

Scott J. Koncel
1178 Lismore Court
Lake Zurich, Illinois 60047

September 26, 2009

Ms. Phillis Johnson-Ball
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Ref: STB Finance Docket No. 35087

Dear Ms. Johnson-Ball:

As a resident of Lake Zurich, Illinois, I am writing to you to express my strong opposition to the Canadian National Rail Road's acquisition of the EJ&E Rail Road currently pending an environmental review by the U.S. Surface Transportation Board in Washington, D.C. This acquisition will damage property values, destroy the local environment, decimate the economy, and threaten the safety of residents in Lake Zurich and the other Illinois communities along the EJ&E rail line. The State of Illinois and the Chicago metropolitan area, especially in the current economic climate, cannot afford the devastating negative repercussions of this transaction.

The Village President of Lake Zurich and the Board of Trustees have gone on record opposing the transaction, and I as a resident taxpayer, I strongly oppose this acquisition for the following reasons. Dramatically increased train traffic will result in

- increased noise in residential areas and at nearby schools
- crossings blocked to emergency vehicles causing in delays in emergency services
- decreased pedestrian and vehicular safety
- potential environmental hazards due to increased chemical transportation

All of these detriments will add up to a negative impact on property values, economic hardship for businesses, environmental harm with human health dangers, and possibly unnecessary loss of life.

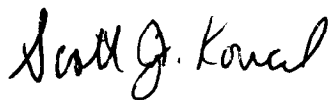
I am particularly concerned with this proposed acquisition because my son rides a school bus everyday that crosses the EJ&E grades. He attends Lake Zurich High School, which also sits directly along the EJ&E tracks. Canadian National is attempting to expedite STB approval without committing to provide the necessary safety mitigation measures, specifically underpasses or overpasses at grade crossings. In addition, CN has refused to provide information to the Village of Lake Zurich on the types and quantities of hazardous material the rail road expects to transport on this line. CN must be held responsible for any and all safety and environmental mitigations required to ensure Lake Zurich and other area residents are protected.

The STB draft Environmental Impact Statement is deeply flawed and grossly inadequate in identifying the impact of this acquisition on our local, state, and federal economies. With the current economic conditions and now the financial crisis, our economies cannot absorb the impact of such a disastrous lack of oversight by the STB. Home values alone near the line could be expected to decline in excess of 5% if the acquisition is approved. The greed of a Canadian-owned corporation must not be placed ahead of the economic wellbeing of our villages, state, and nation.

CN is attempting to rush STB approval before the terms of the current member expire and the new members can be appointed by the next president. CN has now even filed a lawsuit to force the STB to make a quick decision, something that is not in the best interests of anyone besides CN. The decision should be left to the new STB members who will remain in place long enough to face the outcome of whatever decision they make.

In closing, I would encourage the STB to REJECT the Canadian National Rail Road acquisition of the EJ&E Rail Road as this is the only correct decision given the catastrophic impact it will have in Lake Zurich and all of the communities in the Chicago metropolitan area. I wish to thank you for your time and thoughtful consideration.

Sincerely,

A handwritten signature in black ink, reading "Scott J. Koncel". The signature is written in a cursive, flowing style with a large initial 'S'.

Scott J. Koncel