax) are also shown.

[151] If SEA wishes to inquire further into the methodology used by Oliver Wyman to arrive at these conclusions, CN is prepared to make members of the expert Oliver Wyman team that calculated them available to SEA.

million each year.[152] The present value of these savings over 25 years would be in excess of $160 million, at a 14% pre-tax cost of capital.[153]

These savings to CN's customers would have beneficial impacts throughout the national economy. In order to calculate the downstream impacts of these savings, CN asked Global Insight to calculate the multiplier effects that these savings could be expected to yield, if shippers used them to expand their manufacturing output by a corresponding level. Using its input-output model (described in section H.1.a, above), Global Insight calculated that an increase in manufacturing output of $100 million would lead to a total gain of 549 U.S. jobs, and $29.8 million in U.S. labor income. Moreover, it would lead to a total gain of $232.4 million in U.S. economic output, a total gain of $97.7 million in economic value added for the U.S. economy, and a total increase of $14.5 million in U.S. tax receipts.[154] For an increase in manufacturing output of only $23.5 million (the value of the yearly supply chain savings calculated by Oliver Wyman), the corresponding proportional results would be: a total gain of 129 U.S. jobs; increase in U.S. labor income of $7.0 million; a total gain of $54.6 million in U.S. economic output; a total gain of $23.0 million in economic value added for the U.S. economy; and a total increase of $3.4 million in U.S. tax receipts.

These savings are only a small portion of socioeconomic benefits that may be expected as a result of improved transit time and reliability caused by the Transaction. They exclude, for

[152] As noted above, this assumes a pre-tax cost of capital of 14%, but even at lower cost of capital assumptions, the savings are significant. A 10% pre-tax cost of capital would yield annual savings of $16.8 million, and a 12% pre-tax cost of capital would yield savings of $20.2 million.

[153] A pre-taxcost of capital of 10% or 12% would change the present value of the savings to approximately $160 million, or close to $160 million, respectively.

[154] These findings are reported in Exhibit 6 hereto ("Economic Analysis for Canadian National Railway: Manufacturing Scenario Impact on the U.S. Economy by Industry.")

example, the value that would be created for other railroads (both freight and passenger) operating in the Chicago area by increased fluidity of CN trains, greater line capacity, and improved on-time performance for interline connections. They also exclude the savings to CN from better crew and equipment utilization that would be made possible by improved transit times and reliability. They are, however, illustrative of the kinds of benefits that were overlooked in the DEIS's assessment of the socioeconomic impacts of the expected re-routing of CN trains, and that should be included if SEA intends its EIS to include such an analysis.

H.4 There is no basis for any determination that any negative effects of the transaction on property values would be other than minimal and offset by increases by positive impacts of property values where train operations are to be reduced

SEA apparently conducted a thorough literature search regarding the economic impact of increased rail traffic on property values. While the relevant data/literature supporting (or negating) adverse effects on property values from increased train traffic is sparse, DEIS at 4.6-6, in most respects SEA reasonably utilized existing literature to support its conclusions. The DEIS found that property values in the Chicago area overall will not be affected and there would be only "minor localized effects on property values," *id.* at 4.6-23 – which it did not quantify – while reduced traffic could bring beneficial effects to property values adjacent to the CN subdivisions, *id.* at 4.6-2. The DEIS does not, however, account for those beneficial effects in the various communities along CN's current lines. If that missing analysis were to be included, given that there are more properties adjacent to CN's existing lines, where traffic would be reduced, than adjacent to the EJ&E line, where traffic would be increased, there is every reason

to believe that the proposed Transaction's beneficial effects on property values equal or outweigh any adverse ones.[155]

The limited analysis contained in the DEIS is also subject to some significant problems and qualifications. The literature and data on "stigma" harm to property values due to nearby train traffic is too limited to form reliable quantitative conclusions – SEA found just one article addressing effects of train traffic levels on property values (Simons & El Jaouhari 2004 ("Simons article") – and several factors suggest that possible values SEA infers from the Simons article are on the high side.

First, in order to form any reliable conclusions, and in order to satisfy the minimum requirements of the Uniform Standards of Professional Appraisal Practice ("USPAP"), an opinion regarding property values must take into account local variables, including, where possible, relevant local market data. *See, e.g.,* USPAP Advisory Opinion No. 9, lines 179-81 (an analysis of environmental stigma "must be based on market data") (2006). SEA's purely mathematical extrapolation from the Simons article, DEIS Table 4.6-3, which addressed property values in entirely different communities in Ohio, does not do so. Local and individual data are likely to be highly significant here: for example, a plausible hypothesis is that residences and communities that are relatively upscale and that feature relatively modern construction may be well insulated by trees and modern windows from sound or other nuisances, and rail traffic may be less noticeable to potential buyers if rail lines are obscured by trees or other landscape

[155] It is also possible, although there is no evidence supporting such a conjecture, that because the communities along the EJ&E line are typically more affluent, with higher value residences, if – contrary to literature cited by SEA – additional train traffic has more effect on high-value residences than on low-value residences, the balance would go the other way. However, any suggestion that a possible decrease in value of a certain number of expensive residences outweighs a decrease in value of a larger number of less expensive residences would exacerbate the environmental justice concerns discussed below regarding SEA's analysis.

features. This hypothesis may explain Simons' finding of minimal or non-existent effects on property value for more upscale residences in the Ohio study.[156] It also suggests that negative property value effects reported in the Simons article, which involved a study of properties averaging 60 years old, *see id.* at 4.6-8, are likely to be greater than any effects that might be experienced in more recently built communities along the EJ&E line.

Second, in extrapolating from the Simons study, SEA assumed that each additional train would have the same property value effect, *i.e.,* 20 trains would have 20 times the property value effect of one new train. *See* DEIS 4.6-9 & Table 4.6-3. This assumption seems implausible on its face: at some point, it seems reasonable to expect the significance of additional trains to decline, as property owners either acclimatize to train noise or reach the threshold at which they opt to invest in improved sound insulation. Yet DEIS's analysis neither accounts for the likely reduced significance of the twentieth additional train as compared to the first, nor cites any

[156] Simons' finding profoundly undermines claims made by the Village Administrator of the Village of Lake Zurich at the August 26 Open House. As the DEIS notes, Simons found ***no*** statistically significant impact on property values for upscale properties (which Simons defined as those with more than 1,700 square feet) beyond 250 feet from the Ohio rail line, and only an average of 0.19% value decline per train for such properties within 250 feet of the rail line. *See* DEIS at 4.6-7, Table 4.6-3. Relying solely on the DEIS, the Lake Zurich Administrator asserted a 5-15% value decline in the value of all 364 Lake Zurich properties alleged to be within 500 feet of the EJ&E line. Statement of Bob Vitas, Village Administrator, Village of Lake Zurich, at 2, *available at* http://www.stb.dot.gov/Ect1/ecorrespondence.nsf/PublicIncomingByDocketNumber/D4B4A6D D0E13EE3E852574B40042F654/$File/10533.VITAS.PDF?OpenElement. He provided no basis whatsoever for that range, given that the range of value effects extrapolated in Table 4.6-3 of the DEIS is from no statistically significant impact to a maximum decline of 5.35% (for medium-sized properties within 250 feet of the rail line assuming an extra 20 trains a day). Moreover, while the Lake Zurich Administrator did not provide square footage data so that a direct comparison with the Simons study could be made, the value data he did provide strongly suggests that most of the 364 properties at issue (about 60% of which are alleged to be beyond 250 feet from the rail line, *see id.,* Ex. 2) would fall into the upscale category for which Simons found no significant impact. The mean value of the 340 residential properties for which the Lake Zurich Administrator provides fair market value data exceeds $324,700 ($110,408,403 / 340). (The remaining 24 properties either have no value assigned or have values assigned below $12,000.) *See id.*

literature nor makes any argument to justify treating all trains equally. Nor does it appear that DEIS's analysis takes any account of other factors likely to result in additional trains having different value effects, such as individual train noise, length, speed and timing (*e.g.,* night versus day).

Third, SEA's extrapolations from the Simons article should not be understood to predict any long-term effects. As SEA correctly notes, Simons "did not study whether property values would rebound over time." DEIS at 4.6-8. While the analogy is imperfect, the much richer appraisal literature that addresses "stigma" caused by environmental contamination suggests a likely answer to that question: that literature consistently finds that "stigma" declines – *i.e.,* property values recover – over time (often within a few months) as publicity dies down. *See, e.g.,* T. Jackson, "The Effects of Environmental Contamination on Real Estate: A literature Review," 9 *Jo. Real Est. Lit.* 93, 110 (2001) (reviewing 15 studies). This finding is unsurprising: property values reflect public perceptions which in turn reflect publicity, and the exaggerated claims of some property owners close to the EJ&E line who oppose the Transaction, and the adverse publicity they have generated, may be reflected in short-term stigma.

Thus, SEA's discussion of the Simons study from Ohio can generate nothing more than speculative suggestions about limited property value effects that are likely to be short-term, highly variable and individualized. Local property prices are no doubt affected by other factors extraneous to the proposed Transaction. For example, property prices in the region have declined recently, along with most of the rest of the United States. And, property prices along the EJ&E line may be negatively affected by the fact that those properties were built (almost invariably after the rail line) adjacent to a functioning rail line. But the pre-existing presence and type of use of the rail line – which the proposed Transaction would not change – should already

be built into property prices, and is anyway not attributable to the Transaction. Indeed, since no legal restriction currently limits traffic on the EJ&E line to its present levels, and since the level of freight traffic on the EJ&E line has fluctuated substantially over time, at least some risk of increased rail traffic should, if significant, already be built into local property values. Such pre-existing effects cannot be blamed on the proposed Transaction.

In summary, CN concurs with the finding of the DEIS indicates that, while there may be adverse effects on values of property adjacent to the EJ&E line, there would also be "a corresponding beneficial effect on property adjacent to the CN rail lines." DEIS at 4.6-9. Further, the DEIS finds that "the Proposed Action would not affect overall property values within the Study Area (the Chicago metropolitan area)." *Id.* Beyond those two conclusions, the analysis in the DEIS is speculative, and omits both the data necessary to reach any reliable affirmative finding of negative property value effects, and any examination of likely positive property value effects.

I. Environmental Justice

CN generally agrees with the conclusion in the DEIS that the Transaction would not cause significant environmental justice impacts. However, the DEIS appears to arbitrarily identify environmental justice communities falling only within 400-foot contours adjacent to CN lines inside the arc, but falling within 1,500-foot contours adjacent to the EJ&E arc. DEIS at 3.7-1. This different treatment is inexplicably discriminatory and potentially understates the impact of the No-Action alternative on environmental justice communities within the arc that are located more than 400 but fewer than 1,500 feet from existing CN lines. Additionally, the DEIS fails to analyze whether the No-Action alternative would have disproportionately high and adverse impacts on minority and low-income populations.

Even a cursory comparison of the demographics of the communities adjacent to the affected EJ&E lines, which would experience increased train traffic under the Proposed Action, with those of the communities adjacent to the existing CN lines, which would benefit from decreased train traffic, makes it extremely likely that SEA's analysis overlooked disproportionately high and adverse impacts of the No-Action alternative on the minority and low-income populations along the CN lines. Moreover, SEA should acknowledge the likelihood that imposition of costly environmental mitigation conditions itself could cause environmental injustice, by making the Transaction prohibitively expensive, and causing those disproportionately high and adverse impacts to fall upon the minority and low-income communities that would be deprived of the benefits of the Transaction.

After publication of the DEIS Christopher Berry and Ethan Bueno de Mesquita,[157] both of the University of Chicago, issued a report finding that the Transaction would benefit poorer areas with largely minority populations. Their report found that communities in Chicago that would experience a decrease in rail traffic have a population of about 1.25 million residents – 70 percent of them non-white, with a median household income of $46,000. In contrast, they report, the population of suburban communities along EJ&E is about 900,000 – 67% of whom are white, with a median income of $76,000.

With regard to mitigation, SEA's proposed additional item no. 20 (regarding "account[ing] for the special needs of minority and low-income populations adjacent to or in the immediate vicinity of the EJ&E rail line in the development of contingency or emergency plans such as the hazardous materials emergency response plan") is unreasonable. First of all, SEA

[157] C. Barry and E. Bueno de Mesquita, "Stalemate over Rail Plan Reflects Failure of Political Leadership," *available at* http://media1.dailysouthtown.com/multimedia/berrymesquitacn.pdf_20080911_13_16_26_47.imageContent.

does not explain how minority or low-income populations have "special needs" with regard to the railroad's emergency materials plans. CN would expect to respond in different ways depending on the nature of the emergency, but does not believe that its responses should differ materially with the demographics of the affected communities. But a more important point is that the DEIS identified no basis on which to impose mitigation for the sake of environmental justice. It found that "the potential for environmental justice communities to experience exposure due to a hazardous materials release would be slightly elevated, but not high and adverse," much less disproportionately high and adverse.[158] DEIS at 4.7-5. Exec. Order 12898 (1994), which provides the charter under which federal agencies evaluate environmental justice in conducting NEPA reviews, calls only for "identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of [agency] programs, policies, and activities on minority populations and low-income populations." Exec. Order No. 12898 § 1-101. The Executive Order is not a mandate for federal agencies to look for ways to benefit minority and low-income communities by imposition of conditions in licensing proceedings. In the absence of any disproportionately high and adverse impacts on minority or low-income populations from transportation of hazardous materials, there are no environmental justice effects regarding that transportation, and no basis for imposition of conditions to mitigate such effects. In any event, the greatest benefit the Board could confer on environmental justice communities is approval of CN's Application, which would allow CN to re-route trains that now run though those communities, and would lead to a reduction in the adverse noise, safety, and vehicular delay impacts now caused by those trains.

[158] In fact, the DEIS did not find that environmental justice communities would experience any disproportionately high and adverse impacts with respect to and of the effects it studied. DEIS at 4.7-3—4.7-5.

J. Noise & Vibration

When considering mitigation to noise impacts, SEA should, consistently with past practice, apply a "reasonableness" assessment to any mitigation measures proposed. SEA has historically proposed noise mitigation only where it was both feasible and reasonable. Feasibility issues considered by SEA include: technical practicability, site topography, the existing noise environment, and right-of-way and easement requirements. Reasonableness considerations include the extent of mitigation, the cost effectiveness, and the desires of local residents. 2 *Conrail FEIS* at 4-69.

SEA has also recognized that any noise increases on existing railroad rights-of-way from increased train operations that are unrelated to the proposed Transaction are not subject to any regulation or mitigation, as railroads have always been free to increase their operations and train traffic in the normal course of business without being constrained by the increased noise that might result.

SEA should apply the same reasonableness and feasibility determinations here. Feasible noise mitigation is that which can be implemented and provide a noise level reduction of at least 8 dBA to an impacted receiver. Additionally, to determine cost effectiveness, SEA should evaluate each impacted area where feasible noise mitigation could be provided and determine if the cost of such mitigation is $24,000 or less per benefiting receiver (residence). This is an IDOT standard[159] that is referenced in the Draft EIS. *See, e.g.*, DEIS at 4.10-14.

[159] *See* IDOT, Frequently Asked Questions – Noise Abatement, http://www.dot.state.il.us/desenv/noise/faqAbatement.html. While INDOT's standard is not referenced in the DEIS, it considers noise abatement to be feasible if a majority of first row receivers will experience at least a 7 dBA reduction in noise, and reasonable if it could be done for a cost of $25,000 or less per benefited receiver. *See* Indiana Department of Transportation, Traffic Noise Policy 7 (Jan. 2007), *available at* http://www.in.gov/indot/files/INDOTNoisePolicy(1).pdf

With regard to the analysis used in the DEIS, CN believes SEA used an unreasonably small sample size when conducting noise measurements, particularly given the wide range of results that were obtained. Only four EJ&E train passbys and eleven CN train passbys were measured. However, the range of the measured noise levels varied by 18 decibels for locomotives and 15 decibels for rail cars. This wide of a range indicates that there may be some outliers there that are skewing the results and suggests that averaging all of the measurements may not be appropriate. Alternatively, the CREATE Freight Noise Model (CREATE Model), available from FRA's website, could be used. This model was developed as part of the CREATE Program and includes reference source noise levels (SELs) developed for use in evaluating freight train operations. The CREATE Model is based on FTA's General Transit Noise Assessment spreadsheet, but incorporates a list of rail noise source categories that are more appropriate for the freight rail activity related to this proposed transaction. Additionally, it appears that SEA measured noise impacts based on EJ&E's existing operations. SEA's analysis does not take into account the fact the locomotives that CN would operate over EJ&E after the transaction is implemented are newer, better maintained, and much quieter than the locomotives that EJ&E currently operates.

CN cars are also better maintained, and use WILD detectors to eliminate flat spots on wheels, reducing wayside noise impacts. Thus, SEA's analysis of noise likely overstates that potential impact of the Transaction.

In addition to the proposals CN has made in items VM 77 through VM 83 of its VMP regarding noise and vibration, SEA has proposed additional measures nos. 23 through 27, many of which repeat the substance of CN's own proposals. However, SEA proposal no. 26 (regarding communication with Fermilab) is unreasonable as written, because it does not specify what kind

of "operational changes" could trigger a reporting requirement, and could even be construed to require notification every time CN modifies its train plan, regardless of any potential impact on the Fermilab. This requirement would be especially unreasonable because it has been proposed to mitigate vibration impacts that SEA has not even determined would take place. (The DEIS finds that "train-induced vibration would not affect current research activities at Fermilab (regardless of the number of trains per day on the EJ&E rail line), because current research activities are not located along the eastern property line near the EJ&E rail line." DEIS at 4.10-25. It then finds that train operations *could* affect future research activities, if Fermilab were to locate them within 500 feet of the EJ&E line. *Id.* It concedes, however, that "Fermilab has not selected specific locations for its future expansion projects." *Id.* It has not determined that expansion projects within 500 feet of the rail line are even likely, much less "reasonably foreseeable," let alone whether, if such projects were undertaken, "vibration from the Proposed Action would adversely affect Fermilab." In the absence of such a determination, there are no impacts to mitigate, and therefore no basis for the imposition of conditions on CN.

K. Biological Resources

While the DEIS discusses impacts of Transaction-related construction and changes in train operations on plant communities, wildlife, and conservation and natural areas, it generally concludes that those impacts would be "low" or "slight," or that they would lead to a "remote" probability of hazardous materials spills or wildfires. DEIS at 4.11-13, 4.11-26. To the extent that any of the impacts discussed rise above a minimal level, however, they would be adequately mitigated by the voluntary mitigation measures (VM 84 through VM 88) that CN would undertake if the Transaction were approved.

L. Water Resources

CN agrees with the conclusions of the DEIS indicating that impacts to water resources would be minimal. DEIS at 4.12-7, 4.12-48—4.12-49. In addition, CN has revised its Voluntary Mitigation Plan to incorporate much of the substance of SEA's proposed additional mitigation measures no. 63-68 into VM 89 through 100. CN, however, regards SEA's additional mitigation proposal no. 66 (regarding mitigation of impacts on isolated wetlands) as unreasonable to the extent that it imposes obligations in addition to CN's ordinary practice of consulting with the U.S. Army Corps of Engineers and following the Corps' guidance regarding obtaining all required wetlands permits from all levels of government. SEA proposal no. 66 should therefore be removed, or clarified to state that CN may follow that established practice, and that if the Corps advises it that any affected wetlands are subject to regulations of Kane and DuPage counties rather than to those of the Corps, then it will take such actions as may be required to conform to the local regulations.

M. Monitoring & Enforcement

SEA has proposed additional mitigation measure no. 72, requiring quarterly reports on the progress of, implementation of, and compliance with the mitigation conditions during the first three years of operational changes, or such other period as the Board may require. This requirement is considerably more burdensome than environmental monitoring and enforcement conditions imposed in other cases. For example, while the Board required applicants in the massive *Conrail* proceeding to certify their compliance with the environmental mitigation conditions imposed by the Board, *see generally CSX Corp. – Control & Operating Leases/Agreements – Conrail, Inc.*, 3 S.T.B. 196, 567-602 (1998), it only required periodic reporting with regard to one environmental condition, *id.* at 580 (Condition 8(A), requiring

quarterly reporting on quarterly reporting regarding grade crossing upgrades or improvements). In this case, if CN is to be required to report periodically on its progress in complying with all environmental mitigation conditions, it would be reasonable to require those reports no more frequently than semi-annually.

V. The Requirements of NEPA

A. NEPA does not require or authorize imposition of any mitigation.

It is axiomatic that NEPA is a procedural statute that does not require any particular outcome. *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 350 (1989) ("NEPA itself does not mandate particular results, but simply prescribes the necessary process"). Where NEPA applies to a proposed action by a federal agency, its only requirement is that the "adverse environmental effects of the proposed action [be] adequately identified and evaluated," *id.*, and that the agency take a "hard look" at the environmental consequences of its action. *Kleppe v. Sierra Club*, 427 U.S. 390, 410 n.21 (1979). NEPA's goal is to promote more informed agency decision-making, "by focusing the agency's attention on the environmental consequences of a proposed project." *Robertson*, 490 U.S. at 349. However, an agency is free to decide that other benefits of a proposed transaction, such as the substantive transportation benefits here, outweigh the adverse environmental impacts and call for approval. *Id.* at 350. In sum, NEPA requires only that an agency consider the potential environmental impacts of its actions. *Id.* at 352-53.

NEPA does not "require" that <u>any</u> action be taken "to mitigate the adverse effects of major federal actions." *Robertson*, 490 U.S. at 353 (citations and quotations omitted). NEPA requires nothing more than that the EIS "contain a detailed discussion of *possible* mitigation measures." *Id.* at 351 (emphasis added). There is no requirement that the agency have the

authority or ability to impose that mitigation, nor that it do so.[160] Indeed, it would be "inconsistent with NEPA's reliance on procedural mechanisms – as opposed to substantive, result-based standards" – to hold that NEPA authorizes an agency to develop and implement a plan to mitigate environmental harm before it can act. *Id.* at 353. And, "[b]ecause NEPA imposes no substantive requirement that mitigation measures actually be taken, it should not be read to require agencies to obtain an assurance that third parties will implement particular measures." *Id.* at 353. Thus, any authority the Board may have to mitigate the environmental impacts of a control transaction must be found in the Board's own governing statute.[161]

The obligations of an agency with regard to mitigation in the context of an EIS are thus fundamentally different from its mitigation obligations in the context of an Environmental Assessment ("EA"). Since passage of the Staggers Rail Act of 1980, neither the Board nor its predecessor has ever prepared an EIS for a rail control transaction, other than the massive *Conrail* acquisition proceeding. Even for large acquisitions with national implications, such as the *UP/SP* merger,[162] only an EA was prepared.[163] The purpose of an EA is to determine

[160] *Id.* at 352 ("There is a fundamental distinction . . . between a requirement that mitigation be discussed in sufficient detail to ensure that environmental consequences have been fairly evaluated . . . and a substantive requirement that a complete mitigation plan be actually formulated and adopted").

[161] And CN has consistently reserved the right to challenge conditions that exceed the Board's authority under that statute. *See* April 21, 2008 Letter at 6 n.2; *see also* CN-49 at 12 n.7.

[162] *Union Pac. Corp. – Control & Merger – S. Pac. Rail Corp.*, 1 S.T.B. 233 (1996) ("*UP/SP*"), *aff'd sub nom. W. Coal Traffic League v. STB*, 169 F.3d 775 (D.C. Cir. 1999).

[163] For many control transactions, neither an EA nor an EIS was found necessary. *E.g., Fortress Investment Group LLC – Control – Florida E. Coast Ry.*, STB Finance Docket No. 35031, slip op. at 5 (STB served Sept. 28, 2007); *Kansas City S. – Control – Kansas City S. Ry.*, STB Finance Docket No. 34342, Decision No. 12, slip op. at 21-23 (STB served Nov. 23, 2004); *Canadian Nat'l Ry. – Control – Bessemer & L.E. R.R.*, STB Finance Docket No. 34424, Decision No. 7, slip op. at 20-23 (STB served Apr. 9, 2004). Even a "major" control transaction was approved without either an EA or an EIS. *Union Pac. Corp. – Control – Chicago & N.W.*

whether the proposed federal action would have significant environmental impacts warranting the preparation of an EIS. For this reason, any significant adverse environmental impacts identified by an EA must be mitigated below a level of significance, or the agency must proceed to prepare an EIS. *See* Forty Questions, 46 Fed. Reg. at 18,037 (agencies can include enforceable mitigation measures to conclude that an action does not require preparation of an EIS).

In contrast, when an EIS is prepared, there is no corresponding requirement that all identified adverse impacts be mitigated. There is only the procedural requirement that the EIS include a "reasonably complete discussion of possible mitigation measures." *Robertson*, 490 U.S. at 352. In fact, the DEIS prepared by SEA in this case (in five volumes, containing over 3,500 pages and standing nearly 8-1/2 inches high when stacked – the same size as the DEIS in *Conrail*) clearly identifies and describes potential mitigation, and thus fully satisfies NEPA's requirements.

B. It is unclear whether ICCTA, the Board's governing statute, provides any authority to impose environmental review or mitigation conditions on a "minor" transaction such as the CN/EJ&EW transaction.

The Transaction is governed by 49 U.S.C. § 11324(d), which requires the Board to approve it *unless* it finds that (1) the Transaction would be likely to cause "substantial lessening of competition, creation of a monopoly, or restraint of trade in freight surface transportation in any region of the United States," *and* (2) the anticompetitive impacts of the Transaction outweigh the public interest in meeting significant transportation needs. If the Board cannot find serious anticompetitive impacts, as described in section 11324(d)(1), then its substantive inquiry

Transp. Co., Finance Docket No. 32133, Decision No. 25, 1995 ICC LEXIS 37, at *149 (ICC served Mar. 7, 1995).

"is at an end." *Illinois v. ICC*, 687 F.2d 1047, 1053 (7th Cir. 1982). It is clear from the record in this case that there is no basis for such a finding of anticompetitive harm.[164]

While it might appear that 49 U.S.C. § 11324(c) authorizes the Board to impose conditions on its approval of a transaction subject to section 11324, it has been held judicially and by the Board's predecessor agency that any authority the agency might have to impose conditions is limited to those matters which it may consider in granting or denying approval of the transaction under review. *Lamoille Valley R.R. v. ICC*, 711 F.2d 295, 301 n.3 (D.C. Cir. 1983) ("We therefore reject the suggestions . . . that the Commission has broader discretion in imposing conditions on a merger than in approving or rejecting the merger as a whole."); *Norfolk & W. Ry. – Purchase – Ill. Terminal R.R.*, 363 I.C.C. 882, 891 (1981) ("*Norfolk & Western/IT*") ("[W]e should not attempt to impose a condition on our approval of a transaction related to a matter which we could not lawfully consider as a basis for withholding our approval of that transaction. . . . To give effect to the congressional intent [in enacting the predecessor to section 11324(d)], we will exercise our conditioning power only where a condition bears on issues we may consider in deciding whether to approve a transaction.").

Thus, in this case, governing precedent would appear to preclude the imposition of involuntary conditions (other than the statutorily mandated labor protective conditions, *see* 49 U.S.C. § 11326; *Norfolk & Western/IT*, 363 I.C.C. at 892 n.10) aimed at mitigating non-competitive impacts of the Transaction.

[164] *See* CN-29; CN-31.

C. NEPA does not require analysis of impacts for which the agency action is not the legally relevant cause.

NEPA requires no more than an examination of the reasonably foreseeable environmental impacts that are caused by the agency action. The Supreme Court has rejected the "unyielding variation of 'but for' causation, where an agency's action is considered a cause of an environmental effect even when the agency has no authority to prevent the effect." *Pub. Citizen*, 541 U.S. at 767. Therefore, "where an agency has no ability to prevent a certain effect due to its limited statutory authority over the relevant actions, the agency cannot be considered a legally relevant 'cause' of the effect." *Id.* at 770. Accordingly, under NEPA, the agency's environmental review need not consider effects the agency approval would not cause. *Id.*

As CN has previously argued, the Board's authority over "minor" transactions is limited; under 49 U.S.C. § 11324(d), the Board "shall" approve the Transaction unless it finds both (a) likely and substantial anticompetitive effects, and (b) that those effects are not outweighed by "the public interest in meeting significant transportation needs." So a minor transaction may not be disapproved on environmental grounds, and *Lamoille Valley* seriously calls into question the Board's authority to impose environmental mitigation conditions on such a transaction. Thus, as it is unclear whether the Board's decision regarding to a minor transaction may be affected by the findings of an EA or EIS, it remains unclear that NEPA properly applies to such a transaction at all. However, accepting for purposes of this comment only that NEPA does apply, what is clear from *Public Citizen* is that it does not require analysis of impacts that could occur in the absence of the Transaction.

Therefore, the base for any study required under NEPA (as construed by the Supreme Court in *Public Citizen*) are those changes in traffic that would not happen "but for" the license sought here by the Applicants. For this reason, the impacts are unlikely to be as far reaching as

many parties to this proceeding seem to assume. CN and other railroads (and their respective customers) are presently free to re-route, and EJ&E is free to accept, additional traffic from the urban Chicago routes of CN and other railroads. Indeed, EJ&E is legally free to accept as much traffic as it finds in its interest to accept. (And it is free, without Board approval, to make improvements to the capacity of its line, such as new or extended sidings, double-tracking, improved signaling, that might be necessary or desirable for it to handle the increased traffic, so long as the improvements do not constitute construction of rail lines that invade new territorial markets.[165]) And if CN and EJ&E were to make such alternative arrangements for re-routing CN's traffic, in lieu of the proposed Transaction, there would be, absent the need for rail construction subject to the Board's jurisdiction, no environmental review and no related voluntary or imposed mitigation.[166]

As CN has previously explained, many of the trains that it currently runs through Chicago, and that it anticipates would be rerouted to the EJ&E line following the acquisition of EJ&EW, could be rerouted to EJ&E line without any regulatory action by the Board and thus without any environmental review.[167]

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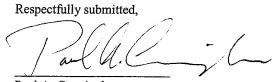
[165] *Missouri Pac. R.R. & So. Pac. Transp. Co. – Constr. & Operation Exemption – Avondale, LA*, STB Finance Docket No. 33123 slip op. at 4 (STB served July 11, 1997); *Texas & Pac. Ry. v. Gulf, Colo. & Santa Fe Ry. Co.*, 270 U.S. 266 (1926).

[166] *See, e.g.*, *Conrail FEIS* at 1-5 (noting that "a railroad may upgrade a portion of its system or add service to shippers without seeking the Board's approval. Thus, if [applicants] had not proposed this Acquisition, they could have increased the number of trains on their existing lines to any level they deemed appropriate to meet demand and/or to achieve efficiency without the Board's review or regulation.").

[167] *See* Letter from Paul A. Cunningham to Victoria A. Rutson (April 21, 2008), available at http://www.stbfinancedocket35087.com/html/inforequest/request3/08apr21response/08apr21Response_Letter.pdf. The only exceptions are trains that CN plans to route to and from Kirk or Joliet yards, which CN cannot acquire without regulatory approval from the Board. Even for those exceptions, though, the obstacle to the movement of the trains over EJ&E is a practical one, not a legal one. CN could legally send those trains over the EJ&E line, and EJ&E could

Respectfully submitted,



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September 30, 2008

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legally handle them, without any regulatory action by the Board; the railroads would simply have no reason to do so.

HARKINS-CUNNINGHAM –
ATTACHMENT TO
DCN 15801
RE: 14176

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35087

CANADIAN NATIONAL RAILWAY COMPANY
AND GRAND TRUNK CORPORATION
– CONTROL –
EJ&E WEST COMPANY

APPENDIX TO APPLICANTS' COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

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September 30, 2008

Exhibit 1: List of Communities that will Experience a Change in Rail Traffic if the Transaction is Approved.

The following lists include communities that will experience a change in train traffic as a result of the CN/EJ&E Transaction. A community was included on a list only if a rail line (CN, EJ&E, or a rail line over which CN operates, such as the BRC or IHB) that would experience a change in traffic either ran through a part of the community or formed a portion of the community's boundary.

Except for the City of Chicago Community Areas, only incorporated communities were included. Chicago is divided into 77 community areas, which have been widely used ever since their inception in the 1920s as a means of summarizing social and physical features of spatial units smaller than the city as a whole, with historically stable boundaries for the compilation of census data. Community areas serve as the basis for a variety of urban planning initiatives on both the local and regional levels.

Population figures from 2000 were used only because it is the most recent data that is comparable across all communities. The population figures show that the Community Areas have equivalent populations to other communities inside and on the EJ&E arc.

The primary data source for the following lists was the Chicago & Vicinity 6-County StreetFinder, published by Rand McNally. If the boundaries were in question, zoning and other maps available on-line at individual community web sites were used. Such other maps were also used for all of the communities along the EJ&E. The relevant Chicago Community Areas were determined using GIS files, provided by the City of Chicago, that include the Community Area boundaries. A GIS file is a standard of encoding geographical information into an electronic file. They are created mainly by government mapping agencies, such as the USGS.

Inside-the-Arc Communities That Will See A Decrease In Train Traffic[1]

Number	Community	2000 Population
1	Addison	35,914
2	Alsip	19,725
3	Bellwood	20,535
4	Berkeley	5,245
5	Berwyn	54,016
6	Bloomingdale	21,675
7	Blue Island	23,463
8	Bridgeview	15,335
9	Broadview	8,264
10	Buffalo Grove	42,909
11	Carol Stream	40,438
12	Chicago Ridge	14,127

[1] This list includes Community Areas of Chicago (which begin with #62, Archer Heights) and are designated with a grey background.

13	Cicero	85,616
14	Des Plaines	58,720
15	Dixmoor	3,934
16	East Hazel Crest	1,607
17	Elmhurst	42,762
18	Elmwood Park	25,405
19	Evergreen Park	20,821
20	Flossmoor	9,301
21	Forest Park	15,688
22	Forest View	778
23	Franklin Park	19,434
24	Glendale Heights	31,765
25	Hanover Park	38,278
26	Harvey	30,000
27	Hazel Crest	14,816
28	Highland, IN	23,546
29	Hillside	8,155
30	Homewood	19,543
31	Indian Creek	194
32	LaGrange	15,608
33	LaGrange Park	13,295
34	Lansing	28,332
35	Lincolnshire	6,108
36	Lombard	42,322
37	Markham	12,620
38	McCook	254
39	Melrose Park	23,171
40	Merrionette Park	1,999
41	Mount Prospect	56,265
42	Munster, IN	21,511
43	North Riverside	6,688
44	Oak Lawn	55,245
45	Oak Park	52,524
46	Olympia Fields	4,732
47	Phoenix	2,157
48	Posen	4,730
49	Prospect Heights	17,081
50	River Forest	11,635
51	River Grove	10,668
52	Riverdale	15,055
53	Riverside	8,895
54	Rosemont	4,224
55	Schiller Park	11,850
56	South Holland	22,147
57	Stickney	6,148

58	Summit	10,637
59	Villa Park	22,075
60	Westchester	16,824
61	Wheeling	34,496
62	Archer Heights	12,644
63	Armour Square	12,032
64	Ashburn	39,584
65	Austin	117,527
66	Avalon Park	11,147
67	Belmont-Cragin	78,144
68	Beverly	21,992
69	Bridgeport	33,694
70	Brighton Park	44,912
71	Burnside	3,294
72	Chatham	32,275
73	Chicago Lawn	61,412
74	Clearing	22,331
75	Douglas	26,470
76	Garfield Ridge	36,101
77	Greater Grand Crossing	38,619
78	Humboldt Park	65,835
79	Hyde Park	29,920
80	Kenwood	18,363
81	Lower West Side	44,031
82	McKinley Park	15,962
83	Montclare	12,646
84	Morgan Park	25,226
85	Mount Greenwood	18,820
86	Near South Side	9,509
87	North Lawndale	41,768
88	Oakland	6,110
89	O'Hare	11,956
90	Pullman	8,921
91	Riverdale	9,809
92	Roseland	52,723
93	South Lawndale	91,071
94	South Shore	61,556
95	West Elsdon	15,921
96	West Garfield	23,019
97	West Lawn	29,235
98	West Pullman	36,649
99	Woodlawn	27,086

Communities Along the EJ&E That Will See An Increase in Train Traffic

Number	Community	2000 Population
1	Aurora	142,990
2	Barrington	10,168
3	Barrington Hills	3,915
4	Chicago Heights	32,776
5	Crest Hill	13,329
6	Deer Park	3,102
7	Dyer, IN	13,895
8	Elgin	94,487
9	Ford Heights	3,456
10	Frankfort	10,391
11	Gary, IN	102,746
12	Hawthorn Woods	6,002
13	Hoffman Estates	49,495
14	Joliet	106,221
15	Lake Zurich	18,104
16	Long Grove	6,735
17	Lynwood	7,377
18	Mokena	14,583
19	Naperville	128,358
20	New Lenox	17,771
21	Plainfield	13,038
22	Richton Park	12,533
23	Sauk Village	10,411
24	Schererville, IN	24,851
25	Warrenville	13,363
26	Wayne	2,137
27	West Chicago	23,469

Communities Along the EJ&E That Will See Both An Increase & A Decrease in Train Traffic[2]

Number	Community	2000 Population	Relative Change in Traffic
1	Bartlett	36,706	CN decrease of 1.3 EJ&E increase of 17.0 Net INCREASE of 15.7
2	Griffith, IN	17,334	CN decrease of 19.2 EJ&E increase of 23.9 Net INCREASE of 4.7
3	Matteson	12,928	CN decrease of 2.6 EJ&E increase of 22.9 Net INCREASE of 20.3
4	Mundelein	30,935	CN decrease of 17.1 EJ&E increase of 15 Net DECREASE of 2.1
5	Park Forest	23,462	CN decrease of 2.6 EJ&E increase of 22.9 Net INCREASE of 20.3
6	Vernon Hills	20,120	CN decrease of 17.1 EJ&E increase of 15 Net DECREASE of 2.1

[2] These communities overlay a junction of a CN line with an EJ&E line. On the EJ&E line, the communities will experience an increase in traffic, while on the CN line inside the arc they will experience a decrease.

Exhibit 2: Dr. Jeffrey A. Dubin, Ph. D., Memorandum Concerning SEA's ADT Growth Projections (Sept. 29, 2008) and Curriculum Vitae.

MEMORANDUM

To: Harkins Cunningham LLP

From: Professor Jeffrey Alan Dubin

Date: September 29, 2008

Re: CN/EJ&E - SEA's ADT Growth Projections

BACKGROUND

You have asked me to review and comment on the use by the Section of Environmental Analysis of the Surface Transportation Board ("SEA") of annual percentage growth factors to forecast average daily traffic ("ADT") for highway/rail at-grade crossings in connection with SEA's Draft Environmental Impact Statement ("DEIS") for the proposed acquisition by Canadian National Railway Company and Grand Trunk Corporation (together, "CN") of the EJ&E West Company, a wholly owned subsidiary of Elgin Joliet & Eastern Railway Company ("EJ&E").

The DEIS indicates that SEA used fixed percentage growth factors to forecast ADTs to the common analysis years of 2007, 2015, and 2020. DEIS at 4.3-7, E-4. The DEIS explains that these growth percentages (3.0 for four of the counties, and 2.0 and 1.0 for the remaining two counties) were either (i) suggested by county officials, (ii) estimated from regional growth rates, adjacent roadway growth, and the rates for adjacent counties, or (iii) based on growth factors for adjacent crossing locations. *Id.*

SUMMARY OF CONCLUSIONS

For the reasons discussed below, I conclude that SEA's use of county-wide yearly percentage growth rates for ADT ranging from 1.0 to 3.0 was seriously flawed. If SEA must use any yearly percentage growth rate at all, use of a growth rate of zero would appear to provide a more accurate forecast. This would equate to SEA using the latest available actual ADT information (in most cases, apparently, IDOT information) for each crossing. As an alternative, and also preferable to SEA's use of 1-3 percent county-wide yearly percentage growth rates, SEA should consider developing ADT's for the years of interest by using CMAP's well-studied and more fundamentally sound projected ADTs.

DISCUSSION

I. BASIC PRINCIPLES OF FORECASTING

A prediction or forecast is a statement concerning unknown or future events. It is impossible to remove all uncertainty about the future. A forecast is useful when it reduces the uncertainty that prevailed before the forecast. A forecast that does not help reduce uncertainty is not helpful. It is not always the case that forecasts help reduce uncertainty. For instance, when the future to be forecast is inherently uncertain or when analysts attempt to forecast for long time horizons, forecasts become useless.

Most, but not all, forecasts have associated levels of certainty. For instance, statistical forecasts have so-called confidence bands. A statistician can make a statement that a given confidence band will contain the likely outcome being forecasted with a given degree of certainty. A 95 percent confidence interval is an interval that contains the true but unknown outcome with 95 percent certainty. In some cases the confidence band is simply too wide to be useful for decision making (*e.g.*, it includes a very large range of outcomes for a given

degree of certainty). In these situations, the forecast is not helpful. The mere existence of a forecast does not help determine whether it is helpful or not. The issue turns on the precision of the forecast.

All forecasts are subject to uncertainty. The components of this uncertainty include: (i) horizon uncertainty; (ii) model and parameter uncertainty; (iii) disaggregation uncertainty; and (iv) exogenous factor uncertainty. I discuss each of these forms of forecast uncertainty in turn.

(i) Horizon Uncertainty

There are well known statistical properties of so-called optimum forecasts. An optimum forecast uses all available information and has the greatest precision among all unbiased forecasts. While the mathematical development is not trivial the intuition is clear enough. The further ahead one forecasts, the less precise the forecast. An alternative way of saying this is that forecasts become less and less reliable the further they attempt to forecast into the future. At some point, forecasting become useless (or worse than useless, misleading) because currently available information ceases to contain anything of substantial relevance in performing the forecast.

The essential point is that the forecast variance increases dramatically with forecast length. This, in turn, means that as the forecast horizon increases the forecast itself must encompass a broader and broader range of values to maintain the same degree of confidence. Forecasts for longer horizons are simply less accurate than for short horizons.

(ii) Model and Parameter Uncertainty

The discussion above assumed that the model for the process that determines vehicular traffic is known, but in the real world it is not reasonable to presume that the model

parameters are known with certainty. The growth parameter is, in fact, unknown and requires estimation. Hence, in addition to the uncertainty that occurs due to horizon uncertainty, there is some uncertainty around the SEA's estimate of a percent growth rate (*e.g.*, 3 percent) assumed to be constant throughout an entire county and across time. This form of uncertainty compounds with the forecast horizon so that the confidence we can place on future traffic estimates diminishes with each additional year that is forecast.

While the SEA has not considered the accuracy of their forecasts, it is possible to assess this accuracy by examining the SEA estimates of 2007 vehicular traffic. The SEA estimated 2007 vehicular traffic based on their assumed constant growth rates and baseline levels previously reported typically two to three years prior (usually in 2004 or 2005). Now that 2007 data is available we may examine how well the SEA model did in determining the 2007 levels.

The following chart shows those crossings where IDOT has recently updated the reported ADT, and compares the 2007 ADT projected by SEA (based on growth rates it assigned to each county) with the ADT currently observed and reported by IDOT and available in the Federal Railway Administration ("FRA") database.

Comparison of SEA Projected 2007 ADT to Actual 2007 ADT Reported by FRA

Crossing	SEA's 2007 Estimated ADT	IDOT's Reported Actual ADT	Percent Difference
Diamond Lake Road	7,103	4,900	45.0%
Gilmer Road	14,729	12,600	16.9%
Old McHenry Road	25,596	21,000	21.9%
Oakwood Road	5,354	3,750	42.8%
Main Street (Lake Zurich)	13,792	5,900	133.8%
Old Rand Road	8,414	5,900	42.6%
Cuba Road	10,249	7,600	34.9%
Northwest Hwy	26,573	26,800	-0.8%
Hough Street/ IL 59&63	18,990	17,800	6.7%
Ogden Ave	36,177	36,400	-0.6%
Main Street (Plainfield)	17,505	15,800	10.8%
Nelson Road	5,791	1,009	473.9%
Cicero Ave	28,257	21,500	31.4%
Chicago Road	24,788	21,600	14.8%
Lincoln Hwy	36,622	27,000	35.6%
Average SEA Percentage Error			**60.6%**

Sources: DEIS at 3.3-7-14; FRA, Office of Safety Analysis, http://safetydata.fra.dot.gov/officeofsafety/publicsite/crossing/XingLocResults.aspx?state=17&countycity=&railroad=EJE&radionm=County&street=.

The chart shows that the SEA model overstates vehicular traffic on these road crossings (an average over-estimate) of 60.6 percent. Some segments such as Main Street (Lake Zurich) and Nelson Road are particularly poorly estimated by SEA assumptions even though the baseline for these estimates was not very long ago (2005 and 2004 respectively) and therefore relatively close in time to 2007. The degrees to which these segments have been over-estimated by the assumed SEA growth rate suggest that the latter is much too high at even 3 percent. Of equal importance, the forecast is off to a great degree at the very outset of the forecasting process, making it likely that this error will compound further as the forecast horizon is extended to 15 years and beyond. If the SEA assumed growth factors are

unworkable for year 2007, we cannot have any confidence that they will be of any use for longer horizons.

(iii) Disaggregation Uncertainty

SEA's use of a single growth factor across an entire county raises another significant issue. There is no basis in reality to assume, as SEA does, that a growth rate in Average Daily Trips (ADT) determined at the county level will be the same or even approximately the same across the many varied crossing points within a county. While uncertainty is generally reduced by aggregating smaller micro units to a larger aggregate, disaggregation generally works in the opposite direction – uncertainty is generally increased as one attempts to apply the aggregate (macro) to the individual (micro) level. Macro forecasting relies on the aggregation of many individual economic decisions. In that case, the law of large numbers comes into play to reduce the variability of the aggregate prediction and makes averages more precise as sample sizes are increased. The confidence band around the estimated average shrinks so that the range of uncertainty around the estimate is reduced. Conversely, the confidence band become wider (*i.e.*, the range of uncertainty becomes greater around a forecast) as one moves from the broader macro case dealing with more data and more observations to the more specific micro. Generally speaking, it is simply much more difficult to do useful and accurate individual level forecasting as compared to forecasting aggregates. The idiosyncratic variation from micro observation to micro observation makes the prediction effort difficult at best, and often unreliable.

In this case, SEA has simply assumed that crossing specific ADT volumes will be constant throughout a county, when one would clearly expect them to be subject to substantial variability. In counties experiencing new construction, for example, traffic growth can be

expected to be concentrated in adjacent roadways. Similarly, the construction of new roads or the completion of improvements on other roads can be expected to cause very specific traffic shifts as between roads. The failure of the SEA's methodology to account in any way for such differences substantially undermines its forecast.

(iv) Exogenous Factor Uncertainty

Even if a travel model were correctly specified and even if we could accurately determine the parameters of the model, there remains the issue of the degree of certainty with which we can forecast the underlying factors in the model. Many statistical and econometric models (as well as deterministic models, that is, models in which outcomes are precisely determined through known mathematical relationships among states and events) rely on underlying factors or drivers that are assumed to determine or somehow influence the variable of interest. These factors are called the model's exogenous factors. There are two polar assumptions that can be made about the exogenous factors: (1) one is that they are known with certainty and (2) the other is that the exogenous factors are as endogenous to the process being modeled as is the variable of interest. The reality lies somewhere between these two extremes, but exogenous factor uncertainty is as important as any other uncertainty in forecasting. It is another complexity ignored by the SEA's constant growth rate assumption.

Statisticians and econometricians attempt to use a model to substitute the uncertainties of the underlying factors that determine the particular variable of interest for the uncertainty in the variable of interest. By using a single growth rate, the SEA instead makes the untenable assumption that growth in vehicular traffic is constant across time and across all crossing points within a county. This assumption is clearly incorrect. As is well known, vehicular traffic depends on many factors including population, work and housing location decisions,

income levels, and the cost of gasoline. Modern approaches to vehicular traffic measurement, such as those used by the Chicago Metropolitan Agency for Planning ("CMAP"), include separate components for trip generation (how many trips will one take), destination choice (where is one going), mode choice (what transportation mode will one use), and route choice (which route will one use). Current empirical models are highly disaggregated and rely on separate exogenous factors at each level. It is unrealistic to assume, as the SEA has, that this highly complex process can be simplified into one constant growth number that (i) depends on no specifically expressed factors whatsoever and (ii) is constant for all routes within a large geographic area such as an entire county of the size of those at issue here.

Exogenous factor uncertainty makes long-term forecasting a difficult effort at best unless one assumes away the issue as has the SEA by assuming that growth rates are constant in the next year, the year after, fifteen years and even thirty years into the future. SEA growth rates are independent of gasoline prices or anything else that plausibly determines vehicular traffic. Moreover, by apparently basing these estimates on a long historical record, the SEA derives a growth factor for vehicular traffic that ignores the reality of the world in which people now drive where gasoline prices are higher than ever before and subject to significant volatility.

The factors that determine vehicular traffic growth are complex but fairly well understood. Certainly, exogenous factors such as population and gasoline prices affect vehicular trips. The trends respecting both, however, indicate strongly that the growth rates selected by SEA are far too high. As the following table illustrates, the reality is that population growth in Illinois Counties is not nearly as large as are the rates of growth presumed by the SEA for vehicular traffic.

Comparison of SEA's Estimated County-wide ADT Growth Rates to Historic and CMAP's Projected Population Growth Rates

County	SEA Applied ADT Growth Rate	1980-1990 Growth Rate	1990-2000 Growth Rate	2000-2007 Growth Rate	2007-2030 Projected Growth Rate
Cook	1-2%	-.26%	.51%	-.25%	.52%
Lake (IL)	3%	1.51%	2.17%	1.40%	.75%
Dupage	3%	1.74%	1.41%	.39%	.34%
Will	3%	1.01%	3.41%	4.27%	2.06%
Lake (IN)	3%	-.90%	.17%	.22%	.54%

Source: U.S. Census data, except future growth data, which is from CMAP, http://www.chicagoareaplanning.org/data/forecast/2030_revised/ENDORSED_2030_forecasts_9-27-06.pdf

Additionally, gasoline prices are at present increasing and have reached levels in real terms that have been previously unseen by consumers in Illinois and across the rest of the United States. These observations suggest that growth in vehicular trips is likely to arrest or perhaps reverse and turn negative.

Moreover, key factors such as prices for crude oil (and prices for their derivatives such as gasoline) are getting harder rather than easier to forecast. One measure of this is the volatility of the exogenous factor measured by the coefficient of variation in the factor. The coefficient of variation is the ratio of the factor's standard deviation to its mean. A large coefficient of variation means that the factor has occurred with large swings or volatility in its realized levels relative to its historical average. Factors, for which the volatility is increasing, reveal increasing levels of uncertainty, which then makes the *ex-ante* forecast even less precise.

Consider, for example, the present situation for crude oil. The energy market has become increasingly volatile. For instance, the coefficient of variation (standard deviation divided by average) for West Texas Intermediate crude real oil prices increased from 0.15 in the period 1986-1989 to 0.25 in the period 1990-1999, and to 0.36 in the period 2000-2006.

Clearly, the past two to three years have been particularly troublesome for worldwide petroleum consumers. The next decade is more likely to face increased price volatility.

As volatility has increased, the ability to do long-term forecasting of key factors has correspondingly diminished. The coefficient of variation for real oil prices has increased from 0.1 to 0.4 in the last 30 years alone. The backdrop of changing volatility does not portend well for stable forecasting, especially using overly simplistic simulations based on constant growth for long time frames. Neither have the sophisticated models of federal agencies shown any realized ability to forecast the future even for relatively short horizons.

Accordingly, there is no reason to suggest that a forecast of vehicular traffic which itself is driven by factors that are difficult to forecast will demonstrate any accuracy beyond even a few years into the future. Of course, this situation becomes even worse when a forecast is required for an individual street crossing, especially when the SEA has relied on an assumption that growth in such traffic is constant both over time and across all street crossings in a county.

II. ADDITIONAL ISSUES REGARDING THE USE OF CONSTANT GROWTH RATES

The application of constant growth rates to current baseline data is likely to produce an inaccurate forecast, particularly over a multi-year period. While the application of a constant growth rate is simple enough to understand, the situations in which this would be an optimal forecast are nearly nonexistent. In other words, a growth rate extrapolation is very unlikely to be correct unless the underlying process is extremely simplistic. In the case of vehicular traffic, it clearly is not.

The uncertainty in the forecast of future vehicular traffic that would result from application of a constant growth rate suggests that use of such a forecast for determining

environmental impact is subject to so much uncertainty that it should not be relied on. This is especially true because SEA's presumption of large and constant growth rates influences the preponderance of the resultant environmental impact.

By way of illustration I have assembled the exact growth rates in vehicular traffic at nine crossing points for which recent (post-2004) vehicular traffic data is available. I calculated the geometric mean growth rate using all available data after 2004. I do not include data prior to 2004 as such information is likely to produce a less reliable forecast than using the latest available actual ADTs. Unlike a mechanical general annual percentage increase, use of more recent ADTs will better reflect most recent growth rates as well as critical developments on the ground that may substantially impact traffic volumes at individual crossings, such as dwindling new development in largely built out communities, improvements and additions to road networks, the continued development and improvement of public transportation, and the rising cost of gasoline, to name just a few.

Comparison of Recent Annual ADT Growth Rates with SEA's Assumed Growth Rates

Street	County	Start Year	Start ADT	End Year	End-ADT	Growth Rate	SEA's Assumed Annual Percentage Growth Factor
Allanson Road	Lake	2004	15,300	2007	14,400	-2.00%	3
Old McHenry Rd.	Lake	2004	21,400	2007	21,000	-0.63%	3
Ela Road	Lake	2004	14,300	2007	15,000	1.61%	3
Hough St. Ill (59&63)	Lake	2005	17,900	2007	17,800	-0.28%	3
Liberty Street	DuPage	2004	15,200	2005	15,400	1.32%	3
Ogden Ave. (U.S.34)	DuPage	2005	34,100	2007	36,400	3.32%	3
Cicero Ave.	SE Cook	2005	27,700	2007	21,500	-11.90%	1
Chicago Rd.	SE Cook	2005	24,300	2007	21,600	-5.72%	1
Lincoln Hwy.	SE Cook	2005	35,900	2007	27,000	-13.28%	1
					Simple Average	**-3.06%**	

Source: Developed from data collected by FRA's Office of Safety Analysis, http:/safetydata.fra.dot.gov/officeofsafety/publicsite/crossing/xingqryloc.aspx.

While SEA determines that a historical growth rate of three percent is appropriate in all but Cook County, the table above clearly demonstrates that (i) vehicular traffic has growth factors that vary by crossing point within individual counties, and (ii) that the overall growth rate has been negative in recent experience rather than positive. The assumption of constant positive growth rates in this instance is not tenable. Moreover, it is as likely that for the routes of interest, the best estimate of the near term and long term growth rate is zero. The level of uncertainty in the likely future growth rate does not lead to any confidence that the presumed growth rate should be any positive number.

III. CONCLUSIONS

I see no value in extrapolating the vehicular traffic using an arbitrary constant growth rate. The uncertainty in the rate of growth in vehicular traffic is clear. Moreover, even if an accurate growth rate could be determined, there is no reason to believe that a county wide growth rate would have any applicability to specific routes within the county. There is no procedure available to the SEA that could give it any confidence in such a methodology. These problems are exacerbated as one moves from the macro to the micro level (*e.g.*, in the examination of specific crossing points).

Similarly, I have explained that forecasts are subject to various sources of uncertainty. These include model uncertainty, parameter uncertainty, horizon uncertainty, disaggregation uncertainty, and exogenous factor uncertainty. I have explained that each source of uncertainty in this instance makes efforts to forecast route specific vehicular traffic an exercise with very limited utility. Whether in the context of a statistical model or some other type of model, horizon uncertainty alone makes the reliability of forecasts problematic.

Additionally, we have seen that exogenous factor uncertainty has been increasing for many factors that plausibly affect vehicular traffic.

Given the route specific uncertainty in likely future vehicular traffic growth rates, and the strong indications that ADT growth may be zero or even negative, it is my opinion that at most a zero growth rate should be assumed in any environmental impact with respect to these key routes. This suggests that the SEA should simply rely on the most current available ADT information, such as that developed by IDOT, without assumed additional growth. Alternatively, I would argue that if SEA feels compelled to assume some growth rate higher than zero it should derive its growth rates from those projected by CMAP. Given the trends discussed above toward reduced growth and driving, CMAP's estimates are presumably high due to data and model lag. Nonetheless, CMAP's assignments of specific growth rates is a more likely indicator of future growth rates for route specific vehicular traffic, and CMAP's estimates are at least based on a rigorous transportation model that is route specific.

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Professor Dubin's research focuses on microeconomic modeling with particular emphasis on discrete-choice econometrics. Current research topics include: discrete-choice econometrics, energy economics, tax compliance, sampling and survey methods, valuation of intangible assets, and studies of ballot proposition voting.

PROFESSIONAL ACTIVITIES

1996–present	Co-Founding Partner, Pacific Economics Group
1993–1996	Director of Statistics and Econometric Analysis, Arthur Andersen Economic Consulting
1992–1993	Senior Economist, Arthur Andersen Economic Consulting
1989–1992	Senior Advisor, Putnam, Hayes & Bartlett, Inc.

ACADEMIC APPOINTMENTS

2008–present	Adjunct Professor of Economics and Statistics, Global Economy and Management, University of California, Los Angeles, Anderson School of Management
2005–present	Visiting Professor of Economics, University of California, Santa Barbara
2005–2007	Professor of Economics, California Institute of Technology
2005	Visiting Professor of Economics, Occidental College
1988–2005	Associate Professor of Economics, California Institute of Technology
1982–1988	Assistant Professor of Economics, California Institute of Technology

EDITORIAL BOARDS

1986–1991 *The Energy Journal*

ADVISORY POSITIONS

2004 Technical Advisor under Rule 706 of the Federal Rule of Civil Procedure to

	advise a Los Angeles Federal District Court in matters of statistics
2001	Member, California State Auditors, Bureau of State Audits
1991	Advisory Panel on Biotechnology Opportunities, National Science Foundation, Member
1990	Lawrence Berkeley Laboratory Manufacturer Input Model for Department of Energy
1988–1995	University of California, University-Wide Energy Research Group
1987	California Energy Commission
1985	National Research Council, Committee on Behavior and Social Aspects of Energy Consumption and Production
1985	Lawrence Berkeley Laboratory, Energy Analysis Program
1984	Oakridge National Laboratory, Energy Policy Division
1984	Southern California Air Quality Management Board

EDUCATION

1982	Ph.D., Economics, Massachusetts Institute of Technology
1978	A.B., Economics, University of California, Berkeley, with Highest Honors and Great Distinction in General Scholarship

HONORS AND AWARDS

Econometric Society Frisch Medal, 1986.

Departmental Citation, U.C. Berkeley, Department of Economics, awarded to the author of the best undergraduate honors thesis in Economics, 1978.

CURRENT RESEARCH

Discrete-choice econometrics, energy economics, ballot proposition voting, tax compliance.

PUBLICATIONS

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Chapter 5:	The Demand for Recreational Fishing in Montana
Chapter 6:	The Demand for Commercial Fishing in California
Chapter 7:	The Demand for Cameras by Consumers—A Model of Purchase Type Choice, and Brand Choice
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Appendix A	
Appendix B	

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An Economic Analysis of the Rise (and Fall?) of State Lotteries, Haynes Foundation Faculty Fellowship, 1991.

An Empirical Analysis of Income Tax Auditing and Compliance, with Louis L. Wilde, National Science Foundation Grant #SES-8701027, 1987–89.

The Seasonal Demand for Electricity in the Pacific Northwest, with Steven E. Henson,

Bonneville Power Administration, DE-AI79-83BP13579, 1985.

The Role of Capital in Public Utility Industries: An Integration of Economic and Financial Effects, with Daniel L. McFadden (P.I.) and Tom C. Cowing, National Science Foundation Grant #SES-8205713, 1983.

Examples of Professor Dubin's work include:

INTELLECTUAL PROPERTY

- For a defendant law firm, Dr. Dubin developed a damage estimate for patent infringement litigation involving a computer upgrade chip patent.
- For a photographic equipment manufacturing company involved in patent infringement litigation, Dr. Dubin developed an econometric model to measure the relevant market, the product demand in that market and the damages resulting from the infringement.
- For a major computer company involved in patent litigation, Dr. Dubin reanalyzed a survey of computer purchase decisions offered by plaintiffs as evidence of historical damages. Dr. Dubin also designed and implemented a survey of computer users to measure potential damages.
- For a large U.S. food and beverage company, Dr. Dubin has developed econometric theory and models to assign values to several intangible assets. His approach is based on the comparison of the demand for branded and private label products.
- For a Japanese manufacturer of fractional horsepower micro-motors used in automobile power door locks and power mirrors allegedly infringed by a Hong Kong manufacturer, Dr. Dubin developed an econometric model of the world demand for micro-motors. This model was used in conjunction with an international pricing model to calculate lost profits from foregone sales and price erosion.
- For a large manufacturer of a top-50 chemical, Dr. Dubin developed a model of the world supply and demand for this chemical in order to calculate the damage resulting from a process patent infringement.
- In federal court litigation brought in New Orleans, Dr. Dubin assisted in developing a celebrity goodwill value assessment for appropriating a nationally known chef's likeness.
- For a developer of software, which provides credit card scoring, Dr. Dubin assisted counsel in developing alternative damage theories.
- For a manufacturer of a branded car wax, Dr. Dubin assisted counsel in damage calculations under alleged trade dress and trademark issues.
- For a manufacturer of artificial joint implants, Dr. Dubin developed an econometric model of

product selection by orthopedic surgeons in order to quantify potential lost profits.

ANTITRUST

- For generic manufacturers of several leading pharmaceuticals, Dr. Dubin analyzed higher prices paid by consumers that resulted from delaying the time when manufacturers branded patented drugs go off patent.
- For the generic manufacturers of a leading anti-cancer chemotherapy drug, Dr. Dubin considered the anti-competitive effects of patent extensions by these patent holders. He also analyzed the demand for chemotherapy agents and the extent of the market.
- For the Oakland Raiders, Dr. Dubin analyzed the demand for NFL football. He designed an econometric model to test audience effects on individual demand, as well as how aspects of team performance affect demand. This model established that opening season box office performance could have lingering effects for a football team in terms of demand for tickets.
- For the Department of Justice, Dr. Dubin was the lead economist and expert in a multinational merger analysis of major cardio ultrasound equipment manufacturers. Dr. Dubin utilized nested logit techniques to determine the patterns of substitution for purchasing ultrasound equipment. He then used these models to determine the price consequences for cardio ultrasound equipment that would likely occur as a result of the merger.
- For a manufacturer of agricultural silage bags, Dr. Dubin assessed geographic market definition and considered the joint market power of distribution of agricultural silage bags as evidenced by their boycott of specific manufacturers.
- For a group of corn-syrup manufacturers accused of price-fixing, Dr. Dubin provided econometric rebuttal testimony to demonstrate that the opposing expert did not demonstrate price-fixing.
- For a group of merging railroads, Dr. Dubin developed rebuttal testimony to demonstrate that the opposing expert had overstated the likely diversion from rail to truck.
- For architectural hinge manufacturers accused of price collusion, Dr. Dubin developed a model of hinge pricing based on hundreds of thousands of individual transactions.
- For the U.S. Department of Justice, using scanner data, Dr. Dubin developed econometric models of the demand for white bread. These models were used to demonstrate a proposed merger's likely price consequence.
- For a telecommunications company, Dr. Dubin developed an econometric model of the choice by individuals of market versus self-insurance and showed that the damages resulting from alleged unfair marketing were substantially mitigated.
- In an antitrust action filed in New York, Dr. Dubin assisted in preparing a report assessing

the divisional capital asset pricing model (CAPM) betas for an international copier and printer company.

STRATEGIC AND MANAGEMENT CONSULTING

- For a large refining company, Dr. Dubin developed an econometric model of gasoline demand.
- For Canada Post, Dr. Dubin developed an econometric model of the demand for various mail products and evaluated the simulation of a previously estimated econometric model.
- For a company doing credit card scoring analysis, Dr, Dubin evaluated the financial consequences that losing a sole-supply contract would have on market capitalization.
- For a major bank, Dr. Dubin analyzed the effects of automatic teller machines on the market for travelers checks.
- For the State of California, Dr. Dubin examined the effects of state income tax enforcement.
- For a gas pipeline restructuring under FERC Order 636a, Dr. Dubin developed a model analyzing the competitiveness of various market segments.
- For a gas pipeline, Dr. Dubin analyzed the competitive nature of the market for gas storage.
- For a top-five mail order company, Dr. Dubin analyzed historical purchase and promotion data at the individual level to model retail mail order demand, promotion effectiveness, and purchase behavior over time.
- For a large-scale manufacturer of architectural windows, Dr. Dubin has analyzed a new manufacturing process using structural econometric techniques and has designed an optimal production process.
- For the American Gaming Association, Dr. Dubin assisted in the development of economy-wide multiplier benefits from the gaming industry.
- For the Canadian Postal Service and Canadian Direct Marketing Association, Dr. Dubin prepared an econometric model of the demand for addressed admail and related complimentary products. This model was used to access the consequences of a proposed price increase in addressed admail.
- For a major oil-producer in Alaska, Dr. Dubin assisted in developing a model of crude oil pricing and determined the effects of natural gas liquids on crude prices.
- For a major energy company operating in Bolivia, Dr. Dubin analyzed the appropriate capital asset pricing model beta and quantified country risk and project risk.
- For a gas pipeline seeking market-based rates, Dr. Dubin conducted a discounting and

elasticity of demand study to demonstrate the workable competitive nature of the market.

NATURAL RESOURCE DAMAGE ASSESSMENT

- For a major mining corporation operating in the State of Montana, Dr. Dubin developed a discrete-choice model of river choice for recreational fishing and calculated the level of damages sustained from the diminished quality of a specific river.
- For the owner of a mining operation in Colorado, Dr. Dubin analyzed a residential pricing model offered as evidence by the plaintiffs in a class-action suit alleging loss of property values due to pollution of a river.
- For several potentially responsible parties in California, Dr. Dubin developed an econometric model of commercial fishing and determined the magnitude of potential damages from the effects of alleged ocean pollution.
- For a major oil company operating in the State of Texas, Dr. Dubin analyzed the level of damages sustained to property holders due to proximity to a toxic waste site.
- For several chemical companies operating in the state of Massachusetts, Dr. Dubin reanalyzed a property value-pricing model offered as evidence by the U.S. government in a superfund suit alleging damages from the pollution of a harbor near Boston.
- In litigation involving a superfund site in Los Angeles, Dr. Dubin assisted defense counsel in deposing plaintiff's expert economic witnesses regarding the design and findings of a CVM survey utilized to compute non-use damages. Dr. Dubin assisted in critiquing the CVM survey design methodology and in proposing and redesigning the survey.
- For a major electronic manufacturer operating in Phoenix, Arizona, Dr. Dubin assisted in the development of hedonic pricing regression models to measure the affect of ground water contamination on residential housing prices.

SURVEY RESEARCH

- For the City of Los Angeles, Dr. Dubin analyzed the LAPD's use of force reports. He accomplished this using stratified sampling methods across the various reporting districts in Los Angeles.
- Dr. Dubin assisted lawyers for merging railroads in determining whether a proposed merger would affect hazardous materials shipments. Dr. Dubin used sampling methods to determine the traffic volume that would have to be sampled in order to produce reliable hazardous material shipment estimates.
- For a major psychiatric hospital in the U.S., Dr. Dubin designed a survey of hospitals in the U.S. to measure patient overcharges.

- For a major food products manufacturer, Dr. Dubin designed a sample for the valuation of inventory and fixed assets.
- Dr. Dubin has analyzed survey results from several national surveys of individuals (NIECS, SIPP, BPA).
- For a major computer hardware company involved in litigation, Dr. Dubin designed a survey of computer software users regarding their purchase decisions.
- For counsel representing two merging railroads, Dr. Dubin critiqued a well known engineering model of railroad traffic.
- For counsel representing an intervening railroad, Dr. Dubin assisted in preparing discovery and deposition questions of an opposing statistical expert.
- For counsel representing two merging railroads, Dr. Dubin has performed a statistical sampling of traffic movements in order to measure potential divertible traffic.
- For the Los Angeles Police Department, Dr. Dubin developed statistical random samples of specific police activity in connection with the consent degree between LAPD and the Department of Justice.

UTILITY MERGERS

- In several proposed mergers of electric and gas utilities, Dr. Dubin explored and analyzed the projected synergies associated with the merger of two utilities. Dr. Dubin projected energy requirements for both stand-alone utilities and the combined utility over a period of ten years. Future capital requirements and savings resulting from the merger were calculated and projected over a ten-year period for both the merged and stand-alone scenarios.
- Dr. Dubin developed the BEARS and BULLS Merger model to analyze potential synergy savings and pro-forma balance sheets for proposed utility mergers. Dr. Dubin has applied this model in several utility merger cases.

CIVIL LITIGATION

- For the Internal Revenue Service, Dr. Dubin implemented measures of shareholder common control from voluminous monthly shareholder data covering a five-year period.
- Dr. Dubin assisted in determining the appropriate refund level due to the California Independent System Operator (CAISO) from their electricity purchases in the California wholesale energy market. Dr. Dubin developed models to calculate the natural gas spot price from published ranges and average prices.
- For several tobacco companies, Dr. Dubin addressed the issue of whether cigarette smoking and asbestos exposure were synergistic in causing lung cancer. Dr. Dubin has analyzed

several aspects of the tobacco-asbestos synergy issue to determine whether a combined exposure to smoking and asbestos raise the likelihood, above the individual risks, that an individual will contract lung cancer. Dr. Dubin reanalyzed the American Cancer Society database, and also conducted meta-analyses of early studies.

- For the City of San Francisco, Dr. Dubin developed a model that measured damages resulting from a major bank's failure to escheat municipal bond interest.
- For a major energy supplier in the Northwest, Dr. Dubin developed a model that measured damages resulting from a major bank's failure to escheat bond interest.
- For the City of San Francisco and the State of California, Dr. Dubin developed a model of fee overcharge and hidden interest collected by a large California title company.
- For the state of Alaska, Dr. Dubin developed a model that measured damages resulting from a major bank's failure to escheat bond interest.
- For a defendant bus company, Dr. Dubin calculated the present discounted value of future medical costs under various life scenarios.
- For the IRS, Dr. Dubin helped develop a shareholder value model that demonstrated that a packaging company's reorganization was a tax sham.
- For a grocery store chain, Dr. Dubin developed models of the demand for hamburgers to demonstrate the stigmatic effect on sales from bad publicity.
- For a gas company operating in the west, Dr. Dubin helped develop an econometric pricing model for carbon dioxide gas.

TESTIMONY

Before the Washington Utilities and Transportation Commission, Rebuttal Testimony on Behalf of Puget Sound Energy, Inc. Docket No. UE-072300, UG-072301, July 3, 2008. pdf (66kb)

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Before the Eighth Judicial District Court, Clark County, Nevada, Trial Testimony on behalf of Advanced Medical Products, Inc. Case No. A449091, January 17, 2006.

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Before the United States District Court, Central District of California, Deposition Testimony on behalf of Castaic Lake Water Agency; Newhall County Water District, et al., Case No.CV00-12613 AHM RZx, December 12, 2006. pdf (4 mb)

Before the Eighth Judicial District Court, Clark County, Nevada, Deposition testimony on behalf of Advanced Medical Products, Inc. NRCP Rule 16.1(a)(2)(B) in Case No. A449091 Consolidated with Case Nos. A452332, A482194 & A49259, November 15, 2006. pdf (362 kb)

Before the Washington Utilities and Transportation Commission, Trial Testimony on behalf of Puget Sound Energy Inc., Docket No. UE-060266, Docket No. UG-060267, September 20, 2006. pdf (51.8kb)

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Before the United States Bankruptcy Court, Southern District of New York, Trial Testimony on behalf of At Home General Unsecured Creditors Trust, Case No. 04-10156 (BRL), July 19,

2004. pdf (606 kb)

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Before the Superior Court of the State of California, Sacramento County, Trial Testimony on behalf of the Oakland Raiders in City of Oakland, et al. v. Oakland Raiders, May 21–22, 2003. pdf (547kb)

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Before the United States District Court, Northern District of California, San Francisco Division, Deposition Testimony on behalf of the City and County of San Francisco, Case No. C-99-0020 WHA and C-99-0193 WHA, March 13, 2002.

Before the United States District Court, District of Puerto Rico, Deposition Testimony on behalf of Puerto Rico Telephone Company, Inc., Civil Action No. 01-1832, February 6, 2002. pdf (706kb)

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Before the United States District Court, Central District of Illinois, Peoria Division, Deposition Testimony on behalf of Archer Daniels Midland et al., March 11,1999. pdf (1.20mb)

Before the Surface Transportation Board, Applicants' Rebuttal (Volume 1B of 2) on behalf of Canadian National Railway Company, et. al., Finance Document No. 33556. December 16, 1998. pdf (394 kb)

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Before the U.S. Tax Court, Trial Testimony on behalf of Nestlé Holding, Inc., Tax Court Docket No. 21562-90, April 25, 1994. pdf (355kb)

Comments before the Department of Interior, July 22, 1993, Advance Notice of Proposed Rulemaking (43 CFR Part II) Natural Resource Damage Assessment Regulations Type B Rule, with C. Cicchetti, September 22, 1993. pdf (115kb)

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Before the Public Utility Commission of Oregon, Declaration on behalf of Pacificorp. Docket No. UM 1002, November 19, 2007. pdf (449kb)

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"Servicio de Asesoría en el Análisis de la Demanda Residencial de Electricidad e Hidrocarburos," with Dr. Carlos Walter Rebledo, prepared for the Expertos en Regulación de Servicious Públicos, February 8, 2006. pdf (831kb)

"Criminal Investigation Enforcement Activities and Taxpayer Noncompliance," submitted to Internal Revenue Service Criminal Investigation, February 10, 2004. pdf (1.13mb)

"Stratified Random Sample for Non-Categorical Use of Force Reports," with C. Cicchetti and E. Cotton, prepared for the Los Angeles Police Department, September 10, 2001. pdf (633kb)

Statistical Analysis of Errors and Lost Charges for TENET Home Care Facilities, January 12, 1996. pdf (337kb)

"Financial Analysis of Addressed Admail," May 1996. pdf (2.08mb)

"Bears and Bulls Synergy Model Source Code," Dubin/Rivers Research, March 7, 1996. pdf (954kb)

"The Economic Consequence of Independent Film Making," with Cicchetti, Peale, Boedeker, Truitt, prepared for the American Film Marketing Association, January 1995. pdf (622kb)

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"Competition and Regulation in the Natural Gas Transportation Industry," with C. Cicchetti and C. Long, circa 1995. pdf (885kb)

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"Detecting Cartel Behavior from Price Data," Architectural Hinges, with R. Preston McAfee, circa 1988. pdf (642kb)

"A Report on Freshmen Admissions at Caltech: Who's Admitted, Who Comes, and Why," with R. Noll, circa 1983. pdf (450kb)

Exhibit 3: IEM, Acquisition of EJ&E Main Rail Line by Canadian National Railway: Impact on Emergency Fire Response for Countryside and Mundelein Fire Districts–Initial Assessment Report (Sept. 29, 2008).

September 29, 2008

Acquisition of EJ&E Main Rail Line by Canadian National Railway: Impact on Emergency Fire Response for Countryside and Mundelein Fire Districts–Initial Assessment Report

IEM/TEC08-039

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INTRODUCTION

In 2007, Canadian National Railway Company and Grand Trunk Corporation (CN) filed an application with the Surface Transportation Board (STB) seeking approval to acquire control of the main rail line of Elgin, Joliet, and Eastern Railway Company (EJ&E) around Chicago, IL. CN plans to use EJ&E's main rail line to connect all five of CN's rail lines in the Chicago metropolitan area. Figure 1 shows the locations of the CN lines and EJ&E's main line.

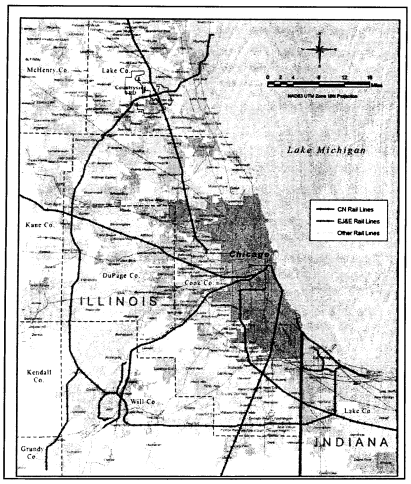

Figure 1: CN Lines and EJ&E's Main Line Locations

The acquisition, referred to hereafter as the proposed action, would result in an additional 13 to 22 trains per day traveling on the EJ&E line, as much of the train traffic currently traveling on CN's lines is diverted onto the EJ&E line. Traffic on the CN lines between

the EJ&E line and downtown Chicago would generally decrease. Because the increase in train traffic exceeds the STB's thresholds for environmental analysis, the STB's Section of Environmental Analysis (SEA) conducted a Draft Environmental Impact Statement (DEIS) describing the proposed action, alternatives (including a no-action alternative), the existing environment potentially affected by the proposed action, the potential environmental impacts associated with the proposed action and the alternatives, and potential mitigation measures.

The impacts examined by the DEIS included the estimated change in emergency response times of fire and police departments due to the change in the train traffic and resulting delays, at the at-grade road/rail crossings. The DEIS used two measures to evaluate the impacts at each affected intersection:

- The average delay for delayed vehicles (denoted D_A in the DEIS). This measure describes the anticipated impact on normal vehicles, which is used as a proxy for the impact on emergency vehicles.
- The total daily time the crossing is blocked by a train (denoted T in the DEIS).

Intersections found to have a D_A greater than 30 seconds or a T greater than 30 minutes were identified as potential problem areas in the DEIS. However, these impact measures have a number of limitations:

- D_A did not incorporate the interactive effects of peak and off-peak commuter traffic and emergency vehicles at the rail/highway at-grade crossings. For example, different amounts, and temporary distribution of, traffic volume at the crossings can result in different delays for emergency vehicles, with the same D_A values.
- The performance measures do not incorporate the probability that a given emergency response call will utilize an at-grade railroad crossing and therefore be at risk of delay due to a train.
- D_A and T are not direct indicators of impacts on emergency vehicles. Instead, they evaluate the impacts on regular traffic as a proxy for emergency vehicles. There is no explicit consideration of emergency services.

The present study represents a more comprehensive analysis of the impact of the proposed action on emergency response times through use of a model of train, emergency vehicle, and regular traffic to determine the change in emergency response times resulting from implementation of the proposed action.

STUDY AREA

Per discussions with the local stakeholders, the current study focuses on assessing the impact of CN's proposed action on fire emergency response times within the Countryside Fire Protection District (FPD) District 41C. Countryside FPD, shown in Figure 2, consists of five districts and is located just south and west of the Village of Mundelein in Lake County, Illinois.

District 41C comprises the south-central portion of the Countryside FPD, as shown in Figure 3. It is bordered to the east by a CN rail line, which handles both cargo and commuter trains. The district's northern boundary lies just south of the EJ&E railroad line, which is expected to experience increased train traffic as a result of the proposed action. Train traffic on CN line is expected to decrease as a result of the proposed action.[1]

The three nearest fire stations to District 41C are incorporated into the model. These include the two fire stations within the Countryside FPD, Station #1 and Station #2, as well as Mundelein Fire Station #2, which lies just outside the Countryside FPD.

Emergency response by these three fire stations to District 41C is expected to utilize six railroad crossings:[2]

- IL-60/83: This at-grade crossing of the EJ&E line is expected to see an increase in train traffic as a result of the proposed action.
- Diamond Lake Rd: This at-grade crossing of the EJ&E line is expected to see an increase in train traffic as a result of the proposed action.
- US-45 (North): This is a grade-separated crossing of the EJ&E line.
- IL-60: This at-grade crossing of the CN line is expected to see a decrease in freight train traffic as a result of the proposed action.
- Butterfield Rd: This at-grade crossing of the CN line is expected to see a decrease in freight train traffic as a result of the proposed action.
- US-45 (South): This at-grade crossing of the CN line is expected to see a decrease in freight train traffic as a result of the proposed action.

[1] The district boundaries were obtained from analysis of a hardcopy map rather than from an electronic source.
[2] Gilmer Rd and the EJ&E line, an additional at-grade rail crossing in the Countryside FPD that was noted in the DEIS, is not likely to be used by emergency vehicles traveling to District 41C.

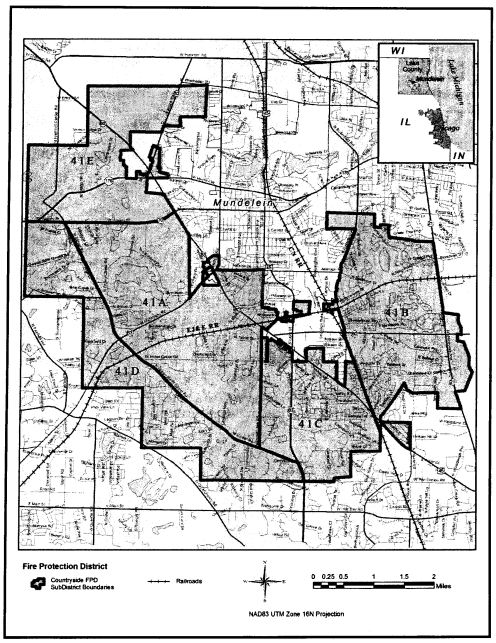

Figure 2: Countryside Fire Protection District

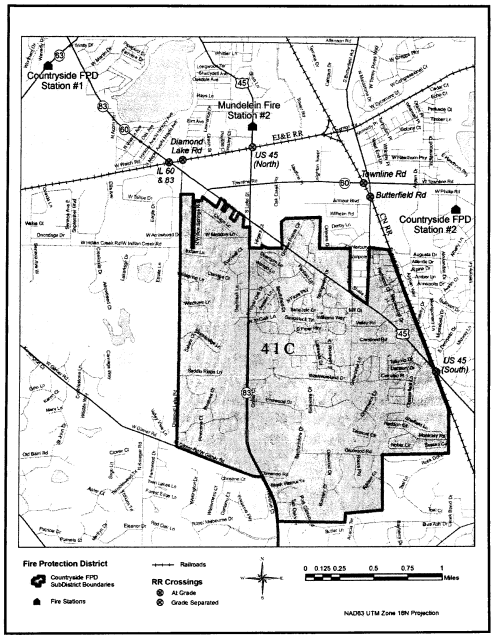

Figure 3: Project Study Area

METHODOLOGY

To assess the impact of the proposed action on emergency response times, IEM applied its QEM® methodology, which has been employed for more than 100 simulation-based studies. 39 of these studies specifically evaluated emergency response. The QEM® methodology was used to develop a model of the transportation network in the study area. The model was built in PTV Vision VISSIM, a widely-accepted stochastic, microscopic, and behavior-based transportation simulation software application with over 430 users in North America, including 18 State departments of transportation, 90 academic departments, and the Federal Highway Administration.

IEM's model of the study area simulates the movements of normal traffic, as well as emergency vehicles. In each simulated model run, the emergency vehicles from each of the three fire stations travel to a randomly selected emergency response destination in District 41C during typical morning peak-hour traffic. Trains were simulated on both the CN and EJ&E lines to measure their impact on the emergency vehicle travel times, under current conditions and under the proposed action, due to the possible blockage of the six railroad crossings described above. Normal vehicles, representing regular traffic, were incorporated into the model to represent their interactions with emergency vehicles.

Model simulations were run for four scenarios that were identified during discussions with the project stakeholders:

- **Scenario 1**–2008 No Action: Normal vehicle and train traffic reflected current conditions.
- **Scenario 2**–2008 Proposed Action: Normal vehicle traffic reflected current conditions. Train traffic was adjusted to reflect the CN/E&JE acquisition.
- **Scenario 3**–2015 No Action: Normal vehicle traffic was projected to reflect conditions expected in the year 2015. Train traffic reflected current (non-acquisition) conditions.
- **Scenario 4**–2015 Proposed Action: Normal vehicle traffic was projected to reflect conditions expected in year 2015. Train traffic was adjusted to reflect the CN/E&JE acquisition.

The following sections describe the development of various factors that were considered in the creation of the model.

Road Network

The road network incorporated in the model includes all major roads within the study area (Fire District 41C), as well as major roads leading to the three nearest fire stations, Countryside Fire Stations #1 and #2 and Mundelein Fire Station #2.

The road network was assembled from high-quality, regularly updated NAVTEQ street network data. NAVTEQ networks, which are also used by Google Maps and MapQuest,

are detailed and include neighborhood streets in every community in North America. These data are updated on a continuous basis, ensuring a high level of accuracy.[3]

The road network geography and attributes, such as the number of lanes, were validated and refined by analysis of aerial photographs of the area. Intersection attributes, such as the locations of turn lanes and traffic controls (signs and signals), were also identified using aerial photographs and during a site visit. These features and attributes were incorporated into the transportation model.

Normal Traffic

To accurately model traffic volumes for a typical morning peak hour, IEM collected data from a number of sources:

- An interactive mapping site[4] maintained by the Illinois Department of Transportation (IDOT) was used to collect Annual Average Daily Traffic (AADT) values on key roads throughout the study area.
- The Chicago Metropolitan Agency for Planning (CMAP), which oversees the model used for transportation planning around the Chicago area, provided current AADT values and projected traffic volumes for year 2020 for each leg of 10 key intersections in the study area.
- Parsons Transportation Group, an environmental consultant retained by CN, collected morning peak traffic volume and queue counts for several key roads and intersections around the boundary of the study area.

IEM used these data to estimate morning peak hour directional traffic volumes for two dozen sites across the transportation network. Hourly counts collected by Parsons were used for key intersections. In locations where hourly counts were not available, peak hour and directional percentages were estimated using values from nearby or similar road segments. This approach reflects IDOT's standard methodology for estimating peak hour and directional traffic volumes.[5] These directional traffic volumes were then used to determine the normal traffic volumes used in the model.

In order to capture the impact of turning vehicles, IEM estimated turning movements at the key intersections in the transportation network. To do this, IEM analyzed the directional volumes on each leg of the intersection using an internally-developed intersection analysis tool to determine the left, right, and through turning volumes that most closely matched the expected vehicular behavior at the intersection. These turning volumes were then used to program behavior in the transportation model.

[3] http://www.navteq.com/about/database.html
[4] http://www.gettingaroundillinois.com/default.aspx?ql=aadt
[5] "State Procedures for Developing K-factors, D-factors, and Percent Trucks." Federal Highway Administration. May 2003. Retrieved from the Federal Highway Administration: http://knowledge.fhwa.dot.gov/cops/hcx.nsf/All+Documents/6E7B086CB3F97CBE85256D2E003DEF02/$FILE/KD and Pct Truck Report May 15 2003.doc

Finally, for each of the traffic volumes IEM used the growth rate information provided by CMAP to project the year 2015 estimates. The peak hour and directional factors, as well as the turning splits at each intersection, were assumed to be the same as the existing conditions.

Emergency Vehicles

Emergency vehicles were included in the model to estimate the change in their response times as a result of the proposed action. In order to accurately model all aspects of the emergency responses, IEM requested (from the Countryside Fire Protection District and the Mundelein Fire Department) the following data describing past emergency calls in the study area:

- Time of day
- Fire station dispatched in response
- Emergency response destination
- Emergency response time and travel time

The above information was provided to IEM too late in the project for inclusion in the modeling process. However, the information provided was used by IEM to compare the modeling results and benchmark the key measures of effectiveness (e.g., emergency vehicle response times to District 41C) by conducting some simplistic analysis. IEM can conduct a more thorough analysis, if additional time is made available.

In addition, IEM requested information on the dispatch policy or strategy used to allocate calls from within District 41C to the surrounding fire stations. This information has not been provided to IEM, so IEM used an alternative set of estimates to approximate the emergency vehicle travel used in the model.

Trip Origins and Destinations

Responses to emergency calls were modeled from each of the three study fire departments, which served as the origins of all emergency vehicle trips in the model. Each fire station was considered independently in the analysis of the model results.

The spatial distribution of the emergency response destinations was approximated with population data. District 41C was divided into 10 population subareas, based on a population distribution analysis of the area (Figure 4). It was then assumed that the number of calls in each zone would be proportional to the population.

To estimate the population subareas, IEM obtained second-quarter 2008 population data from Synergos Technologies.[6] Emergency response destinations were then randomly assigned to the fire stations proportionate to the population in each subarea.

[6] Synergos Technologies, Inc. Online: http://www.synergos-tech.com.

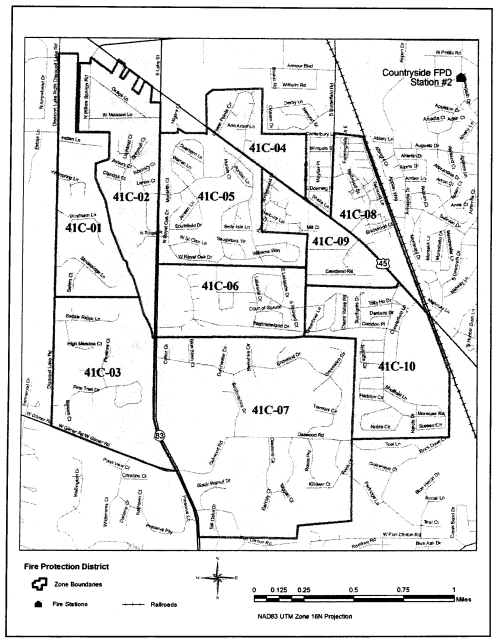

Figure 4: District 41C Population Subarea

Travel Speeds

Emergency vehicle speeds were simulated using the following principles:

- When unobstructed by congestion, emergency vehicles traveled at the same speed as the surrounding traffic.
- In areas where surrounding vehicles were stopped or traveling slowly due to congestion, emergency vehicles were allowed to pass them, but at a lower speed than if unobstructed.
- Many signalized intersections in the study area have preemption systems that ensure that approaching emergency vehicles will have a green light when they reach the light. To account for this in the model, emergency vehicles were allowed to bypass the traffic queue, but at a lower speed than if the intersection was unobstructed.

Trains

The daily volume, length, and average travel speed of the freight trains on CN[7] and EJ&E[8] lines were obtained from the DEIS. The hourly volumes of the trains were determined by assuming a uniform temporal distribution over 24 hours. Additionally, IEM simulated the commuter trains on CN lines during the morning peak hour, according to the schedule obtained from the Web site of Chicago Metra.[9]

The duration of blockages at the railroad crossings was determined by the train length and speed. The railroad/highway at-grade crossings were modeled to be blocked 30 seconds before the trains arrived and five seconds after the train left in accordance with the procedures used in the DEIS.

RESULTS

Model Calibration and Validation

To ensure the simulation accurately reflects actual traffic conditions, model calibration and validation are of paramount importance.

Traffic Volumes

An initial calibration compared the simulated peak hour volume to corresponding traffic count data collected by Parsons in the field. After inputting traffic demand data and configuring turn movements at each intersection, virtual loop detectors were placed at the links with count stations in the simulation model. The purpose of this was to simulate real-world conditions to ensure the model generated the observed volumes.

[7] Table 4.3-7 on page 4.3-28 of DEIS
[8] Table 4.3-5 on page 4.3-16 of DEIS
[9] http://metrarail.com/Sched/ncs/ncs.shtml

IEM collected the traffic volumes at 21 count stations from the field and compared the volumes with that generated in the simulation model. Table 1 lists the locations and count measurement methods for them. A "direct" measurement comes from an actual count in the field. "Calculated" measurements were estimated using the CMAP AADT count for the location and the peak-hour volume factor from the closest direct count station.

Table 1: Traffic Count Stations

Count Station	Location	Measurement Method
1	Midlothian SW of IL-60/83	Direct
2	IL-60/83 SE of Midlothian	Calculated
3	IL-60/83 NW of Midlothian	Direct
4	Midlothian NE of IL-60/83	Calculated
5	Diamond Lake Rd S of IL-60/83	Calculated
6	Diamond Lake Rd N of IL-60/83	Calculated
7	IL-60/83 SE of Diamond Lake Rd	Calculated
8	IL-60 between IL-83 & U.S. 45	Calculated
9	IL-83 NW of U.S. 45	Calculated
10	U.S. 45 N of IL-60	Direct
11	U.S. 45 between IL-60 & IL-83	Calculated
12	IL-60 W of Butterfield Rd	Calculated
13	IL-83 S of U.S. 45	Calculated
14	U.S. 45 SE of IL-83	Calculated
15	IL-60 E of Butterfield Rd	Direct
16	Butterfield N of IL-60	Calculated
17	Butterfield S of IL-60	Calculated
18	U.S. 45 near CN crossing	Direct
19	IL-83 N of Gilmer Rd	Direct
20	IL-83 S of Gilmer Rd	Calculated
21	Gilmer SE of Diamond Lake Rd	Calculated

Figure 5 compares the morning peak-hour traffic volume estimates at these locations with corresponding values from the model. Overall, the modeled volume was within one percent of the measured value. The highest individual station volume error was no more than 10 percent and most individual count errors were less than five percent.

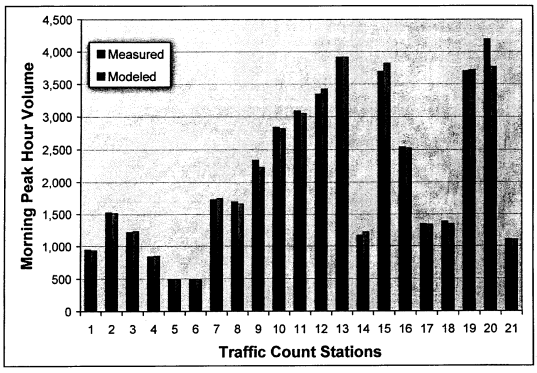

Figure 5: Model Traffic Volumes vs. Real-life Estimates

Travel Times

Modeled travel times for a handful of routes through the study area were also compared against corresponding field-observed values as another means of calibrating the model. The routes used in this comparison were identified as those to be most likely used by emergency vehicles from the three fire stations to respond to emergency calls in the study area.

Parsons collected the travel times along the selected routes by traveling in the selected direction during the morning peak hour. Three runs were performed for each travel time collection route and then averaged to minimize the impact of outliers. The adjusted travel times were recorded as average regular vehicular travel times along the corresponding roadway segments during the same peak morning hours.

IEM then adjusted road network and driver behavior parameters in the transportation software such that travel times in the model were similar to those collected in the field. Driver behavior parameters, including driver aggressiveness and awareness, mean target headway, and mean reaction time were modified to reflect local conditions and engineering judgment. The parameters were adjusted and the model was run in an

iterative process until the simulation model was considered to accurately reflect the observed travel times within one percent.

Little difference was observed between the observed and simulated queue lengths at bottleneck points (typically at signalized intersections). Table 2 presents the comparison between the measured and simulated travel times.

Table 2: Modeled and Measured Travel Times in Seconds

Route	Route Description	Measured Travel Time	Modeled Travel Time
1	From the intersection of IL-83/60 at Midlothian Rd, travel south via IL-83, to a point 100 yds north of Gilmer Road	578	627
2	From the intersection of S Lake St. (US-45) at W Hickory St., travel south via US-45 to a point 100 yards north of US-45 and CN/Wisconsin Central highway/railway at-grade crossing	486	508
3	From the intersection of Townline Rd (IL-60) at N Deerpath St, travel west via IL-60 to intersection of Townline Rd (IL-60) at S Lake St. (US-45), turn south to US-45, go straight at the intersection of US-45 and IL-83, continue on IL-83 to a point 100 yards north of Gilmer Rd.	431	414

Congestion and Queuing

Finally, IEM performed a review of animation features of the traffic model to ensure congestion and queuing in the model occurred in the same locations and to the same extent as was observed during field observations. This qualitative validation step was done as a final confirmation that the model accurately represented real-life conditions. Inspection of the modeled congestion patterns was conducted by an experienced traffic engineer using a 2-dimensional visualization and observed patterns were considered reasonable.

Emergency Call Generation

As described above, emergency calls were spatially distributed across 10 population subareas within District 41C in proportion to the population living in each population subarea. As shown in Figure 6 the modeled distribution for number of emergencies calls in each population subarea matches well against the populations for each of the subareas.

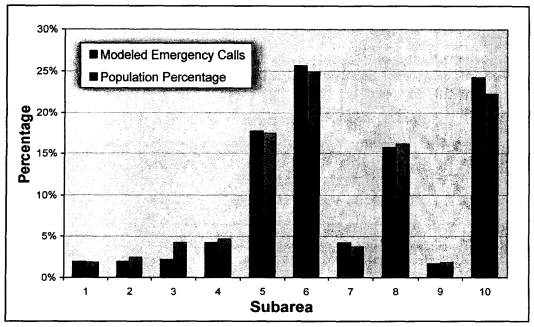

Figure 6: Modeled Emergency Call Percentage vs. Population Percentage by Subarea

Emergency Response Times

The transportation model simulated the travel of emergency vehicles, normal vehicles, and trains to determine the impact of the proposed action on emergency response times. Non-transportation-related aspects of emergency response, such as 911 dispatch times and fire station turnout times, are not expected to be impacted by the proposed action, so the impact from changing train traffic patterns on emergency vehicle travel times was assumed to be equivalent to the impact on overall response times.

The simulations indicated that the average emergency response times to District 41C will not be impacted in a meaningful way by the proposed action. For each fire station and year combination, the travel time for the proposed action scenario differed by no more than five seconds from the corresponding no action scenario. Table 3 shows the average emergency response time in seconds produced by the model for each of the four scenarios. The following section describes a more detailed statistical analysis of the results.

Table 3: Average Travel Time by Fire Station and Scenario (in seconds)

Scenario	Countryside Fire Station #1	Countryside Fire Station #2	Mundelein Fire Station #2
2008 No Action	383	288	247
2008 Proposed Action	385	286	250

Scenario	Countryside Fire Station #1	Countryside Fire Station #2	Mundelein Fire Station #2
2015 No Action	390	287	257
2015 Proposed Action	390	287	255

Statistical Analysis

A statistical analysis was conducted to describe and interpret differences in the modeled response times between scenarios. The analysis found no statistically significant changes in average response times between corresponding "no action" and "proposed action" scenarios.

However, the data was used to generate confidence intervals for the expected change in response times due to the proposed action. Table 4 presents the 95% confidence intervals for the change in average response time from the "no action" scenario to the corresponding "proposed action" scenario for each combination of year and fire station.

Table 4: 95% Confidence Interval for Changes in Average Response Times Due to Implementation of the Proposed Action

Fire Station	Year	95% Confidence Interval for Change in Average Response Time between "no action" and "proposed action" Alternatives (seconds)
Countryside #1	2008	(-9.6, 6.4)
Countryside #1	2015	(-8.2, 8.0)
Countryside #2	2008	(-7.0, 10.4)
Countryside #2	2015	(-8.6, 8.9)
Mundelein #2	2008	(-9.2, 4.9)
Mundelein #2	2015	(-5.9, 8.3)

For each scenario, the model results indicate with 95% confidence that the average change in response time due to the proposed action will fall within the range of values shown. Positive values indicate an expected increase in travel times due to the proposed action. Negative values indicate an expected decrease in travel times due to the proposed action. For example, the model results indicate a 95% likelihood that the 2008 average response time for Countryside Fire Station #1 would be between 9.6 seconds longer and 6.4 seconds shorter if the proposed action was implemented than if no action had been taken.

The mean response time, confidence intervals, and other statistical characteristics of the simulated emergency responses are illustrated graphically using box plots. Figure 7,

Figure 8, and Figure 9 show the box plots of the response times for the four scenarios for Countryside Fire Station #1, Countryside Fire Station #2, and Mundelein Fire Station #2, respectively.

In these plots:

- The box represents the middle 50% of the data (the 25th through 75th percentiles).
- The line in the center of the box represents the median. Fifty percent of the response times were shorter than this value.
- The plus sign within the box represents the mean (average) response time.
- The vertical limits of the bar represents the minimum and maximum response times for the scenario.

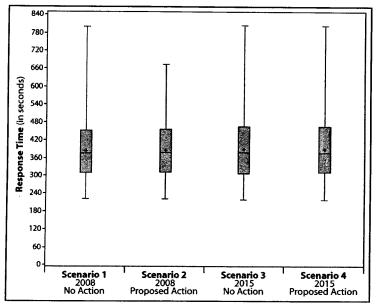

Figure 7: Emergency Response Times by Scenario, Countryside Fire Station #1

For example, the leftmost plot in Figure 7 represents the response time for the "2008 No Action" scenario for Countryside Fire Station #1. We can see that the range of the box (inter-quartile range) is from approximately 310 seconds to 450 seconds. This means that 25% of the simulated response times for this situation are shorter than 310 seconds and 75% of the simulated response times for this situation are shorter than 450 seconds. The median falls around 375 seconds and the mean is close to 380 seconds.. The actual data for this example are shown in Table 5.

Table 5: Model Emergency Response Time Statistics for Countryside Fire Station #1, 2008 No Action Scenario

Statistic	Response Time (seconds)
Maximum	801
75th percentile	452
Median	377
Mean	383
25th percentile	312
Minimum	221

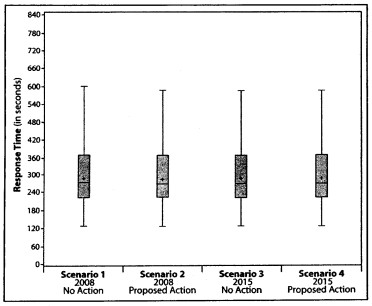

Figure 8: Emergency Response Times by Scenario, Countryside Fire Station #2

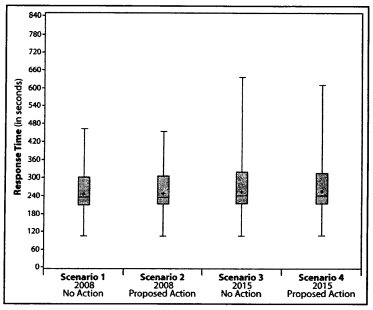

Figure 9: Emergency Response Times by Scenario, Mundelein Fire Station #2

Emergency Consequences

Response times for some emergency calls are critical. A few minutes may mean the difference between life and death. There are two major classes of emergency calls that are especially critical, those involving fires and those involving cardiac arrest.

Fire

A recent study using NFIRS data revealed that average damage claims of $27,000 were observed when responses occurred in less than 3 minutes; $34,000 at 5 minutes; $41,000 at 7 minutes; and $61,000 at longer than 9 minutes.[10] The key assumption of this analysis is that the most significant factor determining fire severity is the response time of the fire department. Some structure fires escape early detection, because no occupants are in the structure or the inhabitants are sleeping; for example, smoke alarms are present in 96% of homes and help speed the discovery of fires.[11] Operating under this assumption, IEM combined four sources of data to generate the expected consequence projections.

The first source of data is the distribution of fire severities on a standardized scale.[12] The scale describes the extent of the fire damage, such as confined to object, room, floor, or structure of origin and beyond. Since firemen begin working to extinguish a fire shortly

[10] B. Dedman, Slower arrival at fires is US is costing lives. Boston Globe. January 30, 2005. Retrieved from http://www.boston.com/news/specials/fires/fire_departments_struggle_as_towns_grow/ on 9/23/2008.
[11] M. Ahrens, Home Smoke Alarms - The Data as Context for Decision. Fire Technology, 2008 (January).
[12] M. Ahrens, Home Smoke Alarms - The Data as Context for Decision. Fire Technology, 2008 (January).

after arrival, the extent of fire damage is a good approximation of the size of most fires at the time the firemen arrived.

The second source of data is the distribution of fire response times.[13] When our key assumption holds true, using the first two sources of data it should be the case that when a fire department responds with one of its fastest times, a truck should arrive at one of the smallest fires. So, for a response time that is at the 25th percentile of the response time distribution, the fire severity should also be at the 25th percentile of the severity distribution.

The third and fourth sources of data are the rates of damage and the risks of death for each fire severity.[14] The larger the fire, the more damage it causes and the more dangerous it is, both for firefighters and for any building inhabitants. Therefore, by predicting the size of the fire for any particular response time, we can also predict the expected average damage claims and the expected loss of life.

The table below presents damages, expected economic loss, and fatality risk for fires, as a function of response time. Note that 81% of fires are confined to the floor, room, or object of origin within the building and correspond to a response time of 8 minutes or less.

[13] U.S. Fire Administration / National Fire Data Center. Structure Fire Response Times. Topical Fire Research Series, 5(7), 2006 (revised August).
[14] A.M. Hasofer and I. Thomas, Analysis of fatalities and injuries in building fire statistics. Fire Safety Journal. 41(2006): 2-14.

Table 6: Response Time vs. Sustained Damages

Response Time (minutes)	Percent	Cumulative Percent	Corresponding Damage Level	Corresponding Dollar Loss	Fatality Risk per Fire
0	2.4	2.4			
1	4	6.4			
2	10	16.4			
3	13	29.4	1 - Object of Origin	$241	0.0095
4	15.9	45.3			
5	14	59.3			
6	9.9	69.2	3 - Room of Origin	$6,051	0.0255
7	6.8	76			
8	5	81	5 - Floor of Origin	$15,200	0.0355
9	3.6	84.6			
10	3.3	87.9			
11	2	89.9			
12	1.8	91.7			
13	1.3	93			
14	1	94			
15	1	95			
16	0.8	95.8			
17	0.6	96.4			
18	0.5	96.9			
19	0.5	97.4			
20	0.5	97.9	6,7 - Structure of Origin and Beyond	$30,328	0.055

Cardiac Arrest

Cardiac Arrest is a condition in which blood circulation is significantly reduced, usually due to an arrhythmia. Because no blood is circulating in the victim, a medical response to reinitiate cardiac rhythm must occur rapidly or brain damage will occur. The successful outcome of a cardiac arrest is usually described as eventual discharge from a hospital without neurological deficit.

In general, the rate of successful outcome for a cardiac arrest outside the hospital is about 3%[15,16] and the likelihood of successful revival from cardiac arrest decreases by 7-10% for every minute of delay.[17]

If cardiopulmonary resuscitation (CPR) is started within 4 minutes of cardiac arrest, the chances of successful revival can be increased by as much as 69%.[18] Because four minutes is less than the amount of time it usually takes EMS to arrive on scene,[19] initial CPR is often performed by a knowledgeable bystander. In one study, bystanders performed CPR 56% of the time and the average time between cardiac arrest and the application of advanced life support was around 10 minutes.[20]

The use of automated external defibrillators (AED) has been shown to greatly increase the chance of a successful outcome, but available data regarding AED use centers around 10 minutes after cardiac arrest and is not useful for minute-by-minute projection. If AEDs are employed properly, the chance of a successful outcome can be as high as 30%.[21]

[15] Cardiac Arrest and Automated External Defibrillators. Technical Information Bureau. U.S. Department of Labor. Retrieved from http://www.osha.gov/dts/tib/tib_data/tib20011217.html on 9/13/08.
[16] R.O. Cummins, et al., Improving survival from sudden cardiac arrest: the "chain of survival" concept. A statement for health professionals from the Advanced Cardiac Life Support Subcommittee and the Emergency Cardiac Care Committee, American Heart Association. Circulation 1991; 83; 1832-1847.
[17] Sudden Cardiac Death. American Heart Association. Retrieved from http://www.americanheart.org/presenter.jhtml?identifier=4741 on 9/13/08.
[18] Rea, et al., Dispatcher-Assisted Cardiopulmonary Resuscitation and Survival in Cardiac Arrest. Circulation. 2001:104;2513-2516.
[19] L. Wik, et al., Delaying Defibrillation to Give Basic Cardiopulmonary Resuscitation to Patients with Out-of-Hospital Ventricular Fibrillation. JAMA. 289;11:1434-1436.
[20] Rea, et al., Dispatcher-Assisted Cardiopulmonary Resuscitation and Survival in Cardiac Arrest. Circulation. 2001:104;2513-2516.
[21] R.O. Cummins, et al., Improving survival from sudden cardiac arrest: the "chain of survival" concept. A statement for health professionals from the Advanced Cardiac Life Support Subcommittee and the Emergency Cardiac Care Committee, American Heart Association. Circulation 1991; 83; 1832-1847.

Table 7: Response Time Revivability Correlation

Response Time (Minutes)	Base Revivability	Revivability w/ Bystander CPR
1	0.91	
2	0.82	
3	0.73	
4	0.64	
5	0.55	0.9075
6	0.46	0.759
7	0.37	0.6105
8	0.28	0.462
9	0.19	0.3135
10	0.1	0.165
11	0.01	0.0165
12	0	0

As cardiac arrests represent approximately 1% of EMS calls,[22] changes in response time are not expected to have a large impact on the total number of lives saved due to delay in response times, notwithstanding the fact that for the small percent of responses involving cardiac arrests, every minute of delay does make a big difference in outcomes.

We also examined two additional types of medical emergencies in which time may be critical: strokes and trauma.

Strokes account for approximately 2% of EMS on-scene evaluations.[23] TPA is a therapy for ischemic stroke which, when administered within 3 hours of stroke onset, increases the absolute likelihood of independent survival by 16%.[24] Most stroke victims arrive at the hospital after the three hours have passed because they do not recognize the symptoms of stroke.[25] In a population of stroke patients, 54% were diagnosed with ischemic stroke. A delay in presentation of more than 3 hours excluded 73.1% from TPA, and 26.7% received TPA with the remainder being disqualified for various reasons.[15]

So although time can be critical in sparing ischemic stroke victims from adverse consequences, the relatively large time window (hours rather than minutes) for initiation

[22] E. Silverman, Cardiac Response Lags in D.C. retrieved from http://www.washingtonpost.com/wp-dyn/content/article/2008/05/28/AR2008052803312.html on 9/23/2008.
[23] R. Kothari, et al., Frequency and Accuracy of Pre-hospital Diagnosis of Acute Stroke. Stroke. 1995;26:937-941.
[24] P.A. Barber, et al., Why are stroke patients excluded from TPA therapy? An analysis of patient eligibility. Neurology. 2001;56:1015-1020.
[25] C.R. Lacy, Delay in Presentation and Evaluation fro Acute Stroke. Stroke. 2001; 32:63-69.

of TPA therapy should in reality make emergency delays on the order minutes relatively unimportant with respect to eventual patient outcomes.

Trauma is a final class of medical conditions that were investigated. One would expect that due to the potential for blood loss that the outcomes for trauma victims are significantly influenced by the size of delays in emergency response. However, the most recent large population-based study examining this issue found that response time delays were not associated with increases in patient mortality.[26]

[26] Baez AA, et al. Predictive Effect of Out-of-Hospital Time in Outcomes of Severely Injured Young Adult and Elderly Patients. Prehospital and Disaster Medicine. 2006; 21: 427-430.

LIMITATIONS

Because of data or time restrictions associated with this study, it contains a number of assumptions and limitations. Many of these highlight ways in which this study could be enhanced or expanded upon in the future, especially if more data is provided by stakeholders.

- Due to lack of information describing the destinations of emergency calls, IEM assumed the number of emergency response calls in an area would be proportional to the population in that area. This assumption may not hold if certain areas have higher concentrations of people who make higher rates of emergency calls (e.g., elderly persons). Such demographic detail could be easily incorporated into our methodology, especially where stakeholders provide data regarding call distributions.
- IEM did not receive information on the operating procedure for dispatching or allocating emergency calls to the three fire stations (Countryside #1, Countryside #2, and Mundelein #2). Without this information:
  - IEM could not accurately estimate the response times in the model, as they would be implemented in practice by determining which fire station, or station combinations, would likely respond to each area. Instead, the response times for each of the fire stations were analyzed individually.
  - IEM was unable to calibrate the model to make the overall average response time match real-life calls. Instead, IEM reviewed the average response time for each of the three fire stations independently to determine that they were within reasonable range of the real-life figure.
- IEM did not receive information on how emergency calls distributed throughout the day. As a result, the model could not estimate how these fluctuations could affect response times.
- Due to time constraints, signal preemption for emergency vehicles has not yet been incorporated into the model.

Exhibit 4: Global Insight, Economic Analysis for Canadian National Railway: Manufacturing Scenario Impact on the Illinois Economy (September 2008).

ECONOMIC ANALYSIS FOR CANADIAN NATIONAL RAILWAY: SCENARIO IMPACT ON THE ILLINOIS ECONOMY

SEPTEMBER 2008

Conclusions

Global Insight, Inc. has estimated the direct, indirect, and induced impacts of two economic scenarios proposed by Canadian National Railway (CN) using its proprietary models. While CN has stated the impact would affect both the states of Illinois and Indiana, they also indicated that the vast majority of the impact will be in Illinois. Therefore, this analysis is done using Illinois data only as a reasonable representation of the overall outcome from the following two scenarios: (Scenario 1) a job reduction of 114 employees in the railroad industry and (Scenario 2) an increase in railroad construction spending of $150 million spread evenly between two years. Our analysis is done using 2008 economic data.

The analysis performed assumes both impacts take place starting in year 1 following the acquisition. However, CN has indicated that while that is true for the expected investment impact, the job losses are likely to occur through attrition over an undetermined period of time. This study's assumption that all jobs losses will occur in year 1 should be considered as the strongest possible impact. Still, our estimates for the 2008 perspective reveal that the combined effect of the job reduction and increase in spending is significantly positive from an economic perspective.

Methodology

The direct impacts gauge the initial effect of eliminating the 114 jobs in the railroad transportation industry (Scenario 1) as if those jobs were eliminated on day 1, and of yearly spending of $75 million (half of the proposed $150 million amount) on infrastructure construction for the railroad sector (Scenario 2). These are calculated using Global Insight's U.S. industry information on sector employment, economic output, and wages based on State of Illinois data.

The indirect impacts measure the effects of the job loss (Scenario 1) and the increase in infrastructure construction (Scenario 2) on the output of the state's 20 major industry sectors. These estimates are obtained by running Global Insight's U.S. Industry Input/Output Model, customized to configure the economic environment of Illinois.

The induced impacts capture the multiplier effect of changes in labor income on spending through the 20 major industry sectors. These are obtained by using income and spending sensitivity relationships supplied by Global Insight's U.S. Macro Service and our customized Input/Output Model.

Scenario Impacts

Based on the aforementioned methodology, Global Insight has estimated the following impacts of the two scenarios requested by Canadian National Railway:

Year 1 (Scenarios 1 and 2)

- Combining both scenarios leads to a **net gain of 833 jobs**. Scenario 1 leads to a total loss of 192 jobs, while Scenario 2 leads to a total gain of 1,025 jobs.
- Combining both scenarios leads to a **net gain of $45.360 million in labor income**. Job losses in Scenario 1 lead to a labor income decline of $13.312 million. Employment gains in Scenario 2 lead to a labor income increase of $58.672 million.
- Combined, both scenarios lead to a **net gain of $104.467 million in economic output**. The initial 114 job losses in railroad transportation in Scenario 1 lead to a total loss of $50.821 million in Illinois economic output. However, the initial $75.000 million yearly capital construction spending on railroad infrastructure in Scenario 2 leads to a total gain of $155.288 million in economic output.
- Combining the scenarios leads to a **net gain of $47.650 million in economic value added**. Output losses in

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Scenario 1 result in a $25.919-million decline in economic value added, while the increase in capital spending in Scenario 2 leads to a $73.569-million rise in economic value added.

- The combined scenarios lead to a **net gain of $16.091 million in state tax receipts**. The loss of jobs and economic activity in Scenario 1 reduces state tax receipts by $5.897 million. The expansion of capital spending in Scenario 2 leads to an increase in tax receipts of $21.988 million.

Year 2 (Scenario 2)

In Scenario 2, the other half ($75 million) of the $150-million increase in railroad construction spending planned by CN occurs in year two. We estimate the impacts of that additional amount in year two to be similar in magnitude to year one. Specifically, the impacts in year two are:

- The number of jobs expands by 1,025.
- Labor income increases by $58.672 million.
- Economic output increases by $155.288 million.
- Economic value-added rises by $73.569 million.
- Tax receipts expand by $21.988 million.

Detailed Tables

For a detailed analysis of Scenarios 1 and 2 and their direct, indirect, and induced impacts on economic output, economic value added, employment, labor income, and tax receipts for the State of Illinois and its 20 major industry sectors, please refer to the tables that follow.

Economic Analysis for Canadian National Railway

Scenario 1 : Loss of 114 Jobs in Railway Transportation

(Economic output decline in 2008 U.S. dollars)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	$0	$16,962	$593	$17,555	0.001
21	Mining	$0	$147,813	$629	$148,442	0.005
22	Utilities	$0	$127,615	$17,718	$145,333	0.005
23	Construction	$0	$12,182	$1,843	$14,025	0.000
31-33	Manufacturing	$0	$3,190,649	$1,937,293	$5,127,942	0.167
42	Wholesale Trade	$0	$800,866	$64,543	$865,408	0.028
44-45	Retail Trade	$0	$43,625	$6,357,255	$6,400,880	0.209
482	Rail Transportation	$30,651,144	$713,474	$106,974	$31,471,592	1.027
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	$0	$373,386	$317,775	$691,161	0.023
51	Information	$0	$283,777	$36,494	$320,271	0.010
52	Finance & Insurance	$0	$653,919	$145,004	$798,923	0.026
53	Real Estate & Rental	$0	$1,121,165	$84,804	$1,205,969	0.039
54	Professional, Scientific, & Technical Services	$0	$1,372,033	$284,995	$1,657,028	0.054
55-56	Mgmt of Companies and Administrative & Waste Services	$0	$374,988	$210,672	$585,660	0.019
61	Educational Services	$0	$83,190	$43,642	$126,832	0.004
62	Health & Social Services	$0	$309	$212	$521	0.000
71	Arts, Entertainment, & Recreation	$0	$284,616	$36,820	$321,436	0.010
72	Accommodation & Food Services	$0	$94,179	$30,932	$125,110	0.004
81	Other Services	$0	$160,056	$46,417	$206,473	0.007
92	Government	$0	$455,461	$134,505	$589,966	0.019
	Total	**$30,651,144**	**$10,310,266**	**$9,859,118**	**$50,820,528**	**1.658**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Scenario 1: Loss of 114 Jobs in Railway Transportation

(Economic value-added decline in 2008 U.S. dollars)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	$0	$7,303	$255	$7,558	0.001
21	Mining	$0	$85,617	$364	$85,981	0.006
22	Utilities	$0	$82,743	$11,488	$94,231	0.006
23	Construction	$0	$5,207	$788	$5,994	0.000
31-33	Manufacturing	$0	$1,032,870	$627,136	$1,660,007	0.110
42	Wholesale Trade	$0	$475,155	$38,293	$513,448	0.034
44-45	Retail Trade	$0	$29,851	$4,350,141	$4,379,992	0.291
482	Rail Transportation	$15,066,965	$350,718	$52,584	$15,470,267	1.027
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	$0	$202,625	$172,447	$375,072	0.025
51	Information	$0	$140,080	$18,015	$158,095	0.010
52	Finance & Insurance	$0	$369,815	$82,005	$451,820	0.030
53	Real Estate & Rental	$0	$707,200	$53,492	$760,693	0.050
54	Professional, Scientific, & Technical Services	$0	$832,935	$173,015	$1,005,950	0.067
55-56	Mgmt of Companies and Administrative & Waste Services	$0	$108,034	$60,695	$168,729	0.011
61	Educational Services	$0	$58,874	$30,885	$89,759	0.006
62	Health & Social Services	$0	$188	$129	$316	0.000
71	Arts, Entertainment, & Recreation	$0	$177,164	$22,919	$200,083	0.013
72	Accommodation & Food Services	$0	$48,878	$16,053	$64,931	0.004
81	Other Services	$0	$85,687	$24,849	$110,536	0.007
92	Government	$0	$243,956	$72,044	$316,000	0.021
	Total	**$15,066,965**	**$5,044,900**	**$5,807,598**	**$25,919,463**	**1.720**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Scenario 1: Loss of 114 Jobs in Railway Transportation
(Employment decline)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	0.0	0.4	0.4	0.8	0.007
21	Mining	0.0	0.2	0.0	0.2	0.002
22	Utilities	0.0	0.4	0.2	0.7	0.006
23	Construction	0.0	0.1	0.0	0.1	0.001
31-33	Manufacturing	0.0	7.9	4.8	12.6	0.111
42	Wholesale Trade	0.0	1.2	0.1	1.3	0.011
44-45	Retail Trade	0.0	0.2	24.3	24.5	0.215
482	Rail Transportation	114.0	2.3	0.3	116.6	1.023
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	0.0	2.3	1.9	4.2	0.037
51	Information	0.0	0.8	0.1	0.8	0.007
52	Finance & Insurance	0.0	2.1	0.5	2.6	0.023
53	Real Estate & Rental	0.0	2.4	0.2	2.6	0.022
54	Professional, Scientific, & Technical Services	0.0	6.6	1.4	8.0	0.070
55-56	Mgmt of Companies and Administrative & Waste Services	0.0	3.1	1.7	4.8	0.042
61	Educational Services	0.0	1.0	0.5	1.5	0.014
62	Health & Social Services	0.0	0.0	0.0	0.0	0.000
71	Arts, Entertainment, & Recreation	0.0	2.4	0.3	2.7	0.024
72	Accommodation & Food Services	0.0	1.5	0.5	2.0	0.018
81	Other Services	0.0	1.4	0.4	1.8	0.016
92	Government	0.0	3.8	1.1	4.9	0.043
	Total	**114.0**	**39.9**	**38.8**	**192.8**	**1.691**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Scenario 1: Loss of 114 Jobs in Railway Transportation
(Labor income decline in 2008 U.S. dollars)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	$0	$10,367	$2,073	$12,440	0.001
21	Mining	$0	$11,592	$49	$11,642	0.001
22	Utilities	$0	$28,434	$14,064	$42,498	0.005
23	Construction	$0	$3,303	$500	$3,802	0.000
31-33	Manufacturing	$0	$445,896	$270,739	$716,635	0.078
42	Wholesale Trade	$0	$74,385	$5,995	$80,380	0.009
44-45	Retail Trade	$0	$4,604	$670,898	$675,502	0.074
482	Rail Transportation	$9,658,478	$184,029	$27,592	$9,870,099	1.078
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	$0	$112,888	$96,075	$208,963	0.023
51	Information	$0	$55,561	$7,145	$62,707	0.007
52	Finance & Insurance	$0	$166,456	$36,911	$203,367	0.022
53	Real Estate & Rental	$0	$141,707	$10,719	$152,426	0.017
54	Professional, Scientific, & Technical Services	$0	$392,383	$81,505	$473,887	0.052
55-56	Mgmt of Companies and Administrative & Waste Services	$0	$215,053	$120,819	$335,873	0.037
61	Educational Services	$0	$42,678	$22,389	$65,066	0.007
62	Health & Social Services	$0	$179	$123	$302	0.000
71	Arts, Entertainment, & Recreation	$0	$50,243	$6,500	$56,743	0.006
72	Accommodation & Food Services	$0	$31,977	$10,502	$42,479	0.005
81	Other Services	$0	$51,913	$15,055	$66,968	0.007
92	Government	$0	$177,986	$52,562	$230,549	0.025
	Total	**$9,658,478**	**$2,201,635**	**$1,452,214**	**$13,312,326**	**1.454**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Scenario 1: Loss of 114 Jobs in Railway Transportation
(Tax receipt decdline in 2008 U.S. dollars)

	Employee Compensation	Proprietary Income	Household Expenditures	Enterprises	Indirect Business Taxes	Total
Transfers	$11,821					$11,821
Corporate Profits Tax				$961,092		$961,092
Indirect Bus Tax: Custom Duty					$43,615	$43,615
Indirect Bus Tax: Excise Taxes					$117,567	$117,567
Indirect Bus Tax: Fed NonTaxes					$53,297	$53,297
Personal Tax: Estate and Gift Tax						
Personal Tax: Income Tax			$1,195,002			$1,195,002
Personal Tax: NonTaxes (Fines- Fees						
Social Ins Tax- Employee Contribution	$657,789	$39,841				$697,630
Social Ins Tax- Employer Contribution	$667,529					$667,529
Sub-Total	**$1,325,318**	**$39,841**	**$1,195,002**	**$961,092**	**$214,479**	**$3,735,733**
Corporate Profits Tax				$174,615		$174,615
Dividends				$240,688		$240,688
Indirect Bus Tax: Motor Vehicle Lic					$22,495	$22,495
Indirect Bus Tax: Other Taxes					$66,132	$66,132
Indirect Bus Tax: Property Tax					$722,297	$722,297
Indirect Bus Tax: S/L NonTaxes					$78,415	$78,415
Indirect Bus Tax: Sales Tax					$479,054	$479,054
Indirect Bus Tax: Severance Tax					$21	$21
Personal Tax: Estate and Gift Tax						
Personal Tax: Income Tax			$216,128			$216,128
Personal Tax: Motor Vehicle License			$25,954			$25,954
Personal Tax: NonTaxes (Fines- Fees			$66,151			$66,151
Personal Tax: Other Tax (Fish/Hunt)			$2,871			$2,871
Personal Tax: Property Taxes			$7,831			$7,831
Social Ins Tax- Employee Contribution	$9,268					$9,268
Social Ins Tax- Employer Contribution	$37,084					$37,084
SubTotal	**$46,352**		**$318,935**	**$415,302**	**$1,368,414**	**$2,149,004**
Total	**$1,383,491**	**$39,841**	**$1,513,937**	**$1,376,395**	**$1,582,893**	**$5,896,557**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Scenario 2: $75-Million Railway Construction Expenditure
(Economic output increase in 2008 U.S. dollars)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	$0	$381,250	$2,330	$383,580	0.005
21	Mining	$0	$668,652	$3,308	$671,960	0.009
22	Utilities	$0	$597,692	$21,794	$619,486	0.008
23	Construction	$75,000,000	$159,871	$629,479	$75,789,350	1.011
31-33	Manufacturing	$0	$15,894,654	$7,294,714	$23,189,369	0.309
42	Wholesale Trade	$0	$2,512,391	$223,949	$2,736,340	0.036
44-45	Retail Trade	$0	$856,156	$23,465,187	$24,321,343	0.324
482	Rail Transportation	$0	$1,632,404	$298,902	$1,931,306	0.026
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	$0	$2,157,934	$795,100	$2,953,034	0.039
51	Information	$0	$963,612	$120,729	$1,084,341	0.014
52	Finance & Insurance	$0	$2,522,437	$1,154,963	$3,677,399	0.049
53	Real Estate & Rental	$0	$2,137,676	$180,519	$2,318,195	0.031
54	Professional, Scientific, & Technical Services	$0	$5,226,317	$1,224,314	$6,450,631	0.086
55-56	Mgmt of Companies and Administrative & Waste Services	$0	$2,793,488	$1,799,454	$4,592,942	0.061
61	Educational Services	$0	$49,926	$27,977	$77,904	0.001
62	Health & Social Services	$0	$1,031	$500,752	$501,783	0.007
71	Arts, Entertainment, & Recreation	$0	$906,516	$120,774	$1,027,289	0.014
72	Accommodation & Food Services	$0	$260,997	$88,097	$349,093	0.005
81	Other Services	$0	$1,551,713	$489,535	$2,041,249	0.027
92	Government	$0	$437,058	$134,540	$571,597	0.008
	Total	**$75,000,000**	**$41,711,776**	**$38,576,417**	**$155,288,193**	**2.071**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Scenario 2: $75-Million Railway Construction Expenditure
(Economic value-added increase in 2008 U.S. dollars)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	$0	$164,140	$1,003	$165,143	0.005
21	Mining	$0	$387,298	$1,916	$389,214	0.012
22	Utilities	$0	$387,531	$14,131	$401,662	0.013
23	Construction	$32,055,122	$68,329	$269,040	$32,392,491	1.011
31-33	Manufacturing	$0	$5,145,385	$2,361,430	$7,506,814	0.234
42	Wholesale Trade	$0	$1,490,606	$132,869	$1,623,476	0.051
44-45	Retail Trade	$0	$586,850	$16,056,750	$16,642,601	0.519
482	Rail Transportation	$0	$802,429	$146,929	$949,358	0.030
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	$0	$1,171,046	$431,477	$1,602,523	0.050
51	Information	$0	$475,666	$59,595	$535,262	0.017
52	Finance & Insurance	$0	$1,426,529	$653,173	$2,079,702	0.065
53	Real Estate & Rental	$0	$1,348,389	$113,866	$1,462,255	0.046
54	Professional, Scientific, & Technical Services	$0	$3,172,798	$743,258	$3,916,055	0.122
55-56	Mgmt of Companies and Administrative & Waste Services	$0	$804,805	$518,424	$1,323,229	0.041
61	Educational Services	$0	$35,333	$19,800	$55,133	0.002
62	Health & Social Services	$0	$626	$304,183	$304,810	0.010
71	Arts, Entertainment, & Recreation	$0	$564,275	$75,178	$639,453	0.020
72	Accommodation & Food Services	$0	$135,455	$45,721	$181,176	0.006
81	Other Services	$0	$830,716	$262,075	$1,092,791	0.034
92	Government	$0	$234,099	$72,063	$306,162	0.010
	Total	**$32,055,122**	**$19,231,305**	**$22,282,882**	**$73,569,308**	**2.295**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Scenario 2: $75-Million Railway Construction Expenditure
(Employment increase)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	0.0	1.4	0.9	2.3	0.003
21	Mining	0.0	1.0	0.0	1.0	0.001
22	Utilities	0.0	0.7	0.5	1.2	0.002
23	Construction	665.4	0.9	3.4	669.7	1.006
31-33	Manufacturing	0.0	39.1	28.0	67.1	0.101
42	Wholesale Trade	0.0	3.6	2.3	6.0	0.009
44-45	Retail Trade	0.0	3.3	89.8	93.1	0.140
482	Rail Transportation	0.0	5.2	1.0	6.2	0.009
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	0.0	13.1	6.8	19.9	0.030
51	Information	0.0	2.5	2.3	4.9	0.007
52	Finance & Insurance	0.0	8.2	5.7	13.9	0.021
53	Real Estate & Rental	0.0	4.5	3.4	7.9	0.012
54	Professional, Scientific, & Technical Services	0.0	25.1	10.9	36.0	0.054
55-56	Mgmt of Companies and Administrative & Waste Services	0.0	23.1	14.9	37.9	0.057
61	Educational Services	0.0	0.6	2.3	2.9	0.004
62	Health & Social Services	0.0	0.0	4.4	4.4	0.007
71	Arts, Entertainment, & Recreation	0.0	7.6	4.0	11.6	0.017
72	Accommodation & Food Services	0.0	4.2	3.4	7.6	0.011
81	Other Services	0.0	13.7	9.3	23.0	0.035
92	Government	0.0	3.7	5.1	8.8	0.013
	Total	**665.4**	**161.5**	**198.6**	**1,025.4**	**1.541**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Scenario 2: $75-Million Railway Construction Expenditure
(Labor income increase in 2008 U.S. dollars)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	$0	$29,027	$18,660	$47,688	0.001
21	Mining	$0	$59,457	$294	$59,752	0.002
22	Utilities	$0	$49,215	$38,013	$87,228	0.002
23	Construction	$40,469,604	$49,141	$193,488	$40,712,233	1.141
31-33	Manufacturing	$0	$2,269,351	$1,621,189	$3,890,540	0.109
42	Wholesale Trade	$0	$250,339	$159,974	$410,313	0.011
44-45	Retail Trade	$0	$89,636	$2,456,695	$2,546,330	0.071
482	Rail Transportation	$0	$444,271	$81,348	$525,620	0.015
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	$0	$688,346	$358,719	$1,047,064	0.029
51	Information	$0	$180,361	$164,135	$344,496	0.010
52	Finance & Insurance	$0	$693,353	$487,279	$1,180,632	0.033
53	Real Estate & Rental	$0	$292,461	$217,789	$510,250	0.014
54	Professional, Scientific, & Technical Services	$0	$1,617,873	$700,822	$2,318,695	0.065
55-56	Mgmt of Companies and Administrative & Waste Services	$0	$1,734,122	$1,117,052	$2,851,174	0.080
61	Educational Services	$0	$26,490	$102,178	$128,668	0.004
62	Health & Social Services	$0	$617	$299,824	$300,442	0.008
71	Arts, Entertainment, & Recreation	$0	$160,720	$85,216	$245,937	0.007
72	Accommodation & Food Services	$0	$89,002	$72,577	$161,579	0.005
81	Other Services	$0	$527,885	$359,235	$887,120	0.025
92	Government	$0	$173,303	$242,951	$416,253	0.012
	Total	**$40,469,604**	**$9,424,969**	**$8,777,440**	**$58,672,012**	**1.644**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Scenario 2: $75-Million Railway Construction Expenditure
(Tax receipts increase in 2008 U.S. dollars)

	Employee Compensation	Proprietary Income	Household Expenditures	Enterprises	Indirect Business Taxes	Total
Transfers	$52,098					$52,098
Corporate Profits Tax				$2,936,733		$2,936,733
Indirect Bus Tax: Custom Duty					$133,271	$133,271
Indirect Bus Tax: Excise Taxes					$359,240	$359,240
Indirect Bus Tax: Fed NonTaxes					$162,856	$162,856
Personal Tax: Estate and Gift Tax						
Personal Tax: Income Tax			$5,266,788			$5,266,788
Personal Tax: NonTaxes (Fines- Fees						
Social Ins Tax- Employee Contribution	$2,899,102	$175,591				$3,074,694
Social Ins Tax- Employer Contribution	$2,942,031					$2,942,031
Sub-Total	$5,841,133	$175,591	$5,266,788	$2,936,733	$655,367	$14,875,612
Corporate Profits Tax				$533,556		$533,556
Dividends				$735,451		$735,451
Indirect Bus Tax: Motor Vehicle Lic					$68,737	$68,737
Indirect Bus Tax: Other Taxes					$202,075	$202,075
Indirect Bus Tax: Property Tax					$2,207,064	$2,207,064
Indirect Bus Tax: S/L NonTaxes					$239,607	$239,607
Indirect Bus Tax: Sales Tax					$1,463,805	$1,463,805
Indirect Bus Tax: Severance Tax					$64	$64
Personal Tax: Estate and Gift Tax						
Personal Tax: Income Tax			$952,551			$952,551
Personal Tax: Motor Vehicle License			$114,389			$114,389
Personal Tax: NonTaxes (Fines- Fees			$291,549			$291,549
Personal Tax: Other Tax (Fish/Hunt)			$12,654			$12,654
Personal Tax: Property Taxes			$34,513			$34,513
Social Ins Tax- Employee Contribution	$40,847					$40,847
Social Ins Tax- Employer Contribution	$163,444					$163,444
SubTotal	**$204,291**		**$1,405,656**	**$1,269,006**	**$4,181,352**	**$7,060,305**
Total	**$6,097,523**	**$175,591**	**$6,672,444**	**$4,205,739**	**$4,836,719**	**$21,988,016**

Impact based on Global Insight's Illinois Customized Industry Model and Data.

Exhibit 5: Oliver Wyman, Supply Chain Savings to CN Customers Resulting from Acquisition of EJE Model Results (September 28, 2008).

Supply Chain Savings to CN Customers Resulting from Acquisition of EJE Model Results

All Industries

	Cost of Capital (pre-tax) 10%	12%	14%
Inventory Cost Savings (in transit)	$13.4	$16.1	$18.7
Safety Stock Savings	$3.4	$4.1	$4.8
Total Savings	$16.8	$20.2	$23.5

(Figures in millions of 2008 US Dollars)

Chemical Industry

Average Value: $3,229/ton*
Risk of Stock Out: 1%

	Cost of Capital (pre-tax) 10%	12%	14%
Inventory Cost Savings (in transit)	$7.6	$9.1	$10.7
Safety Stock Savings	$2.2	$2.6	$3.0
Total Savings	$9.8	$11.7	$13.7

(Figures in millions of 2008 US Dollars)
**Potash value per ton equaled $425*

Metal Industry

Average Value: $2,876/ton
Risk of Stock Out: 2%

	Cost of Capital (pre-tax) 10%	12%	14%
Inventory Cost Savings (in transit)	$1.5	$1.9	$2.2
Safety Stock Savings	$0.4	$0.4	$0.5
Total Savings	$1.9	$2.3	$2.7

(Figures in millions of 2008 US Dollars)

Paper Industry

Average Value: $1,276/ton
Risk of Stock Out: 5%

	Cost of Capital (pre-tax) 10%	12%	14%
Inventory Cost Savings (in transit)	$1.6	$1.9	$2.3
Safety Stock Savings	$0.4	$0.4	$0.5
Total Savings	$2.0	$2.3	$2.8

(Figures in millions of 2008 US Dollars)

Food Industry (Prepared)

Average Value: $1,118/ton
Risk of Stock Out: 5%

	Cost of Capital (pre-tax) 10%	12%	14%
Inventory Cost Savings (in transit)	$1.0	$1.3	$1.4
Safety Stock Savings	$0.2	$0.2	$0.3
Total Savings	$1.2	$1.5	$1.7

(Figures in millions of 2008 US Dollars)

Data Sources:

CN 2006 Waybill Data
CN 2006 Car Movement Records
U.S. Bureau of Transportation Statistics Commodity Flow Survey 2002
U.S. Bureau of Labor Statistics, Producer Price Index
Intrepid Potash, Inc. Q2 2008 Easnings Call transcript, 14 August 2008.

Exhibit 6: Global Insight, Economic Analysis for Canadian National Railway: Manufacturing Scenario Impact on the U.S. Economy by Industry (September 2008).

ECONOMIC ANALYSIS FOR CANADIAN NATIONAL RAILWAY: MANUFACTURING SCENARIO IMPACT ON THE U.S. ECONOMY BY INDUSTRY

SEPTEMBER 2008

Conclusions

Global Insight, Inc. has estimated for Canadian National Railway (CN) the direct, indirect, and induced impacts of a one-time increase in U.S. manufacturing output on the U.S. economy by industry using its proprietary models. That estimate is intended to provide an order-of-magnitude impact on the economy that could result from improved efficiencies in the railway transportation business. For illustration purposes, we assumed an efficiency-led increase of $100 million in manufacturing output, which can then be scaled to the actual benefit estimated by CN. Similarly, one can use the multipliers provided to calculate the total impacts of any increase in manufacturing output estimated by CN.

The time basis for our analysis is 2008. Our estimates reveal that the multiplier effect of an increase in U.S. manufacturing output is significantly positive for the U.S. economy, from both a dollar and employment perspective.

Methodology

The direct impacts gauge the initial effect of expanding U.S. manufacturing output by $100 million. This is calculated using Global Insight's industry information on sector employment, economic output, and wages for the United States with a 2008 perspective.

The indirect impacts measure the effects of this manufacturing output increase on the country's 19 major industry sectors. These estimates are obtained by using Global Insight's U.S. Industry Input/Output Model, customized to a 2008 perspective.

The induced impacts capture the multiplier effect of changes in labor income on spending through the 19 major industry sectors. These are obtained by using income and spending sensitivity relationships supplied by the Global Insight's U.S. Macro Service and re-running our customized U.S. Input/Output Model.

Scenario Impacts

Based on the aforementioned methodology, Global Insight has estimated the impacts of this manufacturing scenario (labeled Scenario 3, as it follows two other scenarios previously estimated for Canadian National Railway by Global Insight) on the U.S. economy. Its estimated impacts are as follows:

Year 1 (Scenario 3)

- Increasing U.S. manufacturing output in a single year by $100 million leads to a **total gain of 549 U.S. jobs**. Of those, 358 jobs will be in manufacturing through direct, indirect, and induced impacts, and the remaining 191 will be in other sectors through indirect and induced impacts.
- The scenario leads to a **total gain of $29.899 million in U.S. labor income**.
- Starting with an initial increase of $100 million in manufacturing production, the scenario leads to a **total gain of $232.423 million in U.S. economic output**. This is a multiplier of 2.324.
- The scenario leads to a **net gain of $97.727 million in economic value added for the U.S. economy**. This represents a multiplier of 2.615.
- The scenario leads to a **total increase of $14.457 million in U.S. tax receipts**.

Detailed Tables

For a detailed analysis of Scenario 3 and its direct, indirect, and induced impact on U.S. economic output, economic value added, employment, and labor income for the country's 19 major industry sectors, along with the resulting effects on tax receipts, please refer to the tables that follow.

GLOBAL INSIGHT

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Economic Analysis for Canadian National Railway

Scenario 3: $100-Million Increase in Manufacturing Output

(Output increase in 2008 U.S. dollars)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	$0	$4,258,427	$6,552	$4,264,979	0.0426
21	Mining	$0	$3,842,399	$21,270	$3,863,669	0.0386
22	Utilities	$0	$2,292,117	$88,407	$2,380,524	0.0238
23	Construction	$0	$534,386	$103,615	$638,000	0.0064
31-33	Manufacturing	$100,000,000	$60,678,207	$10,399,430	$171,077,637	1.7108
42	Wholesale Trade	$0	$6,766,030	$567,729	$7,333,758	0.0733
44-45	Retail Trade	$0	$388,266	$8,798,683	$9,186,950	0.0919
482	Rail Transportation	$0	$553,232	$95,852	$649,084	0.0065
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	$0	$5,005,787	$1,992,089	$6,997,876	0.0700
51	Information	$0	$2,735,271	$376,881	$3,112,152	0.0311
52	Finance & Insurance	$0	$3,596,159	$874,700	$4,470,859	0.0447
53	Real Estate & Rental	$0	$4,519,926	$351,819	$4,871,745	0.0487
54	Professional, Scientific, & Technical Services	$0	$4,741,104	$668,278	$5,409,382	0.0541
55-56	Mgmt of Companies and Administrative & Waste Services	$0	$4,656,369	$873,283	$5,529,652	0.0553
61	Educational Services	$0	$79,309	$46,730	$126,039	0.0013
62	Health & Social Services	$0	$8,103	$111,829	$119,932	0.0012
71	Arts, Entertainment, & Recreation	$0	$223,129	$30,932	$254,060	0.0025
72	Accommodation & Food Services	$0	$511,872	$204,756	$716,627	0.0072
81	Other Services	$0	$521,530	$162,072	$683,602	0.0068
92	Government	$0	$563,992	$172,568	$736,560	0.0074
	Total	**$100,000,000**	**$106,475,616**	**$25,947,472**	**$232,423,088**	**2.3242**

Impact based on national industry model and data.

Scenario 3: $100-Million Increase in Manufacturing Output

(Value added in 2008 U.S. dollars)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	$0	$1,833,385	$2,821	$1,836,206	0.0491
21	Mining	$0	$2,225,661	$12,320	$2,237,921	0.0599
22	Utilities	$0	$1,486,161	$57,321	$1,543,482	0.0413
23	Construction	$0	$228,397	$44,285	$272,682	0.0073
31-33	Manufacturing	$37,371,792	$22,676,534	$3,886,453	$63,934,779	1.7108
42	Wholesale Trade	$0	$4,014,297	$336,834	$4,351,132	0.1164
44-45	Retail Trade	$0	$265,683	$6,020,760	$6,286,443	0.1682
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	$0	$2,716,490	$1,081,047	$3,797,537	0.1016
51	Information	$0	$1,350,208	$186,039	$1,536,247	0.0411
52	Finance & Insurance	$0	$2,033,757	$494,674	$2,528,432	0.0677
53	Real Estate & Rental	$0	$2,851,047	$221,918	$3,072,965	0.0822
54	Professional, Scientific, & Technical Services	$0	$2,878,234	$405,699	$3,283,933	0.0879
55-56	Mgmt of Companies and Administrative & Waste Services	$0	$1,341,502	$251,593	$1,593,096	0.0426
61	Educational Services	$0	$56,127	$33,071	$89,198	0.0024
62	Health & Social Services	$0	$4,922	$67,931	$72,853	0.0019
71	Arts, Entertainment, & Recreation	$0	$138,890	$19,254	$158,144	0.0042
72	Accommodation & Food Services	$0	$265,656	$106,266	$371,922	0.0100
81	Other Services	$0	$279,203	$86,766	$365,969	0.0098
92	Government	$0	$302,088	$92,432	$394,520	0.0106
	Total	**$37,371,792**	**$46,948,185**	**$13,407,484**	**$97,727,461**	**2.6150**

Impact based on national industry model and data.

Scenario 3: $100-Million Increase in Manufacturing Output

(Employment)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	0.0	5.1	0.8	5.9	0.0254
21	Mining	0.0	5.6	1.5	7.1	0.0306
22	Utilities	0.0	2.6	0.6	3.2	0.0138
23	Construction	0.0	2.9	1.1	4.0	0.0171
31-33	Manufacturing	232.6	111.2	14.2	358.1	1.5390
42	Wholesale Trade	0.0	9.8	0.8	10.6	0.0456
44-45	Retail Trade	0.0	1.5	33.7	35.2	0.1511
482	Rail Transportation	0.0	1.8	0.3	2.1	0.0090
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	0.0	20.4	7.1	27.5	0.1181
51	Information	0.0	7.2	1.0	8.2	0.0354
52	Finance & Insurance	0.0	11.6	2.8	14.5	0.0622
53	Real Estate & Rental	0.0	9.6	0.7	10.4	0.0445
54	Professional, Scientific, & Technical Services	0.0	12.8	3.2	16.0	0.0688
55-56	Mgmt of Companies and Administrative & Waste Services	0.0	18.5	-0.8	17.7	0.0759
61	Educational Services	0.0	1.0	0.6	1.5	0.0066
62	Health & Social Services	0.0	0.1	1.0	1.1	0.0046
71	Arts, Entertainment, & Recreation	0.0	1.9	0.3	2.1	0.0091
72	Accommodation & Food Services	0.0	8.2	3.3	11.5	0.0494
81	Other Services	0.0	4.6	1.4	6.0	0.0259
92	Government	0.0	4.7	1.4	6.2	0.0265
	Total	**232.6**	**241.0**	**75.1**	**548.7**	**2.3587**

Impact based on national industry model and data.

Scenario 3: $100-Million Increase in Manufacturing Output

(Labor income in 2008 U.S. dollars)

NAICS Code	Industry	Direct	Indirect	Induced	Total	Multiplier
11	Ag, Forestry, Fishing & Hunting	$0	$115,937	$18,186	$134,123	0.0102
21	Mining	$0	$301,345	$82,423	$383,767	0.0291
22	Utilities	$0	$166,461	$38,364	$204,825	0.0155
23	Construction	$0	$144,872	$52,979	$197,851	0.0150
31-33	Manufacturing	$13,200,862	$6,309,837	$805,749	$20,316,447	1.5390
42	Wholesale Trade	$0	$628,434	$52,731	$681,165	0.0516
44-45	Retail Trade	$0	$40,975	$928,548	$969,523	0.0734
482	Rail Transportation	$0	$142,709	$24,726	$167,434	0.0127
48-49 x 482	Transportation & Warehousing Minus Rail Transportation	$0	$1,015,383	$353,257	$1,368,640	0.1037
51	Information	$0	$535,544	$73,790	$609,334	0.0462
52	Finance & Insurance	$0	$915,406	$222,656	$1,138,061	0.0862
53	Real Estate & Rental	$0	$571,285	$44,467	$615,753	0.0466
54	Professional, Scientific, & Technical Services	$0	$761,271	$191,118	$952,389	0.0721
55-56	Mgmt of Companies and Administrative & Waste Services	$0	$1,281,522	-$54,729	$1,226,793	0.0929
61	Educational Services	$0	$40,687	$23,973	$64,660	0.0049
62	Health & Social Services	$0	$4,691	$64,740	$69,431	0.0053
71	Arts, Entertainment, & Recreation	$0	$39,389	$5,460	$44,849	0.0034
72	Accommodation & Food Services	$0	$173,798	$69,521	$243,319	0.0184
81	Other Services	$0	$169,155	$52,567	$221,722	0.0168
92	Government	$0	$220,398	$67,437	$287,835	0.0218
	Total	**$13,200,862**	**$13,579,096**	**$3,117,963**	**$29,897,921**	**2.2648**

Impact based on national industry model and data.

Scenario 3: $100-Million Increase in Manufacturing Output
(Tax receipts increase in 2008 U.S. dollars)

	Employee Compensation	Proprietary Income	Household Expenditures	Enterprises	Indirect Business Taxes	Total
Transfers	$26,548					$26,548
Corporate Profits Tax				$4,395,469		$4,395,469
Indirect Bus Tax: Custom Duty					$199,470	$199,470
Indirect Bus Tax: Excise Taxes					$537,682	$537,682
Indirect Bus Tax: Fed NonTaxes					$243,750	$243,750
Personal Tax: Estate and Gift Tax						
Personal Tax: Income Tax			$2,683,835			$2,683,835
Personal Tax: NonTaxes (Fines- Fees						
Social Ins Tax- Employee Contribution	$1,477,317	$89,477				$1,566,794
Social Ins Tax- Employer Contribution	$1,499,192					$1,499,192
Sub-Total	**$2,976,508**	**$89,477**	**$2,683,835**	**$4,395,469**	**$980,902**	**$11,126,192**
Corporate Profits Tax				$798,584		$798,584
Dividends				$1,100,764		$1,100,764
Indirect Bus Tax: Motor Vehicle Lic					na	
Indirect Bus Tax: Other Taxes					$302,450	$302,450
Indirect Bus Tax: Property Tax					na	
Indirect Bus Tax: S/L NonTaxes					$358,625	$358,625
Indirect Bus Tax: Sales Tax					na	
Indirect Bus Tax: Severance Tax					na	
Personal Tax: Estate and Gift Tax						
Personal Tax: Income Tax			$485,398			$485,398
Personal Tax: Motor Vehicle License			na			$0
Personal Tax: NonTaxes (Fines- Fees			$148,567			$148,567
Personal Tax: Other Tax (Fish/Hunt)			$6,448			$6,448
Personal Tax: Property Taxes			na			$0
Social Ins Tax- Employee Contribution	$20,815					$20,815
Social Ins Tax- Employer Contribution	$83,267					$83,267
SubTotal	**$104,102**		**$640,414**	**$1,899,348**	**$661,075**	**$3,304,939**
Total	**$3,107,159**	**$89,477**	**$3,324,249**	**$6,294,818**	**$1,641,977**	**$14,457,679**

E.5 Comments Received From all Others on the Draft EIS

All other comments can be viewed on the electronic version of this Final EIS. The comments are arranged in numerical order in compressed folders. Please use Tables E-1 and E-2 above, to locate the comment you are looking for.