

COUNTY OF KANE

Corinne M. Pierog MA, MBA
Kane County Board Chairman



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August 25, 2022

Joshua Wayland
Surface Transportation Board
Environmental Filing, Docket No. FD 36500
c/o VHB
940 Main Campus Drive Suite 500
Raleigh, NO 27606

RE: Comments on Canadian Pacific Acquisition of Kansas City Southern

Dear Mr. Wayland-

Kane County's staff has reviewed the Draft Environmental Impact Statement (EIS) for the Canadian Pacific Acquisition of Kansas City Southern (the Acquisition). Kane County is one of several Counties in Illinois that is a nonattainment area where NOx is of particular concern due to the resulting ground level ozone. Kane County is rated as Serious. The Acquisition-related Emissions (tons/yr) of NOx in Kane County is 45.5, third highest in the listing of all nonattainment Counties in the EIS with similarly high levels of VOC and Particulate Matter. While noted as being less than one percent of the overall emissions budget for the nonattainment area, one percent is statistically significant in an area already rated as Serious.

As you are aware, people with asthma, children, older adults and people who are active outdoors, including outdoor workers, are most at risk of breathing air containing ozone. Ozone can cause the muscles of the airways to constrict, trapping air in the alveoli leading to difficulty breathing deeply, inflamed and damage to airways, making lungs more susceptible to infection, aggravating lung diseases and increasing the frequency of asthma attacks. Long term exposure to ozone is also linked to aggravation of asthma and asthma development as well as elevated deaths from respiratory causes (source: <https://www.epa.gov/ground-level-ozone-pollution/health-effects-ozone-pollution>).

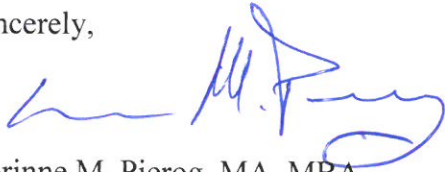
Kane County is invested in the health and wellness of our residents and the County's impact on the environment. On August 9, 2022, the Kane County Board approved a contract with paleBLUEdot LLC to develop a Climate Action Implementation Plan that will provide adaptation goals, targets and objectives based upon the Metropolitan Mayors Caucus Climate Action Plan and Greenest Region Compact to provide strategies that are environmentally, economically and socially equitable.

While the EIS notes that additional generation of NOx will be reduced by -231.2 tons/year, as a result of the Acquisition will be addressed under the State Implementation Plan balanced by an overall reduced rate of trucking due to the Acquisition. But, for the residents of Kane County who have demonstrated a strong commitment to Climate Action and health and wellness of its residents, the level of proposed NOx increase is unreasonable. Mitigation measures specific to Kane County should be included in the EIS.

Grade separations or other infrastructure improvements need to be identified to help mitigate the increased levels of NO_x, VOC, Particulate Matter and other air pollutants resulting from the Acquisition. Kane County further requests that these be listed and prioritized in terms of their effectiveness as part of the EIS document. These priorities would serve as a basis for the railroad to work with local communities in Kane County to improve the quality of life for impacted residents of the corridor.

Thank you for your consideration of these concerns. Please feel free to reach out to me at the above number or Jodie Wollnik, Director of Environmental & Water Resources for Kane County at 630-232-3499.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Pierog', with a stylized flourish at the end.

Corinne M. Pierog, MA, MBA
Kane County Board Chairman