

September 22, 2008

Phillis Johnson-Ball
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Dear Ms. Johnson-Ball:

RE: Draft EIS for docket number FD 35087 Canadian National Railway Company and Grand Truck Corporation – Control- EJ&E West Company. My comments/concerns on the DEIS are as follows:

Quiet Zone - The cities of Naperville and Aurora are working with EJ&E to enact a Quiet Zone by November 2008; I did not see this mentioned in the DEIS. Could you please ensure that the FEIS holds CN accountable for ensuring that this anticipated Quiet Zone is honored?

Construction noise - Construction noise needs to be addressed and mitigation recommended in the FEIS. While the DEIS clearly details the equipment that may be used and the fact that this equipment causes noise and vibration above acceptable levels, there is absolutely no mitigation proposed such as the use of temporary soundwalls, restrictions on construction hours or months, or other such typical mitigation.

Essential Lack of Mitigation - The DEIS has detailed very little tangible mitigation. Over and over I read that those impacted should work with CN on proper mitigation. **This is not mitigation** ! The DEIS details no specifics, no funding mechanisms and no accountability for significant impacts. For instance, the DEIS acknowledges that noise levels in the area of 103rd to 111th Street in Naperville will be above acceptable levels. And, the proposed mitigation is to work with CN on solutions. CN has shown no commitment to working with local communities. Have you inquired about MOUs or the meetings they have scheduled? Have they attended meetings with electeds when they have been invited? They are not working with communities and cities to reduce the impacts, they are too busy trying to cut the STB, the NEPA process and the communities and cities along the alignment out of their acquisition process to bother themselves with accountability for proper mitigation. **The STB needs to detail specific accountability for mitigation in the FEIS !!** You can not approve this acquisition with empty promises of mitigation.

I respectfully request that as you move towards the FEIS, you address the issues outlined above.

Sincerely,

Phoddy A. Brown
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Yorkville, IL