



December 15, 2021

Joshua Wayland
Office of Environmental Analysis
Surface Transportation Board, c/o VHB
940 Main Campus Drive, Suite 500
Raleigh, NC 27606

**Subject: FD 36500, Canadian Pacific Ry. – Control – Kansas City Southern–
Request for Comments on Scope of EIS**

Dear Mr. Wayland;

On behalf of the residents and businesses in Itasca Illinois, I Jeffery Pruyn, Mayor, submit this letter in response to the Notice of Intent to Prepare an Environmental Impact Statement (EIS) served in the captioned proceeding on November 12, 2021. That decision, in part, invited public comment on the scope of the EIS to be prepared by the Surface Transportation Board's (STB) Office of Environmental Analysis (OEA).

Located less than three miles west of O'Hare Airport, the Village of Itasca is nestled at the crossroads of I-355, I-290 and I-390, making it an ideal location to live and work. While Itasca has one of the smallest residential populations in DuPage County with under 10,000 residents, our daytime population more than doubles as thousands of people come to work in office and industrial parks in town. Residents and businesses choose Itasca, in part, because of its easy access to the roadway network that connects us to the Chicagoland region. Therefore, maintaining efficient driving access through town is vital to Itasca's business community and quality of life for Itasca residents.

It is of critical importance to the Village of Itasca that OEA ensure the scope of the EIS includes a thorough examination of the potential impacts of the proposed merger on the roads and communities in the Village of Itasca and the greater Chicago area. Based on the information we have reviewed to date, the proposed merger would further burden Itasca and the entire Chicagoland area with increased road network congestion by significantly increasing freight rail volumes over existing rail lines. Additionally, we believe the merger will significantly increase public safety response times and disproportionately impact low-income residents in our community.

Specifically, we understand the merger applicants estimate that traffic over the Milwaukee District West Metra line (Metra MD-West) between the Bensenville Rail Yard and Randall Road is expected to increase by 235% - or 8 freight trains per day (TPD) - and by 128%, or 17.44 million Annual Gross Ton Miles (GTMs). The impacts from such increases will be felt most strongly at the following five at-grade railroad crossings within the Village of Itasca: Rohlwing Rd (US DOT #372184D), Catalpa Ave (US DOT #372182P), Itasca Pedway (US DOT #372181H), Walnut St (US DOT #372180B), Prospect Ave (US DOT #372179G).

Itasca's only police and fire stations are located south of Metra MD-West tracks, while the majority of our population lives and works north of the tracks. The total distance between Itasca's five at-grade crossings is approximately just over 9,000 feet, making it very possible for all five crossings to be blocked by a single freight train. Depending on the length and speed of trains, Itasca has serious concerns about how this merger will impact emergency response times throughout our community. What guarantees will be provided to the Village that trains will not queue within Itasca, causing the crossings to be blocked? If this cannot be guaranteed the merged CP/KCS railroad should be required to fund 100% of the cost of an overpass/underpass so that there is at least one unobstructed north/south crossing in our community.

Itasca's institutional memory is long. In 1963, the Itasca Country Club burned to the ground after a slow-moving train prevented firefighters from responding to the blaze quickly. Furthermore, I was recently reminded that several years ago, a freight car derailed on a CP spur line in Itasca, resulting in a local roadway being blocked for several days. Multiple requests to CP to repair and maintain its spur tracks in Itasca by both our Public Works and Public Safety staff have fallen on deaf ears. I invite you to come visit our town and observe for yourself CP's historic commitment to our community.

Currently, there is approximately 6,300 linear feet of existing residential, and/or zoned residential areas adjacent to the existing tracks that will be significantly impacted by the proposed increased number of freight trains. The Village has a significant number of low-income households in multifamily housing adjacent to the train line that we are concerned will be disproportionately impacted by the merger.

While the Chicago region is a rail hub and has benefitted from the jobs that accompany that reality, the very existence of the Chicago Region Environmental and Transportation Efficiency Program (CREATE) 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. The Village believes a reasonable condition to be placed on approval of the proposed merger to minimize or eliminate impacts to current residents and businesses is to require CP to construct new rail lines within existing interstate roadway corridors that already bisect our towns.

We also believe that the applicants' estimates that freight rail traffic would only increase by a mere 8 freight trains a day are too low, and that rail traffic would instead continue to increase by an indeterminant amount due to the "once in a lifetime partnership" (CP News Release, September 15, 2021 – Calgary and Kansas City, MO) between CP and KCS railroads. New business opportunities alone would guarantee the combined railway network would increase by far more than the 8 freight trains daily (Bensenville-Randall Rd, Chicago area) asserted in the submittal materials. The STB should reconsider the train traffic impacts from the currently approved "five years after" (Floyd-Venable, LLP, Request A Response, October 2021) time period and increase this for a period of no less than 10 years due to the unique nature and incredible growth potential that comes with connecting three countries together.

For this reason, I respectfully request that the scope of the EIS include an examination of the following additional concerns and potential impacts:

- Average freight train length with and without the merger between the CP and KCS. This information was neither included in the STB information request (May 2021) nor provided in the CP-KCS submittal materials (October 2021). To the extent that the CP-KCS increased rail traffic involves increasing the average freight train length, communities and emergency response can be fatally impacted if train lengths cause multiple at-grade rail crossings to be simultaneously blocked during normal and routine daily train operations.
- How many grade crossings in the region would become substantially impacted by increased rail traffic stemming from a CP-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?
- Has an ICC hearing been conducted to review the economic impacts to the communities that will experience increased train traffic?
- Will funds be set aside for residents and businesses to access for noise mitigation upgrades to homes and businesses?
- Has CP worked with Metra to discuss the need for a sealed corridor between at-grade crossings to prevent trespassing?
- What impacts will additional rail traffic have on the ecological character,

- function and sustainability of Springbrook Creek and adjacent floodplains, Springbrook Nature Center, Itasca Riverwalk and park/forest preserve assets.
- 235% increase in daily number of trains traveling through the Village
 - The proposed merger of CP-KCS would increase the average number of freight trains that move through the Village from the current 3 freight trains per day to 11 freight trains per day (OEA Information Request 1-A2/Elgin Subdivision- Tower B12, IL to Randall Road, IL: Segments C-ELGI-01, C-ELGI-02). The increased noise will become, at best, an ever present nuisance. In addition, this will cause severe delays for all motor vehicles attempting to pass through the Village, including school buses transporting students to school. Most importantly, it will have a potentially lethal impact on victims of traffic accidents, emergency medical incidents, criminal activity and other emergencies by delaying Police, Fire and EMS response times. It is true that the Village has mutual aid agreements with other emergency service providers. Such agreements, however, were never intended to deal with the breadth and scope of the interference that will be caused by the proposed increase in freight train traffic. It is questionable whether the Village will be able to maintain such agreements in light of the burdens caused by the anticipated traffic congestion and delays.
 - 128% Increase in Daily Gross Tons of Freight Traveling Through the Village
 - The proposed merger would increase the gross daily tons miles (GTMs) of freight that moves through the Village from the current rate of 37,205 (14 million annual GTMs) gross daily tons miles to 84,986 (31 million annual GTMs) gross daily tons miles (OEA Information Request 1-A2, Elgin Subdivision – Tower B12, IL to Randall Rd, IL: Segments C-ELGI-01, C-ELGI-02). This is an increase of 47,781 gross GTMs. The increased tonnage combined with the increased volume of trains will create strong and persistent vibrations that will constitute a nuisance and a danger to homes and other buildings near the CP-KCS (Metra Milwaukee District West) rail line. Moreover, it has not been established that the rail line itself is able to withstand the increased tonnage and volume. The Village Engineer estimates that, due such tonnage increases, the at-grade crossings will suffer damage requiring costly repairs.
 - 18% Increase in Daily Carloads of Hazardous Materials Traveling Through the Village
 - The proposed merger would increase the daily carloads of hazardous material that moves through the Village from 167 (61,000 annual) carloads to 197 (72,000 annual) carloads per day (OEA Information Request 1-F, Hazardous Materials, Elgin Subdivision – Segment C-ELGI-01, Bensenville Metra, IL to Randall Rd, IL). This is an increase of 30 (11,000 annual) carloads per day. This is a critical issue, as potential accidents would have disastrous consequences, particularly because the CP-KCS (Metra Milwaukee District West) rail line runs adjacent to residential areas including nearby schools.

- Increased Risk of Accidents
 - The projected increase in the number of trains that would pass through at-grade crossings due to the CP-KCS railway merger on a daily basis would result in an increased risk of accidents. Not only would the risk of accidents increase at the at-grade railroad crossings, but the risk of accidents would also increase on other roads throughout the Village as vehicles attempt to avoid the crossings. This risk would increase exponentially as ADT levels are projected to increase due to future population growth in the region.
- 140% Increase in Number of Train Cars – Impacts on Noise, Vibration and Air Quality (Effects on Environment and Property Values)
 - The increases in train frequency and tonnage will create continuous noise and vibrations. The proposed merger would increase the total number of train cars from 457 daily (167,000 annual) cars to 1,098 daily (401,000 annual) cars (OEA Information Request 1-F, Hazardous Materials – Elgin Subdivision – Segment C-ELGI-01, Bensenville Metra, IL to Randall Road, IL). This is an increase of 638 daily (233,000 annual) cars. The cumulative effect of these added train cars creates disturbances over time that could severely impact the local environment and the safety and property values of nearby homes. Who will compensate property owners or mitigate these impacts? Furthermore, increases in motor vehicles delayed at at-grade railroad crossings will significantly increase carbon emissions and negatively impact air quality in the Village.
- Costs of creating new and maintaining existing whistle ban/Quiet Zones
 - The increase in train traffic and related sounding of train horns may lead to the need for the establishment of new Quiet Zones. In addition, existing whistle bans/quiet zones may no longer be in compliance with 49 CFR Parts 222 and 229 – Use of Locomotive Horns at Highway-Rail Grade Crossings (Train Horn Rule) and may require costly safety measures to be installed to maintain the quiet zone. The cost should be the responsibility of CP.
- Interference with suburban commuter rail service
 - The proposed merger will interfere with efforts to create suburb to suburb mobility for residents, workers and visitors in the region and is expected to cause delays for commuter train traffic due to freight train operations. The total daily passenger trains (commuter) is 47 as reported in the materials submitted to the STB (OEA Information Request 1-D, Elgin Subdivision, Segments C-ELG-01, C-ELGI-02).
- Impact on spur lines
 - CP owns several spur lines in the Village of Itasca, which are currently in terrible condition. If CP has an opportunity to divert freight trains to these lines, we request that impacts of at grade crossings along the spur lines be examined as part of this process.

Because of a flaw in CP's on-line notification process, the Village first became aware of the details of this merger on December 1, 2022, well into the public scoping comment schedule. As a result, our community and others have had to scramble to get up-to-speed on complex rail regulations and the effects of this merger. We know our residents and businesses will want to understand how this will impact their daily lives. Therefore, we request that OEA allow for an extended period during which comments on the draft EIS may be submitted given the millions of people who would be affected by the merger.

Finally, the Village of Itasca urges OEA to thoroughly examine the foregoing negative impacts as part of its EIS process, and to develop and recommend appropriate mitigation requirements on which the STB's approval of the proposed CP-KCS merger would be expressly conditioned. Furthermore, the Village requests that OEA allow for an extended period during which comments on the draft EIS may be submitted given the millions of people who would be affected by the merger.

Thank you for your careful consideration of my concerns and those of the citizens and businesses in Itasca, IL.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jeff Pruyn', with a long, sweeping horizontal stroke extending to the right.

Jeff Pruyn
Mayor

Email: mayor@itasca.com