

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35087

**CANADIAN NATIONAL RAIL WAY COMPANY
AND GRAND TRUNK CORPORATION -CONTROL-
EJ&E WEST COMPANY**

**ENVIRONMENTAL COMMENTS OF THE TOWN
OF GRIFFITH, LAKE COUNTY, INDIANA**

The Town of Griffith, Lake County, Indiana (hereinafter referred to as "Griffith") is submitting environmental comments to the Surface Transportation Board (hereinafter referred to as "STB") related to the Draft Environmental Impact Statement for the Canadian National Railway Company (hereinafter referred to as "CN") and Grand Truck Corporation Railroad Control Application (hereinafter referred to as "Application"), STB Finance Docket No. 35087. Griffith reserves the right to submit additional comments, statements, and/or any additional information to the STB and cooperating agencies as the review process continues if statements and/or amendments to the CN Application are filed or significant changes occur that warrant such additional information. Griffith further reserves the right to submit additional comments, statements, and/or any additional information to the STB in the event that the status of this transaction is changed.

Griffith identified certain environmental concerns associated with this proposed Acquisition of Control by the CN.

A. AT GRADE CROSSINGS

Griffith has seven (7) at grade crossings along the EJ&E. These crossings are located at:

1. **Glen Park Ave. (45th Street)**

This avenue is a major East/West artery which is two lanes of traffic in each direction. With the exception of Ridge Road, this avenue is by far the busiest Avenue in Griffith with approximately 18,000 cars and trucks using it daily at the EJ&E Crossing. Major improvements have been made to this avenue in the last couple of years which has resulted in an annual increase in the daily traffic going East and West through Griffith. Any additional railroad traffic across this major artery would back traffic up, negatively affecting not only the subject crossing but the traffic at numerous stop lights along the route.

2. **Main Street**

This street is the third busiest street in Griffith. It runs East and West and consists of one lane of traffic in each direction. This street handles not only a large number of cars each day, but is also designated as a truck route through Griffith, as there are numerous industrial complexes along the route. The approximate average daily traffic count for this street at the EJ&E crossing is 8,400. As with Glen Park Avenue, additional trains will have a significant impact on not only the daily traffic flow but the industrial businesses that depend on getting trucks in and out without any delay.

3. **Lake Street**

Lake Street is an East/West street consisting of one lane of traffic in each direction. For the most part, Lake Street is a residential street with vehicular traffic of approximately 5,000 cars a day; however, there is a substantial amount of pedestrian

traffic. It is important to note that there are no crossing gates at this crossing. Additional trains will have an adverse impact on the residents who cross the EJ&E numerous times at the location going to and from their homes. Also, the pedestrian traffic would be at greater risk.

4. Miller Street

Miller Street is an East/West street consisting of one lane of traffic in each direction. For the most, part Miller Street is a residential street with vehicular traffic of approximately 5,000 cars a day; however, there is a substantial amount of pedestrian traffic. It is important to note that there are no crossing gates at this crossing. Additional trains will have an adverse impact on the residents who cross the EJ&E numerous times at the location going to and from their homes. Also, the pedestrian traffic would be at greater risk.

s. Elm Street

Elm Street is an East/West street consisting of one lane of traffic in each direction. For the most part, Elm Street is a residential street with vehicular traffic of approximately 6,200 cars a day; however, there is a substantial amount of pedestrian traffic. It does have crossing gates; however, the crossing is located one (1) block west of a Public Elementary School and approximately 3 blocks east of a Private Elementary School. Additional trains will have an adverse impact on the safety of children walking to school as well as on the residents who cross the EJ&E numerous times at the location going to and from their homes. Also, the pedestrian traffic would be at greater risk.

6. Broad Street

Broad Street is Griffith's major North/South artery. It consists of a combination single lane of traffic and double lane of traffic in each direction, with the South portion of Griffith near the crossing of the EJ&E being single lane in each direction. Since this is heavily traveled road with an average daily traffic count in excess of 15,000 vehicles, any additional railroad traffic will cause massive vehicle backups and create havoc with the businesses along Broad Street.

7. 40th Place

40th Place is an East/West Street consisting of one lane of traffic in each direction. The area surrounding the intersection of 40th Place and the EJ&E is single family residential with an elementary school located within 500 feet of the railroad crossing. There is substantial pedestrian traffic crossing the railroad tracks, with a large number of students crossing the tracks. Approximately 10,900 vehicles per day cross the EJ&E tracks at this crossing. As with the other residential streets that cross the EJ&E, additional train traffic would have a definite negative impact on pedestrians using the crossing as well as the residents who cross the tracks numerous times a day going to and from their homes.

(See Exhibit "A" for traffic counts.)

B. BIKE TRAIL

Griffith has a heavily used bike trail that runs approximately from the Southeast corner of the Town to its Northwest corner. The EJ&E crosses the trail at an ungated crossing just south of Main Street. Any increase of traffic especially 15-27 trains per

day will create a significant safety issue and have a substantial negative impact on the quality of life of those using the bike trail.

C. NOISE AND VIBRATION

Griffith is concerned about increased noise from the 15-27 additional trains per day running on the EJ&E main line as a result of this Acquisition of Control. Griffith is concerned for public health, safety, and welfare of the citizens of its Town, specifically regarding the well-established residential zones existing along the EJ &E. Additionally, ground vibration can cause (1) structural damage to buildings and residences and (2) nuisance and inconvenience to property owners living up to 400 feet away from the rail tracks.

D. SAFETY

Griffith is concerned for the public health, safety, and welfare of the citizens of its Town, specifically regarding the well-established residential zones existing along EJ&E and the fact that there are three (3) Elementary Schools in close proximity to the EJ&E crossing. Griffith is expressing their concern about the increased railroad traffic and children/adults who live along the EJ&E main line.

E. Noise Pollution

Noise pollution becomes a significant concern. Increased train traffic will mean additional pollutants will be deposited along the tracks. Since the railroad right of ways are part of Griffith Storm Water's conveyance system, increased train traffic will impact the amount of lubricants and other fluids and metallic material from wheel and brake assemblies that will end up in Griffith's rivers, streams, creeks, and ditches.

F. Air Quality

Griffith is concerned about the increase in air pollution as a result of the increased traffic on the EJ&E main line. The increase in the number of diesel engines will increase pollutants into the air directly affecting the health, safety, welfare, and quality of life of the citizens of Griffith.

G. Hazardous Waste Transport

Griffith is greatly concerned about the increase in hazardous materials as a result of the increased traffic on the EJ&E main line. This increase in hazardous material will have a direct impact on the health, safety, and welfare of the residents of Griffith.

H. Emergency Services

Griffith has real concerns that an additional 15-27 trains per day will create a dangerous environment where emergency response personnel and equipment will not be able to respond to emergencies in a timely fashion. As for all practicable purposes, Griffith will be cut in two whenever a long train travels through the Town. (See Exhibits "B", "C", and "D")

I. Mitigation Requirements

Griffith assesses CN's proposed acquisition of the EJ&E primarily as a threat to the environment and quality of life of its residents. In order to protect the environment and quality of life, Griffith has identified the following mitigation requirements:

1. An overpass would need to be constructed at the following crossings:
 - a. Broad Street
 - b. Main Street
 - c. Glen Park Avenue (45th Street)

(See Exhibit "E")

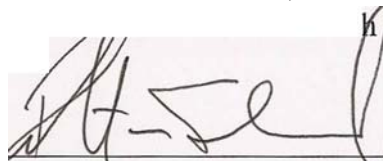
2. CN needs to bear the cost of building a new fire station on the east side of the EJ&E tracks so that fire trucks can respond to emergencies on the east side of Griffith in a timely fashion. CN needs to supply the station with a new fire truck. (See Exhibit "B").
3. CN needs to reimburse Griffith the cost of keeping a police officer in a patrol car east of the EJ &E so that an officer can respond to all emergencies in a timely fashion. (See Exhibit "C").
4. CN needs to put gates at the crossing on Miller Street and Lake Street.
5. Quiet zones need to be established at eN's expense.
6. There needs to be a full disclosure of the type and amount of all hazardous materials being transported through Griffith. There must be compensation for any training Griffith's emergency responders may need and whatever specialized equipment that may be necessary, along with all safety practices, protocols, and contingency plans to handle the spillage.
7. CN needs to create a fund for improvements to homes and businesses most severely impacted from the increase in rail traffic. I.e. traffic will be so backed up that approximately 70% of the businesses on Broad Street would be difficult to access. Homes from a few feet up to 200 feet will be severely impacted by the noise and vibration and owners must be compensated. Forty percent of the businesses along Glen Park Avenue (45th Street) would be adversely affected. Noise and vibration mitigation devices would need to be installed to lessen the impact of the noise and vibration.

- 3.
8. To lessen the impact on the health, safety, welfare, and quality of life of its residents, Griffith would ask CN to provide fencing with landscaping to be installed between the tracks and all residential areas throughout the Town.

In conclusion, it is obvious to the residents of Griffith and its leaders who are charged with the obligation to protect the environment and the quality of the lives of the residents, that what is presently before the STB is a "significant" transaction. Griffith objects to the characterization of the transaction being a "minor" transaction. While the citizens of Illinois may receive some benefits of CN's control of the EJ&E, their benefits shall be gained only by a devastating blow to the environment and the health, safety, welfare, and quality of life of the residents of Griffith. A look at Exhibit "D" clearly shows that the Town will be divided in two when long trains come through and that during that time Glen Park Avenue (45th Street), Main Street, and Broad Street will be gridlocked creating havoc for not only the residents, but 40% of the businesses on Glen Park Avenue (45th Street) and 70% on Broad Street would be affected adversely and emergency services would be put at risk. Therefore, without hesitation the Town of Griffith hereby strenuously objects to the proposed Control of the EJ&E by CN.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'R. Schwerd', is written over a light pink rectangular background.

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