

21900 Green Forest
Deer Park, IL 60010
September 30, 2008

Surface Transportation Board
395 E. Street, SW
Washington, DC 20423
Attn. Phillis Johnson- Ball
Environmental Filing
STB Finance Docket NO 35087

Dear Ms. Johnson- Ball:

I am writing to you regarding the above-referenced docket to express the following concerns with the draft study:

(1) One frequently asked question in your Q&A section is "In the future, could CN run more trains over the EJ&E rail line"? You stated that because of the physical and operational constraints on the EJ&E rail line, the EJ&E would be operated at or very near capacity and that it is unlikely that the number of trains using the EJ&E would be higher than estimated by CN.

Based on CN's investment in their Canadian port and reports of CN's "Midwest Express", I find it extremely hard to accept that CN would not build additional track with whatever the right-a-way on the EJ&E allows. In addition, I expect they will attempt to put on longer and potential double tracked trains. Some analysis I have read indicates CN would eventually place 80 trains in my area.

If CN buys the EJ&E they will not conduct an EIS again nor need government approval.

Given this, it is critical that your study fully explores the carrying capacity of the line and that impact. In addition, I implore you to mandate the maximum (# and Length) of trains that could ever be allowed to run on the EJ&E.

(2) Water Resources (ES -page 19)- you admit that hazardous materials (HAZMAT) transported would increase and that the release of HAZMAT would increase (although it would be rare). You state that domestic wells located in these areas would have a higher likelihood of being affected by a HAZMAT spill vs. other areas. In another part of your study you indicate an average of 1 derailment a year.

All homes in my neighborhood in Deer Park, IL (and all homes for miles West of the EJ&E in our area) have Private Wells. The impact to our homes **would be devastating** in the event of a HAZMAT spill (or even run offs from large quantity of trains) got into our water supply. **WE HAVE NO OTHER WATER SOURCE.**

Please insure that this will not happen. I do not know the remedy. Our homeowner's insurance will not cover this. Perhaps we need deeper wells (at CN's expense) or a cement barrier would need to be built to contain run offs or a HAZMAT spill. Perhaps no mitigation is possible to avoid this risk which could be grounds for denying this transaction. The areas where CN currently runs their trains have piped Lake Michigan water and without this risk to their water supply.

(3) Socio economics - Residential Housing Impacts. Your study admits that "some houses within 250 feet of a rail line could experience a decrease in property value" and effects would be negligible. Since last September when CN announced its bid for the EJ&E, homes in my neighborhood have been unable to sell, except one which was priced under market and far enough from the train where it is not visible. I disagree with your 250 foot limit-- see the enclosed map which identifies my home at 21900 Green Forest. It is about 450 feet from the EJ&E. See the photo enclosed-- this is the view from my front windows when a train goes by. What do you think of it? Please increase the limit to 500 feet. Note in my neighborhood the housing is not as dense (see photo) as we all have 1+ acre lots. Because of this the impact of the train is felt from farther distances. The noise, vibration and view of the train from my front windows would result in a decline in my home value and quality of life. CN needs to provide sound mitigation for my home and compensate me for the decline in my home value they would cause.

We currently have a quiet zone in our area and that needs to be maintained.

In addition, the homes across the street from me need a barrier between their backyards and the train while maintaining the greenery. Please see enclosed from the Village of Deer Park Municipal Code which states the importance placed on the preservation of existing trees. I mention this because I heard that the town of Lake Zurich met with CN regarding sound barriers. The CN representative stated they could put in sound barriers but have to take out trees to do it. I can understand that placing a sound wall may result in making room for it but any trees removed need to be replaced.

My home is in what was a quiet area and now CN wants to increase the trains by at least 400%. I bought a home near a Class 2 railroad not a Class 1 railroad. Please make CN compensate for the decline they will cause.

(4) Air quality - What would the impact be on residents with impaired lung or cardiovascular function? Would my neighbor the emphysematous be forced to move or not be able to enjoy her yard because of the increase in trains? Would the boy nearby with asthma have the same issue? Please evaluate for people with these special needs not just the "average" person. Note that asthma and lung diseases are among the most common so it's not like I am asking you to examine a rare instance.

(5) Cuba Road Intersection - This intersection needs to be included in your list of those requiring mitigation. The traffic on this intersection will increase as more retail development is planned East of it. Also, because of Cuba Marsh, the most reasonable bypass would be Rainbow Road and that would create increased traffic on what is considered a residential road. Without mitigation, roads will also wear out faster so CN should pay a relevant portion of the impacted side street road maintenance, such as Rainbow Rd.

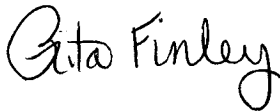
I understand that Chicago has a rail bottleneck and have read reports that 500 freight trains move thru Chicago a day.

CN wants to move 15 to 24 freight trains to the EJ&E. It's such a small percentage of the total number of freight trains in the Chicago area yet it impacts this region in a significantly negative way. CN wants to increase its profits at the expense of our region. They need to fund all the costs for necessary mitigation or else this deal must be denied.

On September 27, nearly 60% of U.S. Congresspeople stated that the STB has the authority to deny this sale on environmental grounds. Please use your power to protect the people.

Thank you for your service.

Sincerely,

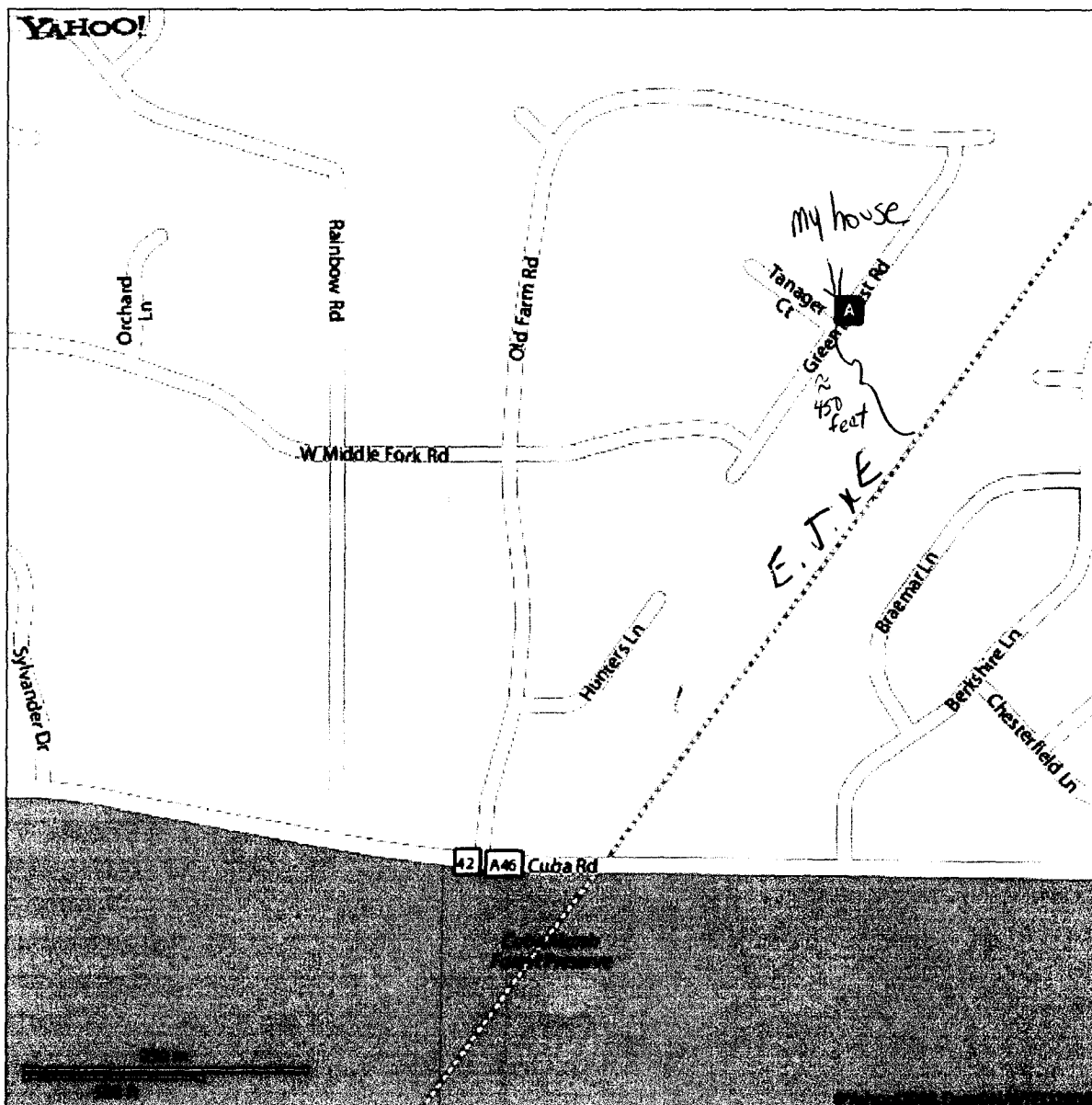
A handwritten signature in cursive script that reads "Rita Finley".

Rita Finley

Attachments: neighborhood map, view from my front window, excerpt Deer Park Municipal code

Map of 21900 Green Forest Rd, Deer Park, IL
60010-6532

YAHOO! LOCAL
Maps



MAP

Your Points of Interest

When using any driving directions or map, it's a good idea to do a reality check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.

VIEW FROM MY FRONT WINDOWS

TRAIL



Source- Deer Park Municipal Code:

TREE PRESERVATION

§ 95.15 INTENT AND PURPOSE.

(B) The preservation of existing trees in the Village is intended to accomplish, where possible, the following objectives:

- (1) **To preserve trees as an important public resource enhancing the quality of life and general welfare of the village and enhancing its unique character and physical, historical, and aesthetic environment;**
- (2) **To preserve the essential character of those areas throughout the community which are heavily wooded and in a natural state;**
- (3) **To enhance and preserve the air quality of the Village through the filtering effect of trees on air pollutants;**
- (4) **To reduce noise within the Village through the baffle and barrier effect of trees on the spread of noise;**
- (5) **To reduce topsoil erosion through the soil retention effect of the tree roots;**
- (6) **To preserve and enhance nesting areas for birds and other wildlife which assist in the control of insects;**
- (7) **To reduce storm water runoff and the costs associated with runoff through the water-retaining characteristics of existing woodlands and replenish ground water supplies; and**
- (8) **To protect and increase property values.**