



EI-31465

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December 15, 2021

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

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

Dear Mr. Wayland:

I am the Mayor of the City of Elgin, Illinois and am submitting 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). On behalf of the City of Elgin, I urge OEA to ensure that the scope of the EIS includes a thorough examination of the potential impacts of the merger on the roads and communities of the City of Elgin and the greater Chicago area. Based on the information reviewed to date, there is the potential that the merged railroads will further burden the Chicagoland area with increased road network congestion by significantly increasing freight rail volumes over existing rail lines.

Specifically, Elgin understands the merger applicants estimate that traffic over the Milwaukee District West Metra line (Bensenville Metra) between the Bensenville Rail Yard and Randall Road is expected to increase by 235%, or eight freight trains per day (TPD), and 128%, or 17.44 million Annual Gross Ton Miles (GTMs). Continuing westward, the CP segment between Randall Road and Davis Junction is expected to experience an increase of 253% or eight freight trains per day (TPD) and 124% or 15.59 million GTMs.

The impacts from these increases will be felt most strongly across the following 21 at-grade railroad crossings within the City of Elgin:

- ITW Parking Lot (US DOT #372215A)
- ITW Docks (US DOT #372216G)
- Illinois Route 25 (US DOT #372217N)
- Raymond Street (US DOT #372235L)
- Elgin Avenue (US DOT #372236T)

- National Street E. Ped (US DOT #920582W)
- National Street C. Ped (US DOT #920583D)
- National Street W. Ped (US DOT #920584K)
- National Street (US DOT #372239N)
- Elgin E. Ped (US DOT #920586Y)
- Elgin W. Ped (US DOT #920587F)
- W. Chicago Street (US DOT #372240H)
- Highland Avenue WB (US DOT #372241P)
- Kimball Street (US DOT #372242W)
- Private Road (US DOT #372243D)
- McLean Boulevard (US DOT #372246Y)
- Big Timber E. Ped (US DOT #920588M)
- Big Timber W. Ped (US DOT #920589U)
- Private Road (US DOT #372251V)
- Highland Avenue (US DOT #372253J)
- Private Farm (US DOT #372256E)

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. 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. Freight rail line creates roadway chokepoints in surrounding municipalities even when those communities do not have rail lines within their borders.

Elgin also believes the applicants' estimates of freight rail traffic increasing by only eight freight trains a day are too low and that rail traffic will instead continue to increase by an indeterminant amount due to the "once in a lifetime partnership" between CP and KCS railroads (CP News Release, September 15, 2021 – Calgary and Kansas City, MO). New business opportunities alone will guarantee the combined railway network will increase by far more than the eight 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" timeframe (Floyd-Venable, LLP, Request A Response, October 2021) and increase that timeframe for a period of not less than ten years due to the unique nature and incredible growth potential that comes with connecting three countries in a unified rail system.

For this reason, I respectfully request the scope of the EIS includes an examination of the following regional concerns and potential impacts:

- Average freight train length with and without the merger between the CP and KCS railway. This information was not 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 rail traffic involves increasing the average freight train length, emergency responders (police and fire) risk being negatively impacted with significant repercussions when 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 will become substantially impacted by increased rail traffic stemming from a CP-KCS merger?
- How will emergency response service times be impacted if more grade crossings are substantially affected?
- To what extent will the merged railroads be required to mitigate community harms at their own expense?
- 235% (east of Randall Road) to 253% (west of Randall Road) Increase in Daily Number of Trains Traveling Through Elgin
 - The proposed merger of CP-KCS will increase the average number of freight trains that move through the City from the current three freight trains per day to eleven freight trains per day (OEA Information Request 1-A2/Elgin Subdivision-Tower B12, Illinois to Randall Road, Illinois: Segments C-ELGI-01, C-ELGI-02; Randall Road, Illinois to Davis Junction, Illinois, Segment C-CHIC-03). 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 city, including school buses transporting students to school. Most importantly, it will potentially have negative impacts on victims of traffic accidents, emergency medical incidents, criminal activity and other emergencies by delaying police, fire and EMS response times. Although Elgin has mutual aid agreements with other emergency service providers, those agreements are not intended to deal with the breadth and scope of interference that will be caused by the proposed increase in freight train traffic. It is questionable whether Elgin will be able to maintain such agreements given the burdens caused by the anticipated traffic congestion and delays.
- 128% Increase in Daily Gross Tons of Freight Traveling Through the City
 - The proposed merger will increase the gross daily tons miles (GTMs) of freight that moves through Elgin.
 - East of Randall Road 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, Illinois to Randall Rd, Illinois: Segments C-ELGI-01, C-ELGI-02). This is an increase of 47,781 gross GTMs West of Randall Road, the GTMs of freight that moves through Elgin will increase from the current rate of 35,616 (13 million annual GTMs) gross daily tons miles to 76,712 (28 million annual GTMs) gross daily tons miles (OEA Information Request 1-A2, Chicago Subdivision – Randall

Road, Illinois to Davis Junction, Illinois: Segment C-CHIC-03). 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 city engineer estimates that, due such tonnage increases, the at-grade crossings will suffer damage requiring costly repairs.

- 18% Increase East of Randall Road and 22% Increase West of Randall Road in Daily Carloads of Hazardous Materials Traveling Through Elgin
 - The proposed merger would increase the daily carloads of hazardous material that moves through Elgin east of Randall Road 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, Illinois to Randall Road, Illinois). This is an increase of 30 (11,000 annual) carloads per day. West of Randall Road the daily carloads of hazardous materials would increase from 126 (46,000 annual) carloads per day to 156 (57,000 annual) carloads per day. This also equates to 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 daily number of trains passing through at-grade crossings due to the CP-KCS railway merger will result in an increased risk of accidents. Not only will the risk of accidents increase at the at-grade railroad crossings, but the risk of accidents will also increase on other roads throughout the City as vehicles attempt to avoid the crossings. This risk will increase exponentially as ADT levels are projected to increase due to future population growth in the region.
- 135% Increase West of Randall Road and 140% Increase East of Randall Road 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 will increase the total number of train cars from 457 daily (167,000 annual) cars to 1,098 daily (401,000 annual) cars east of Randall Road (OEA Information Request 1-F, Hazardous Materials – Elgin Subdivision – Segment C-ELGI-01, Bensenville Metra, Illinois to Randall Road, Illinois). This is an increase of 638 daily (233,000 annual) cars. Similarly, west of Randall Road the total number of trains would increase from 474 daily

(173,000 annual) cars to 1,115 daily (407,000 annual) cars (OEA Information Request 1-F, Hazardous Materials – Chicago Subdivision – Segment C-CHIC-03, Randall Road, Illinois to Davis Junction, Illinois). This equates to an increase of 641 daily (234,000 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. Furthermore, increases in motor vehicles delayed at at-grade railroad crossings will significantly increase carbon emissions and negatively impact air quality in Elgin.

- 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 comply 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 of this quality-of-life issue will be mainly borne by Elgin.
- 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 (commuter) trains number 47 as reported in the materials submitted to the STB (OEA Information Request 1-D, Elgin Subdivision, Segments C-ELG-01, C-ELGI-02).

The City of Elgin urges OEA to thoroughly examine the foregoing negative impacts as part of its EIS process and to develop and recommend appropriate mitigation requirements in which the STB's approval of the proposed CP-KCS merger will be expressly conditioned. Furthermore, the City of Elgin 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 residents of Elgin.

Sincerely,



David J. Kaptain
Mayor