



COMMENTS OF THE COALITION TO STOP CPKC ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Pursuant to the Decision issued by the Surface Transportation Board’s (“STB” or “Board”) Office of Environmental Analysis (“OEA”) in this proceeding on September 6, 2022, the Village of Itasca, Illinois, the Village of Bensenville, Illinois, City of Wood Dale, Illinois, Village of Roselle, Illinois, Village of Schaumburg, Illinois, Village of Hanover Park Illinois, Village of Bartlett, Illinois, City of Elgin, Illinois, and DuPage County, Illinois (collectively called the Coalition to Stop CPKC (“Coalition”)), hereby submit these Comments to OEA on the Draft Environmental Impact Statement (“DEIS”).

I. Introduction

The Coalition communities are located along an approximately 23-mile segment of a line of railroad in metropolitan Chicago, Illinois owned by the Commuter Rail Division of the Regional Transportation Authority d/b/a Metra (“Metra”).¹ The Coalition segment (referred to as the “Coalition Line” in these comments) is part of the 40-mile line Metra designates its Milwaukee

¹ See Maps at Exhibit A.

District West Line (“MD-W Line”). The line is also known as Canadian Pacific Railway Company’s (“CP”) Elgin Subdivision, as CP operates over the MD-W line pursuant to trackage rights.

The Coalition members are located along the MD-W Line from approximately Milepost 17.3 to Milepost 40.6, where the track joins the CP-owned Chicago Subdivision.² The MD-W Line/Elgin Subdivision is currently one of the busiest lines of railroad within CP’s system, with dozens of commuter train movements each day, as well as the movement of CP freight trains, some more than 10,000 feet in length.

Since the inception of this merger proceeding, the Coalition member communities have provided OEA with detailed information about the very real and substantial harms that the proposed merger will have on their citizens and businesses, and they have implored OEA to conduct a detailed analysis of those potential harms. These concerns were voiced initially by each of the Coalition members in letters to OEA responding to its Notice of Intent (“NOI”) to prepare an Environmental Impact Statement as part of the STB’s review process. In the letters, which are collected in Exhibit B of these Comments, each Coalition member provided OEA with information about the impacts of the merger on the member’s community, and the scope of the analysis necessary for OEA to comply with its responsibilities under the National Environmental Policy Act (“NEPA”) and the Board’s regulations and policies. Among the points made to OEA was the communities’ collective concern that the estimated increase of eight freight trains per day that the merger Applicants had provided to OEA prior to the NOI, while harmful in and of itself, very likely understated the true number of freight trains that would traverse the line post-merger. The Coalition asserted that the harm that will be caused by the stated and actual rail operations post-

² Coalition Comments at 3.

merger would require any approval of the merger by the Board to be subject to significant conditions to attempt to try to avoid the harm to their communities.

In sharp contrast to the stated concerns and observations of the Coalition, the preliminary conclusion of OEA, as expressed in the DEIS, is “that apart from train noise, which could result in adverse impacts at some locations, the potential adverse impacts of the Proposed Acquisition would be negligible, minor, and/or temporary.” Moreover, as to the critical impacts to the Coalition communities from the merged railroad’s proposed operations, such as rail crossing safety and traffic delays from crossing blockage – in particular the delays of first responder vehicles and personnel – the DEIS preliminarily concludes that there would only be “minor impacts” that require no additional mitigation measures.

On September 12, 2022, over two dozen representatives of the Coalition and residents of their respective communities appeared and provided oral testimony to OEA in the Village of Itasca voicing their many concerns with the DEIS as written. In these Comments, the Coalition expands on the deficiencies it has identified with the DEIS and specific areas where the DEIS must be supplemented with detailed additional analysis on the potential impacts the merger will have on Coalition communities. The Coalition also presents OEA with several mitigation measures it should recommend the Board should direct the Applicants to implement as a condition for any approval of their proposed merger.

II. Applicable Standards

The National Environmental Policy Act imposes a procedural requirement on federal agencies to “take a [] ‘hard look’ at the potential environmental consequences” of a proposed

action.³ Moreover, “[t]hrough these procedural requirements, NEPA seeks to make certain that agencies ‘will have available, and will carefully consider, detailed information concerning significant environmental impacts, and that the relevant information will be made available to the [public] audience.’”⁴

Additionally, under 40 C.F.R. 1502.9(d), an agency “shall prepare supplements to either draft or final environmental impact statements if . . . (ii) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts,” and it “may also prepare supplements when the agency determines that the purposes of [NEPA] will be furthered by doing so.”⁵

As explained in more detail in these Comments, the Coalition strongly believes that the DEIS falls well short of taking the requisite “hard look” at the impacts of the proposed merger of CP and the Kansas City Southern Railway (“KCS”), in particular the impacts of the merger on the Coalition communities. Moreover, the DEIS is so bereft of any specific analysis of the impacts of the proposed merger on the Coalition communities that OEA *must* supplement the DEIS because there is substantial information missing from the DEIS that bears directly on the impacts of the proposed action on the Coalition communities. The DEIS must also be supplemented because to do so will further the purposes of NEPA of requiring agencies to carefully consider *detailed* information concerning significant environmental impacts and make that detailed information on which its conclusions are based available to the public.

³ *N. Plains Res. Council v. Surface Transp. Bd.*, 668 F.3d 1067, 1075 (9th Cir. 2011) (citation omitted)

⁴ *Id.*; citing *N. Idaho Cnty Action Network v. U.S. Dep’t of the Transp.*, 545 F.3d 1147, 1153 (9th Cir. 2008).

⁵ 40 C.F.R. §1502.9(d)(2)(emphasis added).

III. The DEIS is Deficient in Numerous Key Areas as to the Coalition Line

A. The DEIS is Deficient Because Its Conclusions are Largely not Based on Any Actual Data About the Coalition Line

The DEIS appears to have “analyzed” the impact of the proposed merger almost entirely by applying broad national statistical information to the combined system, and through desktop computer modeling utilizing the operating data Applicants submitted with their original merger application, which Coalition, the Commuter Rail Division of the Regional Transportation Authority d/b/a Metra (“Metra”) and others have credibly asserted to be seriously flawed. According to the DEIS, OEA conducted no site visits to the Coalition communities to observe any of the rail operations along the Coalition Line. Nor did OEA perform any actual traffic or crossing studies along any portion of the Coalition Line or inquire of whether local officials and agencies had conducted such studies that could be factored into OEA’s analysis. Nor did OEA seek any actual data that had been collected by any Coalition communities on the potential impacts of noise and vibration. The lack of actual data or analysis of the specific circumstances of the Coalition communities simply does not meet NEPA’s fundamental requirement that the agency will have available, and carefully consider, detailed information concerning significant environmental impacts from a proposed action.

B. The DEIS’s Conclusions Are Based on a Flawed Operating Plan and Highly Disputed Data Submitted by Applicants

1. Freight Trains Per Day on the Coalition Line Post-Merger are Likely to be Considerably Higher than Applicants Represent

In their Application CP and KCS represented that the number of freight trains on the western end of the Elgin Subdivision and Coalition Line would increase by eight over the three years after merger approval. This would increase the number of freight trains per day from approximately

three to 11. This increase alone will cause significant impacts on the Coalition communities. However, the Coalition and Metra – and to some extent the Canadian National Railway (“CN”) - have presented evidence to the Board demonstrating that Applicants have significantly understated the actual number of freight trains that would traverse the line and the freight operations that would disrupt and impact the Coalition communities. The Applicants’ filings also confirm that the eight trains a day is likely low. There are several reasons for this. First, the Applicants’ statements that they plan to divert “6.0”⁶ freight trains from the Chicago area and the Coalition Line by transporting them instead over CP’s Marquette Subdivision are highly suspect. In Metra’s filings it has demonstrated that this diversion does not appear to be feasible for the indefinite future given the poor physical state of the Marquette Subdivision and the uncertain timing for the construction of the additional capacity necessary to accommodate the diversion. This means that some, or all, of the six freight trains will have to be routed over the Elgin Subdivision and the Coalition Line, since there would be no other route for the merged railroad to reach Kansas City using its tracks. As such, the new trains per day count will not be eight, but rather as high as 14.

Second, Metra retained rail economic and operations experts to conduct a comprehensive, detailed modeling analysis of the Operating Plan’s impact on Metra’s passenger rail operations utilizing the Rail Traffic Controller (“RTC”) modeling methodology that is recognized by the Board and utilized in its proceedings. The RTC modeling analysis revealed that, in addition to the issues with the planned diversion of six trains over the Marquette Subdivision, the Applicants’ Operating Plan undercounted traffic by excluding other freight rail operations on the line post-merger, such as unit trains, operations by foreign railroads, and local switching operations, all of

⁶ In their original Operating Plan, the Applicants stated the number of diverted trains would be 6.6. They changed that number to 6.0 in their Amended Operating Plan.

which utilize capacity on the line. Specifically, Metra’s analysis revealed “over 100 freight and passenger trains traverse Metra’s MD-W and MD-N daily and the volume causes both Metra and CP to incur multiple train delays daily. The pre-and post-merger train counts cited by Applicants represent only a small fraction of the trains that traverse those lines.”⁷

Finally, in their Amended Operating Plan submitted on May 13, 2022, the Applicants amended their prior statements that the eight additional trains on the Coalition Line would be longer by stating that “[i]n many lanes, such as CP’s Chicago and Elgin Subdivisions in Illinois, the expansion of the CPKC train network will lead to *reductions* in the average length of trains as the additional traffic is spread across more train starts and train length is managed to make efficient use of available siding locations.”⁸ In a subsequent filing on July 12, 2022, the Applicants added that any reduction in average train length would mean increasing the number of trains, which is yet another indicator that the eight trains per day on which many of the conclusions in the DEIS are based is incorrect, and therefore to utilize that number for baseline data from which to draw conclusions significantly understates the environmental impacts of the merger on the Coalition Line.

Given the substantial uncertainty over the actual number of trains that may traverse the Coalition Line post-merger, the conclusions drawn by OEA and set forth in the DEIS based solely on data supplied in the Application are not adequately supported or defensible. In order to more accurately assess the impacts to the Coalition communities in critical areas under OEA’s

⁷ *Id.* at 56. Metra went a step further as to the Marquette Subdivision and stated that even if the planned capital improvements are made, regardless of the timing, “Metra’s modeling also shows that Applicants’ new North-South Corridor, and specifically the Marquette Subdivision, cannot handle expected new traffic on it, even with proposed capital improvements. As a result, Applicants will likely divert even more traffic to Metra’s lines.” *Id.* at 18.

⁸ Amended Operating Plan at 75-76 (emphasis added).

jurisdiction (crossing safety, crossing delays, noise, vibration, hazardous materials, etc.) the DEIS must be supplemented with an examination of the potential impacts from what could be as many as 14 or more new daily freight trains post-merger, some of which could be 15,000 feet long.

C. The Applicants' Stated Plans to Utilize the Bensenville and Schiller Park Yards are Flawed and Mask the Actual Environmental Impacts

The Coalition's Opening Comments and its Supplemental Opening Comments expressed the Coalition's concerns with the Applicants' plans to dramatically increase the usage of the tracks and roads surrounding the Bensenville Yard, already one of the busiest rail yards on CP's entire system. The post-merger plans are particularly problematic for the Village of Bensenville, whose boundaries extend east past the beginning of the western end of the Elgin Subdivision into the busier tracks utilizing the Bensenville Yard. Typical examples cited by Metra include (1) CP impermissibly stopping freight trains on the Metra main line for crew and locomotive changes instead of inside the yard; (2) two long CP trains arriving at the Bensenville Yard at the same time, again clogging the Metra main line; and (3) longer trains (10,000 plus feet) causing delays because there is insufficient track in the yard to accommodate the longer trains and their ends hang out onto the main line.⁹ These examples are consistent with the experience of the Village of Bensenville, whose residents and businesses suffer from such delays at road crossings as well as noise, vibrations, and locomotive emissions.

As the Coalition has noted in its filings, according to the Applicants, post-merger the Bensenville Yard would "see an increase of 112 [railcars] for processing daily" and "face additional demand from anticipated growth in automotive and intermodal traffic,"¹⁰ which Metra

⁹ See e.g., Metra Comments and Requests for Conditions at 13, 40, 61.

¹⁰ Coalition Comments at 11, note 31 (quoting Operating Plan).

and the Coalition both believe will cause even more delays. The DEIS also provides no analysis of the adverse impacts from the 163,000 trucks that the merger Applicants state will be added each year to the roads around the Bensenville and Schiller Park rail yards.¹¹ The Coalition reiterates that the OEA cannot overlook the additional harm to the Coalition communities that will be caused by nearly doubling current levels of daily truck traffic around the Bensenville Yard and the Bensenville community.¹² The DEIS must be supplemented with additional analysis of the impacts from this aspect of the proposed merger.

D. The DEIS Wrongly Includes Zero Analysis of the Adverse Effects of the Merger on First Responders and Emergency Routings

There are eight communities in the Coalition, and each contains multiple separate police, fire departments and emergency responder entities. These first responders must navigate over 30 public road crossings along the 23-mile stretch of the Coalition Line. In most of the communities a single 10,000-foot freight train can simultaneously block all the at-grade crossings in the community.¹³ Moreover, in some communities the railroad crossings are the only way to reach parts of the community, meaning there are no alternatives – delay means no first responder response. And yet, OEA conducted no analysis of the impact of the merger on *any* of the routes

¹¹ Additionally, CN has pointed out in its filings that CP can only reach the Schiller Park Yard via trackage rights over CN track, but that the Applicants have provided incomplete data on either train count increases on that line or the impact of such increases in any filing with the Board or any data provided to OEA.

¹² Coalition Comments at 12, citing OEA materials: <https://www.arcgis.com/apps/dashboards/665e5f3b1412406ea49454f573aefd35> (Bensenville Yard link)

¹³ Indeed, on the morning of October 14, 2022, a CP train was stopped for 84 minutes in the Village of Itasca, simultaneously blocking the at-grade road crossings at Rohlwing, Catalpa, and Walnut Streets, causing traffic to back up and first responders to be diverted to other roads to cross the Coalition Line.

utilized by emergency first responders in the Coalition communities or the extent to which post-merger operations will prevent *any* Coalition member police, ambulances, or other first responders from performing their jobs for their communities. This lack of analysis was because OEA chose to limit its review of this impact from the merger by looking solely at the 28 at-grade crossings on roadways along the 19,000-mile combined rail systems that are designated as emergency routes in the Federal Railroad Administration (“FRA”) grade crossing database. Having narrowly restricted its analysis in this manner (and by also relying on the Applicants faulty train count data), OEA concludes in the DEIS that grade crossing delay caused by the proposed merger would have a minor impact on the provision of emergency services in *every* community the merged railroad runs through, without exception. The Coalition submits that this analysis and the conclusion derived from it are both arbitrary and in no way constitute the required “hard look” at a critical potential merger impact to the Coalition Line utilizing detailed data.

As numerous first responders from the Coalition communities testified on September 12, 2022 in Itasca, Illinois, the compounding impact of more and longer freight trains each day along the Coalition Line will result in multiple crossings and entire communities and emergency responders being paralyzed from north-south travel each time a train passes. The written versions of that testimony are included as Exhibit C to these comments for OEA’s convenience.¹⁴ The impact of the merger on the routes used by Coalition’s first responders is directly related to the crossing delay and crossing safety comments below.

Accordingly, the DEIS must be supplemented with an analysis – based on detailed information specific to the Coalition communities - of the impact of the proposed merger on the

¹⁴ Copies of the posterboards accompanying the testimony of some first responders were supplied to OEA separately on October 3, 2022.

routes utilized by first responders in the Coalition communities. This analysis should be based on actual time delay data collected at key crossings, and by interviewing and collecting data from key Coalition officials and first responders. The Coalition is confident that a more robust analysis of the impacts utilizing such actual data will reveal that the OEA's conclusion that the merger will have no significant impact on first responders is simply wrong and that some or all of the mitigation measures discussed in Section IV of these Comments must be implemented to alleviate that harm.

E. OEA Conducted Insufficient Analysis of the Potential Harms from the Merger on this Unique Segment of the Merged System.

1. Actual Interaction with Relevant Officials and Community Leaders was Non-Existent

The DEIS contains a brief and general discussion about how OEA provided notice of the environmental review process and allegedly consulted with certain state and local agencies, and local governments both before and during the DEIS drafting process. Specifically,

To consult with local government agencies, OEA sent letters to city and county agencies in jurisdictions that could experience environmental impacts as a result of the Proposed Acquisition. OEA also consulted with individual local governments upon request. Additional consultation activities, including online meetings, telephone calls, emails, and mailed letters, occurred throughout the development of this Draft EIS.¹⁵

However, the Coalition communities have no evidence of being contacted by representatives of OEA or consulted about any aspect of the DEIS. For example, no key member of the following agencies received any contact from OEA to discuss the impacts of the merger on their communities: DuPage County Division of Transportation, DuPage Sheriff's Office; DuPage Emergency Management Agency; Bensenville Fire District; Wood Dale Fire Protection District; Itasca Police Department, Itasca Fire Protection District, or the Village of Bartlett. Additionally,

¹⁵ DEIS at S-5.

despite being listed in Appendix A, Table A.1-1 of the DEIS as “Community Leaders Notified,” neither the Wood Dale Police Department, the Hanover Park Police Department, nor the Bensenville Police Department received any letters or other contact from OEA, and none were consulted about potential impacts to their communities. As additional evidence of no OEA outreach to key government agencies, the Coalition notes that the primary agency in the state of Illinois for rail safety, the Illinois Commerce Commission (“ICC”), stated in its comments on the DEIS submitted on October 13, 2022 that “this agency was not contacted” by OEA prior to the DEIS being issued.

OEA’s decision to not proactively seek public input and data from the Coalition communities in the Chicago area stands in sharp contrast to its analysis of the environmental impacts of CN’s acquisition of the EJ&E West Company (“EJ&E”).¹⁶ In 2007, CN made a special presentation to the Chicago Metropolitan Agency for Planning (“CMAP”) regarding its plans for EJ&E.¹⁷ Then, on January 18, 2008, OEA’s predecessor held a special meeting facilitated by CMAP to gain input from municipalities.¹⁸ Moreover, in that proceeding, OEA’s predecessor held eight open house/public meetings in the Chicago area to assess the environmental impact of that more limited transaction.

Unlike that prior proceeding, there is little or no evidence that OEA conducted any public outreach to the leaders of the Coalition communities, or to the ICC for that matter, to discuss the environmental review process or seek information about the potential impacts of the merger on the

¹⁶ STB Docket No. 35087, *Canadian National Railway and Grand Trunk Corporation – Control – EJ&E West Company* (December 24, 2008).

¹⁷ <https://www.cmap.illinois.gov/documents/10180/160510/CNpresentation11-2807.pdf/1408e1f2-7b87-4171-8838-399f76373121>

¹⁸ <http://kdot.countyofkane.org/KKCOM/Meeting%20Documents/TransSubcomm2008MtgMinutes.pdf> Page PDF 13

Chicago area. Accordingly, the DEIS must be supplemented with analysis based on actual consultation of the leaders of the Coalition member communities and the ICC for their input and detailed information on the potential impacts to their communities in the critical areas of crossing safety, crossing delays, noise, vibration, and hazardous materials. The process should include a discussion of the feasibility and need for the Applicants to institute appropriate mitigation measures to alleviate potential harm.

2. The DEIS Substantially Understates the Grade Crossing Safety Impacts of the Merger on the Coalition Communities

The OEA evaluated the Grade Crossing Safety impact of the Proposed Acquisition in Section 3.2 of the DEIS and concluded that, as a whole, it would result “in minor impacts on safety performance.” However, as with the remainder of the DEIS, this conclusion was based on the unreliable train count and other baseline data supplied by the Applicants, combined with general statistical data that has little or no relevance to the Coalition Line. It therefore likely understates the actual impacts that will occur post-merger, particularly in densely populated areas such as Chicago. Nevertheless, this conclusion is still alarming because OEA predicts a total increase in train-vehicular crashes of more than 30% and a total increase in train-pedestrian crashes of more than 29%. Every crash is a potential fatality. Crashes between trains and vehicles/pedestrians frequently result in catastrophic consequences for motorists and/or pedestrians. The recognition that the proposed merger will result in a predicted increase in the potential of 30% more motorist and pedestrian fatalities alone should result in OEA and the STB concluding that the proposed merger should not be approved as proposed. No public improvement in the Coalition communities that would result in such a predicted increase in the potential loss of life would ever be approved or funded. Private investments shall be held to the same standard of prioritizing safety over private commercial gain.

But in any event, the DEIS's conclusion that there will be "minor" impacts to grade crossing safety over the entire 19,000-mile merged system cannot be reasonably applied to the 30 public road crossings on the Coalition Line, which are compressed within a 23-mile segment of the Applicants' combined system located in a highly populated area heavily utilized by commuters, commercial truck carriers, and residents. As such, this area of the DEIS falls well short of the required "hard look" based on detailed evidence required to meet NEPA's goals, and it must be supplemented with further analysis based on actual data of crossing safety impacts to this segment.

An example of this deficiency in the DEIS is exemplified by the City of Wood Dale, which has two at-grade road crossings along the Coalition which nearly intersect—just 100 feet away from each other—Wood Dale Road and Irving Park Road.¹⁹ This unique configuration means the community is bisected north and south by the Coalition Line but is also divided east and west by the two roads. Regardless, this unique configuration of railroad tracks and roads is the geographic center point of the City of Wood Dale and is well traversed by vehicular and pedestrian traffic every day. These two road crossings have historically been a major life-safety concern for the City of Wood Dale, the ICC and the FRA. According to the Illinois Department of Transportation, on a scale from A—free flowing, to F—gridlock, the intersection operated at a level of service "F" in the morning rush hour and "E" in the afternoon rush hour. Levels below "D" are "failing" operations.

Additionally, intersection accident rate and frequency are currently 1.82 ACC/MVEI (Accidents per Million Vehicles Entering Intersection), well above the average number of 1.62 for accidents in northeastern Illinois. The west approach to the intersection is also considered a High Accident Segment by the Illinois Department of Transportation. The accident rate and frequency

¹⁹ See Exhibit D, for an overhead view of these crossings.

are 5.93 ACC/MVEI and 56.0, which exceeds the critical rate and frequency for accidents in northeastern Illinois are 3.85 and 40.6.

These statistics mean there is *currently* an 11% chance of a train/vehicle crash on Irving Park Road in any given year, and there is *currently* a 5% chance of a train/vehicle crash on Wood Dale Road in any given year. Indeed, since 1955, there have been 46 accidents involving a train and an automobile at the at-grade crossing along Irving Park Road (with thankfully only one fatality resulting). There have been 128 accidents within the intersection over the recent three-year period.

In short, the DEIS's broad conclusion that the merger would have only minor impact on road crossing safety is not correct for the Wood Dale Road and Irving Park Road crossings of the Coalition Line. They are considered hazardous and unsafe now, with only three freight trains operating over the line each day. Raising that daily amount to eight, and perhaps as many as 14 trains (or more) per day will only increase the hazard level and chances for accidents between trains and automobiles and pedestrians. As discussed in section IV below, the Coalition and City of Wood Dale strongly urge OEA to recommend to the Board that a grade-separated crossing should be installed at the Wood Dale Road and Irving Park Road crossings of the Coalition Line.

3. Actual Traffic Data Show that Road Crossing Delays Will be Significantly Higher than OEA's Desktop Modeling Predicts

Similar to its deficient grade crossing safety analysis, the DEIS's broad conclusion in section 3.3 - "Grade Crossing Delay," that "[a]lthough the Proposed Acquisition has the potential to cause increased delay at grade crossings due to the projected increase in rail traffic, OEA expects

that this impact would be minor”²⁰ over the entire merged system is flatly wrong as to the Coalition Line, and again unsupported by any actual specific data applicable to the Coalition Line.

While the DEIS appropriately recognized that an increase in the number of freight trains will result in an increase in vehicle delays at grade crossings (although once again this conclusion was based on faulty baseline data that understates the real number of freight trains post-merger), OEA did not conduct any analysis of crossing delays specific to the Coalition Line, where, as stated previously, a single freight train can block multiple crossings simultaneously. As summarized below, an analysis conducted for the Coalition concluded that the merger will have a significant local impact, causing additional blockages of approximately 4,000,000 to 6,000,000 vehicles each year.²¹

The OEA reached its conclusion of minor crossing delay impact by applying FHWA Highway Capacity Manual Level of Service (LOS) principles when assessing the impact of the merger on motorists’ delays. LOS is a familiar measure when assessing intersection delays for public improvements. It assesses the change in LOS between the no-action scenario and proposed action. The measure was developed to demonstrate the benefit (reduced delays) of a proposed action and investment of public funds. A LOS analysis looks at a very limited time duration (typically the most congested 15 minutes of the morning/afternoon rush hour). The OEA’s application of LOS demonstrates a worsening in LOS (increase in delay) with the proposed merger. However, the DEIS then improperly marginalizes the increase by incorrectly spreading it over the estimated average daily (24-hour) traffic volume instead of the times of day and the vehicles

²⁰ DEIS at 3.3-19.

²¹ See Exhibit E, Table 7.

actually blocked by a passing freight train. This generic analysis substantially misrepresents the actual impact of the merger on crossings along the Coalition Line.

The DEIS's deficiency on this key point is demonstrated by the time delay study commissioned by the Coalition which was presented to OEA at the Public Meeting it held in Itasca, Illinois on September 12th, 2022. Another copy of that document is included with these Comments as Exhibit E. The study was assisted by a traffic engineering firm and included actual field observations of freight train gate down times at representative public crossings along the Coalition Line. The study recorded daily freight trains observed on multiple days and available average daily traffic data at grade crossings, and then projected the impact of the increased trains per day resulting from the proposed merger using a fundamental traffic engineering delay model. The model determines the minutes of delay due to an isolated blockage, *e.g.*, a freight train passing, taking into consideration the cumulative effect of vehicle arrivals as the gates go down and departures as the gate go up.

As was summarized at the Public Meeting, the time delay study demonstrates that the increase in freight trains of eight to 14 each day over the Coalition Line will result in the following cumulative impacts along the 30 public road crossings:

- (1) freight train gate down times increasing by 20.5 to 36 hours each day;
- (2) the number of vehicles blocked by freight trains at crossings increasing by 15,000 to 23,000 each day;
- (3) vehicle delays increasing from 862 to 1,285 hours each day;
- (4) for crossings near the Bensenville Yard (Primarily York Road, a dedicated commercial truck routing), the impact of 8 to 14 new freight trains per day will be magnified due to the freight trains having to slow, and often stop, outside of the Bensenville Yard as the train is broken up, such that delays to commercial trucks and cars from blockages will increase from 11 hours of vehicle delay per day to 213 hours of vehicle delay per day; and

- (5) an increase in trains blocking the two road crossings in Wood Dale discussed above from nearly 14 hours of vehicle delay to nearly 211 hours of vehicle delay per day.

The time delay study conducted for the Coalition demonstrates that the DEIS's broad based conclusion that there will be "minor" crossing delays at the 30 public crossings on the Coalition Line is simply wrong. Considering the critical importance of this issue, and the tremendous potential impact to the citizens, businesses and first responders of the Coalition communities, OEA must supplement its analysis of this issue by, at a minimum, utilizing the data collected by the Coalition and presented to OEA, and by also conducting additional analysis, including seeking input from appropriate Coalition officials and community leaders on the potential delays and potential mitigation measures.

4. The DEIS Wrongly Contains No Analysis of the Impacts on Pedestrian Walkway Crossings Along the Coalition Line

The DEIS includes an evaluation of train-pedestrian "crashes." This analysis notes that after the merger, train-pedestrian crashes at road crossings would increase from 1.7 crashes per year to 2.2 crashes per year.²² The DEIS notes that all 1,134 roadway/rail at grade crossings the proposed merged system were analyzed. Critically, however, the DEIS states it "did not estimate safety performance at private and pedestrian-only grade crossings because of very low traffic volumes."²³ Similarly, "OEA did not estimate delay at private and pedestrian only crossings because of very low traffic volumes."²⁴ As written, therefore, the DEIS does not include any analysis of the potential impacts of the merger on the 11 at-grade pedestrian crossings at Metra commuter rail stations located in the Coalition communities along the Coalition Line.²⁵ This is

²² DEIS at S.3.2 - S-8.

²³ DEIS at 3.2-2

²⁴ *Id.* at 3.3-2.

²⁵ *See* Exhibit F – Map of 11 stations.

another deficiency of the DEIS that requires it to be supplemented to comply with applicable NEPA standards. These 11 rail stations serve almost 18,000 commuters each day. Most of these stations provide multiple at-grade pedestrian crossings so that commuters can cross the railroad tracks to access parking, train stations, boarding platforms, and bus stops.²⁶ Far from having “very low traffic volumes,” – and there is no evidence in the DEIS that OEA conducted any analysis to support this broad conclusion - these 11 locations will have some of the highest volume of pedestrian crossings on the combined CPKC railroad system. It was therefore error for OEA to exclude any analysis whatsoever in the DEIS of the potential impacts on pedestrian traffic from the increased freight train operations post-merger and to consider potential mitigation measures.

Although some of these crossings are equipped with passive devices such as signage, lights, and bells to notify pedestrians when a train is approaching, adding between eight and 14 more 10,000-foot freight trains running through these commuter stations will greatly heighten the risk and potential impact on pedestrian safety and delays. Moreover, this segment of the Coalition Line is double tracked, which literally doubles the safety risk to pedestrians. Often, when a commuter or freight train is operating on one of the tracks, the second track can be blocked from view by commuter and freight trains on the first track which gives pedestrians a false sense of security that it is safe to cross. Increasing the number of freight trains operating on this rail line will increase these incidents.

Despite the increased risks of adverse impacts on pedestrian crossing safety and delay, the Applicants have committed to only one voluntary measure that would potentially mitigate impacts

²⁶ For example, at the Schaumburg Commuter Rail Station, three at-grade pedestrian crossings provide access to the station platforms that serve inbound and outbound trains, a station building on the south side of the tracks that provides ticket sales, restrooms, and shelter for waiting passengers, and parking lots located on either side of the tracks.

to pedestrian safety at these railroad crossings, and this measure falls well short of what is required for the pedestrian crossings in the Coalition communities. Specifically, in VM-Grade Crossing-01 the Applicants have only offered to “commit” to work in support of communities while they try to secure funding for crossing mitigation projects. Applicants themselves have not committed to take any actions or to pay for any mitigation measures. This undefined “commitment” unfairly leaves the burden of identifying, funding, and implementing safety improvements on the impacted communities rather than on Applicants.

The Coalition therefore asserts that OEA must conduct a supplemental analysis of the potential impacts of the merger on the pedestrian crossings along the Coalition Line, and it must consider including in the Final EIS document several recommended measures summarized below in Section IV to mitigate the harm to pedestrian crossings along the Coalition Line that will be caused by the increased freight train operations post-merger.

5. Noise and Vibration

a. General Comments

The DEIS states that “OEA expects that the Proposed Acquisition would result in unavoidable adverse noise impacts.”²⁷ Specifically, the OEA found that communities represented by the Coalition would experience Ldn noise level to increase from 68.0 Ldn to 71.8 Lnd wayside; a proposed acquisition-related increase of 3.8. The increase at grade crossings between the proposed acquisition and the No-Action alternative would increase by 2.6 Ldn, just shy of the OEA 3.0 threshold.²⁸

²⁷ DEIS at 3.6-27.

²⁸ Table 3.6-8.

Interestingly, OEA highlights several Coalition communities' proximity to O'Hare International Airport stating, "[t]hroughout most of the study area the predominant source of existing noise is the existing freight train activity, except near O'Hare International Airport and locations near interstate highways, where aviation and roadway sources also contribute to the existing noise environment."²⁹ O'Hare Airport and interstate highways are indeed significant noise producers. OEA should, however, not discount the Coalition communities' proximate to air and road travel options, but rather should pay special attention because these communities are already experiencing known noise and vibration issues. In these communities, mitigations from rail and vehicular traffic have never fully ameliorated the negative noise and vibration impacts from the airport and roadways. OEA should therefore consider the cumulative impacts of these negative externalities.

In addition to the aforementioned, overarching complaint that all of the DEIS's conclusions are skewed because they are based on a significantly understated post-merger freight train count, the Coalition raises the following specific concerns with three aspects of OEA's analysis of noise and vibration in the DEIS:

1. In 3.6.1.3 *Noise and Vibration Measurements*, OEA states that it collected vibration measurements from passing trains at seven locations in the study area. OEA notes that these locations offer a variety of soil and rail conditions. However, these measurements do not account for winter conditions. The Coalition communities are located in the Upper Midwest and, during the winter, the ground is known to freeze solid for months on end. OEA's analysis does not appear to have considered how frozen soil transfers vibrations over distance. As such, the DEIS understates the impact of noise and vibration.
2. In 3.6.1.4 *Passenger Train Noise*, OEA assumes passenger train volume levels on the Metra train schedule dated July 12, 2021. However, prominently displayed at the top of that schedule is caveat which reads, "Due to the COVID-19 pandemic, unless

²⁹ DEIS at 3.6-12.

otherwise specified, the following schedules are temporarily in effect. On WEEKDAYS, the below Alternate Schedule is temporarily in effect. Metra will announce schedule changes on metra.com and through social media outlets.” This note is important because, by Metra’s own admission, this schedule is temporary in nature. OEA should have consulted with Metra to determine its plans to return to a post-COVID-19 pandemic schedule, which would have provided a more accurate estimate of noise levels. Instead, the noise levels are again understated.

3. In 3.6.1.4 *Freight Train Noise*, it does not appear that a 10-decibel penalty was properly attributed to trains operating at nighttime. The Day Night Average Sound Level (DNL) metric applies a 10-decibel penalty to noise occurring during the nighttime hours (10 pm-7am). Given that the Applicant did not submit an operating plan that informed OEA when freight trains would occupy the Coalition Line, it is impossible to know when the increase in these trains would be operating and therefore impossible for OEA to apply a noise model that accurately models the impact. Nevertheless, not applying a 10-decibel penalty to any of the train movements again understates the actual noise levels post-merger.

In conclusion, OEA must supplement the DEIS with better data and a more thorough analysis of the noise and vibration impacts of the merger on the Coalition communities.

b. The Merger Should not Result in the Elimination of Any Quiet Zones Along the Coalition Line

The DEIS states that the proposed merger would result in the removal of Quiet Zone designations for four grade crossings in the Village of Bartlett: Prospect Avenue, South Oak Avenue, South Western Avenue, and Naperville Road. These Quiet Zones were established between 2006 and 2012. Removal of Quiet Zone status will mean that trains passing over these road crossings will be required to sound their horns unless additional safety facilities are constructed at these crossings in accordance with FRA rules.

The OEA must not allow *any* Quiet Zones along the Coalition Line to lose that status. As an initial matter, no one in the Village of Bartlett government or DuPage County was notified or consulted about this potential action prior to being informed of this development in the DEIS. These crossings are in the heart of Bartlett’s Downtown Transit Oriented Development area, which

is focused on new residential development in close proximity to public transportation. Freight trains run through Bartlett's downtown as close as 50 feet from existing buildings and as close as 580 feet to Spring Lake Estates, a mobile home park located in the western portion of the Village. Since 2006, Bartlett has expended a great deal of time, energy and money to establish Quiet Zones in its community, which has added immensely to the quality of life of its residents.³⁰

The removal of the Quiet Zones is based on the DEIS's conclusion that the number of trains proposed in the merger will make the crossings no longer eligible for Quiet Zone status unless additional safety measures are taken, and facilities installed at each of the crossings pursuant to FRA regulations. The Coalition submits that neither Bartlett nor any other Coalition community should have to fund the measures required to maintain an existing Quiet Zone's status. Accordingly, OEA must recommend that a condition of the Board's approval of the merger should be for the Applicants to fund the installation of any and all measures that are required by FRA regulations to maintain an existing Quiet Zone's status for any applicable crossing along the Coalition Line.

IV. The Environmental Harm to the Coalition Communities Must be Mitigated

A. The Applicants' Voluntary Mitigation Measures are Insufficient

Other than certain minor measures to mitigation noise and vibration, the DEIS has not recommended any measures to mitigate any of the potential environmental impacts of the proposed merger other than the voluntary measures agreed to by the Applicants. While somewhat helpful, these measures are not sufficient to mitigate the harm to the Coalition communities.

³⁰ See, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3567002/>

B. The Minimum Mitigation Measures that Must be Implemented if the Merger Is Approved.

The Coalition communities believe that additional analysis in a supplemental DEIS as described above will reveal that the DEIS has substantially understated the potential impacts of the merger on the Coalition communities, and that measures to mitigate that harm are appropriate and necessary. The Coalition believes the best way to attempt to mitigate the environmental harm from the proposed merger is for the Board to limit the number of freight trains that utilize the Coalition Line post-merger, through a combination of placing caps on the number and length of trains and by incentivizing the Applicants to utilize different routings to accomplish their commercial goals. The Coalition has also suggested that the post-merger impacts could potentially be mitigated by the construction of a new intermodal and automotive yard west of Elgin.³¹

To the extent the Board permits the daily freight train count to exceed current levels over the Coalition Line, the Coalition submits that any increase must be preceded and/or accompanied by certain actions taken by the Applicants, at no expense to the Coalition communities. These measures should be a combination of generic actions that benefit all of the communities and their citizens and several specific measures in certain Coalition jurisdictions. The actions the Coalition requests OEA to consider recommending to the Board are summarized below.

³¹ See Coalition Opening Comments at 17-18 (Explaining how a yard could be an exclusive modern intermodal and auto facility that would be constructed in lieu of expanding the Bensenville and Schiller Park Yards in downtown Chicago. This would enable trains with intermodal products and automobiles destined to the Chicago area to be off loaded outside of the area, thereby alleviating traffic and congestion on the Elgin Subdivision and in and around the two existing rail yards).

1. Generally Applicable Mitigation Measures

a. Freight Train Tracking Technology

The increased freight train operations planned by the Applicants will severely hamper the ability of police, emergency medical technicians, and other first responders to serve the public interest. As stated below, at three road crossings these impacts can only be effectively mitigated by the construction of a grade-separated road crossing. However, the Coalition believes that the installation of train tracking technology along the Coalition Line that will notify first responders when freight trains are headed toward their area and will be blocking crossings would provide a cost-effective means for the Coalition communities to attempt to anticipate and mitigate the adverse impact of crossing blockages by freight trains. This technology would greatly reduce emergency response delays and allow access for emergency personnel to have real-time information to know when railroad crossings are blocked.

b. Noise and Vibration

The Applicants have committed to several voluntary mitigations for noise (VM-Noise-02). In the DEIS, OEA has proposed recommending the Board direct the Applicants to implement the following additional mitigations (3.6-27):

1. Maintain rail and rail beds in accordance with American Railway Engineering and Maintenance-of-Way Association standards.
2. Comply with FRA regulations establishing decibel limits for train operations.
3. Consider lubricating curves where doing so would safely reduce noise.
4. Employ other safe and efficient operating procedures.
5. Promptly respond to community inquiries concerning the establishment of quiet zones

The Coalition appreciates OEA's additional recommended mitigation measures. However, these measures largely would require the merged railroad to observe industry best practices and to comply with existing federal standards, something the merged railroad should be doing anyway. The Coalitions maintains that OEA should also recommend in the Final EIS that the merged railroad be required to implement the following additional noise and vibration abatement measures:³²

1. Install rail dampeners in any areas along the Coalition Line which experience a Noise Impact (65 Ldn and 3 dBA Increase) as indicated in Appendix M – Attachment 1.
2. Work with local communities to identify structures and infrastructure that may be particularly susceptible to vibration damage (3.6-6).
3. Require the Applicants to install power switches at the Bensenville Yard in order to reduce the noise and vibration impact of slowed, idled, or stopped trains outside of the yard.
4. For capital improvement projects along the Coalition Line, require Applicants to abide by all applicable local construction noise ordinances rather than simply the proposed 9pm-7am commitment (3.6-27).
5. Commit to install buffers of evergreen landscaping where plantings can be safely maintained.

The Coalition submits that OEA should also recommend to the Board that its merger oversight procedures should include monitoring and assessing the actual - rather than modeled - impact of vibration and noise at 5- and 10-year intervals and adjust mitigation measures as necessary and appropriate.

³² These measures would be separate and apart from the noise mitigation measures already taken in Bensenville for O'Hare International Airport (City of Chicago's Residential Sound Insulation Program).

c. Pedestrian Crossings

The Final EIS should recommend that Applicants provide funding to communities with at-grade pedestrian crossings for crossing safety improvements. Both active and passive devices at railroad crossings, and pedestrian gates, can help influence pedestrian behavior and reduce the risk for pedestrians using these at-grade crossings.³³

d. Quiet Zones

As stated above, the Applicants should be directed to support and fund the continuation of existing Quiet Zones at all crossings in all communities, including funding the safety measures required by FRA's Quiet Zone regulations. The Coalition also maintains the Applicants should be required to commit to support the establishment of new Quiet Zones along the Coalition Line.

e. Hazardous Materials

OEA should also recommend that the Applicants be directed to establish a fund for the purpose of helping Coalition communities to purchase necessary hazmat equipment for regional use and for training, as necessary. If the proposed increase in freight train traffic is approved, each of the communities would require substantial increases in hazardous material training, vehicles, and equipment. Currently, fire service personnel in Illinois are trained at the Hazardous Materials Operations and Hazardous Materials Technician levels and certified through the Office of the State Fire Marshal ("OSFM"). The Applicants have proposed to provide safety training, but that training is already required.³⁴

³³ The DuPage County Railroad Safety Council identifies pedestrian gate installations as an effective mitigation measure that can have a direct impact on reducing pedestrian injuries and fatalities at at-grade crossings

³⁴ The Coalition communities operate within four (4) different MABAS Divisions (1, 2, 10, and 12) and span an area of approximately 33 miles from Elgin to Bensenville. Therefore, four (4) regional teams that are appropriately equipped and trained for a hazardous material response need to be built to ensure adequate resource availability. Building these teams as regional response

2. Grade Separated Road Crossings

b. York Road in the Village of Bensenville

York Road and Church Road are Bensenville's two most heavily travelled north/south arterial roadways in the Village. Church Road carries almost exclusively passenger and light truck traffic while York Road is a major dedicated truck route carrying intermodal freight through Bensenville. Extended blockage of either these crossings stops all traffic through Bensenville and causes major delays and backups on our east/west arterials. The Coalition's time delay study found the York Road grade crossing currently experiences a 23 minutes of downed gates per day. Upon completion of the merger, that delay is expected to increase eight-fold to nearly three hours per day of downed gates.

The DEIS characterizes the current York Road at grade crossing as the only crossing "along a truck route and associated with a projected increase in truck traffic; approximately another 200 trucks per day under the Proposed Acquisition compared to the No-Action Alternative."³⁵ However, this "analysis," which was based solely upon Applicants' statements, substantially understates the current truck volumes and the extent to which they will increase post-merger. As such, the DEIS substantially understates the impact the merger will have on this critical road crossing. The blockage of this major state truck route, directly adjacent to O'Hare airport, will have untold financial costs for businesses in Bensenville. Also, the York Road grade crossing sits

teams is the most cost-effective way of providing the necessary and appropriate response capabilities. These regional teams, if appropriately trained and equipped, would be able to provide immediate and initial scene assessment and recognition and take initial actions to begin containment of the event. Additionally, each regional team would be able to provide mutual aid assistance to the other represented communities building a comprehensive hazardous materials response.

³⁵ DEIS at 3.3-18.

at the eastern edge of downtown Bensenville, directly adjacent to the Bensenville Metra station. The increased numbers of freight trains post-merger will result in blockages that will cut off Metra riders attempting to catch trains. It will cut off residents from a neighborhood grocery store and services, which sit on either side of the tracks. It will cut off residents and businesses from Village Hall, which is located on the south side of the tracks adjacent to the Metra station.

The York Road crossing is also the major north/south route for emergency services. The Bensenville Police Station is just south and east of the crossing. The only way to cross the tracks to the north is by IL Route 83 to the west, which requires one to drive south before entering onto this major State route. An emergency call to the residential neighborhood just north of the tracks, normally a three minute response time, would add an additional 10-15 minutes of travel time. That number is even greater if trying to serve the northern industrial district. The same can be said for the Fire Protection District, whose main station is located south of the crossing on York Rd.

Accordingly, the Coalition implores OEA to conduct a supplemental analysis of the impacts of the merger on the York Road crossing, and to include in the Final EIS a recommendation to the Board that its approval of the merger should be conditioned upon requiring the Applicants to fund the construction of a vehicular grade separation at York Road, pursuant to plans to be jointly developed by the Applicants and the Village of Bensenville.

c. Wood Dale and Irving Park Roads (one project) in Wood Dale

For the reasons discussed in Section III.E.2, the Coalition and City of Wood Dale strongly urge OEA to recommend to the Board that a grade-separated crossing should be installed at the Wood Dale Road and Irving Park Road crossings of the Coalition Line.

d. Prospect Avenue in Itasca (Or a Slip Ramp adjacent to I-290 to Thorndale Ave for Emergency Responders).

Located approximately 2.5 miles west of Canadian Pacific's Bensenville Yard, Itasca is ideally positioned in the western O'Hare Industrial Corridor with I-290, I-355, I-390 running through the Village. Both Itasca's Fire and Police Stations are located within Itasca's Municipal Complex just south of the Coalition Line at-grade crossing at Catalpa Avenue, while a majority of Itasca's 10,000 residents and businesses reside north of the tracks. Over 20,000 people are present in Itasca during work days.

Currently, none of Itasca's four grade crossings are separated. The distance between the eastern most rail crossing (Prospect Avenue) and the western most rail crossing (IL-53) is 9,250 feet. As a result, a typical 10,000-foot freight train can block all four crossing simultaneously. According to the Coalition's time delay study, an additional 14 freight trains will result in an average 1,509% increase in vehicles blocked and an average 3,274% increase in delay time. The next closest at-grade crossing east or west would require first responders to travel more than a mile either way, which would increase response times from under two minutes to 15 minutes or more for several parts of the town.

Supplemental collection and analysis by OEA of actual data bearing on the potential impacts of the merger would reveal such information as: Itasca police average more than 6,000 calls annually, 60 percent of which are north of the tracks, including one grade school, one middle school, three hotels, and a 26-story office building. Averaging the past two years, officers have noted more than 60 times annually when a train delayed their response to an incident.³⁶ Using this baseline data, Itasca conservatively forecasts that an additional 14 trains per day would result in 840 calls for police service being delayed, and that first responders would be delayed on one of

³⁶ Officers are not asked to note this information, so it is likely that this number is underreported.

every seven calls for emergency service. A large percentage of the Itasca Fire Department's 1,700 calls annually are for medical services. Delays reaching victims of heart attacks, strokes, overdoses, car accidents and respiratory distress will lead to longer recovery times and increased fatalities. Finally, increased response delays to fires will also have dire consequences for Itasca's residents and businesses.

As stated, the Coalition maintains that the supplemental DEIS prepared by OEA should include a more detailed analysis of the impacts of the merger on crossing delays and safety along the Coalition Line. This analysis should include the consideration of the need for a grade-separated crossing at Prospect Street in Itasca. Itasca believes the only feasible location for a separated crossing would be Prospect Avenue, however, Village Officials believe that a grade separation at Catalpa Avenue or a slip ramp adjacent to I-290 should also be explored as they would result in the least response time delays for the community.

3. Grade Separated Pedestrian Crossings

i. Village of Roselle

There are three at-grade pedestrian crossings of the Coalition Line at the Roselle Metra Train Station, which has about 1500 commuters board Metra trains each day. Most commuters arrive via vehicle and must cross the tracks from a commuter parking lot located north of the double tracks to reach the inbound boarding platform that is located on the southside of the tracks. Also on the north side of the tracks is dense multifamily housing, and the residents walk to and from the train station by crossing the tracks to reach the boarding platform. The existing pedestrian crossings lack audible warnings of approaching trains and any improvements, such as gates, that prohibit pedestrians from crossing the tracks when Metra trains and freight trains are approaching

the train station. This arrangement particularly becomes unsafe when commuters must move from one platform to another to meet their Metra train when its track assignment has changed.

A more thorough analysis of the impacts of the proposed merger should be accompanied by an evaluation of the need for merger approval to be conditioned upon the Applicants funding (1) a pedestrian underpass that crosses below the railroad adjacent to the train station; and (2) a pedestrian overpass to connect the train station to Roselle's nearby downtown area.

ii. Bartlett

There are two at-grade crossings utilized by Metra commuters, school children, and pedestrians for the downtown train station, and a third at grade crossing between the train station and Hanover Park that could be blocked by a single 10,000-foot freight train. Since 1986, the Village has seen investment in the tens of millions of dollars spread out between the Village itself, partners in the development community, planners, consultants, civic groups, businesses and residents. The addition of eight or more freight trains over two miles long on top of Metra commuter trains will wreak havoc on this decades of investment. For these reasons, OEA should supplement the DEIS with additional analysis of the impacts of the merger on the Village of Bartlett and recommend in the Final EIS that the Applicants fund a pedestrian underpass or overpass in the Village to mitigate the crossing delays and crossing safety issues posed by the merger.

iii. Hanover Park

The Village of Hanover Park has developed the area around its Metra station into a vibrant downtown area. That development has included converting overhead utility lines to underground, building a brand-new park and plaza with an emphasis on creating a pedestrian friendly environment, and updating the zoning code to create a Village Center zoning district. The goals

of developing the Village Center are to (1) create a focal point and community gathering place for all residents and visitors; (2) significantly expand economic development opportunities in the Village, especially around transportation centers; and (3) increase transportation options for all residents.

Achieving these goals revolve around pedestrians moving safely and without delay across the Coalition Line that runs through the Village, and so the proposed increase in frequency and length of freight trains will be extremely detrimental to achieving these goals. Currently, the only convenient pedestrian crossings of the Coalition Line are two at-grade pedestrian crossings at the Metra station. These at grade crossings will see more passing trains and be blocked for longer periods of time, which will hinder pedestrian movement and harm economic development. Moreover, extended delays will result in people taking greater risks to cross the tracks on foot.

In order to effectively mitigate the merger impacts, protect pedestrians, and provide safe and efficient access to both sides of the tracks, OEA should recommend that any approval of the merger should be conditioned upon the Applicants funding the construction of a pedestrian underpass at the Hanover Park Metra Station.

V. Conclusion

In conclusion, for all the reasons discussed in these Comments, the DEIS currently falls far short of the requirements and goals of NEPA, and it must be supplemented with additional analysis of the impacts of the proposed merger on the Coalition communities. Such additional analysis cannot be based solely on the operating data provided by the Applicants, but must rather take into account that the Applicants' data is highly contested and intrinsically unreliable. On the other hand, the supplemental analysis must be based on actual data related to crossing delays, crossing safety, noise and vibration, that is specific to the Coalition communities, as well as other input

from appropriate community leaders and agencies. Finally, the Coalition implores OEA to combine its supplemental analysis with consideration of including the mitigation measures the Coalition has proposed in the Final EIS.

Respectfully submitted,

A handwritten signature in black ink that reads "Carie Anne Ergo". The signature is fluid and cursive, with the first name "Carie" being the most prominent.

Carie Anne Ergo
Village Administrator
Village of Itasca, Illinois
550 W. Irving Park Road
Itasca, Illinois 60143
(630) 773-0835
cergo@itasca.com

Chairperson of the Coalition to Stop CPKC

A handwritten signature in blue ink that reads "Thomas W. Wilcox". The signature is written in a cursive style with a distinct blue color.

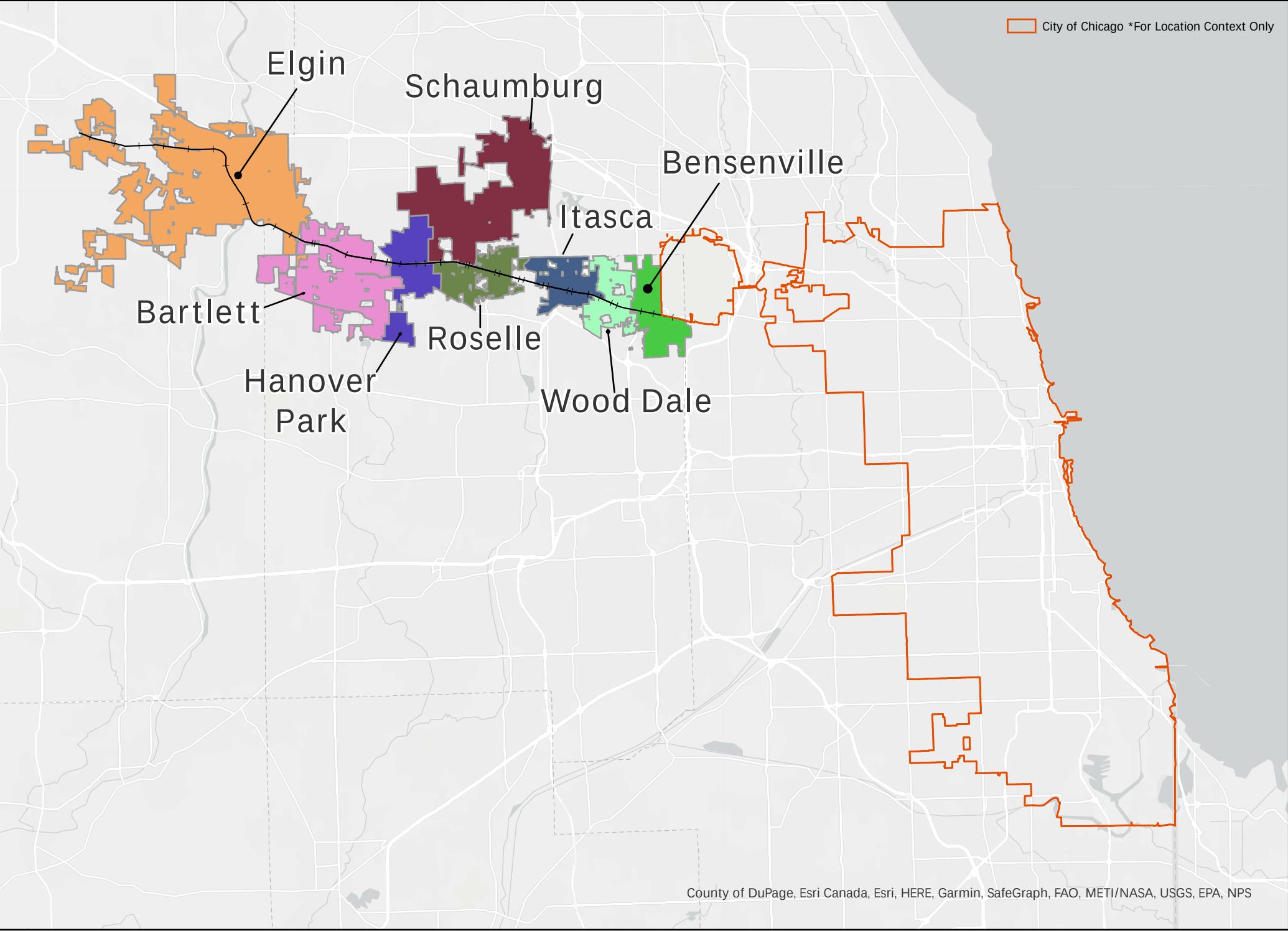
Thomas W. Wilcox
Law Office of Thomas W. Wilcox, LLC
1629 K. Street, NW Suite 300
Washington D.C. 20006
(202) 508-1065
tom@twilcoxlaw.com

Attorney for the Coalition to Stop CPKC

Dated: October 14, 2022

EXHIBIT A

Coalition Members



Milwaukee District West Operations

February 2022

Produced by the Division of Strategic Planning and Performance

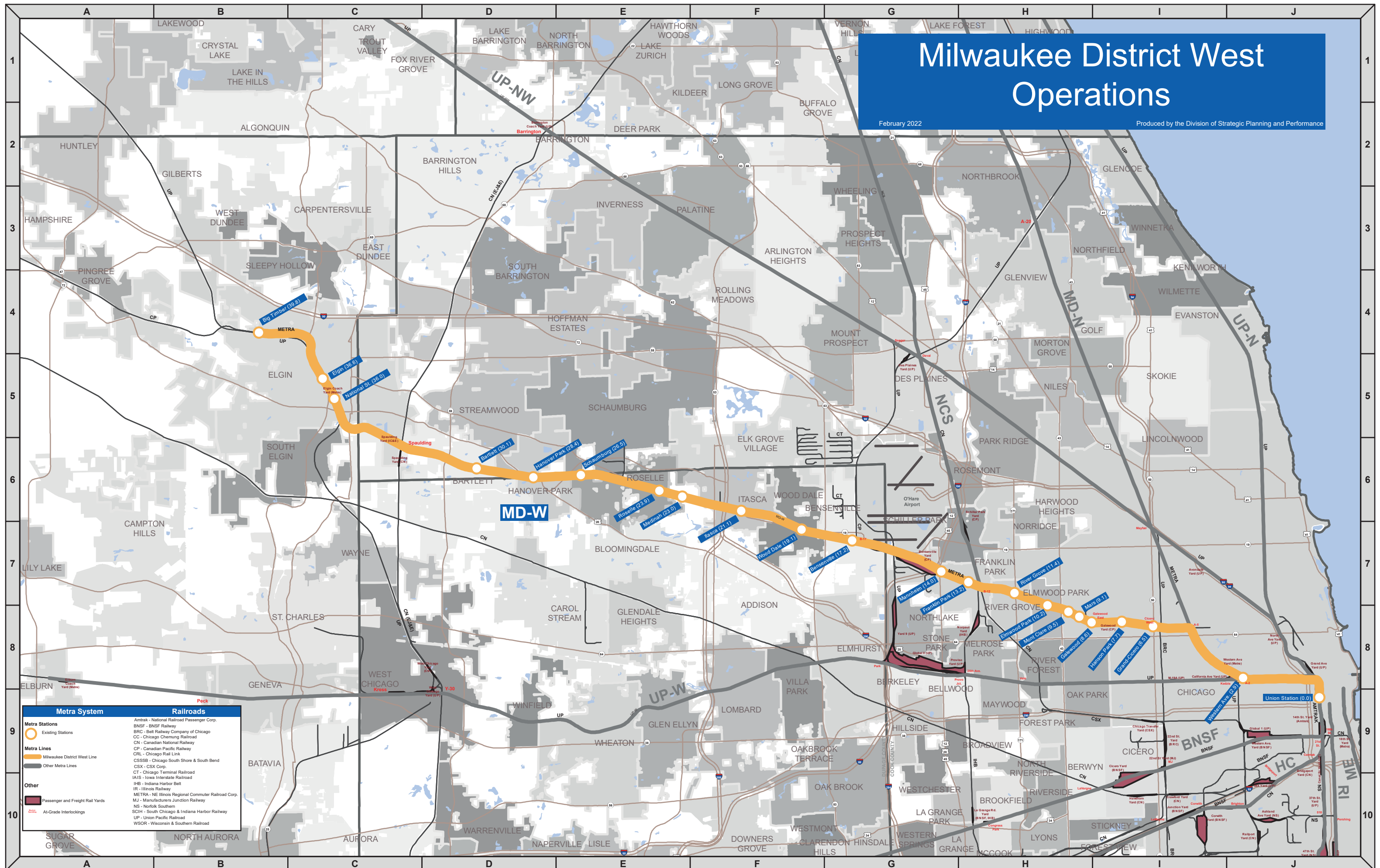


EXHIBIT B

VILLAGE BOARD

President
Frank DeSimone

Board of Trustees
Rosa Carmona
Ann Franz
Marie T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk
Nancy Quinn

Village Manager
Evan K. Summers

December 16, 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;

I am the president of the Village of Bensenville, Illinois. I 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 Village of Bensenville, 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 Village of Bensenville and the greater Chicago area. Based on the information we have reviewed to date, there is the potential that the merged railroad's will further burden the Chicagoland area with increased road network congestion by significantly increasing freight rail volumes over existing rail lines.

Specifically, we understand 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 8 freight trains per day (TPD) - and 128%, or 17.44 million Annual Gross Ton Miles (GTMs). Similarly, the Bensenville Rail Yard will increase the average train cars handled per day by 25% or 367.7 cars. The impacts from such increases will be felt most strongly at the following four at-grade railroad crossings within the Village of Bensenville: Church Rd (US DOT #372174X), Addison St (US DOT #372172J), Center St (US DOT #372171C), York Rd (US DOT #372170V). In addition, the increased rail traffic will desecrate one of the Village's most sensitive land uses, Veterans Park, located adjacent to the Church Road at-grade crossing. Specifically, the continuous noise and vibrations which increased rail traffic conveys will permanently destroy the atmosphere of the solemn memorial to our soldiers at the park.

VILLAGE BOARD

President

Frank DeSimone

Board of Trustees

Rosa Carmona
Ann Franz
Marie T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk

Nancy Quinn

Village Manager

Evan K. Summers

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.

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 indeterminate 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 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 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?
- 25% increase in average train cars handled per day at the Bensenville Yard.

VILLAGE BOARD

President

Frank DeSimone

Board of Trustees

Rosa Carmona
Ann Franz
Marie T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk

Nancy Quinn

Village Manager

Evan K. Summers

- The proposed merger of CP-KCS would increase the average cars handled per day at the Bensenville Yard from 1427.7 train cars to 1795.5 train cars per day (OEA Submission Request 1-A3, Train Yard Volume, Bensenville Yard). The additional 367.7 daily train cars are expected to potentially block at-grade crossings due to yard operations, including switching operations for trains entering the Bensenville Yard from the west. The increased noise and air pollution will further degrade quality of life for nearby residential areas. Delays for all motor vehicles passing through the area would be severely impacted.
- 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

VILLAGE BOARD

President

Frank DeSimone

Board of Trustees

Rosa Carmona
Ann Franz
Marie T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk

Nancy Quinn

Village Manager

Evan K. Summers

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. 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

VILLAGE BOARD

President

Frank DeSimone

Board of Trustees

Rosa Carmona
Ann Franz
Marie T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk

Nancy Quinn

Village Manager

Evan K. Summers

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 would fall mainly on the Village.

- 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).

The Village of Bensenville 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 residents of Bensenville, IL.

Sincerely,



Frank DeSimone
Village President

Email: villagepresident@bensenville.il.us



EI-31465

David J Kaptain
MAYOR

Office of the Mayor

150 DEXTER COURT
ELGIN, ILLINOIS 60120

847-931-5995
mayor@cityofelgin.org

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).

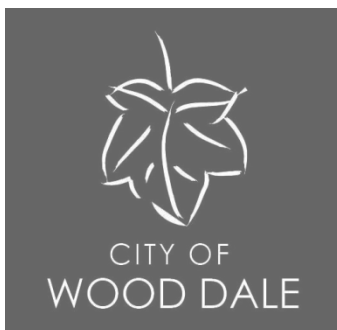
The City of Elgin urges OEA to thoroughly examine the foregoing negative impacts as part of its EIS process and to develop and recommend appropriate mitigation requirements in which the STB's approval of the proposed CP-KCS merger will be expressly conditioned. Furthermore, the City of Elgin requests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



December 16, 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;

I am the Mayor of the City of Wood Dale, Illinois. I 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 Wood Dale, 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 Wood Dale and the greater Chicago area. Based on the information we have reviewed to date, there is the potential that the merged railroad's will further burden the Chicagoland area with increased road network congestion by significantly increasing freight rail volumes over existing rail lines.

Specifically, we understand 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 8 freight trains per day (TPD) - and 128%, or 17.44 million Annual Gross Ton Miles (GTM's). The impacts from such increases will be felt most strongly at the following five at-grade railroad crossings within the City of Wood Dale: Wood Dale Rd (US DOT #372178A), Irving Park Rd (US DOT #372177T), Wood Dale center pedestrian (US DOT #920565F), Wood Dale east pedestrian (US DOT #920564Y), Ash Ave (US DOT #372176L).

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.

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 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 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?
- 235% increase in daily number of trains traveling through the City
 - The proposed merger of CP-KCS would increase the average number of freight trains that move through the City 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 City, 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 City 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 City 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 City
 - The proposed merger would increase the gross daily tons miles (GTMs) of freight that moves through the City 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 City 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 City
 - The proposed merger would increase the daily carloads of hazardous material that moves through the City 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 City as vehicles attempt to avoid the crossings. This risk would increase exponentially as ADT levels are projected to increase due to future

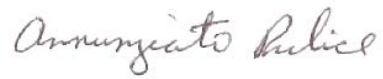
population growth in the region.

- 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. Furthermore, increases in motor vehicles delayed at at-grade railroad crossings will significantly increase carbon emissions and negatively impact air quality in the City.
- 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 of this quality of life issue would fall mainly on the City.
- 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).

The City of Wood Dale 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 City 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 Wood Dale, IL.

Sincerely,

A handwritten signature in dark ink, reading "Annunziato Pulice". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Annunziato Pulice
Mayor

Email: npulice@wooddale.com



**DUPAGE
COUNTY**

Daniel J. Cronin
Chairman

District 1

Donald Puchalski
Ashley Selmon
Sam Tornatore

District 2

Elizabeth Chaplin
Peter DiCianni
Paula Deacon Garcia

District 3

Greg Hart
Brian Krajewski
Julie Renahan

District 4

Grant Eckhoff
Lynn LaPlante
Mary FitzGerald Ozog

District 5

Amy Chavez
Sadie Covert
Dawn DeSart

District 6

Sheila Rutledge
Greg Schwarze
James Zay

DUPAGE COUNTY BOARD

December 28, 2021

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

Re: FD36500, Canadian Pacific Ry.-Control-Kansas City Southern -Request for Comments on Scope of EIS

Dear Mr. Wayland:

I serve as Chairman of the DuPage County, Illinois Transportation Committee and represent County Board District 1, which includes the communities most affected by the proposed merger of the Canadian Pacific (CP) Railway and Kansas City Southern (KCS) Railway: Roselle, Itasca, Wood Dale and Bensenville. In addition, many of the existing at-grade crossings of the CP in DuPage County intersect county highways. I appreciate the opportunity to provide input into the Scoping Process to ensure that the Environmental Impact Statement (EIS) breadth of analysis will be comprehensive, responsive to local concerns, open and transparent. To that end, I offer the following comments to be considered in defining the Scope of the EIS.

1. Impact of increasing the number of trains from 3 per day to 11 per day on:
 - a. At-grade crossing delays, including simultaneous blocked crossing based on train length
 - b. Emergency response times
 - c. Commuter line schedules
 - d. Available capacity at CP Bensenville Yard to handle increase in daily railcars
 - e. Projections are only for 5 years. Would like to see analysis of 20 year impacts similar to highway projects
 - f. Increase in localized truck traffic associated with greater movements at the CP Bensenville Yard
2. Environmental
 - a. Noise
 - b. Impact to existing whistle bans/Quite Zones
 - c. Air quality due to the increase in train traffic and the corresponding increase in concentrated truck emissions associated with the increase rail car handling at the CP Bensenville Yard.
 - d. Environmental justice considerations

3. Safety

- a. At-grade crossings, including vehicular and non-vehicular
- b. Commuters that must traverse a more congested rail line to access/depart stations
- c. Increase in localized truck traffic and routing due to increase activity at CP Bensenville Yard
- d. Increase in hazardous materials

DuPage County prides itself on being a great place to live, work and raise a family. Our citizens hold those values to the highest standard and I urge your Office to thoughtfully and thoroughly consider the adverse consequences of this merger and to recommend appropriate and necessary mitigation measures as pre-conditions to any merger and schedule for their full implementation.

Thank you for your careful consideration of my concerns and those of the residents of DuPage County, IL.

Sincerely,



Donald E. Puchalski

DEP/ljt

cc: Ashley Selmon, DuPage County Board District 1
Sam Tornatore, DuPage County Board District 1
James F. Zay, DuPage County Board District 6
Sheila Rutledge, DuPage County Board District 6
Greg Schwarze, DuPage County Board District 6
David Pileski, Mayor, Village of Roselle
Jeff Pruyn, Mayor, Village of Itasca
Nunzio Pulice, Mayor, Village of Wood Dale
Frank DeSimone, President, Village of Bensenville
Rodney Craig, President, Village of Hanover Park
Michael D. Hovde, Jr., Supervisor, Bloomingdale Township



Village of Hanover Park Administration

Municipal Building
2121 West Lake Street, Hanover Park, IL 60133
630-823-5600 tel 630-823-5786 fax

hpil.org

Village President
Rodney S. Craig

Village Clerk
Kristy Merrill

Trustees
Yasmeen Bankole
Liza Gutierrez
Syed Hussaini
James Kemper
Herb Porter
Bob Prigge

Village Manager
Juliana A. Maller

December 17, 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;

I am the Mayor of the Village of Hanover Park, Illinois. I 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 Village of Hanover Park, 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 Village of Hanover Park and the greater Chicago area. Based on the information we have 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, in addition to significantly increasing the negative impact to the residences and business along the rail line.

Specifically, we understand 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 8 freight trains per day (TPD) - and 128%, or 17.44 million Annual Gross Ton Miles (GTMs). The impacts from such increases will be felt most strongly at the following two at-grade railroad crossings within the Village of Hanover Park: Hanover Park west pedestrian crossing (US DOT #920579N), Hanover Park east pedestrian crossing (US DOT #920577A) and to the hundreds of residential homes and businesses along the rail line. Additionally, Hanover Park is in the process of developing a new Village Center adjacent to the Milwaukee District West Metra line. The sound, vibration and safety concerns from the additional freight traffic could have a negative impact on the desirability of the area and have a significant negative economic impact for the Village

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. It should be noted that this rail line travels adjacent to the portion of Hanover Park that is designated as a Disproportionately Impacted Area and housing for low and moderate income residents in our very diverse community.

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 these reasons, I respectfully request that the scope of the EIS include 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 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?
- 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. 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 in communities with which we have mutual aid agreements. Such agreements 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, infrastructure including adjacent roads and utilities will likely 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 move 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.
 - Additional number of trains increases the risk of derailments. Critical Village facilities (Police headquarters, Emergency Operating Center, Village Hall and Fire Headquarters) are all within the potential evacuation zone of a derailment along this rail line in the Village of Hanover Park.
- 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 those 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. Furthermore, significant increases in carbon emissions will 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 of this quality-of-life issue would fall mainly on the Village.
- 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) are 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 Village of Hanover Park 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 residents of Hanover Park, Illinois.

Sincerely,

Rodney S. Craig
Village President

From: no-reply@vhb.com
To: [EIS Contact](#)
Subject: CP-KCS EIS Public Scoping Period - Website Contact
Date: Thursday, December 2, 2021 12:48:12 PM

EI-31338

REQUESTFROM : no-reply\@vhb.com

contact-firstname : Nunzio

contact-lastname : Pulice

contact-email : npulice@wooddale.com

contact-city : Wood Dale

contact-state : IL

contact-phone : 630-787-3711

contact-message : The Honorable Martin Oberman Chairman, Surface Transportation Board
395 E Street S.W. Washington, DC 20423 Re: Canadian Pacific Railway – Kansas City
Southern Merger Proposal Docket No. FD 36500 Dear Chair Oberman: As Mayor of the City
of Wood Dale, a suburb of Chicago with two railroad tracks that traverse three different
crossings through our town, I am writing you with serious concerns about the impact of the
merger of Canadian Pacific Railway with Kansas City Southern Railway (CP-KCS). After a
thorough review of the proposed merger and the projected impacts that this merger will have
on our community, it is evident that the burdens placed on our residents, commuters, and
public safety response times will likely outweigh the benefits cited by the companies in this
merger. Currently, there are approximately 75 trains that pass through our community each
day, which includes commuter and freight trains. The documents supporting this merger show
that Wood Dale would see an increase in freight trains of over 50 percent per day, increasing
from an average of 16 trains per day to 24 trains per day. At an average closure of 6 minutes
per 8,500-foot-long train at 40 miles per hour, this would result in another 48 minutes of road
closures that separate our town in half, slowing or significantly delaying response to
emergency situations. In addition to the public safety concerns, our residents who live near the
tracks will experience a significant increase in noise pollution at all times of the day. Due to
our proximity to the Bensenville railyard, there are concerns of substantial slowdowns or
complete stoppages of trains due to this increased volume. While the proposed merger cites
some environmental benefits such as reduced truck traffic, this merger would increase the
shipping availability of hazardous cargo from states that produce these items that are not
currently operating under this rail system. The impact of an accident involving hazardous
cargo would far outweigh any environmental benefits achieved in the short-term. For these
above-listed reasons, I respectfully request that the Surface Transportation Board reject this
proposed merger until these concerns can be mitigated for our residents. Respectfully,
Annunziato Pulice Mayor, City of Wood Dale
submit : Send

Email sent by VHB QuickMail



**THE VILLAGE
OF
BARTLETT**

VILLAGE PRESIDENT
Kevin Wallace

ADMINISTRATOR
Paula Schumacher

VILLAGE CLERK
Lorna Gilles

TRUSTEES
Raymond H. Deyne
Stephanie Z. Gandsey
Daniel H. Gunsteen
Adam J. Hopkins
Aaron H. Reinke
Renée Suwanski

December 16, 2021

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

VIA E-MAIL

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

Dear Mr. Wayland;

I am the Village President of Bartlett, Illinois. I 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 Village of Bartlett, I urge the 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 Village of Bartlett and the greater Chicago area. Based on the information we have reviewed to date, there is the potential that the merged railroad's will further burden the Chicagoland area with increased road network congestion by significantly increasing freight rail volumes over existing rail lines.

Specifically, we understand 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 8 freight trains per day (TPD) - and 128%, or 17.44 million Annual Gross Ton Miles (GTMs). The impacts from such increases will be felt most strongly at the following 8 at-grade railroad crossings within the Village of Bartlett: Gifford Rd (US DOT #372214T), Spaulding Rd (US DOT #372212E), Naperville Rd (US DOT #372210R), Ingaltion Ave (US DOT #372208P), Western Ave (US DOT #372207H), Oak Ave (US DOT

#372206B), Pedestrian crossing (US DOT #920580H), Prospect Ave (US DOT #37199M).

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.

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 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 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?
- 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

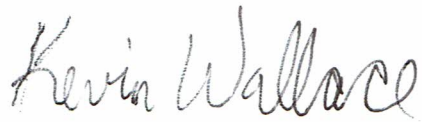
of 30 (11,000 annual) carloads per day. This is a critical issue, as potential accidents would have disastrous consequences, particularly because the CP-KCS (Metra Milwaukee District West) rail line runs adjacent to residential areas including nearby schools.

- 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. 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 of this quality of life issue would fall mainly on the Village.
- 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).

The Village of Bartlett 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 residents of Bartlett, IL.

Sincerely,

A handwritten signature in dark ink that reads "Kevin Wallace". The signature is written in a cursive, flowing style.

Kevin Wallace
Village President

Email: kwallace@bartlett.il.gov



**THE VILLAGE
OF
BARTLETT**

VILLAGE PRESIDENT
Kevin Wallace

ADMINISTRATOR
Paula Schumacher

VILLAGE CLERK
Lorna Giless

TRUSTEES
Raymond H. Deyne
Stephanie Z. Gandsey
Daniel H. Gunsteen
Adam J. Hopkins
Aaron H. Reinke
Renée Suwanski

December 16, 2021

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

VIA E-MAIL

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

Dear Mr. Wayland;

I am the Village President of Bartlett, Illinois. I 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 Village of Bartlett, I urge the 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 Village of Bartlett and the greater Chicago area. Based on the information we have reviewed to date, there is the potential that the merged railroad's will further burden the Chicagoland area with increased road network congestion by significantly increasing freight rail volumes over existing rail lines.

Specifically, we understand 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 8 freight trains per day (TPD) - and 128%, or 17.44 million Annual Gross Ton Miles (GTMs). The impacts from such increases will be felt most strongly at the following 8 at-grade railroad crossings within the Village of Bartlett: Gifford Rd (US DOT #372214T), Spaulding Rd (US DOT #372212E), Naperville Rd (US DOT #372210R), Ingaltion Ave (US DOT #372208P), Western Ave (US DOT #372207H), Oak Ave (US DOT

#372206B), Pedestrian crossing (US DOT #920580H), Prospect Ave (US DOT #37199M).

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.

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 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 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?
- 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

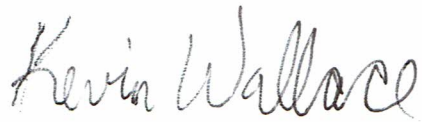
of 30 (11,000 annual) carloads per day. This is a critical issue, as potential accidents would have disastrous consequences, particularly because the CP-KCS (Metra Milwaukee District West) rail line runs adjacent to residential areas including nearby schools.

- 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. 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 of this quality of life issue would fall mainly on the Village.
- 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).

The Village of Bartlett 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 residents of Bartlett, IL.

Sincerely,

A handwritten signature in dark ink that reads "Kevin Wallace". The signature is written in a cursive, flowing style.

Kevin Wallace
Village President

Email: kwallace@bartlett.il.gov



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,



Jeff Pruyn
Mayor

Email: mayor@itasca.com



VILLAGE OF SCHAUMBURG

PROGRESS THROUGH THOUGHTFUL PLANNING

December 15, 2021

Joshua Wayland
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
(CBBEL Project No. 01.210626.0000)**

Dear Mr. Wayland;

The Village of Schaumburg, Illinois is a thriving community of over 78,000 residents and is home to more businesses than any other community outside of Chicago. Schaumburg prides itself on providing first-rate services and a high quality of life to our residents. I am contacting you about FD Docket 36500 and the intention of Canadian Pacific Railway (CP) to merge with Kansas City Southern (KCS). This merger will impact the rail line that runs along the southern edge of our community and could have significant impacts on safety, emergency responses, noise, air quality, congestion, and natural resources in Schaumburg. I urge the Surface Transportation Board (STB) to expand the scope of the Environmental Impact Statement (EIS) to ensure that the potential negative impacts to communities like Schaumburg are fully evaluated and weighed against the economic goals of CP.

As proposed, CP's freight trains will further burden the Chicagoland area and Schaumburg with increased road network congestion by adding a significant increase in freight rail volumes and creating an end-to-end combination of two Class 1 rail systems. Specifically, the Milwaukee District West Metra line between the Bensenville Rail Yard and Randall Road is expected to experience an increase in freight traffic of 235% or 8 freight trains per day (TPD) and 128% or 17.44 million of Annual Gross Ton Miles (GTMs) in the five years following the merger. These impacts will be felt most strongly at the four at-grade railroad crossings within the Village of Schaumburg: Schaumburg west pedestrian (US DOT #920573X), Schaumburg center pedestrian (US DOT #920572R), Schaumburg east pedestrian (US DOT #920571J), and Rodenburg Road (US DOT #372202Y).

While the Chicago 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, it creates roadway chokepoints

between 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, including Schaumburg residents.

As the Surface Transportation Board finalizes the scope of the EIS, the Village of Schaumburg provides the following specific comments and requests that these items be incorporated into the review of the CP-KCS merger. Additionally, the Village requests that any identified negative impacts as a result of the merger be addressed or mitigated prior to the issuance of any approvals.

General EIS Scope Comments

- The EIS should include an accurate projection of train traffic and motor vehicle traffic for at least 10 years following the completion of all post-acquisition construction. This proposed merger of two Class 1 railroads would create the first single-line rail network linking US-Mexico-Canada, based on the materials submitted to the STB. It is unreasonable to assume freight rail traffic would increase by only 8 freight trains a day, but rather, rail traffic would 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 Surface Transportation Board (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.
- In addition to evaluating the direct impacts that would result from the CP-KCS merger, the EIS scope should also evaluate potentially significant indirect effects for analysis, assess those consequences, and develop mitigation.
- In order to evaluate secondary and cumulative effects of the merger, the study area should encompass an area comprised of a one-mile buffer around the railroad and up to one mile north and south of at-grade crossings.
- The EIS scope should consider existing conditions as well as planned and potential development within the study area during the evaluation period. The evaluation should include the associated increases in motor vehicle traffic, pedestrian and bicycle traffic, traffic delays, etc. that will result from future development in Schaumburg and the region.

Operational Questions

- The STB should formally request the 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 increased rail traffic involves increasing the average freight train length, communities and emergency response can be significantly impacted if train lengths cause multiple at-grade rail crossings to be simultaneously blocked during normal and routine daily train operations.
- The Schaumburg Metra Station is the busiest commuter station along the Union Pacific-West commuter rail line. The EIS needs to address how a CP-KCS merger would impact Metra operations, including train operations as well as access to and from the Metra station.

- As noted, the EIS study period should extend beyond the proposed 5 year period to a minimum of 10 years and should evaluate how many train movements would be added to all of CP's rail lines in the region at the completion of the merger, in 5 years and at the end of the study period.
- How many grade crossings in the region would become substantially impacted by increased rail traffic and increased train lengths stemming from a CP-KCS merger?
- How would the CP-KCS merger impact spur rail lines that serve businesses along the corridor?
- The EIS needs to address the extent to which the merged railroads will be required to mitigate community harms at their own expense, and the STB should require mitigation for all adverse impacts that will result from the CP-KCS merger.

Safety Concerns

- How would emergency response service times be impacted if more grade crossings are substantially affected by increased train lengths and increased train frequency? As proposed, this significant increase in the number and length of freight trains will have a potentially life-threatening impact on victims of traffic accidents, emergency medical incidents, criminal activity, and other emergencies by delaying Police, Fire, and EMS response times. Although the Village has mutual aid agreements with other emergency service providers, these agreements were not designed with the breadth and scope of the interference that will be caused by the proposed increase in freight train traffic. This is particularly true given the location of the Schaumburg Regional Airport adjacent to the rail line since blocked rail crossings would have a significant impact on mutual aid responses to an incident at the Airport. An analysis of potential delays to emergency medical services is critical to understanding the impacts of this merger. Additionally, it will be critical for emergency management systems along the corridor to have access to real-time train data so accurate and timely EMS responses can be coordinated.
- The proposed merger would increase the daily carloads of hazardous material that moves through the Village by over 18%, 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 the Schaumburg Regional Airport and Schaumburg Metra Station and near wetlands located both north and south of the railroad tracks. The EIS should examine how CP is managing safety risks, how they classify hazardous materials, existing procedures to minimize spill risks, coordination on the transport of hazardous materials through communities such as the Village of Schaumburg, training for emergency personnel who may respond to a spill, and security measures for the transport of these materials.
- 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. The increase in trains would also result in an increased risk of accidents at the pedestrian crossings of this rail line. 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. The EIS scope should include an evaluation of shifting travel patterns and impacts to

the adjacent roadway network that will result from delays at existing at-grade crossings.

- An evaluation of bicycle and pedestrian safety, including a projection of increased pedestrian and bicycle traffic along the rail corridor as well as potential accident exposure indices, should also be completed. The Village has several projects underway that will result in additional bicyclists and pedestrians utilizing the at-grade crossing on Rodenburg Road. The villages of Schaumburg and Roselle have finalized plans to extend the existing bike path along Rodenburg Road south of the railroad tracks and a new access road to the Schaumburg Metra Station is also currently being designed which will further improve multimodal access in the area and will result in more bicyclists and pedestrians traveling along Rodenburg Road and at the Schaumburg Metra Station. An understanding of how to make existing crossings safer for bicyclists and pedestrians should be addressed, including but not limited to crossing design improvements, advanced warning signs, the need for additional gates, pavement markings, flashing signals, audible warnings, non-mountable medians, lane delineators, or other warning devices at the crossing.
- The EIS should consider the specifics of the CP's proposed capital improvement plan for the next five years as well as track conditions so that an understanding of the potential derailment and consequence scenarios can be understood and mitigated.

Transportation System Impacts

- With a 235% increase in the number of freight trains traveling on this rail line and train lengths up to 10,000 feet, this will cause severe delays for all motor vehicles attempting to travel to or from the Village, including commuters traveling to the Schaumburg Metra Station and visitors traveling to Wintrust Field. An analysis of these impacts at least 10 years from the completion of merger construction is required to fully understand the potential impacts to the transportation system in the area and a minimum and this analysis along with the 10 year evaluation period should be incorporated into the EIS scope.
- The proposed merger has the potential to interfere with regional efforts to provide reliable and efficient public transportation services for residents, workers, and visitors in the region. With the proposed increase in freight traffic, a full evaluation of potential delays for Metra commuter train traffic due to freight train operations is needed. The total number of 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). The analysis timeframe for evaluating these impacts should be extended to include 10 years from the completion of any post-merger construction projects.

Environmental Impacts

- 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 Briar Pointe Subdivision is located less than 0.10 miles from the railroad tracks and the increased noise from the proposed merger is a significant concern for these Schaumburg residents. 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. The EIS should identify where the increase in rail traffic will result in an increase to a noise level of 65 decibels Ldn or greater. Affected receptors should not be limited to those adjacent to the right of way, but be based on line of sight and current measured ambient noise levels.
- The proposed merger would increase the gross daily tons miles (GTMs) of freight that moves

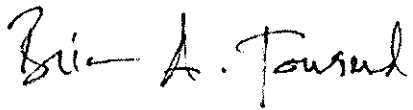
through the Village from the current rate of 37,205 (14 million annual GTMs) gross daily tons miles to 84,986 (31 million annual GTMs) gross daily tons miles (OEA Information Request 1-A2, Elgin Subdivision – Tower B12, IL to Randall Rd, IL: Segments C-ELGI-01, C-ELGI-02). This is an increase of 47,781 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 can withstand the increased tonnage and volume. Due to such tonnage increases, it should also be evaluated if the at-grade crossings will require upgrades to ensure they remain in a state of good repair.

- Due to the increase in train traffic, the EIS should also assess the potential vibration effects based on Federal Transit Authority (FTA) vibration methodology for Detailed Analysis in areas where it appears there may be vibration sensitive receptors within or immediately adjacent to the railroad right of way.
- Furthermore, increases in motor vehicles delayed at at-grade railroad crossings will significantly increase carbon emissions and negatively impact air quality in the Village. Northeastern Illinois, including Schaumburg, is in a nonattainment area as designated by the US Environmental Protection Agency (EPA), so the impacts to air quality as a result of the merger should be evaluated. Again, the proposed timeframe for the EIS should be extended so that the full impacts from the merger can be realized well beyond the proposed 5 year timeframe. A 10 year evaluation period should be the minimum timeframe considered.
- 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 EIS analysis should include an evaluation of the impacts of this merger on existing quiet zones like the one at Rodenburg Road, the need for potential upgrades, and the costs of establishing new quiet zones in order to mitigate the potential noise impacts from the merger.
- The Village of Schaumburg is aware of existing wetlands located adjacent to the railroad right of way. The EIS should include an investigation of the potential impacts to these wetlands and any other ecological and natural resources within the study area. This should include a determination of any impacts to these resources, potential runoff from the CP railroad to these natural resources, and mitigation if impacts to natural resources are not avoidable.

The Village of Schaumburg is concerned about the proposed CP-KCS merger and urges the Surface Transportation Board (STB) to expand the scope of the EIS to address these comments and to ensure that the EIS thoroughly examines the potential negative impacts as part of its process. It is also critical that any approval of the proposed CP-KCS merger be conditioned on CP-KCS's implementation and payment of appropriate mitigation strategies. Furthermore, the STB should 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 CP's merger with KCS.

Thank you for your careful consideration of these concerns and those of the residents of the Village of Schaumburg.

Sincerely,

A handwritten signature in black ink that reads "Brian A. Townsend". The signature is written in a cursive style with a large, stylized 'B' and 'T'.

Brian A. Townsend
Village Manager

Email: btownsend@schaumburg.com

C: Village President & Board of Trustees
Paula Hewson, Assistant Village Manager
Karyn Robles, Director of Transportation

EXHIBIT C

Good evening. My name is Douglas Halverson, and I have the privilege of being the chief of the Bensenville Fire Protection District.

I want to take you back to 1970.

Two crucial fires had a significant impact due to the profuse delays by trains. We lost the Montgomery Wards building, and the Watrous Fire resulted in a total loss and affected several businesses that surrounded them.

All taxing bodies in Bensenville lost tax earnings and sales revenue as neither business rebuilt after the fire.

Mentioning these fires is significant because the impact on the local tax-paying community felt compelled to build another station on the North side of the tracks to prevent such a catastrophe from occurring again.

I am here to advocate for the Bensenville Fire Protection District, the City of Bensenville, its tax-paying community, and the men and women who protect it.

This merger will cause a burden and once again fall on the taxpayers—as history has proven. This merger directly affects the local residents due to constraints on the staffing and apparatus to maintain reasonable response times and the collectively shared resources we offer.

Our Fire District is already short-staffed and uses both the North and South stations to supplement each other to provide the best service possible. This merger is projected to create 50% more train traffic by adding trains and an expanse of train cars and extra times prohibiting us from effectively doing our job. Bensenville is the first town bordering the West and directly connects to the Canadian Pacific Yard, which immediately impacts the traffic and directly delays response to emergency calls, particularly when trains sit at the crossing waiting for authority to move forward or restrictive block signals that require a reduced speed before passing the next signal.

This will also negatively impact insurance rates, with the biggest increase in commercial and industrial buildings. Fire service ISO ratings are heavily impacted by response times, and with a projected 50% increase in train traffic, our ISO rating will inevitably elevate, costing our community once again.

The Bensenville Fire Protection District provides all fire suppression and emergency medical services to the district and the City of Bensenville. We operate from two stations, one on each side of the tracks, both staffed 24/7/365. Station 108 is located on the north side and is only staffed by a squad company able to carry out EMS service as it only consists of 3 personnel. We have a Battalion chief and jump company on the south side, so only one emergency situation may be addressed by either fire or EMS. Our district responds to an average of 3,900 calls a year, and more than half are emergency medical calls. One-third of those total calls are on the north side of the tracks. Given our limited staffing, a vehicle from both stations is due on the majority of responses, causing our crews to cross the tracks multiple times daily to supplement each station. If crews are delayed by trains, it leaves the North side of the district without an available medic unit delaying patient care and transport to the hospital. From an operational perspective, train delays leave the North side of the district with only three firefighters. According to NFPA standards, we are prevented from entering a burning building without a minimum of four personnel on scene.

Ultimately, we need an underpass on York Road, and at minimum, we would require six additional personnel (two a day) to staff an essentially needed ambulance on the north side but lack the funds to do so. This is what our fire district requires to run unimpaired, and these funds should not derive from the local tax-paying community. This impact was created by CP and should be resolved by CP at their expense to convey good faith in repairing previous and future damages to the entire community. This merger is the largest of its kind, and the history of Bensenville and the ramifications will be felt by the community for millenniums to come and should not come at the expense of our taxpayers, who have paid sufficiently not only in revenues but quality of life as well. As the railway is the only establishment that stands to profit significantly, the railway should render the capital to make the appropriate changes for a safer Bensenville.

We have a strong saying in the fire service “the first five minutes dictate the next five hours.” We cannot wait behind a freight train and watch entire companies go up in flames—literally.



**ELGIN FIRE
DEPARTMENT**



ELGIN POLICE AND FIRE DEPARTMENT TALKING POINTS

Police Department concerns:

- High traffic density caused by train delays. This is created because the rail line runs through the highly populated and commerce driven historic downtown area. The city downtown streets are not designed for significant backups that will occur simultaneously at all four (4) crossings in the downtown area. This high traffic density will impact public safety units needing to cross the river.
- The Police Department's headquarters, vehicle resource parking (SWAT Vehicles, Emergency Services Division response vehicle, etc.) and shift commander offices are located on the east side. Delays caused by trains will impact the immediate response of these resources.
- Though not every call for service warrants an immediate response, it is impossible to anticipate when and where the time sensitive calls will occur. This will lead to responding units being held by crossing trains increasing response times and delay in providing needed assistance.
- Because Police Officers work independently they rely on support from other officers in other "beats" around the City to respond and provide assistance for more significant situations. These types of situations occur every day, multiple times a day and cannot be predicted. Having all four (4) track crossings blocked multiple times throughout a 24 hour shift will have significant impact of officer safety.

Fire Department concerns:

- The Fire Department strategically built fire stations to provide appropriate response of emergency resources (fire engines, ladder trucks, ambulances, boats and numerous specialty response vehicles) and to provide appropriate coverage to the various districts of the City. Additionally, the stations were built to provide overlapping coverage to support each district to ensure the appropriate resources arrive at an emergency. There are only two (2) fire stations on the east side of the tracks requiring regular assistance from stations on the west side of the tracks. Any train delay significantly impacts these responses.
- The City of Elgin has two hospitals that are both Level 2 Trauma Centers and are both located on the west side of the train tracks. Though not all medical transports require immediate transport there are a number of common calls (heart attack, stroke, traumatic injury, gun shots, etc.) that require rapid transport to definitive care provided in an emergency room. These calls occur at all times in a 24 hour time frame and with no way of knowing time or extent of delays, patients will be negatively impacted due to the delay in getting to a hospital.
- Increased freight train rail traffic will increase the amount of hazardous materials coming through Elgin. The rail lines are located along the Fox River and traverse densely populated residential areas along with the historic downtown economic area. The Downtown area includes City Hall, Police Department headquarters, Grand Victoria Casino and numerous recreation and auditorium facilities. A hazardous materials release may have significant impact on the drinking water coming from the Fox River and/or the air quality and/or fire and explosion hazards to a densely populated, economically impactful downtown area.
- Due to the geography of the City of Elgin's Downtown area, the Fox River's proximity to the rail lines and the fact that all four (4) downtown crossings would be blocked simultaneously, there is no ability to economically mitigate the impact of increased rail traffic. Increasing the rail traffic increases hazardous material transports and increases the time rail crossings are not available for use by the City's public safety departments. These delays will regularly impact both responder safety and the health and safety of the community.

9-6-2022 Incident

Ambulance 2 and Engine 2 responded for a person with chest pain. Response to the area of the call would have been greatly impaired if a freight train was blocking the crossing as is anticipated due to lack of adequate alternate routes. A2/E2 arrived on scene and was told the patient had passed out but was now awake. The patient was alert and complaining of chest pain but did not want to go to the hospital. The patient was agitated and reiterated we was not going until he passed out again. The patient then awoke and again refused transport. While crew members were on the phone with the hospital the patient stood and ran into his bedroom. Crew members quickly followed and found the patient holding a rifle. One crew member grabbed the patient while another grabbed the gun. The officer of the crew called a "Signal Blue" over the air stating their patient had a gun.

"Signal Blue" identifies the fire department is requesting immediate assistance from Police for a dangerous situation such as this incident. Once received by Communications, multiple police units are dispatched to the scene similar to an "officer needing assistance" call. Officers responded from both sides of the train tracks to ensure adequate assistance is provided. While enroute Police officers, command officers and fire department command staff were approaching the tracks when a Metra commuter train was passing with the gates down. Due to the speed of the train passing the crossing the gates began to raise as the numerous responding vehicles arrived at the crossing. However, if it had been a freight train with longer blocking time there would have been a significant delay in the responding units getting to the scene.

Good evening, my name is Ana Lalley and I have the privilege of being the police chief of the city of Elgin.

Thank you for allowing me to provide a perspective regarding police services specifically as it relates to the City of Elgin.

The Elgin police department serves and protects nearly 115,000 residents in a city covering 38 square miles. While the issues I will be describing are Elgin-specific, the other coalition municipalities share similar concerns although the specific impacts in their respective communities may be different.

A police officer's timely and safe response is paramount: Seconds, not minutes, can make the difference in the outcome.

The Elgin police department's concerns can be predicted with reasonable certainty. There may be many other unintended consequences or concerns that will arise that cannot be anticipated.

Predictable concerns allow the Elgin police department to create mitigation strategies when there are known variables such as the speed of the train or the times in which trains will be passing through city. But even with this information, there is no guarantee the police department's mitigation efforts will mitigate delay in responding to a call for help when a two-mile freight train is blocking four of the city's six river crossings that link the east and west sides of Elgin.

This line goes right through high traffic, high density commercial areas. Delays in vehicle and possible pedestrian traffic will occur as the two-mile long freight trains simultaneously block four of the six bridge crossings linking the Elgin's east and west sides of the Fox River.

The downtown city streets are not designed for significant backups that will be regularly occurring at all four crossings in the downtown area. The presence of such freight trains will not only generate high traffic density negatively impacting vehicles and pedestrians, but also public safety vehicles needing to travel to either the east or west side of Elgin responding to calls for service.

The safety of both community members and first responders will be placed in an uncertain position by the elongated freight trains simultaneously blocking the city's river crossings. Although not every call for police service warrants an immediate response, it is impossible to anticipate when and where the time sensitive or high priority calls will occur. This can result in responding police units being delayed by crossing trains, thereby increasing response times and needed assistance or service.

While police officers rely on support from other police officers located throughout the city for backup. During significant, high priority calls, an entire shift of police officer can be depleted when responding to an incident. In situations requiring additional assistance and resources, the delay in providing adequate police response both because of a freight train blocking the river crossings places both officers and community members in precarious situations.

Elgin responds to XX calls for service per day on average, some of these calls require multiple officers and resources to resolve.

Having four train track crossings blocked multiple times throughout a 24-hour period will have significant impact on officer safety.

The police department's headquarters on the city's east side of the Fox River is the central location of its resources such as an armored vehicle, specialized equipment, and other specialized response vehicles. More than half of Elgin's population is now located west of the Fox River. Delays caused by these long freight trains will impact the immediate response of the resources being deployed into a situation that can cause serious consequences.

Let me make one thing very clear: As the nature of police and fire services is not predictable, any efforts to eliminate potential risks should be taken.

Thank you.

STB Public Comment-Itasca

September 12, 2022

Good evening

My name is Eric Fors and I am the Fire Chief of Hanover Park. I've been serving my community as a firefighter and Paramedic for 25 years.

As you have heard from those before me and you will continue to receive the message from the group that is speaking after, **Response Times Will be Dramatically affected if this merger is allowed to continue.**

The Illinois Department of Public Health maintains records on pre-hospital emergency care, these are the reports that our paramedics complete for each EMS request.

In a 2019, a IDPH report on response times found:

In DuPage County, 57,903 incidents revealed a median response time of 5 times.

In Cook, roughly 504,000 responses also noted a median response time of 5 minutes.

This is the level of service provided which is not only necessary but has become expected.

Either making these extra trains use an alternate route or separating grade crossings to allow travel over or under the tracks are the only realistic ways to ensure emergency

responders can reach those in need in a timely manner. Each fire department understands and monitors this critical time frame, and we will be closely watching changes if the merger is allowed to continue as proposed.

According to the Journal of the American Heart Association, Survival to 30 days after a witnessed out of hospital cardiac arrest is worse as ambulance response times increase. This correlation was seen independently of initial heart rhythm and whether or not CPR was performed prior to the arrival of EMS. Thus, decreasing EMS response times is directly linked to increasing survival in these critical patients.

Additional to cardiac arrest, the Stroke patient is extremely time sensitive. The American Heart Association has published research that shows **1.9 Million brain cells die every minute the brain is deprived of blood flow.** Longer trains and more frequent trains will only increase these critical response minutes and will certainly decrease the positive outcomes of these patients.

As expected, response time has a dramatic effect when responding to a structure fire. Two key components are the rate that fire grows, and the type of materials that burn. Fire grows with great speed; in certain conditions fire can nearly double in size every minute. This speed of the fire is in combination with the fact that today we fill our homes with mostly synthetic goods.

30 years ago, using a majority of natural materials such as cotton, wool, and wood, you could have as much as 15-20 minutes to escape your home if it was on fire. Today, due to plastics and our use of synthetic fabrics, this time is decreased to only 5 minutes. This also decreases the amount of time before a floor collapses or the structure becomes too dangerous for us to enter. You can now see how a mere delay of 1-2 minutes can have dire consequences.

Besides EMS calls and structure fires, Hazardous Materials incidents, technical rescues, & patients trapped in vehicles are all critical calls where emergency response time is integral to a successful outcome.

Thank you for allowing me to briefly speak tonight about only a few of the of the obstacles that will affect Emergency Services should the merger move forward.

I am the chief of the Itasca Fire Protection District.

13 minutes. That's how long it will take our fire department to respond to a house on the north side of the town if we have a nearly three-mile freight train crossing all of our at-grade crossings at once.

13 minutes can destroy a house by fire. More importantly, 13 minutes can literally put someone's life in jeopardy if they call 9-1-1 for a life-saving situation.

Why 13 minutes? Take a look at this map.

As Mayor Pruyn described earlier, the train line cuts through our town. Our fire house is on the south side of the tracks. The home located at 563 Center Street is north of the tracks, and when no trains are present, it takes a total travel time of 1 minute and 15 seconds from our station. If a train were to block all of our crossings, the alternative route would take us over 13 minutes to respond!

This is clearly, not an acceptable response time.

Industry standard is 5 minutes or less, which we abide by.

Equally important, the northern end of our town is home to 2 of our 3 schools, several high-rise buildings, and business parks, adding to our daily population of nearly 20, 000 people. A merger that increases our response time will be an unfair burden to the community.

We staff one fire engine, one ambulance, and one battalion chief. We respond to approximately 1300 calls per year in town. The call volume is split almost in half, with 48 percent of our calls being north of the tracks. A large percentage of our calls are for medical services, and a delay reaching victims of heart attacks, strokes, overdoses, and respiratory distress will greatly impact the survival and recovery of the people we serve.

I would be remiss if I did not address the fact that fire doubles every minute, and response delays to a fire will have dire consequences. The health and safety of our community members are of the utmost concern to our district.

One long-term mitigation would be an overpass at Prospect Avenue. An overpass in town would allow us to serve the entire population of Itasca regardless of when a train approaches. I strongly encourage the consideration of allocating funds immediately for the construction of an overpass at Prospect Ave. However, this mitigation process will take years. So, the need for a new fire station north of the tracks will need to be considered. The long-term costs of a new fire station will undoubtedly be a heavy burden for the taxpayers.

The sentiment I have heard from our community repeatedly is, "we should not be burdened by a for-profit merger."

Thank you.

Good evening. My name is Robert O'Connor, and I have the privilege of being the Police Chief for the Village of Itasca.

I want you to imagine a square box, and near the bottom quarter of the box is a line that cuts through it. Below that line is our ONE police department. Above that line are our schools, the majority of residents, and the bulk of our population and traffic. Imagine when our village is bifurcated for what could be as long as 3:32 minutes by ONE freight train. Now take that delay and multiply it by at least eight... if not 14 trains per day. This is a police responder's nightmare.

The size of our village does not represent the large amounts of calls for service.

In a two-year time period.. from August 30, 2020, to 2022, the Itasca Police Department had nearly 13-thousand calls for service. Of those, nearly 60% were north of that rail line. There were HUNDREDS of times when those calls for service were delayed by Metra and freight trains or even canceled.. and that's with just two freight trains per day. Imagine if we have up to 14 AND they are nearly three miles long.

As our mayor said earlier, we have four at-grade crossings in Itasca. One of these new freight trains could cover all four at-grade crossings at once.

When you consider this railroad merger, please think safety first.

Thank you.

Mark Bozik – Fire Chief and Emergency Manager for the Village of Roselle

Two of the primary functions of my position is to manage risk and mitigate incidents.

Years ago, Roselle had fire stations on both sides of the tracks. A decision was made to consolidate stations to one central location to better serve the needs of the public. It was realized that there was a potential delay on crossing the tracks, but with minimal freight traffic and commuter trains blocking a grade crossing for less than a minute the risk was minimal. If there was an extended blockage of a grade crossing emergency vehicles could detour and use the Irving Park Rd. underpass. At one point we even had a light in the station that indicated when the crossing at Roselle Rd. was blocked. During crossing upgrades the light was disconnected by the railroad and never reconnected despite multiple requests.

Today, the two at grade crossing we routinely utilize, Roselle Rd. and Medinah Rd. are blocked anywhere from 2 to 3 minutes a couple of times per day with freight trains. The approval of the merger will increase freight train activity by an estimated 14 trains per day with the at grade crossings of both Roselle Rd. and Medinah Rd. being blocked an average of 3 minutes and 35 seconds per train. If emergency units are at the Roselle Rd. Grade crossing and must go around utilizing the Irving Park Rd. underpass it adds 3 minutes to the response. If emergency units are notified prior to leaving the station and utilize the Irving Park Rd. underpass, it still adds an additional 2 minutes and 20 seconds to a response.

Roselle residents demand the best in public safety. When home builders started using materials that burned faster the Village required fire sprinkler in homes. When the Village experienced a higher volume of ambulance calls they added a second ambulance. When the Village saw that specialized equipment was improving a patient's recovery from a stroke, they worked to have that specialized equipment brought to the scene.

What does a 3-minute delay to emergency services caused by freight trains mean to the Village of Roselle:

It means that a house fire that doubles in size every minute will be 8 times bigger because of the delay:

It means that a person having a stroke will spend an additional 3 weeks in rehabilitation because of the delay;

It means that a witnessed cardiac arrest patient will have a 27% to 30% chance of surviving the event;

It means that our pediatric drowning patient would have waited 3 additional minutes for the ambulance potentially changing the outcome.

From a risk management standpoint, the easiest way to avoid these additional risks is to not increase the train traffic by denying the merger. If the intent of the Surface Transportation Board to recommend approval of the merger, then the appropriate level funding must be provided to the Village to mitigate the increased risks of the merger. The Village should not have to endure the additional costs brought on by the railroad merger to provide the same level of protection that our residents currently receive.

Roselle Police Department Statement

Good evening. My name is Steve Harron, and I am the police chief for the Village of Roselle.

Tonight you are hearing a lot of testimony about congestion around various at-grade crossings in our communities. But what you ARE NOT hearing is about congestion in our communities when people will start to try and go around the downed crossings.

This can be even more dangerous than the crossings themselves.

Why?

It is our belief that when up to an additional 14 freight trains come through these towns, traveling motorists will look for alternative roadways to avoid the blocked crossings.

As you can see by this map, Roselle Road traffic will utilize Maple, Main Street, Elm, Maple, and Central Ave, while Irving Park traffic will utilize Maple Ave as a bypass through a residential neighborhood to Roselle Road. Several of these streets include a public library, baseball fields, and skate parks. Who utilizes these places? Children of all ages. People walking their dogs. Families on bike rides.

What can happen when a multitude of cars start driving down these side streets—not knowing where they are going? And likely in a hurry to get around a freight train?

Disaster.

Thank you.

Wood Dale Fire Protection District Talking Points

Good evening, everyone,

Thank you for the opportunity to speak tonight

- My name is James Burke, I am the Fire Chief of the Wood Dale Fire Protection District.
I've been serving in the fire service now for over 42 years.
- The Wood Dale Fire Protection District is responsible for providing Fire and EMS service to the residents of Wood Dale. I'm here tonight to speak about the proposed merger and the problems this merger could create for us while responding to fire and EMS calls within our district.
- Response time is critical when responding to medical and fire emergencies. In Wood Dale, the most critical and most often used crossing is the at grade crossing at Wood Dale Rd and Irving Park Rd. which lies directly in the center of our district. This crossing is unique in that the tracks cross both Irving Park Rd and Wood dale rd. on an angle within 100" of each other.
- A study done for the district in 2019 charted 3000 emergency calls and plotted them as to their location and response time to any geographic area within the district. What the study showed was that the location of the emergency calls was an almost even split on the north and south sides of the tracks (see attached).
- The National Fire Protection Agency standard for response is 5 minutes or less for EMS calls and 5:20 for non -EMS calls (see attached). The district met those benchmarks given the ability to traverse the tracks. Our internal study of call responses from 2018 through 2021 showed emergency calls were held up by train traffic a total of 269 times.

- The DEIS study does not address an 8 – 14 increase in freight train traffic or trains 9000 feet or longer and its impact to emergency response. A single 9000 ft. train is long enough to block all 3 at grade crossings we have in Wood Dale at the same time. Instead of addressing emergency response times as they relate to emergency services, the DEIS study talks about the average delay per vehicle which is meaningless to first responders.
- The Wood Dale Fire Protection District staffs 2 fire stations, one on the north side of the tracks and one on the south side of the tracks. Given our limited daily manning, our single engine company is housed at our south station and our single paramedic unit is housed at our north station. Both the engine company and paramedic unit respond to all calls together throughout the district. What this means is that of the approximately 2700 calls annually, one piece of equipment needs to cross the tracks on every call. Either the engine going to the north or the paramedic unit to the south. The DEIS study states the impact on emergency vehicle response times is “minimal” given the fact that there are “alternate routes” that can be used.
- Currently the closest overpass for use by first responders is located on IL. Rt. 83 which is on the far east end of the district’s border. Utilizing this overpass is not realistic as it more than doubles and in some cases triples both response times and travel distances to the farthest points north and south in the district. To suggest that these delays are minimal is simply untrue.
- The DuPage County Division of Transportation conducted a recent time delay study of 30 at grade crossings likely to be impacted and found that the crossing at Irving Park Rd. currently had the highest volume of vehicles daily at 24,500. The Wood Dale Rd.

crossing is only 100 feet away from the Irving Park Rd. crossing with a daily traffic flow of 7250. Because these crossings are in such close proximity to each other, if one is blocked, they both are blocked. This brings the current daily total vehicles delayed to 31,750 total for the intersection. With the addition of up to 14 new freight trains that number jumps to 35,681.

- The DEIS study listed 28 “emergency grade crossings” in its study. It does not list Wood Dale Rd and Irving Park crossing as an emergency vehicle crossing or recommend any mitigations for this intersection even though it has the highest car volume and given the fact that the Wood Dale Fire District crosses those tracks over 2700 times annually on emergency responses.
- Mutual aid from neighboring towns, has been mentioned as a possible way to provide needed coverage to our residents in the event of train delays. Let me start by defining what mutual aid is and what it is not.
- Mutual aid is designed to help neighboring towns during a large- scale emergency event such as a fire, a weather event or mass casualty incident that exceeds the normal day to day ability of the fire department resources.
- Mutual aid is NOT designed to address a problem, such as train delays, by sending our neighboring fire department’s staff and resources into our community in lieu of or in addition to our own staff and equipment. It is incumbent upon the Wood Dale Fire District to address the issue of train delays and solve the problem without overburdening our neighbors as the tax- payers in those communities are the ones paying for their service.

- Realistically for the Fire District, there are only two options for mitigation to ensure our crews can reach those in need in a timely manner.
 1. Replace the at grade crossing at Wood Dale rd. and Irving Park Rd. with an underpass.

This would be the most logical and would take care of the fire department and police response issues regardless of train numbers or length.
 2. The second option is to provide the necessary annual funding for redundant resources located at our fire stations on both sides of the tracks that are fully equipped and staffed to handle any type of fire or medical emergency independent of the opposite station.

Timely response times to EMS calls, structure fires, Hazardous Materials incidents, technical rescues, & patients trapped in vehicles are paramount to a successful outcome. I believe without some sort of mitigation; the proposed merger is going to have an adverse impact on the Fire Districts ability to provide the level of service that our community has come to expect.

Thank you for your time this evening.

WOOD DALE POLICE DEPARTMENT TALKING POINTS

Hello, my name is Greg Vesta, and I am the Chief of Police in Wood Dale, Illinois. Thank you for allowing me to speak regarding the impact that the proposed merger would have on public safety. Similar impacts would be felt not only in Wood Dale, but along the entire corridor in our region.

.7 second delay. Seems unreasonable for a resident, commuter, or public safety professional to be concerned about, right? For the 24,500 vehicles that cross the railroad tracks on Irving Park Road every single day, that is the same as 285 minutes, or almost 5 hours of delays that are experienced at current rail traffic levels. For the thousands of cars that pass when there is no train crossing the tracks, they may not feel the impact that our residents will feel with the significant increase in freight traffic.

But I'm not speaking about the "average" car. My concern is our police cars. My concern is the ability of our first responders to be able to respond to life-threatening emergencies that our residents experience on a regular basis. My concern is the safety of our officers who may be left to fend for themselves while their backup officer is sitting waiting for a tanker or cargo container to cross each crossing in town so they can resume their route to assist the citizen in danger or the officer facing an armed or aggressive assailant.

I don't have to go far back in the memory banks to share an example of this type of delayed response that could have been catastrophic for our agency and officers. In February of 2022, officers were given emergency dispatch tones to respond to a residence on the south side of town for a gun threat. The cars on the north side of the tracks and the supervisor were delayed by a freight train for 4 minutes and 26 seconds while an officer was alone with a reportedly armed suspect. While a backup officer arrived 1 minute later, the officers were still outnumbered by suspects until the officers cleared the freight train over 3 minutes later.

In August of 2022, officers responded to a report of several suspects fleeing a gas station with full face masks and were believed to be planning a robbery or burglary in the area. Officers who were responding to clear the building while others were detained waited 7 minutes and 15 seconds for two freight trains to clear the intersection.

In addition to these specific recent incidents, a review of just the 2021 delays during trains crossing the intersections in town includes numerous documented train delays of multiple minutes for incidents involving domestic battery, burglaries, mental health crises, accidents, suspicious persons, fights, and many other types of incidents.

When precious seconds count in the saving of a life or confronting a threat to our citizens, minutes spent waiting for trains to pass feel like hours in the minds of our officers. A significant increase in freight train traffic is only going to result in many more incidents that may not be resolved safely due to the inability to respond in a timely manner. While the railroad stated in a recent opinion article that the merger will result in “less pollution and improved safety on the roads for everyone,” for the residents who live in these communities, delayed emergency response will not make them safer.

This scenario plays out countless times daily throughout the rail corridor in our region. Every police agency whose town is dissected by rail traffic could provide similar testimony. We are managing the current train traffic but are fearful of what the significant increase in blocked rail crossings will have on our communities.

I urge you to not think about the “average” delay but consider what will be the real-life delays and impacts to so many communities if this merger is allowed to proceed.

Thank you for your time.

EXHIBIT D



CITY OF
WOOD DALE

Mitigation Project

 Median Replacement

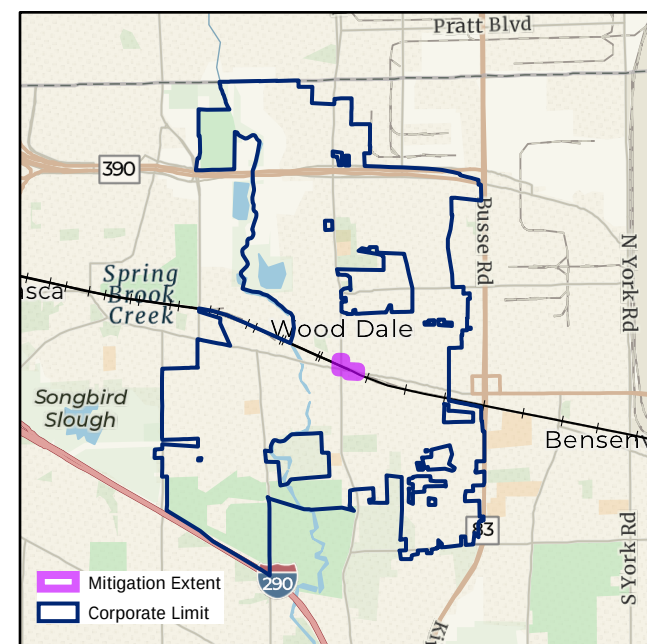


EXHIBIT E

Village of Bartlett
Village of Bensenville
City of Elgin
Village of Hanover Park



www.StopCPKC.com

Village of Itasca
Village of Roselle
Village of Schaumburg
City of Wood Dale
DuPage County

Railroad Crossing Delay Analysis

DuPage County Division of Transportation (DuDOT), and its consultant Gewalt Hamilton and Associates (GHA), conducted an evaluation of the impact of existing and Proposed Merger future traffic impacts resulting from an increase in the number of freight trains of 8 to 14 each weekday at 30 public highway at-grade crossings on the Metra/Canadian Pacific Elgin Sub line throughout DuPage County and portions of Cook and Kane Counties. The study area includes all the grade crossings between MP 39.15 McLean Boulevard (372246Y) and MP 17.08 York Road (372170V). This memorandum details the methodology and the findings of the evaluation.

Study Area:

The area studied for this evaluation is depicted in Exhibit 1, which includes a map and a listing of the at-grade crossings. The study area encompasses 30 public at-grade crossings on the Metra/Canadian Pacific Elgin Sub line through the northern portion of DuPage County, the northwestern portion of Cook County, and the eastern portion of Kane County. The at-grade crossings are located in the communities of Elgin, Bartlett, Streamwood, Hanover Park, Schaumburg, Roselle, Itasca, Wood Dale, and Bensenville, as well as Addison Township, Bloomingdale Township, Wayne Township, Elgin Township, Schaumburg Township, and Hanover Township.

The at-grade crossings in the study area include three state highways, four DuPage County highways, and two Cook County highways. Two of the roadways are classified as "Other Principal Arterials," eleven as "Minor Arterials," five as "Major Collectors," two as "Minor Collectors," and the remaining ten as "Local Roads." Two of the roadways, IL Route 25 (St. Charles Street) and Roselle Road, are designated as Strategic Regional Arterials (SRA).

Data Collection:

The evaluation utilized train traffic data obtained in 2022 by DuDOT personnel in the field. The data was collected using video cameras placed along the highway rights-of-way at nine at-grade crossing locations:

MP 39.15 McLean Boulevard (372246Y) August 15-16
MP 37.02 Kimball Street (372242W) August 15-16
MP 35.01 Raymond Street (372235L) April 26-27
MP 24.59 Roselle Road (372196X) March 15-16; April 26-27
MP 23.06 Medinah Road (372191N) April 26-27
MP 20.25 Prospect Avenue (372179G) April 26-27
MP 19.17 Wood Dale Road (372178A) April 26-27
MP 17.23 Addison Street (372172J) May 2-3
MP 17.08 York Road (372170V) May 2-3

Village of Bartlett
Village of Bensenville
City of Elgin
Village of Hanover Park



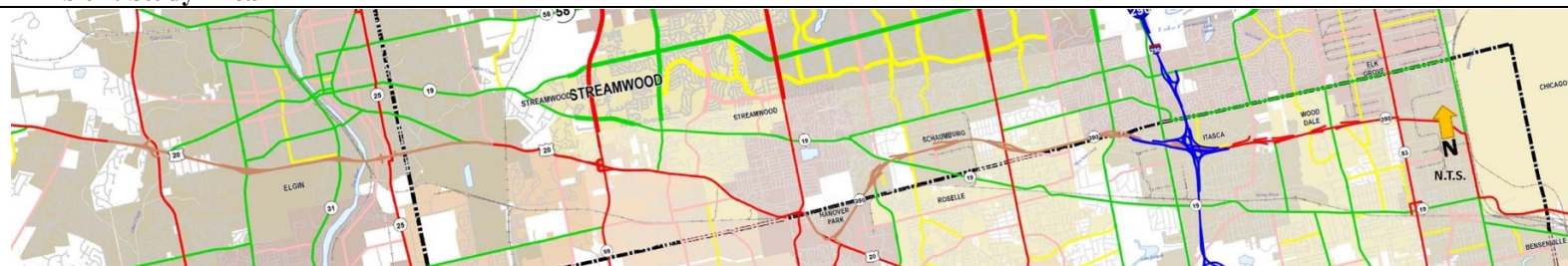
www.StopCPKC.com

Village of Itasca
Village of Roselle
Village of Schaumburg
City of Wood Dale
DuPage County

DuDOT staff reviewed the video footage and tabulated the time of each freight train event, the duration of the gate down time, and the direction of travel of each train. This information serves as the basis for calculating the train delays at each of the grade crossings in the study area.

The evaluation utilized available vehicular traffic data for crossings throughout the study area. Since the most recently published data is from 2020 and is significantly under-reported due to the COVID-19 pandemic, GHA utilized historical Average Daily Traffic (ADT) data from any available sources to obtain a complete set of pre-pandemic data. To fully conduct the evaluation, hourly data is required for each at-grade crossing. A limited number of locations had available hourly data. For locations without hourly data, GHA identified a similar roadway within the corridor for which data was available and applied the same percentages of hourly traffic throughout the day to the subject crossing's ADT, resulting in an interpolated hourly volume.

Exhibit 1: Study Area



(Map Source: Illinois Department of Transportation)

Crossing Locations & Numbers

McLean Boulevard (372246Y)	Naperville Road (372210R)	Catalpa Avenue (372182P)
Kimball Street (372242W)	Western Avenue (372207H)	Walnut Street (372180B)
Highland Avenue (372241P)	Oak Avenue (372206B)	Prospect Avenue (372179G)
Chicago Street (372240H)	Prospect Avenue (371997M)	Wood Dale Road (372178A)
National Street (372239N)	Rodenburg Road (372202Y)	Irving Park Rd (IL Rte. 19) (372177T)
Elgin Avenue (372236T)	Roselle Road (372196X)	Ash Avenue (372176L)
Raymond Street (372235L)	Prospect Street (372195R)	Church Road (372174X)
St. Charles Street (IL Rte. 25) (372217N)	Park Street (372194J)	Addison Street (372172J)
Gifford Road (372214T)	Medinah Road (372191N)	Center Street (372171C)
Spaulding Road (372212E)	Rohlwing Road (IL Rte. 53) (372184D)	York Road (372170V)

Village of Bartlett
Village of Bensenville
City of Elgin
Village of Hanover Park



www.StopCPKC.com

Village of Itasca
Village of Roselle
Village of Schaumburg
City of Wood Dale
DuPage County

During the data collection, DuDOT personnel observed varied volumes of freight train traffic. During the March and April observations, two (2) daily long-haul freight trains were observed. The March observation was at a single location and the initial assessment to verify train activity. The April observations included 5 separate at-grade crossings at various locations along the corridor. Data was collected for the same 24-hour period. The May and August observations were specific to isolated at-grade crossings and communities. In May, four (4) long-haul freight trains were observed. In August, three (3) long-haul freight trains were observed. DuDOT has no information regarding the reasons for the varied freight traffic on the different observation days.

Literature Review

GHA conducted a literature review to identify examples of previously published studies calculating delay for highway traffic at grade crossings. Two specific documents were identified and reviewed. The first was a working paper prepared by the Illinois Commerce Commission entitled *Motorist Delay at Public Highway Rail Grade Crossings in Illinois* (Working Paper 2002-03) written in July 2002. This document presented a high-level, aggregated approach to evaluating crossing delays throughout the Chicago region. While informative to this evaluation, it did not provide a specific methodology that would allow evaluation of the crossings in the study area.

The second document that GHA identified was an Environmental Impact Report study prepared in 2012 for the Southern California International Gateway Project prepared by The Port of Los Angeles. This document utilized an analytical method based on Webster's Uniform Delay Model that was adapted for use in the railroad crossing application. The method was adapted from earlier works by Dr. Robert Leachman entitled *San Pedro Bay Access Study: Phase 2: Railroad Access* in 1984 and in a TRB presentation by James Powell entitled *Effects of Rail-Highway Grade Crossings on Highway Users* in January 1982.

The graph representing the cumulative arrivals and departures at a blocked crossing is shown below in Exhibit 2.

(This Section Intentionally Left Blank)

Village of Bartlett
Village of Bensenville
City of Elgin
Village of Hanover Park



www.StopCPKC.com

Village of Itasca
Village of Roselle
Village of Schaumburg
City of Wood Dale
DuPage County

Exhibit 2: Cumulative Arrivals and Departures for an Isolated Blockage

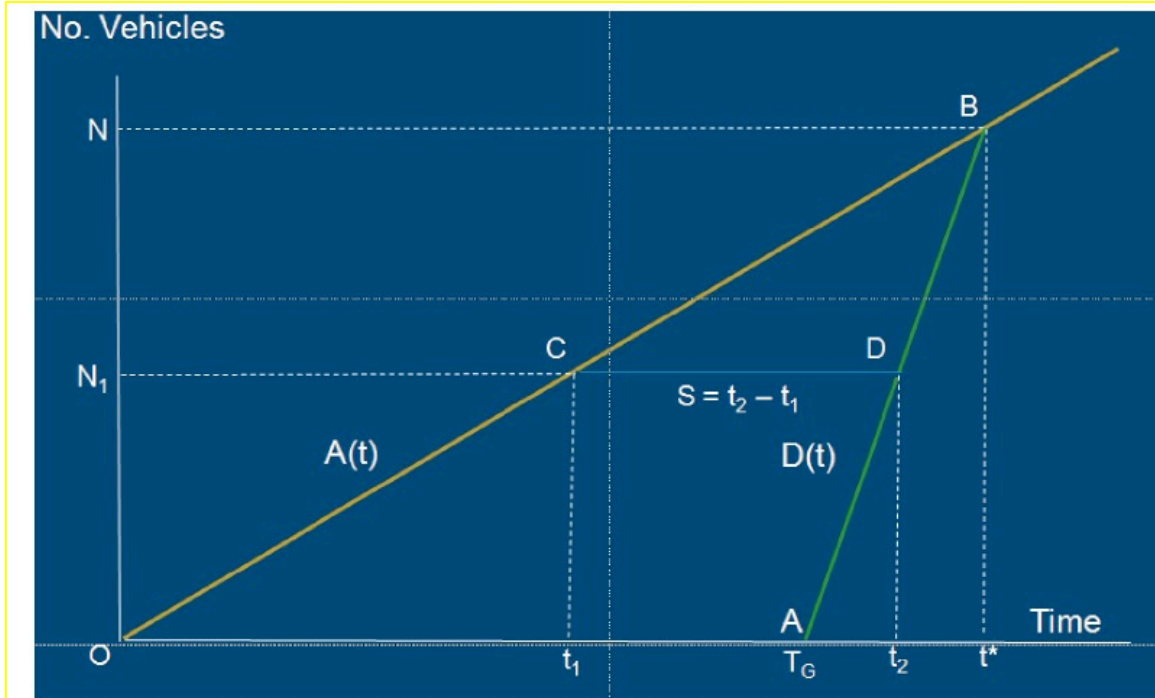


Exhibit 3: Equation to Determine Vehicle-Minutes of Delay (V) for an Isolated Blockage

$$V = \left(\frac{1}{2}\right) \frac{qT_G^2}{(1 - q/d)}$$

Note that delay is a function of the square of the gate down time.

The equation for the arrival line in the graphic, A(t), is:

$$y = qt$$

where:

y = cumulative number of vehicles arriving at the crossing

q = arrival rate in vehicles per minute

t = time in minutes

Arrivals are assumed to be uniformly distributed (i.e., vehicles arrive at equal intervals).

Source: Southern California International Gateway Project, Environmental Impact Report study

Village of Bartlett
Village of Bensenville
City of Elgin
Village of Hanover Park



www.StopCPKC.com

Village of Itasca
Village of Roselle
Village of Schaumburg
City of Wood Dale
DuPage County

As mentioned above, the underlying model used in the Southern California International Gateway Project report is the Webster's Uniform Delay model, which was initially published in 1958. The Webster model is a fundamental traffic engineering tool in use throughout the industry. The model assumes stable flow and simple uniform arrival and, after the disruption ends, uniform departure. When viewed graphically, the model represents the cumulative number of vehicles on the vertical axis and time on the horizontal axis. The plotted lines for the arrival rate, disruption time (e.g., gate down time), and departure rate depict a triangle as the queue builds, vehicles experience delay, and the queue dissipates. With this model, the delay can be calculated formulaically or graphically, where a delay is represented by the area under the curve. Notably, with this method, not only can the overall delay experienced by all impacted vehicles be calculated, but also the number of impacted vehicles, which is represented as the y-axis value at the point where the arrival rate and the departure rate lines intersect.

Importantly, the Webster model captures not only the delay that occurs during the interval when the gate is down, which is represented as T (blocked crossing time per train) in Section H.2.1.1 of the *Canadian Pacific Acquisition of Kansas City Southern Draft Environmental Impact Statement* Appendix, but also the residual delay that occurs during the discharge period, which is not accounted for in the Draft EIS. The compounding effect of delay occurring during the discharge period has a significant impact on the number of blocked drivers and their overall delay, particularly at locations with multiple lanes and high ADT values.

Methodology:

DuDOT and GHA utilized the method described in the Southern California International Gateway Project to conduct this evaluation. The analysis process utilized multiple steps:

1. Conduct field observations of train events (gate down/up time, train type, direction) at multiple at-grade crossings throughout the study area
2. Obtain ADT traffic data for all roadways crossing the rail line within the study area; the most recently available valid data was from the 2016-2018 time period
3. Obtain hourly traffic data for available roadways
4. Interpolate hourly traffic data for remaining roadways
5. Interpolate train events to remaining crossing locations
6. Calculate existing delay and number of delayed vehicles for all crossings in the study area
7. Input data for the Proposed Merger increase of 8 to 14 freight trains per day into the calculation spreadsheet and calculate projected gate down time, vehicle delay, and number of delayed vehicles for all crossings in the study area

Utilizing this approach, GHA and DuDOT made the following assumptions about the existing and future data:

- For existing and projected conditions, the delay calculated for each individual train is assumed to be a standalone event that is not directly impacted by a secondary train or a lengthy disruption during the vehicle discharge period (i.e., no significant traffic signal delay, emergency vehicle delay, etc.);

Village of Bartlett
Village of Bensenville
City of Elgin
Village of Hanover Park



www.StopCPKC.com

Village of Itasca
Village of Roselle
Village of Schaumburg
City of Wood Dale
DuPage County

incorporating these additional factors into the model would result in similar or increased delay calculations depending on the specific characteristics of each crossing.

- The projected conditions assumed 8 additional freight trains arriving at 90-minute intervals between 5:00 A.M. and 3:30 P.M. and 14 additional freight trains arriving at 90-minute intervals between 3:30 A.M. and 11:30 P.M., each 10,000 feet in length and with a travel speed of 40 mph west of Itasca decreasing to 30 mph through Itasca, 20 mph through Wood Dale and 10 mph through Bensenville. The reduced speeds through Itasca, Wood Dale, and Bensenville align with freight train deceleration/acceleration when arriving to/departing from the Bensenville Yard.
- The vehicle discharge rate when the gates go up is assumed to be 950 passenger cars per hour per lane (pcphpl), which is 50% of the free flow rate of 1900 pcphpl commonly used for capacity analyses in the Highway Capacity Manual. This assumption reflects the lost time during start-up, friction among drivers departing from the railroad crossing, slower travel speeds through the grade crossings, and the presence of cross streets and traffic control devices.
- The number of existing freight trains used in the evaluation is two (2). This is consistent with the April observations at multiple at-grade crossings along the corridor.
- For projected conditions, the gates were assumed to activate 30 seconds prior to train arrival and deactivate 15 seconds after train departure at the crossing; this is based on the observed gate operations at the crossings within the study area and is applied to all projected train calculations at all crossings.
- All data is valid for weekdays only; no weekend train observations were conducted; no weekend traffic data was available.
- For calculation purposes, a week is considered 5 days; a month is considered 21 days; a year is considered 259 days; these values are based on the typical weekdays in a month and in the year for 2022.

Summary of Findings

The results of the evaluation indicate that the Proposed Merger increase of 8 and 14 freight trains each day will have a significant impact on cars, trucks, school buses, and emergency responders at each of the 30 at-grade crossings. The individual crossing results for current freight trains and Proposed Merger increase of 8 to 14 trains per day are summarized in the following tables. Aggregating the daily impact of the Proposed Merger at the 30 at-grade crossings results in:

- An increase in gate down times along the corridor of 20.5 to 36 hours each day
- An additional 15,000 to 23,000 vehicles blocked each day; that includes cars, buses, trucks, emergency responders
- An additional 862 to 1,285 hours of vehicle delay each day

Village of Bartlett
Village of Bensenville
City of Elgin
Village of Hanover Park



Village of Itasca
Village of Roselle
Village of Schaumburg
City of Wood Dale
DuPage County

www.StopCPKC.com

The following information is useful in reviewing and interpreting the results:

- Delay is reported using the standard format of the Highway Capacity Manual.
- Overall delay, whether for each train event, daily, weekly, monthly, or annually, is reported in vehicle-hours or vehicle-days of delay. This represents the combined delay of all the drivers during the specified time period. For example, one (1) vehicle hour of delay could be experienced by one (1) vehicle delayed for 60 minutes, or by 30 vehicles delayed for two (2) minutes each, or by any combination of vehicles totaling 60 minutes of delay. It is an aggregated measure of the overall delay experienced collectively by the roadway users.

Table 1: Existing Delay by Crossing Location (Weekdays Only)

Crossing Location	ADT (veh/day)	Daily			Weekly		Monthly		Annual	
		Total Gate Down Time ^ (hh:mm:ss)	Vehicles Blocked	Total Delay (hr-min)	Vehicles Blocked	Total Delay (day-hr-min)	Vehicles Blocked	Total Delay (day-hr-min)	Vehicles Blocked	Total Delay (day-hr-min)
* McLean Boulevard	18,400	09:46	251	10h 58m	1,255	2d 6h 54m	5,271	9d 14h 36m	65,009	118d 12h 11m
* Kimball Street	20,000	08:50	249	9h 20m	1,245	1d 22h 41m	5,229	8d 4h 6m	64,491	100d 18h 38m
Highland Avenue	5,600	08:50	46	1h 42m	230	0d 8h 31m	966	1d 11h 48m	11,914	18d 9h 34m
Chicago Street	9,000	08:50	104	3h 54m	520	0d 19h 30m	2,184	3d 9h 56m	26,936	42d 2h 31m
National Street	6,700	07:05	48	1h 22m	240	0d 6h 50m	1,008	1d 4h 44m	12,432	14d 18h 23m
Elgin Avenue	175	07:05	3	0h 2m	15	0d 0h 14m	63	0d 0h 58m	777	0d 12h 7m
* Raymond St	2,900	07:05	17	0h 29m	85	0d 2h 25m	357	0d 10h 9m	4,403	5d 5h 21m
IL 25 (St Charles)	16,600	07:05	184	5h 12m	920	1d 2h 1m	3,864	4d 13h 18m	47,656	56d 4h 11m
Gifford Rd	4,200	07:05	35	0h 59m	175	0d 4h 59m	735	0d 20h 57m	9,065	10d 18h 31m
Spaulding Rd	1,650	07:05	10	0h 16m	50	0d 1h 24m	210	0d 5h 54m	2,590	3d 0h 58m
Naperville Rd	12,300	05:48	260	6h 25m	1,300	1d 8h 5m	5,460	5d 14h 48m	67,340	69d 6h 38m
Western Ave	675	05:48	5	0h 6m	25	0d 0h 31m	105	0d 2h 11m	1,295	1d 3h 7m
Oak Ave	8,400	05:48	83	2h 2m	415	0d 10h 11m	1,743	1d 18h 48m	21,497	22d 0h 2m
Prospect Ave (VO Bartlett)	3,250	05:48	22	0h 31m	110	0d 2h 35m	462	0d 10h 51m	5,698	5d 13h 53m
Rodenburg Rd	11,300	05:48	160	3h 57m	800	0d 19h 48m	3,360	3d 11h 11m	41,440	42d 18h 5m
* Roselle Rd	13,300	05:48	180	4h 26m	900	0d 22h 13m	3,780	3d 21h 21m	46,620	47d 23h 29m
Prospect St (VO Roselle)	1,200	05:48	7	0h 8m	35	0d 0h 42m	147	0d 2h 58m	1,813	1d 12h 45m
Park St	1,500	03:57	7	0h 7m	35	0d 0h 36m	147	0d 2h 33m	1,813	1d 7h 36m
* Medinah Rd	10,000	03:57	89	1h 48m	445	0d 9h 3m	1,869	1d 14h 3m	23,051	19d 13h 26m
Rohlwing Rd (IL 53)	18,500	03:57	115	2h 19m	575	0d 11h 39m	2,415	2d 0h 56m	29,785	25d 3h 40m
Catalpa Ave	2,650	02:49	9	0h 8m	45	0d 0h 43m	189	0d 3h 4m	2,331	1d 13h 51m
Walnut St	5,250	02:49	18	0h 19m	90	0d 1h 36m	378	0d 6h 47m	4,662	3d 11h 42m
* Prospect Ave (CH 10)	2,850	02:49	9	0h 8m	45	0d 0h 44m	189	0d 3h 7m	2,331	1d 14h 34m
* Wood Dale Rd	13,700	08:54	103	3h 44m	515	0d 18h 40m	2,163	3d 6h 27m	26,677	40d 7h 42m
Irving Park Rd (IL19)	24,500	08:54	280	10h 7m	1,400	2d 2h 36m	5,880	8d 20h 31m	72,520	109d 5h 7m
Ash Ave	600	19:29	8	0h 27m	40	0d 2h 15m	168	0d 9h 29m	2,072	4d 20h 59m
Church Rd	10,100	19:29	215	12h 1m	1,075	2d 12h 8m	4,515	10d 12h 37m	55,685	129d 19h 38m
* Addison St	11,400	19:29	269	15h 12m	1,345	3d 4h 1m	5,649	13d 7h 19m	69,671	164d 2h 20m
Center St	1,050	23:11	13	0h 49m	65	0d 4h 9m	273	0d 17h 28m	3,367	8d 23h 36m
* York Rd	12,600	23:11	165	11h 10m	825	2d 7h 52m	3,465	9d 18h 41m	42,735	120d 14h 26m
Total Combined		4:22:17	2,964	110h 22m	14,820	22d 23h 52m	62,244	96d 13h 53m	767,676	1191d 3h 16m

*Actual existing conditions were observed at this crossing in March, April, May, or August 2022

^Existing Total Gate Down Time is estimated based on nearest observed crossing

For analysis purposes, 1 week = 5 days, 1 month = 21 days, and 1 year = 259 days.

Table 2: New Freight Train Delay Analysis - Daily Conditions - 8 Trains

Crossing Location	ADT (veh/day)	8 New Freight Trains				Existing Freight Delay (hr-min)	Combined Total Freight Delay (hr-min)	Percent increase in Freight Delay
		New Train Events	New Gate Down Time (hh:mm:ss)	Additional Vehicles Blocked	Additional Delay (hr-min)			
McLean Boulevard	18,400	8	0:28:44	727	21h 45m	10h 58m	32h 3m	198%
Kimball Street	20,000	8	0:28:44	717	21h 26m	9h 20m	30h 46m	230%
Highland Avenue	5,600	8	0:28:44	151	4h 31m	1h 42m	6h 24m	266%
Chicago Street	9,000	8	0:28:44	318	9h 29m	3h 54m	13h 40m	243%
National Street	6,700	8	0:28:44	238	7h 5m	1h 22m	8h 23m	518%
Elgin Avenue	175	8	0:28:44	9	0h 12m	0h 2m	0h 5m	448%
Raymond St	2,900	8	0:28:44	88	2h 39m	0h 29m	3h 7m	548%
IL 25 (St Charles)	16,600	8	0:28:44	833	24h 55m	5h 12m	30h 15m	479%
Gifford Rd	4,200	8	0:28:44	168	5h 0m	0h 59m	6h 19m	502%
Spaulding Rd	1,650	8	0:28:44	62	1h 51m	0h 16m	2h 42m	657%
Naperville Rd	12,300	8	0:28:44	724	21h 42m	6h 25m	28h 31m	338%
Western Ave	675	8	0:28:44	19	0h 33m	0h 6m	0h 39m	539%
Oak Ave	8,400	8	0:28:44	336	10h 3m	2h 2m	12h 25m	493%
Prospect Ave (VO Bartlett)	3,250	8	0:28:44	94	2h 49m	0h 31m	3h 20m	547%
Rodenburg Rd	11,300	8	0:28:44	535	16h 0m	3h 57m	19h 14m	404%
Roselle Rd	13,300	8	0:28:44	809	24h 9m	4h 26m	28h 14m	543%
Prospect St (VO Roselle)	1,200	8	0:28:44	27	0h 49m	0h 8m	0h 51m	579%
Park St	1,500	8	0:28:44	34	1h 1m	0h 7m	1h 53m	846%
Medinah Rd	10,000	8	0:28:44	449	13h 27m	1h 48m	15h 56m	743%
Rohlwing Rd (IL 53)	18,500	8	0:36:18	890	33h 38m	2h 19m	35h 48m	1443%
Catalpa Ave	2,650	8	0:36:18	79	3h 0m	0h 8m	3h 27m	2062%
Walnut St	5,250	8	0:36:18	172	6h 27m	0h 19m	6h 30m	2001%
Prospect Ave (CH 10)	2,850	8	0:36:18	82	3h 7m	0h 8m	3h 14m	2101%
Wood Dale Rd	13,700	8	0:51:27	825	44h 14m	3h 44m	47h 23m	1184%
Irving Park Rd (IL19)	24,500	8	0:51:27	1,784	95h 41m	10h 7m	105h 46m	946%
Ash Ave	600	8	0:51:27	30	1h 38m	0h 27m	2h 39m	362%
Church Rd	10,100	8	1:36:55	1,385	139h 46m	12h 1m	151h 44m	1162%
Addison St	11,400	8	1:36:55	1,780	179h 51m	15h 12m	195h 58m	1183%
Center St	1,050	8	1:36:55	110	11h 1m	0h 49m	11h 17m	1324%
York Rd	12,600	8	1:36:55	1,528	154h 19m	11h 10m	165h 50m	1381%
Total Combined		8	20:33:02	15,003	862h 23m	110h 22m	972h 36m	781%

Assumed Schedule for new freight trains

5:00 AM 11:00 AM
6:30 AM 12:30 PM
8:00 AM 2:00 PM
9:30 AM 3:30 PM

Assumed Travel Speed for new 10,000 ft freight trains

In Itasca = 30 mph (Rohlwing Rd to Prospect Ave (CH 10))
In Wood Dale = 20 mph (Wood Dale Rd to Ash Ave)
In Bensenville = 10 mph (Church Rd to York Rd)
All Other Communities = 40 mph (McLean Blvd to Medinah Rd)

Table 3: New Freight Train Delay Analysis - Daily Conditions - 14 Trains

Crossing Location	ADT (veh/day)	14 New Freight Trains				Existing Freight Delay (hr-min)	Combined Total Freight Delay (hr-min)	Percent increase in Freight Delay
		New Train Events	New Gate Down Time (hh:mm:ss)	Additional Vehicles Blocked	Additional Delay (hr-min)			
McLean Boulevard	18,400	14	0:50:16	1,029	30h 49m	10h 58m	41h 38m	281%
Kimball Street	20,000	14	0:50:16	1,213	36h 16m	9h 20m	45h 2m	388%
Highland Avenue	5,600	14	0:50:16	249	7h 27m	1h 42m	9h 48m	438%
Chicago Street	9,000	14	0:50:16	529	15h 46m	3h 54m	19h 39m	404%
National Street	6,700	14	0:50:16	338	10h 4m	1h 22m	11h 0m	736%
Elgin Avenue	175	14	0:50:16	15	0h 13m	0h 2m	0h 33m	491%
Raymond St	2,900	14	0:50:16	125	3h 46m	0h 29m	4h 2m	780%
IL 25 (St Charles)	16,600	14	0:50:16	1,185	35h 27m	5h 12m	40h 16m	681%
Gifford Rd	4,200	14	0:50:16	239	7h 7m	0h 59m	8h 0m	714%
Spaulding Rd	1,650	14	0:50:16	87	2h 38m	0h 16m	2h 33m	936%
Naperville Rd	12,300	14	0:50:16	1,241	37h 10m	6h 25m	43h 38m	579%
Western Ave	675	14	0:50:16	33	0h 55m	0h 6m	1h 29m	890%
Oak Ave	8,400	14	0:50:16	575	17h 10m	2h 2m	19h 9m	842%
Prospect Ave (VO Bartlett)	3,250	14	0:50:16	169	5h 4m	0h 31m	5h 28m	983%
Rodenburg Rd	11,300	14	0:50:16	930	27h 47m	3h 57m	31h 6m	702%
Roselle Rd	13,300	14	0:50:16	1,383	41h 20m	4h 26m	45h 49m	930%
Prospect St (VO Roselle)	1,200	14	0:50:16	48	1h 26m	0h 8m	1h 48m	1017%
Park St	1,500	14	0:50:16	62	1h 49m	0h 7m	1h 50m	1493%
Medinah Rd	10,000	14	0:50:16	809	24h 13m	1h 48m	26h 5m	1336%
Rohlwing Rd (IL 53)	18,500	14	1:03:32	1,275	48h 13m	2h 19m	50h 53m	2069%
Catalpa Ave	2,650	14	1:03:32	141	5h 21m	0h 8m	5h 42m	3665%
Walnut St	5,250	14	1:03:32	315	11h 48m	0h 19m	12h 51m	3655%
Prospect Ave (CH 10)	2,850	14	1:03:32	145	5h 30m	0h 8m	5h 21m	3698%
Wood Dale Rd	13,700	14	1:30:03	1,241	66h 30m	3h 44m	70h 47m	1780%
Irving Park Rd (IL19)	24,500	14	1:30:03	2,690	144h 15m	10h 7m	154h 14m	1425%
Ash Ave	600	14	1:30:03	44	2h 20m	0h 27m	2h 39m	518%
Church Rd	10,100	14	2:49:35	2,053	207h 20m	12h 1m	219h 4m	1724%
Addison St	11,400	14	2:49:35	2,557	258h 26m	15h 12m	273h 37m	1700%
Center St	1,050	14	2:49:35	153	15h 28m	0h 49m	16h 8m	1859%
York Rd	12,600	14	2:49:35	2,110	213h 12m	11h 10m	224h 13m	1908%
Total Combined		14	35:57:48	22,983	1285h 5m	110h 22m	1395h 34m	1164%

Assumed Schedule for new freight trains

5:00 AM 3:30 PM
6:30 AM 5:00 PM
8:00 AM 6:30 PM
9:30 AM 8:00 PM
11:00 AM 9:30 PM
12:30 PM 11:00 PM

Assumed Travel Speed for new 10,000 ft freight trains

In Itasca = 30 mph (Rohlwing Rd to Prospect Ave (CH 10))
In Wood Dale = 20 mph (Wood Dale Rd to Ash Ave)
In Bensenville = 10 mph (Church Rd to York Rd)
All Other Communities = 40 mph (McLean Blvd to Medinah Rd)

Table 4: New Freight Train Delay Analysis - Weekly, Monthly, Annual Conditions - 8 Trains

Crossing Location	8 New Freight Trains								
	Weekly			Monthly			Annual		
	New Train Events	New Vehicles Blocked	Additional Delay (day-hr-min)	New Train Events	New Vehicles Blocked	Additional Delay (day-hr-min)	New Train Events	New Vehicles Blocked	Additional Delay (day-hr-min)
McLean Boulevard	40	3,635	4d 12h 45m	168	15,267	19d 0h 48m	2,072	188,293	234d 18h 2m
Kimball Street	40	3,585	4d 11h 10m	168	15,057	18d 18h 8m	2,072	185,703	231d 7h 39m
Highland Avenue	40	755	0d 22h 38m	168	3,171	3d 23h 7m	2,072	39,109	48d 21h 8m
Chicago Street	40	1,590	1d 23h 27m	168	6,678	8d 7h 17m	2,072	82,362	102d 9h 58m
National Street	40	1,190	1d 11h 25m	168	4,998	6d 4h 46m	2,072	61,642	76d 10h 48m
Elgin Avenue	40	45	0d 1h 2m	168	189	0d 4h 24m	2,072	2,331	2d 6h 21m
Raymond St	40	440	0d 13h 15m	168	1,848	2d 7h 40m	2,072	22,792	28d 14h 45m
IL 25 (St Charles)	40	4,165	5d 4h 35m	168	17,493	21d 19h 17m	2,072	215,747	268d 21h 55m
Gifford Rd	40	840	1d 1h 4m	168	3,528	4d 9h 17m	2,072	43,512	54d 2h 34m
Spaulding Rd	40	310	0d 9h 15m	168	1,302	1d 14h 52m	2,072	16,058	19d 23h 24m
Naperville Rd	40	3,620	4d 12h 33m	168	15,204	18d 23h 57m	2,072	187,516	234d 7h 31m
Western Ave	40	95	0d 2h 49m	168	399	0d 11h 51m	2,072	4,921	6d 2h 21m
Oak Ave	40	1,680	2d 2h 17m	168	7,056	8d 19h 13m	2,072	87,024	108d 13h 0m
Prospect Ave (VO Bartlett)	40	470	0d 14h 7m	168	1,974	2d 11h 20m	2,072	24,346	30d 11h 53m
Rodenburg Rd	40	2,675	3d 8h 3m	168	11,235	14d 0h 15m	2,072	138,565	172d 19h 5m
Roselle Rd	40	4,045	5d 0h 47m	168	16,989	21d 3h 18m	2,072	209,531	260d 16h 54m
Prospect St (VO Roselle)	40	135	0d 4h 6m	168	567	0d 17h 15m	2,072	6,993	8d 20h 51m
Park St	40	170	0d 5h 9m	168	714	0d 21h 40m	2,072	8,806	11d 3h 18m
Medinah Rd	40	2,245	2d 19h 19m	168	9,429	11d 18h 44m	2,072	116,291	145d 7h 9m
Rohlwing Rd (IL 53)	40	4,450	7d 0h 13m	168	18,690	29d 10h 32m	2,072	230,510	363d 1h 56m
Catalpa Ave	40	395	0d 15h 3m	168	1,659	2d 15h 16m	2,072	20,461	32d 12h 23m
Walnut St	40	860	1d 8h 19m	168	3,612	5d 15h 47m	2,072	44,548	69d 18h 44m
Prospect Ave (CH 10)	40	410	0d 15h 38m	168	1,722	2d 17h 42m	2,072	21,238	33d 18h 25m
Wood Dale Rd	40	4,125	9d 5h 10m	168	17,325	38d 16h 56m	2,072	213,675	477d 8h 59m
Irving Park Rd (IL19)	40	8,920	19d 22h 28m	168	37,464	83d 17h 34m	2,072	462,056	1032d 16h 39m
Ash Ave	40	150	0d 8h 10m	168	630	1d 10h 18m	2,072	7,770	17d 15h 7m
Church Rd	40	6,925	29d 2h 53m	168	29,085	122d 7h 22m	2,072	358,715	1508d 10h 53m
Addison St	40	8,900	37d 11h 19m	168	37,380	157d 9h 9m	2,072	461,020	1941d 1h 2m
Center St	40	550	2d 7h 5m	168	2,310	9d 15h 23m	2,072	28,490	118d 21h 54m
York Rd	40	7,640	32d 3h 35m	168	32,088	135d 0h 42m	2,072	395,752	1665d 8h 44m
Total Combined	40	75,015	179d 15h 55m	168	315,063	754d 14h 4m	2,072	3,885,777	9306d 13h 36m

For analysis purposes, 1 week = 5 days, 1 month = 21 days, and 1 year = 259 days.

Assumed Schedule for new freight trains

5:00 AM 11:00 AM
6:30 AM 12:30 PM
8:00 AM 2:00 PM
9:30 AM 3:30 PM

Assumed Travel Speed for new 10,000 ft freight trains

In Itasca = 30 mph (Rohlwing Rd to Prospect Ave (CH 10))
In Wood Dale = 20 mph (Wood Dale Rd to Ash Ave)
In Bensenville = 10 mph (Church Rd to York Rd)
All Other Communities = 40 mph (McLean Blvd to Medinah Rd)

Table 5: New Freight Train Delay Analysis - Weekly, Monthly, Annual Conditions - 14 Trains

Crossing Location	14 New Freight Trains								
	Weekly			Monthly			Annual		
	New Train Events	New Vehicles Blocked	Additional Delay (day-hr-min)	New Train Events	New Vehicles Blocked	Additional Delay (day-hr-min)	New Train Events	New Vehicles Blocked	Additional Delay (day-hr-min)
McLean Boulevard	70	5,145	6d 10h 5m	294	21,609	26d 23h 11m	3,626	266,511	332d 14h 6m
Kimball Street	70	6,065	7d 13h 23m	294	25,473	31d 17h 51m	3,626	314,167	391d 12h 18m
Highland Avenue	70	1,245	1d 13h 18m	294	5,229	6d 12h 42m	3,626	64,491	80d 12h 44m
Chicago Street	70	2,645	3d 6h 54m	294	11,109	13d 19h 24m	3,626	137,011	170d 7h 24m
National Street	70	1,690	2d 2h 20m	294	7,098	8d 19h 25m	3,626	87,542	108d 15h 36m
Elgin Avenue	70	75	0d 1h 8m	294	315	0d 4h 49m	3,626	3,885	2d 11h 28m
Raymond St	70	625	0d 18h 52m	294	2,625	3d 7h 14m	3,626	32,375	40d 17h 19m
IL 25 (St Charles)	70	5,925	7d 9h 18m	294	24,885	31d 0h 41m	3,626	306,915	382d 16h 28m
Gifford Rd	70	1,195	1d 11h 37m	294	5,019	6d 5h 38m	3,626	61,901	76d 21h 30m
Spaulding Rd	70	435	0d 13h 10m	294	1,827	2d 7h 21m	3,626	22,533	28d 10h 49m
Naperville Rd	70	6,205	7d 17h 52m	294	26,061	32d 12h 41m	3,626	321,419	401d 4h 31m
Western Ave	70	165	0d 4h 39m	294	693	0d 19h 35m	3,626	8,547	10d 1h 31m
Oak Ave	70	2,875	3d 13h 51m	294	12,075	15d 0h 35m	3,626	148,925	185d 7h 23m
Prospect Ave (VO Bartlett)	70	845	1d 1h 24m	294	3,549	4d 10h 42m	3,626	43,771	54d 20h 8m
Rodenburg Rd	70	4,650	5d 18h 59m	294	19,530	24d 7h 45m	3,626	240,870	299d 23h 40m
Roselle Rd	70	6,915	8d 14h 44m	294	29,043	36d 4h 19m	3,626	358,197	446d 5h 21m
Prospect St (VO Roselle)	70	240	0d 7h 13m	294	1,008	1d 6h 19m	3,626	12,432	15d 14h 2m
Park St	70	310	0d 9h 6m	294	1,302	1d 14h 15m	3,626	16,058	19d 15h 48m
Medinah Rd	70	4,045	5d 1h 6m	294	16,989	21d 4h 37m	3,626	209,531	261d 9h 0m
Rohlwing Rd (IL 53)	70	6,375	10d 1h 9m	294	26,775	42d 4h 51m	3,626	330,225	520d 11h 59m
Catalpa Ave	70	705	1d 2h 46m	294	2,961	4d 16h 29m	3,626	36,519	57d 19h 22m
Walnut St	70	1,575	2d 11h 4m	294	6,615	10d 8h 5m	3,626	81,585	127d 11h 51m
Prospect Ave (CH 10)	70	725	1d 3h 32m	294	3,045	4d 19h 40m	3,626	37,555	59d 10h 42m
Wood Dale Rd	70	6,205	13d 20h 30m	294	26,061	58d 4h 32m	3,626	321,419	717d 16h 0m
Irving Park Rd (IL19)	70	13,450	30d 1h 16m	294	56,490	126d 5h 21m	3,626	696,710	1556d 18h 6m
Ash Ave	70	220	0d 11h 42m	294	924	2d 1h 10m	3,626	11,396	25d 6h 33m
Church Rd	70	10,265	43d 4h 40m	294	43,113	181d 10h 2m	3,626	531,727	2237d 11h 54m
Addison St	70	12,785	53d 20h 10m	294	53,697	226d 3h 7m	3,626	662,263	2788d 22h 26m
Center St	70	765	3d 5h 21m	294	3,213	13d 12h 54m	3,626	39,627	166d 23h 7m
York Rd	70	10,550	44d 10h 3m	294	44,310	186d 13h 24m	3,626	546,490	2300d 21h 26m
Total Combined	70	114,915	267d 17h 27m	294	482,643	1124d 10h 55m	3,626	5,952,597	13868d 6h 47m

For analysis purposes, 1 week = 5 days, 1 month = 21 days, and 1 year = 259 days.

Assumed Schedule for new freight trains

5:00 AM 3:30 PM
6:30 AM 5:00 PM
8:00 AM 6:30 PM
9:30 AM 8:00 PM
11:00 AM 9:30 PM
12:30 PM 11:00 PM

Assumed Travel Speed for new 10,000 ft freight trains

In Itasca = 30 mph (Rohlwing Rd to Prospect Ave (CH 10))
In Wood Dale = 20 mph (Wood Dale Rd to Ash Ave)
In Bensenville = 10 mph (Church Rd to York Rd)
All Other Communities = 40 mph (McLean Blvd to Medinah Rd)

Table 6: Comparison of Daily Delay for Existing and New Freight Trains

Crossing Location	ADT	Existing Freight Trains			8 New Freight Trains			14 New Freight Trains		
		Existing Daily Time Blocked by Freight [^] (hr:min:sec)	Existing Daily Freight Delay (hr-min)	Existing Daily Vehicles Blocked by Freight	Daily Time Blocked by New Freight (hr:min:sec)	Delay From New Freight (hr-min)	Number of Vehicles blocked by New Freight	Daily Time Blocked by New Freight (hr:min:sec)	Delay From New Freight (hr-min)	Number of Vehicles blocked by New Freight
* McLean Boulevard	18,400	09:46	10h 58m	251	0:28:44	21h 45m	727	0:50:16	30h 49m	1029
* Kimball Street	20,000	08:50	9h 20m	249	0:28:44	21h 26m	717	0:50:16	36h 16m	1213
Highland Avenue	5,600	08:50	1h 42m	46	0:28:44	4h 31m	151	0:50:16	7h 27m	249
Chicago Street	9,000	08:50	3h 54m	104	0:28:44	9h 29m	318	0:50:16	15h 46m	529
National Street	6,700	07:05	1h 22m	48	0:28:44	7h 5m	238	0:50:16	10h 4m	338
Elgin Avenue	175	07:05	0h 2m	3	0:28:44	0h 12m	9	0:50:16	0h 13m	15
* Raymond St	2,900	07:05	0h 29m	17	0:28:44	2h 39m	88	0:50:16	3h 46m	125
IL 25 (St Charles)	16,600	07:05	5h 12m	184	0:28:44	24h 55m	833	0:50:16	35h 27m	1185
Gifford Rd	4,200	07:05	0h 59m	35	0:28:44	5h 0m	168	0:50:16	7h 7m	239
Spaulding Rd	1,650	07:05	0h 16m	10	0:28:44	1h 51m	62	0:50:16	2h 38m	87
Naperville Rd	12,300	05:48	6h 25m	260	0:28:44	21h 42m	724	0:50:16	37h 10m	1241
Western Ave	675	05:48	0h 6m	5	0:28:44	0h 33m	19	0:50:16	0h 55m	33
Oak Ave	8,400	05:48	2h 2m	83	0:28:44	10h 3m	336	0:50:16	17h 10m	575
Prospect Ave (VO Bartlett)	3,250	05:48	0h 31m	22	0:28:44	2h 49m	94	0:50:16	5h 4m	169
Rodenburg Rd	11,300	05:48	3h 57m	160	0:28:44	16h 0m	535	0:50:16	27h 47m	930
* Roselle Rd	13,300	05:48	4h 26m	180	0:28:44	24h 9m	809	0:50:16	41h 20m	1383
Prospect St (VO Roselle)	1,200	05:48	0h 8m	7	0:28:44	0h 49m	27	0:50:16	1h 26m	48
Park St	1,500	03:57	0h 7m	7	0:28:44	1h 1m	34	0:50:16	1h 49m	62
* Medinah Rd	10,000	03:57	1h 48m	89	0:28:44	13h 27m	449	0:50:16	24h 13m	809
Rohlwing Rd (IL 53)	18,500	03:57	2h 19m	115	0:36:18	33h 38m	890	1:03:32	48h 13m	1275
Catalpa Ave	2,650	02:49	0h 8m	9	0:36:18	3h 0m	79	1:03:32	5h 21m	141
Walnut St	5,250	02:49	0h 19m	18	0:36:18	6h 27m	172	1:03:32	11h 48m	315
* Prospect Ave (CH 10)	2,850	02:49	0h 8m	9	0:36:18	3h 7m	82	1:03:32	5h 30m	145
* Wood Dale Rd	13,700	08:54	3h 44m	103	0:51:27	44h 14m	825	1:30:03	66h 30m	1241
Irving Park Rd (IL19)	24,500	08:54	10h 7m	280	0:51:27	95h 41m	1784	1:30:03	144h 15m	2690
Ash Ave	600	19:29	0h 27m	8	0:51:27	1h 38m	30	1:30:03	2h 20m	44
Church Rd	10,100	19:29	12h 1m	215	1:36:55	139h 46m	1385	2:49:35	207h 20m	2053
* Addison St	11,400	19:29	15h 12m	269	1:36:55	179h 51m	1780	2:49:35	258h 26m	2557
Center St	1,050	23:11	0h 49m	13	1:36:55	11h 1m	110	2:49:35	15h 28m	153
* York Rd	12,600	23:11	11h 10m	165	1:36:55	154h 19m	1528	2:49:35	213h 12m	2110
Total Combined		4:22:17	110h 22m	2,964	20:33:02	862h 23m	15,003	35:57:48	1285h 5m	22,983

*Actual existing conditions were observed at this crossing in March, April or May 2022

[^]Existing Total Gate Down Time is estimated based on nearest observed crossing

Assumed Travel Speed for new 10,000 ft freight trains

In Itasca = 30 mph (Rohlwing Rd to Prospect Ave (CH 10))
 In Wood Dale = 20 mph (Wood Dale Rd to Ash Ave)
 In Bensenville = 10 mph (Church Rd to York Rd)
 All Other Communities = 40 mph (McLean Blvd to Medinah Rd)

Assumed Schedule for 8 new freight trains

5:00 AM 11:00 AM
 6:30 AM 12:30 PM
 8:00 AM 2:00 PM
 9:30 AM 3:30 PM

Assumed Schedule for 14 new freight trains

5:00 AM 3:30 PM
 6:30 AM 5:00 PM
 8:00 AM 6:30 PM
 9:30 AM 8:00 PM
 11:00 AM 9:30 PM
 12:30 PM 11:00 PM

Table 7: Comparison of Daily & Annual Delay for Existing and New Freight Trains

Crossing Location	Existing Freight Trains				8 New Freight Trains						14 New Freight Trains					
	Daily		Annual		Daily		Annual		Percent increase in Vehicles Blocked	Percent increase in Freight Delay	Daily		Annual		Percent increase in Vehicles Blocked	Percent increase in Freight Delay
	Vehicles Blocked	Existing Delay (hr-min)	Vehicles Blocked	Existing Delay (day-hr-min)	Vehicles Blocked	Additional Delay (hr-min)	Vehicles Blocked	Additional Delay (day-hr-min)			Vehicles Blocked	Additional Delay (hr-min)	Vehicles Blocked	Additional Delay (day-hr-min)		
McLean Boulevard	251	10h 58m	65,009	118d 12h 11m	727	21h 45m	188,293	234d 18h 2m	290%	198%	1,029	30h 49m	266,511	332d 14h 6m	410%	281%
Kimball Street	249	9h 20m	64,491	100d 18h 38m	717	21h 26m	185,703	231d 7h 39m	288%	230%	1,213	36h 16m	314,167	391d 12h 18m	487%	388%
Highland Avenue	46	1h 42m	11,914	18d 9h 34m	151	4h 31m	39,109	48d 21h 8m	328%	266%	249	7h 27m	64,491	80d 12h 44m	541%	438%
Chicago Street	104	3h 54m	26,936	42d 2h 31m	318	9h 29m	82,362	102d 9h 58m	306%	243%	529	15h 46m	137,011	170d 7h 24m	509%	404%
National Street	48	1h 22m	12,432	14d 18h 23m	238	7h 5m	61,642	76d 10h 48m	496%	518%	338	10h 4m	87,542	108d 15h 36m	704%	736%
Elgin Avenue	3	0h 2m	777	0d 12h 7m	9	0h 12m	2,331	2d 6h 21m	300%	448%	15	0h 13m	3,885	2d 11h 28m	500%	491%
Raymond St	17	0h 29m	4,403	5d 5h 21m	88	2h 39m	22,792	28d 14h 45m	518%	548%	125	3h 46m	32,375	40d 17h 19m	735%	780%
IL 25 (St Charles)	184	5h 12m	47,656	56d 4h 11m	833	24h 55m	215,747	268d 21h 55m	453%	479%	1,185	35h 27m	306,915	382d 16h 28m	644%	681%
Gifford Rd	35	0h 59m	9,065	10d 18h 31m	168	5h 0m	43,512	54d 2h 34m	480%	502%	239	7h 7m	61,901	76d 21h 30m	683%	714%
Spaulding Rd	10	0h 16m	2,590	3d 0h 58m	62	1h 51m	16,058	19d 23h 24m	620%	657%	87	2h 38m	22,533	28d 10h 49m	870%	936%
Naperville Rd	260	6h 25m	67,340	69d 6h 38m	724	21h 42m	187,516	234d 7h 31m	278%	338%	1,241	37h 10m	321,419	401d 4h 31m	477%	579%
Western Ave	5	0h 6m	1,295	1d 3h 7m	19	0h 33m	4,921	6d 2h 21m	380%	539%	33	0h 55m	8,547	10d 1h 31m	660%	890%
Oak Ave	83	2h 2m	21,497	22d 0h 2m	336	10h 3m	87,024	108d 13h 0m	405%	493%	575	17h 10m	148,925	185d 7h 23m	693%	842%
Prospect Ave (VO Bartlett)	22	0h 31m	5,698	5d 13h 53m	94	2h 49m	24,346	30d 11h 53m	427%	547%	169	5h 4m	43,771	54d 20h 8m	768%	983%
Rodenburg Rd	160	3h 57m	41,440	42d 18h 5m	535	16h 0m	138,565	172d 19h 5m	334%	404%	930	27h 47m	240,870	299d 23h 40m	581%	702%
Roselle Rd	180	4h 26m	46,620	47d 23h 29m	809	24h 9m	209,531	260d 16h 54m	449%	543%	1,383	41h 20m	358,197	446d 5h 21m	768%	930%
Prospect St (VO Roselle)	7	0h 8m	1,813	1d 12h 45m	27	0h 49m	6,993	8d 20h 51m	386%	579%	48	1h 26m	12,432	15d 14h 2m	686%	1017%
Park St	7	0h 7m	1,813	1d 7h 36m	34	1h 1m	8,806	11d 3h 18m	486%	846%	62	1h 49m	16,058	19d 15h 48m	886%	1493%
Medinah Rd	89	1h 48m	23,051	19d 13h 26m	449	13h 27m	116,291	145d 7h 9m	504%	743%	809	24h 13m	209,531	261d 9h 0m	909%	1336%
Rohlwing Rd (IL 53)	115	2h 19m	29,785	25d 3h 40m	890	33h 38m	230,510	363d 1h 56m	774%	1443%	1,275	48h 13m	330,225	520d 11h 59m	1109%	2069%
Catalpa Ave	9	0h 8m	2,331	1d 13h 51m	79	3h 0m	20,461	32d 12h 23m	878%	2062%	141	5h 21m	36,519	57d 19h 22m	1567%	3665%
Walnut St	18	0h 19m	4,662	3d 11h 42m	172	6h 27m	44,548	69d 18h 44m	956%	2001%	315	11h 48m	81,585	127d 11h 51m	1750%	3655%
Prospect Ave (CH 10)	9	0h 8m	2,331	1d 14h 34m	82	3h 7m	21,238	33d 18h 25m	911%	2101%	145	5h 30m	37,555	59d 10h 42m	1611%	3698%
Wood Dale Rd	103	3h 44m	26,677	40d 7h 42m	825	44h 14m	213,675	477d 8h 59m	801%	1184%	1,241	66h 30m	321,419	717d 16h 0m	1205%	1780%
Irving Park Rd (IL19)	280	10h 7m	72,520	109d 5h 7m	1,784	95h 41m	462,056	1032d 16h 39m	637%	946%	2,690	144h 15m	696,710	1556d 18h 6m	961%	1425%
Ash Ave	8	0h 27m	2,072	4d 20h 59m	30	1h 38m	7,770	17d 15h 7m	375%	362%	44	2h 20m	11,396	25d 6h 33m	550%	518%
Church Rd	215	12h 1m	55,685	129d 19h 38m	1,385	139h 46m	358,715	1508d 10h 53m	644%	1162%	2,053	207h 20m	531,727	2237d 11h 54m	955%	1724%
Addison St	269	15h 12m	69,671	164d 2h 20m	1,780	179h 51m	461,020	1941d 1h 2m	662%	1183%	2,557	258h 26m	662,263	2788d 22h 26m	951%	1700%
Center St	13	0h 49m	3,367	8d 23h 36m	110	11h 1m	28,490	118d 21h 54m	846%	1324%	153	15h 28m	39,627	166d 23h 7m	1177%	1859%
York Rd	165	11h 10m	42,735	120d 14h 26m	1,528	154h 19m	395,752	1665d 8h 44m	926%	1381%	2,110	213h 12m	546,490	2300d 21h 26m	1279%	1908%
Total Combined	2,964	110h 22m	767,676	1191d 3h 16m	15,003	862h 23m	3,885,777	9306d 13h 36m	506%	781%	22,983	1285h 5m	5,952,597	13868d 6h 47m	775%	1164%

*Actual existing conditions were observed at this crossing in March, April or May 2022

*Existing Total Gate Down Time is estimated based on nearest observed crossing

For analysis purposes, 1 year = 259 days.

Assumed Schedule for 8 new freight trains

5:00 AM 11:00 AM
6:30 AM 12:30 PM
8:00 AM 2:00 PM
9:30 AM 3:30 PM

Assumed Schedule for 14 new freight trains

5:00 AM 3:30 PM
6:30 AM 5:00 PM
8:00 AM 6:30 PM
9:30 AM 8:00 PM
11:00 AM 9:30 PM
12:30 PM 11:00 PM

Assumed Travel Speed for new 10,000 ft freight trains

In Itasca = 30 mph (Rohlwing Rd to Prospect Ave (CH 10))
In Wood Dale = 20 mph (Wood Dale Rd to Ash Ave)
In Bensenville = 10 mph (Church Rd to York Rd)
All Other Communities = 40 mph (McLean Blvd to Medinah Rd)

EXHIBIT F

