

Historic Old Matteson Homeowners' Association

Heidi L. Keenan, President

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Matteson, Illinois 60443

(708) 283-0315

HeidiKeenan@sbcglobal.net

September 29, 2008

Phyllis Johnson-Ball
Surface Transportation Board
395 E Street SW
Washington, DC 20423

STB Finance Docket No. 35087

Dear Ms. Johnson-Ball:

The Historic Old Matteson Homeowners' Association reviewed the Draft Environmental Impact Study (Draft EIS) issued by the Surface Transportation Board (STB) on July 25, 2008. We would like to take this opportunity to comment on the findings that the STB made in that study regarding how the proposed Canadian National Railroad's (CN) acquisition of the Elgin, Joliet and Eastern Railroad (EJE) will affect the quality of our life in Historic Old Matteson.

Three (3) residential subdivisions in Old Matteson border directly on the CN and EJE railways: Historic Old Matteson, Holden Park, and Matteson Station. On June 19, 2008, the homeowners' associations for these three (3) subdivisions held a joint meeting to discuss our residents' concerns about this proposed merger. As a result of that meeting, the homeowners' association presidents drafted the enclosed letter to Village President Mark Stricker detailing the main concerns expressed by our residents. The purpose of this letter was to supplement the list of eleven (11) concerns that were already forwarded by the Village of Matteson to CN. A copy of this letter is also enclosed with this correspondence.

We believe that the Draft EIS fails to adequately address the concerns of our residents related to the proposed acquisition. The following list points out specific items that STB either failed to consider as part of this study or that STB failed to adequately address in the study. Please keep in mind that our concerns are directly related to the area of Matteson known as Old Matteson.

Vehicle Safety

The study indicates that allowing this acquisition to proceed will cause a very minor decrease in the number of vehicle accidents along the CN line. However, the number of vehicle accidents along the EJE line will increase from 1.57 to 6.04, an increase of over 25%. It does not appear that the decrease along the CN line adequately offsets the increase along the EJE line. Because the EJE line in Matteson runs directly through a residential area with four (4) at grade crossings, we believe that the increase in train traffic poses an unreasonable risk to the residents of our village.

Quiet Zones

At this time, there is no proposed or existing quiet zone within the Village of Matteson. As you can see from our July 2, 2008, letter to President Stricker, this issue was of the greatest concern to our residents. Many of our residents live in homes that are either directly adjacent to either the CN or the EJE tracks or are within four (4) to five (5) blocks of the crossing at Main Street. Currently, the six (6) to eight (8) trains per day using the tracks in this area blow their whistles as required to warn oncoming traffic. Increasing the number of trains to nearly 30 per day greatly increases the number of times that our residents will be

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subjected to noise pollution. We ask that the STB strongly consider requiring CN to establish quiet zones to minimize this impact on our residents. We ask that such quiet zones be established not just in Old Matteson, but in all residential areas impacted by the proposed acquisition where there are at grade crossings.

Hazardous Material Accidents

Our residents are well aware that the EJE tracks currently transport a significant amount of hazardous materials directly through our neighborhood. According to the draft EIS, the number of hazardous materials accidents on the CN line will decrease by approximately 13% while the number of hazardous materials accidents on the EJE line will increase by approximately 700%! We would like to take this opportunity to remind the STB that the EJE line runs at grade directly through residential neighborhoods for a good deal of its passage through Matteson. Any such accident in this area could have catastrophic effects on the health and safety of our residents.

Train Traffic Increase Along EJE

Much has been made by Chicago and other communities about how this proposed merger will be a benefit to their communities because the number of trains going through will be decreased. However, as a whole, it appears from CN's own data that the decrease in the number of trains going through Chicago and other communities is statistically insignificant, decreases of less than 10% on average, while the increase along the EJE line is over 400%. It does not appear from this data that the rerouting of trains to the EJE will have any real benefit to the communities along the CN line, but will instead have a significant negative impact on the quality of life in the communities along the EJE line including decreased property values.

Matteson Connection and Alternatives

CN proposes building a wye connection between the current elevated CN line and the at grade EJE line within the Village of Matteson. CN's proposed connection runs within yards of existing homes within the Holden Park subdivision. Such a connection will bring an unacceptable increase in noise and vibration to these homes, as well as others near the tracks, again, decreasing property values. While we understand that the STB performed noise and vibration analysis (see additional comments below), we do not believe that it is possible to adequately determine the impact on these residences due to this construction.

Should the STB move ahead with allowing CN to acquire EJE, we request that instead of CN's proposed plan, only the Matteson Southwest and Northeast alternate proposals be allowed if any connection at all is to be made between these two (2) rail lines. At least these proposals minimize the impact on the homes located in Holden Park.

Delays at At Grade Crossings

We disagree that only the Cicero Avenue crossing in Matteson will be significantly negatively impacted due to the dramatic increase in train traffic along the EJE line. The at grade crossing at Main Street is located directly adjacent to the proposed connection between the CN and EJE line. It is already impacted by the limited amount of switching that goes on at the siding here in Matteson. A 400% increase in the number of trains can only mean a significant number of delays at this crossing as well.

The Village of Matteson already expressed concerns to CN regarding potential delays in getting emergency vehicles across the tracks that may be blocked by trains a significant portion of the day. Typically, ambulances from Richton Park, University Park, Park Forest, Matteson and several other communities to

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the south use Governors Highway to access St. James Hospital in Olympia Fields, in part because this road contains a viaduct under the EJE line. However, several times per year, this viaduct must be closed due to high standing water. On September 12, 2008, this viaduct was closed due to a large amount of rain that fell in our area. It continued to rain heavily until September 15, 2008. The viaduct was finally reopened late in the day on September 15, 2008, after having been closed for four (4) days. During this time, Governors Highway cannot be used to cross the EJE line – all traffic must use either Cicero Avenue or Main Street, including emergency vehicles.

We believe that the draft EIS fails to take into consideration the dramatic impact that the regular flooding of Governors Highway has on the number of vehicles that use Main Street or Cicero Avenue to cross the EJE tracks, particularly with regard to emergency vehicles. At a minimum, should the STB approve this acquisition, CN must be required to upgrade the drainage system under the viaduct at Governors Highway to minimize this impact.

Noise Testing

As part of this study, the STB conducted noise testing at several locations along both the existing CN and EJE lines. However, the STB failed to conduct any noise testing within the Village of Matteson, in particular at the location where the Matteson connection is proposed. We believe that the increase in noise in this area will have a significant impact on the quality of life of our residents and that this issue bears further study.

We ask that you incorporate these comments and the enclosed letters into the permanent record of comments on the Draft EIS. We look forward reviewing STB's response to these comments in the final EIS and hope that the STB gives the concerns of our residents' adequate consideration.

Sincerely,



Heidi L. Keenan

President

Historic Old Matteson

Homeowners' Association

Enc.

July 2, 2008

Mark W. Stricker
Village President
Village of Matteson
4900 Village Commons
Matteson, Illinois 60443

**RE: Canadian National Proposed Acquisition
Of the Elgin, Joliet and Eastern**

Dear Mr. Stricker:

We are very pleased that you, the Board of Trustees, and Village staff have been proactive in your efforts to minimize the impact that the proposed acquisition of the Elgin, Joliet and Eastern (EJ&E) will have on our community. As you know, the sale of the EJ&E to Canadian National (CN) is projected to increase train traffic by as much as four hundred percent (400%). That in itself will pose a challenge for the Village and we are certain that you will continue your diligent efforts.

To assist you in clarifying some of the residents' concerns, we held a joint homeowners' associations meeting. The meeting, held on June 19th, yielded three (3) main areas of concern among our residents:

1. **Quiet Zones** – The residents are concerned that the proposed addition of another crossing at either Maple Street or Richton Road, coupled with vastly increased train traffic crossing Main Street and Cicero Avenue, will make whistle blowing at track crossings a near constant occurrence. According to former Interstate Commerce Commission (ICC) Chairman L. Mathias, "Whistle blowing is a threat to the physical and emotional quality of life; it penalizes law-abiding citizens, making them suffer or pay for the "stupidity" of others; train horns are an inappropriate response to reckless behavior by individual motorists; and noise levels are causing property values to plummet." (*August 17, 2000; testimony; US House of Representatives, Subcommittee on Ground Transportation*). Several residents asked about the possibility of establishing a "Quiet Zone" to eliminate mandatory whistle blowing through the neighborhoods.
2. **Foundation Damage** – Several residents presented anecdotal evidence that train traffic may have already caused damage to existing homes in the Historic Old Matteson and Holden Park areas. The residents want to know what limiting factors will be imposed to eliminate further damage to their properties. For the homes located in Historic Old Matteson, it is unlikely foundation settling is the cause of the damage. If you would like to discuss this issue with homeowners who have experienced such problems, we can provide you with a list of names

and addresses.

3. **Economic Impact** – Although we have not as of yet talked with the business owners who have business establishments located on Main Street and Cicero Avenue, we have concerns that increasing train delays will impact employee tardiness for those who live on one side of the tracks and work on the other. We also have concerns that potential customers, when faced with these delays, will eventually look for their goods and services elsewhere. With all of the effort, time and money being spent on rejuvenating the Lincoln Mall area of Matteson, and the obvious problems already facing the commercial zone of Historic Old Matteson, this issue should be of the utmost concern to the Village.

Again, we want to thank you, the Board, and Village staff for your efforts. Our goal is not to define all of the challenges that may arise as a result of CN's acquisition of the EJ&E. For example, we feel certain that the issues of public safety, ease of access for emergency vehicles, and the like are already being addressed by the Village. Instead, we want to let you know how deep the grassroots interest is in the EJ&E and CN proposed merger. We also respectfully request that you submit our concerns to CN's management as an addition to the previous eleven (11) concerns that the Village has already presented.

If we can provide any kind of assistance to the Village on this issue or on any other issue of concern to our residents, please feel free to contact any one of us.

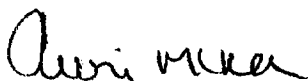
Sincerely,



Shirley Green
Matteson Station HOA



Heidi Keenan
Historic Old Matteson HOA



Awri McKee
Holden Park Master Association

cc. Board of Trustees – Village of Matteson
Lafayette Linear – Village Administrator, Village of Matteson
John Rangel – Historic Old Matteson HOA

Municipal Center

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Matteson, IL 60443
708-283-4900
Fax: 708-748-5196
www.vil.matteson.il.us

Administration

Village Administrator
708-283-4911
Office of the Village Clerk
708-283-4950

Community Development

Community Affairs
708-283-4777
Economic Development
708-283-4940
Housing Information Center
708-503-3100
Planning
708-283-4940

**Engineering &
Regulatory Services**

Building Services
708-481-8313
Fax: 708-748-2326
Engineering
708-283-4940

Finance

708-283-4900
Water Billing Services
708-283-4790

Human Resources

708-283-4949

Recreational Services

4450 W. Oakwood Lane
708-748-1080
Fax: 708-748-1423

Fire Department

3445 211th Street
708-748-5129
Fax: 708-283-6606
Fire Prevention Bureau
708-283-4939
Fax: 708-748-2326

Police Department

20500 S. Cicero Ave.
Administrative Division
708-748-4085
Fax: 708-748-7364
Non-Emergency
708-748-1564

Public Works / Parks

Maintenance
21146 Tower Ave.
708-748-1411
Fax: 708-503-3120

February 4, 2008

Mr. Gordon T. Trafton II
Senior Vice President
Canadian National Railway Company
17641 S. Ashland Avenue
Homewood, IL 60430

RE: Proposed Canadian National Railway Company acquisition of the
Elgin, Joliet and Eastern Railway Company

Dear Mr. Trafton:

I am writing in connection with Canadian National Railway Company's (CN) proposed acquisition of the major portion of the Elgin, Joliet & Eastern Railway Company (EJ&E).

I along with several members of the Village of Matteson's (Village) staff was in attendance at the Scoping Open house meeting held on January 15, 2008 at the Holiday Inn in Matteson, Illinois. During this meeting we were informed by representative of the Surface Transportation Board (Board) that our initial introduction of issues affecting our community should be with your organization. The Village is also a member of the South Suburban Mayors and Managers Association who were also in attendance.

The Village has decided to address our issues concerning the aforementioned acquisition on a regional basis by participating with the SSMMA initiatives. To that end we participated in the drafting of the SSMMA's Issues Paper filed with the Board within the prescribed timelines.

To address potential community impacts and economic development opportunities related directly to our Village, Mr. Lafayette Linear, our Village Administrator, and members of the Village's administrative staff begin discussions with Mr. Michael F. Deegan, Regional manager, CN on or about October 5, 2007. My staff has indicated to me that CN is seeking to cooperate with the Village in the exploration of economic development opportunities and in developing solutions on issues important to the Village of Matteson.

Economic Development Opportunities

In the course of meetings with the Village, CN staff discussed potential opportunities for economic development. These included the potential for the purchase of real estate within the Village, the possibility of CN constructing warehousing facilities within our Village and opportunity of a land swap within the Village.

1. Purchase of Hexion Plant:

It is our understanding that CN plans currently include constructing track evaluations in the area of 216th in Oak Street to accommodate trains utilizing the Metra track system. To facilitate this activity CN will need to acquire a property within the Village limits located at 21625 Oak Street, commonly referred to as the Hexion plant or a right of way onto this property.

CN has engaged in discussions with staff concerning the possibility of CN purchasing the Hexion plant and reselling eighty percent of the property to the Village at a discounted cost. Village staff would like to further explore this possibility.

2. Opportunity for warehouse facilities:

It is also our understanding that CN has noted that there may be the possibility of purchasing additional property within the Village within our industrial park area for some future warehousing facilities. While these discussions are very preliminary, we ask that you keep them in mind.

3. Opportunity for Land Swap:

CN representatives have indicated that they will be willing to make a reasonable offer to the property owners that currently front onto E. Main Street due to the impact that the construction on the Hexion property may have on their property. Should CN be successful in purchasing these properties, the Village would like to enter into discussions of a land swap for use of the Village's right-of-way.

Potential Community Impacts and Opportunities for Mitigation

1. Maintenance of the bridges at Front Street and Main Street:

The Village would like the bridges at both of these locations to be repaired and maintained.

Representatives of CN appear to be willing to enter into an agreement to repair and maintain these bridges.

2. Connection Road to North Street

The Village is requesting the construction of a road connection from the south to North Street. This will provide additional access from Main Street and the Hexion

property should the Village acquire this property for a Public Works facility. The connection road would be utilized to eliminate tight turns for Village trucks and snow plows through a narrow bridge underpass and allow easier access to the METRA parking lot on the east side of the railroad right-of-way.

CN has expressed a willingness to discuss with the engineers the feasibility of incorporating access to North Street into their design.

3. METRA Station Improvements;

The proposed alignment of train tracks depicting the railroad right-of-way eliminates or severely impacts the existing METRA access tunnel on the eastside of the right-of-way, the Village is requesting CN to make improvement to the train station and surrounding right-of-way. Specifically these improvements would include making the METRA station handicapped accessible, adding retail space to the location, upgrading the interior of the train station, and paying for landscape right-of-way improvements adjacent to the METRA station.

CN representatives have informed the Village that they are precluded from making improvements to the METRA train station; however they did indicate a willingness to pay for the requested landscaping project.

4. Construction of a Sound Wall along the eastern portion of the improvement area of the Hexion property

To minimize the impact that the proposed improvements would have on the existing homes located east of the proposed improvement area, commonly referred to as the Holden Park subdivision, the Village is requesting that a sound wall be constructed, along with appropriate landscaping..

CN representatives have expressed a willingness to construct a sound wall with landscaping along the eastern section of the improvements.

5. The residences on East Main street:

The Village requests that CN offer to buy out the property owners that currently front onto E.Main Street due to the impact that the construction of this facility may have on their property.

CN representatives agreed to make a reasonable offer to the residences on E. Main Street for their property.

6. Sound Proofing of the houses that will be adjacent to the new facility:

The Village is requesting the houses that adjoin the new facility be sound proofed, similar to those that are under the flight path of an airport, to minimize the affect the new facility will have on their quality of life.

CN representatives stated that compliance with this request would set a precedent, where other communities may seek sound proofing for private residents throughout their track system. They stated due to the potential cost, this request is unrealistic.

7. Right-of-Way Maintenance:

The Village requests that CN institute a systematic process of maintaining the railroad right-of-way inclusive of weeds and scrub trees removal.

CN has agreed to maintain the railroad right-of-ways within the Village of Matteson

8. Access to property south of the Hexion site:

The Village would like to encourage development of the property south of the E.J. & E right-of-way. Currently, there is no access to the site from the north. The Village would like to have at least one at grade crossing to access this property. The at grade crossing would be located at Maple Street and Richton Road.

CN representatives have agreed to research the possibility of an at grade crossing in this area.

9. Increase in train traffic:

The Village is very concerned with the proposed increase of train traffic increasing from approx. six trains to possibly twenty-eight trains per day. The viaduct within the Village boundaries at Governors Highway and 216th Street routinely floods during heavy rains. The increased train traffic has the potential of delaying emergency services response to incidents which occur south of the EJ & E train tracks when the viaduct floods. The Village is requesting CN to fund engineering and installation of infrastructure to eliminate flooding under this viaduct.

This item represents an initial request to CN.

10. Hazardous materials:

The Village's emergency service personnel estimate up to a 900% increase of hazardous materials being transported through the Village. Should a spill occur, we may not be equipped to respond to the accident and maintain coverage of our town. We are requesting that CN establish procedures to safeguard our Village in the effect of a hazardous material breach.

This item represents an initial request to CN.

11. Single Track System:

The Village would like to express our concern of there being only a single track from Chicago Heights to the proposed double track in Frankfort. This system could lead to more blocked grade crossings for a longer period. The Village is requesting that CN install a double track system within our Village. We are also requesting that at grade crossing be elevated and viaducts be installed within our Village wherever the Village's engineering staff and CN mutually agree upon.

This item is an initial request.

I would appreciate the opportunity for myself and senior staff members to meet with the appropriate officials of Canadian National Railway Company for the purpose of addressing these issues to our mutual benefits. I can be reached at (708) 283-4915. Also you should not hesitate to call our Village Administrator, Mr. Lafayette Linear at (708) 283-4916 to discuss these matters.

I look forward to working with you on this important initiative.

Sincerely,

A handwritten signature in cursive script, reading "Mark W. Stricker".

Mark W. Stricker
President
Village of Matteson

CC: Board of Trustees
Village Administrator