



NORTHERN INDIANA
COMMUTER TRANSPORTATION DISTRICT

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September 24, 2008

Ms. Phillis Johnson-Ball
STB Finance Docket No. 35087
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20423-0001

Dear Ms. Johnson-Ball:

These comments are filed in response to the STB draft environmental impact statement on the proposed acquisition of the EJ&E by the Canadian National railroad:

- It is unfortunate and a misrepresentation of fact to state in the second paragraph of page ES-12 that the expansion of NICTD service “was not reasonably foreseeable”. These four words have had a profound affect on the public perception of the project’s ultimate federal approval and implementation. The report fails to recognize that a financing mechanism to provide \$350M in non-federal matching funds for the West Lake Corridor expansion project passed the Indiana House of Representatives during the 2008 session of the Indiana General Assembly.
 - As you know, the 5-year Transportation Improvement Program for any Metropolitan Planning Organization must be fiscally constrained (including CMAP’s). Since the local funding was not secured the West Lake Corridor project is not in the 5-year plan, but this could change as early as the next session of the Indiana General Assembly. If this occurs NIRPC’s 5-year plan can be immediately updated. The draft EIS also fails to mention in text that the project is included in the region’s long-range plan.
 - We believe Metra’s Star Line and Southeast Service projects are not any further along than northwest Indiana with respect to securing a local funding source or meeting the FTA’s cost effectiveness benchmark.
- Page ES-11 Figure ES-5: The illustration should change to reflect the fact that NICTD is the sole provider of commuter rail service between Kensington Interlocking to South Bend. In addition, we should be incorporated within the graphic from Kensington to Chicago since we operate on Metra Electric District through a trackage rights agreement. The illustration erroneously depicts Metra

as the provider of service between Kensington and the Illinois/Indiana state line and sharing service with NICTD to South Bend. In addition, the map should include our proposed alignments to Lowell along the CSX route and Valparaiso along the CN alignment.

- Page ES-22 – Second set of bullets under Cumulative Effects (3rd bullet) should also recognize that any increased traffic on the EJ&E at Dyer would also affect West Lake's Lowell alignment along the CSX corridor where it crosses the EJ&E at grade.
 - This section also does not mention the benefits to be derived by shifting CN traffic away from the Kensington Interlocking. The resulting drop in traffic should aid NICTD in its plans to construct a by-pass track around Kensington Station.
- Chapter 3 Comments:
 - Figure 3.1-11 does not show proposed West Lake Corridor Expansion alignments and at grade conflicts with CN or EJE. This is in stark contrast to Figure 3.1-10 illustrating both of Metra's proposed projects. I've attached an illustration depicting our proposed alignments and at grade conflicts.

We appreciated the opportunity to comment on the draft EIS. Please let us know if you have any further questions.

Very Truly Yours,



Gerald R. Hanas
General Manager

Enclosure