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Mayor
John A. Ostenburg

September 29, 2008

Village Trustees
Mae Brandon
Bonita Dillard
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Phillis Johnson-Ball
STB Finance Docket No. 35087
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Village Clerk
Sheila McGann

Ms. Johnson-Ball:

Village Manager
Thomas Mick

This correspondence will serve as follow up public comment from the Village of Park Forest on behalf of its citizenry to the proposed acquisition of the EJ&E railroad by Canadian National (CN). Park Forest is a community of more than 24,000 residents that straddles the current EJ&E rail tracks. A fully developed community with a number of residential neighborhoods immediately adjacent to the tracks, Park Forest is deeply concerned about the potentially severe impacts to the quality of life in our community. A detailed list of Park Forest concerns was shared with the Surface Transportation Board (STB) in January of this year (see attached).

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Upon review of the Draft Environmental Impact Study (D-EIS), the Village of Park Forest would like to point out several concerns as follows. The D-EIS includes no reference to the clearly expected adverse impacts to Park Forest's Emergency Services Operations (Table ES-2 on page 45) that will be seen with a conservatively estimated 400% increase in rail traffic, 500% increase in rail cars and tonnage, and a 700% increase in transported hazardous materials. While the table references the two nearest hospitals to Park Forest as being impacted, it would only stand to reason that a quadrupling of train traffic crossing Western Avenue will adversely impact emergency response times in getting citizens with life-threatening injuries and/or other health matters to critical medical care.

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Parks Department**
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- With CN's self-admission of a seven-fold increase in hazardous materials to be traveling through Park Forest with the proposed merger, the potential for a catastrophic hazmat incident increases proportionately. With several residential neighborhoods in close proximity to the rail tracks in our community, Park Forest respectfully requests that additional considerations be made to the equipment and staffing needs of the Park Forest Fire Department.

- The Village appreciates the STB's designation that the Western Avenue rail crossing is a prime location in need of mitigative attention by CN. The D-EIS recommends and encourages mutually acceptable negotiated agreements to mitigate adverse environmental impacts should the Board approve this acquisition. Although the Village has had several meetings with Canadian National representatives, no substantive progress has been made in dealing with the most significant issues facing Park Forest. Additionally, CN has made it clear that they will only do what is absolutely required by the STB's findings as they relate to the potential for a separated crossing of rail tracks at Western Avenue. CN has made it clear to the Village that they will not provide funding for a separated crossing at Western. Additionally, the STB suggests that CN join the Village to seek funds for a separated crossing at Western Avenue through the Department of Transportation. Why should Park Forest and, ultimately, Illinois tax payers be faced with this burden given the fact that this would not have been an issue **but for** the CN (a for-profit company) proposal? In our negotiations with CN, their representatives stated that their allegiance is solely to the company's shareholders rather than being concerned about adverse impacts that might be pending to Park Forest residents, the interest group that Village Officials are bound to represent. To date, the Village still stands waiting for CN to follow up on our requests to resume negotiations related to mitigation.

The D-EIS references that the proposed acquisition will include the construction of six new rail connecting tracks between existing rail lines and the EJ&E arc, one of which is at the corporate borders of Park Forest and Matteson. Park Forest can foresee two negative impacts as a result of this new track connection. First, in order to facilitate such a connection, CN will need to purchase an approximate 12-acre parcel of property currently owned by Park Forest. This parcel currently is a commuter parking lot with a capacity for 740+ cars. The Land Use section of the D-EIS does not account for CN's need to purchase portions, if not all, of this property to allow for constructing the connection from the east/west bound EJ&E lines to the north/south bound CN lines. This construction will have a severe impact on the Village's revenues from this commuter lot, if these revenues are not entirely eliminated.

Second, other negative impacts of the proposed new connecting tracks in Park Forest/Matteson have not been fully explored in the draft report. Park Forest, along with Matteson, will be faced with even longer delays than those reported in the D-EIS. Since train speeds will be further restricted due to the configuration of the connection, the negative impact of that slow down is not addressed in the D-EIS. Park Forest's experience (actual video footage) will show that track speed or complete stoppage on the tracks is greatly understated in the D-EIS, as evidenced by your statements found on page ES-10 of the report, and by CN in any of their presentations being made to the unsuspecting public.

- The Village of Park Forest invested a significant amount of resources (staff time and financial) to purchase a deteriorated and tax delinquent Norwood Square Shopping Center, which is immediately adjacent to the rail crossing at Western Avenue. Efforts included creation of a TIF district, remediation of brownfield problems, and a diligent search to find a private shopping center developer to purchase the property. Now that a

private owner of this property has been found, Nassimi Realty, who is committed to investing \$1 million in initial improvements, and \$3-5 million over time, they are reconsidering their investment in this property because of the uncertain impacts that this proposed purchase will have on their investment. This is a 129,000 square foot shopping center that has the potential to generate significant property tax and sales tax revenue for Park Forest. It could easily represent the single largest sales tax generator in the community when it is fully redeveloped and tenanted. Now, its future is uncertain unless CN is made to provide a grade-separated crossing at Western Avenue.

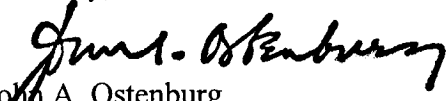
- It has been alleged that CN's proposed acquisition will help relieve major traffic congestion and reduce environmental impacts for the aggregate Chicago-land area. Quite to the contrary, Park Forest believes the proposed acquisition merely shifts the entire congestion and environmental impact burden to the communities along the EJ&E rail arc. In particular, the numbers point to a tremendous burden being shifted to Park Forest. CN estimates that the number of trains traveling through Park Forest as a result of the proposed acquisition would increase from 8 to 32 per day – or, on average, one train every 43 minutes. The Village believes this is a conservative estimate, at best, and encourages the STB to assess longer range estimates and how much worse the adverse environmental impacts will be on the citizens of our community. Even with these conservative estimates, Park Forest stands to suffer perhaps the most severe impacts of any community along the EJ&E rail arc.

CN has provided a public position that their intent is to move rail traffic as quickly as possible through communities along the EJ&E rail arc. It has been suggested that their trains will pass along these lines at rates of speed between 30 – 45 miles per hour. While this is an admirable goal to help mitigate traffic blockage and idling impacts, the next train that travels through Park Forest at such a rate of speed will be the first. Train traffic crossing Western Avenue in Park Forest averages no more than 5 – 8 MPH, at best. Additionally, trains routinely crossing through Park Forest do so at a speed of less than 5 MPH. Worse yet, it is a very routine occurrence where train traffic comes to a complete stop across Western Avenue. Please know that these details are not mere anecdotal references. The Village purchased video surveillance equipment and has documented evidence for more than a 30-day period. This video footage is readily available should it be desired by the STB.

During the public comment sessions established by the STB, Village Officials convened at one in particular (Matteson Holiday Inn on August 25) to provide additional feedback regarding the D-EIS. In one conversation with CN Officials on hand (Senior Manager James Kvedaras, to be specific), the question was posed: “With a conservatively projected 400% increase in train traffic expected to impact Park Forest, what are the positives that this proposed acquisition would bring to the community?” Mr. Kvedaras’ response was evasive, at best, as he noted that “While there are no positives for Park Forest, the positives are for the region and not necessarily your community.” This was the second time that Village Officials had to listen to such a flippant response on an issue with such severe impacts on the citizenry of Park Forest. That a representative from CN, a foreign-based company with multi-billion dollar annual profits, would take such a position is unconscionable.

In closing, the Village respectfully appreciates the difficult job before the STB in conducting the environmental impact study associated with this proposed acquisition. And while Park Forest may fully understand the regional benefits being sought by such a shifting of train traffic in the northeastern Illinois region, it is painfully clear that all perceived positives are direct shifts of burden onto the residents and businesses of Park Forest and the municipality's emergency operations. The end result is a dramatically impacted quality of life for our community and a locale that is much less desirable in which to live and/or conduct business. Should you have any questions regarding this correspondence or any of the previous documentation submitted by the Village of Park Forest, please feel free to contact Village Manager Tom Mick at your convenience. He can be reached directly at 708-748-1129.

Sincerely,


John A. Ostenburg
Mayor


Thomas K. Mick
Village Manager

cc: Village of Park Forest Board of Trustees
Phyllis Johnson-Ball, Surface Transportation Board
Victoria Rutson, Surface Transportation Board
Jim Kvedaras, Canadian National Senior Manager – U.S. Public and Government Affairs
Congressman Jesse L. Jackson, Jr.
Senator Richard Durbin
Milton Sees, Secretary, Illinois Department of Transportation
State Representative Al Riley
State Representative George Scully



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January 7, 2008

Gordon T. Trafton II
Senior Vice President
Canadian National
17641 South Ashland Avenue
Homewood, IL 60430

Mr. Grafton:

The Village of Park Forest is in receipt of your December 21 letter to Mayor John Ostenburg regarding Canadian National's (CN) proposed acquisition of the Elgin, Joliet & Eastern Railway Company (EJ&E). The Village sees many issues that have the potential to adversely impact the Village of Park Forest.

1. **Congestion:** The letter references rail congestion in the area around the core of the City of Chicago and that diverting rail car traffic along the EJ&E arc will mitigate this problem. Preliminary estimates by CN are that the number of trains per day passing through Park Forest will increase by almost 400%. What will this mean in adverse impacts to the quality of life for Park Foresters? An at-grade rail crossing on Western Avenue in Park Forest already experiences frequent instances when traffic has to be diverted into residential neighborhoods along Orchard Drive, Westwood Drive and into the Village's Business Park along North Street and South Street due to a stopped train across the intersection.

Park Forest has additional concerns related to traffic congestion with the proposed new rail switching connection between the EJ&E and CN rail lines at the western edge of the community. The Village is not sure there is sufficient land available to accommodate such a switch. Furthermore, based on preliminary plans shared with the Village on this new rail switch, how slowly will trains, some with a length of a mile and a half or longer, have to be traveling to safely make this transition from CN line to the EJ&E line? Will this result in trains crossing Western Avenue at a 10 mile an hour rate of speed or less? Will it result in more trains having to stop and block the crossing at Western Avenue for extended periods of time?

2. **Noise:** As primarily a bedroom community, Park Forest has several residential neighborhoods that back onto the north and south side of the rail lines. A substantial increase in the number of trains and the associated noise will adversely impact the quality of life for these existing residents. What plans does CN have to mitigate this noise concern?
3. **Economic Development:** It has been noted that CN's proposed acquisition could enhance economic development opportunities for communities along the current EJ&E route. Park Forest believes that increased trains crossing Western Avenue will only hinder the Village's ability to develop and/or redevelop parcels of property along this major arterial road and in its business park. Any insights that CN might have in helping Park Forest understand otherwise would be greatly appreciated.
4. **Public Safety:** With a proposed 30 (and likely more) trains per day crossing Western Avenue, one of the Village's two direct routes used for emergency vehicle transports to hospitals into Chicago Heights and Olympia Fields will be severely compromised. The resulting traffic congestion will no doubt lead to lengthier emergency response times to those Park Forest neighborhoods on the north side rail road tracks. Additionally, a 400% increase in rail traffic will most surely result in a 400% increase of hazardous materials being transported through Park Forest.

While there may be other concerns for Park Forest related to CN's proposed acquisition, the above bullet points are the most important to our community. It would seem plausible that a grade separated crossing at Western Avenue might substantially reduce many of the concerns referenced in points 1, 2 and 4. Park Forest believes that sufficient noise reduction measures may mitigate the impacts noted in point 3.

The Village of Park Forest looks forward to working cooperatively with Canadian National so as to better understand the full scope of environmental impacts of the proposed purchase of the EJ&E. In CN's outreach initiative, the Village welcomes a meeting between Park Forest Officials and your company. Please contact me at your soonest convenience so that the Village can continue this dialogue.

Sincerely,



Thomas K. Mick
Village Manager
Village of Park Forest

cc: Mayor John A. Ostenburg, Village of Park Forest
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Phyllis Johnson-Ball, Surface Transportation Board
Victoria Rutson, Surface Transportation Board
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