

Phyllis Johnson Ball  
Surface Transportation Board  
Washington, D.C.

September 22, 2008

Ms. Johnson-Ball,

We are the Oak Ridge Marsh Conservation Group, a volunteer organization of conservation-minded citizens. We are located in Lake Zurich, Illinois. We have been in existence since summer of 2007 and have been working on a conservation project which will be potentially impacted by the possible acquisition of the EJ&E Railroad by the Canadian National Railroad.

Our current conservation project, a habitat restoration, is located at the Oak Ridge Marsh Nature Park, 500 Lions Drive in Lake Zurich. It is located in the Flint Creek Watershed. We have been clearing invasives from this 15 acre high quality savanna/woodland/wetland complex and have been replanting native seed and plants in an effort to restore the area to its native beauty and functionality. A map of the area is included.

We are very concerned about the potential acquisition of the EJ&E by the CNR. The area we are restoring has a nearly direct connection to the current EJ&E railroad track. The railroad track is on an upward slope about 1/4 mile from the Nature Park. Any hazardous spill from a derailment or other incident would flow directly into the Oak Ridge Marsh wetland. There are no detention basins or other mitigating factors to prevent such a flow. The environmental damage caused by such an accident to these habitats would be astounding.

We understand that such derailments do happen as in the recent cases in California. We can predict that with an exponential increase in rail traffic, the risk of another derailment is exponentially increased as well. The fact that officials from the CN will not divulge or discuss their safety record or mitigation plans does not give us great confidence that they are interested in avoiding such derailments in our area.

We applaud the STB for not allowing the CN to move ahead with its acquisition plans before having an Environmental Impact Statement in place. We appreciate that the STB understands the value that we place on our natural areas. We encourage the STB to require the CN to make both their Canadian and US safety records public, so that we can understand the risks that such an acquisition might have on our Nature Park. We also ask that the CN have clear, owner-financed mitigation in place before the CN is allowed to increase rail traffic on the current EJ&E tracks. But our greatest wish would be for the STB to reject the CN's acquisition of the EJ&E, thereby decreasing the environmental risks that such an acquisition poses.

Thank you for your time and attention to our concerns.

Sincerely,

Members of the Oak Ridge Marsh Conservation Group

Jim and Mary Mihelic Randall Klug Mary Kozub Edi Normann Jan Papa  
Sharon Pasch Loretta Peterson Toni Rey Karen Sande Sheryl Staffny  
John Steiger Matthew Thode John Thode Susan Vrenios Judi Thode  
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