

September 29, 2008

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

Ref: STB Finance Docket No. 35087

Dear Madam:

As a resident of Lake Zurich, Illinois, I would like to state 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 has absolutely no value for Lake Zurich or any of the other Illinois communities along the EJ&E rail line and in fact will only serve to destroy the local environment and ruin the economy of our communities.

This purchase is for the purpose of improving operations at Canadian National. Is the price of personal safety and economic well being of thousands and thousands of people worth the benefits of improving operations?

I feel the Draft Environmental Impact Statement (DEIS) doesn't adequately take in account the real harm our community and those along the EJ&E rail line will experience if Canadian National acquires this railroad. There are several instances where the analysis in the DEIS is lacking and thus the actual impact of the acquisition is minimized. It is paramount the real impact is properly assessed. This is difficult to do if you do not live in the one of the communities along the rail line. I hope you give serious consideration to the comments you have received as this will give you valuable insight.

I'd like to review some points within the DEIS that I find particularly troubling.

1. Economics: The DEIS states property values near the EJ&E rail line might experience minor, adverse effects due to the increased traffic on the railroad. This is a major understatement. Given the proposed frequency and length of trains that will run on the line, any property near the railroad will suffer a major decrease in value. As you know, we are in a period where real estate values are declining. These properties will suffer the most if they are to become part of an effective rail yard.

For Lake Zurich, the frequency and length of trains will effectively cut off our downtown area from most of our residents. Residents will avoid areas that are clogged up by freight trains. This will cause many businesses in our village great hardship and will ultimately lead to their failure. There are recent examples that support this. Our village has been undergoing efforts to revitalize our downtown area. Part of this entailed the rerouting of Route 22. The construction efforts associated with this stretched on for several months beyond the original plan. As a result of the traffic congestion caused by the construction, several of our local businesses went under and several more are still trying to recover as patrons avoided the area. Long lines of freight trains will not only cause our existing businesses significant hardship but it will prevent us from enticing new businesses into our downtown area.

There are several intersections in Lake Zurich that will require mitigations due to safety and traffic concerns. Our village and our state do not have the funding to make this happen. Canadian National's pitiful offer for mitigation won't even cover the costs in our village. I'll also mention there will be more improvements needed along the tracks to deal with other environmental impacts.

All of these will severely impact the economy of Lake Zurich in the form of reduced revenue. It will severely impact the other towns along the EJ&E. We simply do not have the funds locally or at the state level to mitigate the rail traffic being proposed by Canadian National. Do you know what happens to towns or villages that experience a permanent condition that reduces the economic viability of businesses and declining property values? They die. I've seen it happen before; I grew up in such a town. Businesses go away. Jobs are lost. Property values decline. Village revenue declines. Local services and schools deteriorate. People leave.

From an economic perspective, this decision could have a devastating impact on Lake Zurich and the towns along the EJ&E. Why would we put the improved operations of Canadian National above the economic well being of thousands of people? Why should the improved operations of Canadian National be funded by the taxpayers?

2. **Safety:** Increased rail traffic will no doubt increase the number of accidents. Mitigation is required to offset the increased risk of traffic accidents. Nearly every child in town that rides a school bus will cross railroad tracks every day. What about pedestrian safety? The tracks run right through our downtown and right next to Lake Zurich High School and May Whitney Elementary School. No matter how much we caution our children, there will be kids crossing the tracks. Mitigations are needed to improve pedestrian safety

The increase in rail traffic that transports hazardous materials is frightening to be honest. The notion of hazardous chemicals being transported right next to local schools that accommodate nearly half of the school children in town by a company with a deplorable safety record is terrifying. Why isn't Canadian National's safety being taken into account within the DEIS? That certainly does have impact on the environment! Canadian National does not have a safety track record that indicates it cares about anything but its bottom line.

Given the proposed frequency and length of the freight trains Canadian National intends to run on the EJ&E line, there will be a significant impact on our first responders in our village and other communities. The EJ&E rail line essentially cuts off half of our village from our first responders. The extra time needed to get around a freight train will have an impact on whether some people live or die. Your analysis should take into account instances where multiple first responder teams are needed. Further, there is a good chance that the transport time to our nearest hospital will increase given the increased freight train traffic. Those minutes wasted driving around long freight trains may cost people their lives.

There is little doubt the increase rail traffic will create a larger probability of residents suffering injury or death without the proper mitigations. Are the improved operations of Canadian National so important that we should accept more injury and death to our citizens?

3. **Environmental Impacts:** The Average Daily Traffic numbers used in the DEIS don't agree with the data assembled by the various villages and thus probably underestimates the impact on traffic that will result from increased freight traffic due to Canadian National. Are you using the best data available?

The impacts on commuter rail lines are terribly underestimated. Canadian National will increase the rail traffic on the EJ&E line to maximum capacity. There is little doubt that will happen. Since METRA lines intersect the EJ&E, how can METRA not be impacted? This will also contribute additional traffic headaches to intersections beyond the EJ&E.

The DEIS states the implementation of STAR would not be precluded if Canadian National purchases the EJ&E line. If they increase traffic to the maximum capacity of the line, how will STAR have a chance? Realistically, it won't have any chance. The STAR line has the potential to move commuters that previously didn't have practical access to rail for

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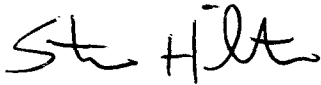
transportation and take many, many vehicles off of the roadways. This would have a big impact on reducing suburban gridlock and improving the environment.

All of these will increase gridlock on our roadways and thus have a negative effect on the air quality in our area. Is the improved delivery goods by Canadian National worth clogging up our roadways and increasing the amount of exhaust expelled into the atmosphere?

4. Benefits to Other Communities: Believing the benefit to other communities in reduced rail traffic will happen is extremely naïve. Sure, initially Canadian National will divert traffic to the EJ&E line but to think they won't continue to use their existing infrastructure as much as possible is wishful thinking. Remember, Canadian National's prime motivation is to improve their operations (and their profits). They will use all of the available infrastructure to the maximum capacity possible. The projected decreases in traffic can be easily rationalized away in a few years if this purchase is allowed to go through. Overstating the benefits is a strategy Canadian National is using to help build support for their purchase. Once the deal goes through, those overstatements will fade away.

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. Please consider the large price many communities and the people will live in them will pay just to improve the profits of Canadian National. Please put the welfare of our citizens above the profits of a corporation! I wish to thank you for your time and thoughtful consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Hilton". The signature is fluid and cursive, with the first name "Steve" and last name "Hilton" clearly distinguishable.

Steve Hilton
4 Ferndale Ct.
Lake Zurich, IL 60047