



VILLAGE OF NEW LENOX

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September 30, 2008

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

Ref: STB Finance Docket No 35087

Dear Ms. Johnson-Ball

I would like to take this final opportunity to voice our concerns with the Draft Environmental Impact Study.

Early this year the Village of New Lenox passed a Resolution "Objecting to the Adverse Impacts to the Village of New Lenox Created by the Sale of the EJ&E to the CN Railroad." In that resolution the Village requested that the STB condition approval of the CN acquisition of the EJ&E on specified mitigation actions to be taken and paid for by CN. These conditions included, but are not limited to the following:

- Construct grade separation roadway crossings at all feasible locations with specific consideration given to both Gougar Road and Cedar Road.
- All remaining at-grade separations crossings are to be improved to provide quad gates or other improvements to facilitate "Quiet Zones" along the railroad through the Village.
- The transition point from dual to single tracks, if made, occur outside the Village of New Lenox so as to not adversely impact New Lenox.
- Install barriers such as sound walls or earthen berms along both sides of EJ&E trackage between Gougar Road and Schoolhouse Road to buffer adjacent residential areas from noise generated by increased freight traffic and idling locomotives.
- Provide crossing improvements and signals for pedestrian crossings at each of the five crossings in New Lenox.
- Allocate defined resources to address increased risks associated with the transport of additional volumes of hazardous material along EJ&E trackage and provision of a written plan detailing how hazardous waste spills between Gougar Road and Schoolhouse Road will be handled; and
- Provide reduction in freight traffic on the proposed two track system so as to accommodate the proposed commuter STAR Line.

If the STB does approve CN's application, despite many communities' objections including New Lenox, the final decision should order CN to take the previously listed mitigation actions.



TREE CITY USA

In addition, early this month, the Village Board passed another Resolution that outlined our many concerns with the DEIS. A copy of that resolution along with a cover letter was sent to you on September 22, 2008. We saw many flaws in the DEIS. These flaws begin with the Average Daily Traffic Counts used to determine affected at-grade crossings. Since the Village and County's projected ADTs took into consideration our projected growth, our ADTs are much higher than the numbers used by the STB's Section of Environmental Analysis (SEA). The following ADT Summary Table was supplied to the Village by Metro Transportation Group.

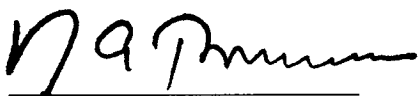
Traffic Condition	Gougar Road	Nelson Road	Cedar Road	Spencer Road	Schoolhouse Rd
Existing Condition	6,750	5,850	8,900	3,050	8,150
Plan. Area Dev. Growth	32,550	13,150	47,750	12,700	31,550
Year 2030 Traffic Condition	39,300	19,000	56,650	15,750	39,700

The life and death impacts are downplayed in the DEIS. The increased risk of hazardous material spills is minimized. The DEIS assumed that there would be state and federal money that would assist in paying for grade separations, which we do not have any confirmation of future monies. The DEIS concluded that there would be benefits to communities currently on the CN line, but failed to recognize that any decrease in rail traffic would be temporary as those lines would be backfilled. The impacts to residential housing were downplayed. The impacts to regional business and to local tax bases were ignored. The air quality analysis was flawed. Finally, the assumption that impacted communities could negotiate with the CN railroad is wrong.

In closing the Village of New Lenox advocates that the flaws in the DEIS be remedied before a decision is made by the STB.

Very Truly Yours

Village of New Lenox



Mayor Tim Baldermann