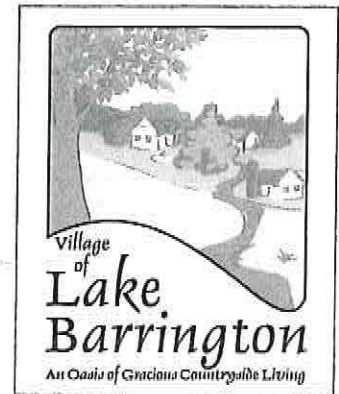


Village of Lake Barrington

23860 N. Old Barrington Road
Lake Barrington, Illinois 60010
www.lakebarrington.org
Email: Lakebarrington@lakebarrington.org
Phone: 1-847-381-6010 Fax: 1-847-381-8557

302558

ENTERED
Office of Proceedings
June 21, 2021
Part of
Public Record



PRESIDENT
Kevin C. Richardson

May 27, 2021

TRUSTEES
Andrew F. Burke
Richard J. Hayes, Jr.
Susie Perkins
John M. Schaller
James C. Thompson
Therese M. Van Ryne

The Honorable Cynthia T. Brown
Chief, Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

VILLAGE ADMINISTRATOR
Karen Daulton Lange

RE: FD 36514, Canadian National Ry. – Control – Kansas City Southern

VILLAGE ACCOUNTANT
Deborah E. Vernon

Dear Ms. Brown,

VILLAGE CLERK,
EXECUTIVE ASSISTANT &
FOIA OFFICER
Lisa C. Pena-Tlapa

As the Village Administrator of Lake Barrington, Illinois I am contacting you about the intention of Canadian National Railway to merge with Kansas City Southern. I urge the Surface Transportation Board to carefully consider whether approval of CN's Voting Trust request is warranted at this time due to the potential that CN's freight trains will further burden the Chicagoland area with increased road network congestion by adding a significant increase in freight rail volumes.

BUILDING PERMIT
ADMINISTRATOR &
DEPUTY CLERK
JULIA C. POWERS

While the region is a rail hub and has benefitted from the jobs that accompany that reality, the very existence of the CREATE program demonstrates that there must be a careful balancing of the broader public interest when it comes to a merger that has the potential to further burden communities, commuters, and the other regional economic drivers in the region. Whether a particular town has a rail line running through it, or a freight rail line creates roadway chokepoints for neighboring towns and communities, the impact stemming from 25% of U.S. rail freight touching the Chicagoland region each day is significant in the daily lives of millions living in the region.

VILLAGE TREASURER
Margaret M. Hirsch

For this reason, I respectfully request that the STB not approve the CN Voting Trust motion until it has done the review to answer the following regional concerns, as these impacts should help determine whether a CN-KCS merger is truly in the public interest of the region.

- How would a CN-KCS merger impact Metra operations?
- How would a CN-KCS merger impact Amtrak operations on its five Chicagoland lines given CN's history of issues vis-a-vis passenger rail service?
- To what extent are current CN operations on the former EJ&E rail line in conformance with what the railroad forecast in 2008, and how should updated operations data influence the Board's assessment of CN's operating plans in a 2021 CN-KCS merger?

May 27, 2021

The Honorable Cynthia T. Brown

Page Two

- How many train movements would be added to all of CN's rail lines in the region, including the EJ&E?
- How many grade crossings in the region would become substantially impacted by increased rail traffic stemming from a CN-KCS merger?
- How would emergency response service times be impacted if more grade crossings are substantially affected?
- To what extent would the merged railroads be required to mitigate community harms at their own expense?

Thank you for your careful consideration of my concerns and those of the residents of Lake Barrington, Illinois.

Sincerely,

A handwritten signature in black ink, reading "Karen Daulton Lange". The signature is fluid and cursive, with the first name "Karen" being the most prominent.

Karen Daulton Lange, PE, CFM
Village Administrator
Village of Lake Barrington

**VILLAGE OF WAYNE
DUPAGE AND KANE COUNTIES, ILLINOIS**

RESOLUTION NO. 21-R-07

**A RESOLUTION
REQUESTING THE SURFACE TRANSPORTATION BOARD
REVIEW THE CHICAGOLAND IMPACTS
BEFORE APPROVING A VOTING TRUST BETWEEN
CANADIAN NATIONAL RAILWAY AND KANSAS CITY SOUTHERN RAILWAY
STB DOCKET FD 36514**

**ADOPTED BY THE PRESIDENT AND
BOARD OF TRUSTEES OF THE
VILLAGE OF WAYNE
DUPAGE AND KANE COUNTIES, ILLINOIS**

THIS 1 DAY OF June, 2021

**PUBLISHED by authority of the
President and Board of Trustees
of the Village of Wayne, DuPage
and Kane Counties, Illinois
this 1 day of June, 2021.**

VILLAGE OF WAYNE
DUPAGE AND KANE COUNTIES, ILLINOIS

RESOLUTION NO. 21-R-07

A RESOLUTION
REQUESTING THE SURFACE TRANSPORTATION BOARD
REVIEW THE CHICAGOLAND IMPACTS
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CANADIAN NATIONAL RAILWAY AND KANSAS CITY SOUTHERN RAILWAY
STB DOCKET FD 36514

WHEREAS, rail freight traffic impacts communities all across the United States of America and especially the greater Chicagoland area, which is already the busiest railroad hub in the U.S. with one in four freight trains in the nation passing through Chicagoland every day;

WHEREAS, A CN-KCS merger has the potential to add significantly more rail freight to the greater Chicagoland area when – by CN’s own admission – synergistic KCS traffic will be routed through Chicagoland as it travels between Mexico, the Midwest, and both Canadian coasts;

WHEREAS, the Chicago Region Environmental and Transportation Efficiency Program or CREATE program was founded in 2003 to relieve regional rail freight congestion, but less than half of the 70 projects, which include signal improvements, track repairs and additions, flyovers that bridge track over a different line, and rail-highway grade separations have been funded and completed:

NOW THEREFORE, BE IT RESOLVED by the Village of Wayne, as the Corporate Authorities of said Village as follows:

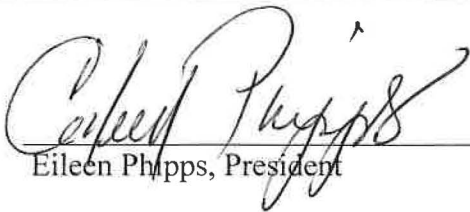
SECTION 1: We support careful scrutiny by the Surface Transportation Board (STB/Board) of the impacts in Chicagoland of a CN-KCS merger prior to a premature approval of a CN-KCS Voting Trust. Such scrutiny must include answering the following questions of critical import to the region:

- * How would a CN-KCS merger impact Metra operations?
- * How would a CN-KCS merger impact Amtrak operations on its five Chicagoland lines given CN’s history of issues vis-a-vis passenger rail service?
- * To what extent are current CN operations on the former EJ&E rail line in conformance with what the railroad forecast in 2008, and how should updated operations data influence the Board’s assessment of CN’s operating plans in a 2021 CN-KCS merger?
- * How many train movements would be added to all of CN’s rail lines in the region, including the EJ&E
- * How many grade crossings in the region would become substantially impacted by increased rail traffic stemming from a CN-KCS merger?
- * How would emergency response service times be impacted if more grade crossings are substantially affected?
- * To what extent would the merged railroads be required to mitigate community harms at their own expense?

SECTION 2: The Board shall reject the proposed CN-KCS Voting Trust if it finds that the merger would adversely impact Chicagoland by unacceptably increasing rail freight induced regional traffic congestion and interfere with dependable operations for Metra's commuter rail network and Amtrak's passenger rail service.

SECTION 3: The Board shall reject the proposed CN-KCS Voting Trust if it finds that the merger would further add to the list of regional rail-related mitigation projects in need of funding by taxpayers.

PASSED AND APPROVED THIS 1 DAY OF June, 2021
AYES: Truitt, Canally, Dinnitrop, Figueroa, Hall, Miller (5)
NAYS: none
ABSENT: none


Eileen Phipps, President

ATTEST:

Patricia Engstrom
Village Clerk

(SEAL)

STATE OF ILLINOIS)
) ss.
COUNTY OF DUPAGE)

CERTIFICATE

I, Patricia Engstrom, certify that I am the duly appointed and acting municipal Clerk of the Village of Wayne, DuPage and Kane Counties.

I further certify that on the corporate authorities of the said Village passed and approved **Resolution 21-R-07** entitled:

**RESOLUTION
REQUESTING THE SURFACE TRANSPORTATION BOARD
REVIEW THE CHICAGOLAND IMPACTS
BEFORE APPROVING A VOTING TRUST BETWEEN
CANADIAN NATIONAL RAILWAY AND KANSAS CITY SOUTHERN RAILWAY
STB DOCKET FD 36514**

The pamphlet form of **Resolution 21-R-07** including the Resolution and the cover sheet thereof, was prepared and published in pamphlet form by posting same at the Wayne Village Hall, on **June 2, 2021**. Copies of such resolution were also available for public inspection upon request in the Office of the Village Clerk.

Dated at Wayne, Illinois this **2nd** day of **June, 2021**.


Patricia Engstrom, Village Clerk

(SEAL)

STATE OF ILLINOIS)
) ss.
COUNTY OF DUPAGE)

CERTIFICATION

I, Patricia Engstrom, the undersigned, do hereby certify that I am the duly appointed and acting Clerk of the Village of Wayne, DuPage and Kane Counties, Illinois, and as such Clerk, I am the keeper of the records and files of the Village President and Board of Trustees of the said Village.

I do further certify that the foregoing constitutes a full, true and complete copy of **Resolution No. 21-R-07** entitled:

**RESOLUTION
REQUESTING THE SURFACE TRANSPORTATION BOARD
REVIEW THE CHICAGOLAND IMPACTS
BEFORE APPROVING A VOTING TRUST BETWEEN
CANADIAN NATIONAL RAILWAY AND KANSAS CITY SOUTHERN RAILWAY
STB DOCKET FD 36514**

I do further certify that the deliberations of the President and the Board of Trustees on the adoption of said Resolution was taken openly; that the vote on the adoption of said Resolution was taken openly; that the meeting was a regular meeting of the President and the Board of Trustees, at which time a quorum was present; that said meeting was held at a specified time and place convenient to the public; that said meeting was held in strict accordance with the provisions of the Open Meetings Act, as amended, and its procedural rules in the adoption of said Minutes.

IN WITNESS THEREOF, I have hereto affixed my official signature and the corporate seal of said Village of Wayne, DuPage and Kane Counties, Illinois this **1st** day of **June, 2021**.


Patricia Engstrom, Village Clerk

(SEAL)

CERTIFICATE OF SERVICE TO STB DOCKET FD 36514

I certify that a true and correct copy of the letters/resolutions from WAYNE, IL and Lake Barrington, IL have been served this 18h day of June 2021, on all parties of record.

Suzanne M. Devane
On Behalf of Commenters