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Subject: * Surface Transportation Board ("STB") Finance Docket No. 35087
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JUSTIN A. GERAKE
22380 N. Linden Dr.
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August 28, 2008

Phillis Johnson-Ball
Surface Transportation Board
Department of Transportation
395 E Street, SW
Washington, DC 20423

Re: Surface Transportation Board ("STB") Finance Docket No. 35087
(Canadian National Railway Purchase of the Elgin, Joliet & Eastern Railway from US Steel)

Dear Ms. Johnson-Ball and other Surface Transportation Board Members:

I am writing to express my views on the proposed purchase of the Elgin, Joliet & Eastern Railway ("EJ&E") by Canadian National Railway ("CN"). I believe that on balance, the current proposal by CN to acquire the EJ&E trackage to shift longer and more frequent freight trains onto the EJ&E tracks, the harm to the affected communities far outweighs the benefits to the American citizens who will benefit from the transaction. The negative impact on thousand – if not hundreds of thousands - residents of the northwestern suburbs of Chicago (far outside the immediate Barrington area) will be significant, and not worth the benefits to be derived from the acquisition.

My family and I are seven year residents of Lake Barrington, Illinois, and live 4.4 miles from the EJ&E grade crossing at Lake Cook Road; 4.4 Miles from the EJ&E grade crossing at North Hough Street (IL Rte 59); 4.5 miles from the EJ&E grade crossing at Northwest Highway (US Rte 14); and 5.5 miles from the EJ&E grade crossing at Cuba Road. I commute by automobile on a daily basis. My daily work commute takes me in an easterly and southerly direction; and 99% of the time, my commute takes me across one of the above-referenced EJ&E grade crossings. I leave my Lake Barrington home on my morning commute anywhere from 5:30 a.m. to 8:30 a.m. on weekdays. It takes me about 10 minutes to reach one of the EJ&E grade crossings.

Before we moved to our current residence, we lived in the Village of Barrington for 9 years. During this time, I was a member of (then later chaired) the Village's Zoning Board of Appeals. Additionally, I co-chaired the Village's Zoning Commission.

I am an attorney who has practiced land-use law, and have been employed by both law firms and corporations. I have represented the interests of clients who have built developments that have had significant impacts on communities. In each an every instance where I represented such developers, the impacts such developments had on the affected communities were taken into account both informally (by the developers internally) and formally (through local zoning and other governmental hearing processes). As a member (and chair) of Barrington's Zoning Board of Appeals, I was charged with the role of weighing the impact of potential variances from the village's zoning ordinance on the community as a whole.

If the STB allows the CN acquisition of the EJ&E as it is currently proposed, the impact on the villages of Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Tower Lake, Deer Park and Inverness – as well as all of the villages situated north of Barrington and those northwest of Barrington (along the current right of way of the Union Pacific Northwest railroad tracks) will be severe and extremely negative.

As suburban development spread northwest from the City of Chicago during the 1960s through the current decade, much of the development occurred along the current commuter rail lines – including the Chicago-Northwestern railroad line (now the Union Pacific Northwest Line), which runs generally northwest along the route followed by U.S. Route 14. All of the communities which sprang up and/or grew considerably along Rte. 14 did so in a large part because of the ease of transportation options to the east and southeast (the direction of Chicago and the closer-in suburbs where jobs were/are plentiful). A list of those communities which expanded significantly during this time period include:

Arlington Heights	Palatine	Deer Park	South Barrington	Inverness
Hoffman Estates	Barrington	Tower Lakes	North Barrington	Lake Barrington
Fox River Grove	Cary	Crystal Lake	Lake In The Hills	Algonquin
East Dundee	Volo	Woodstock	Wauconda	West Dundee
Hawthorn Woods	Island Lake			

As these communities expanded, the residents of these communities depended – for the most part – on automobile transportation for daily commuting purposes (other than those commuters/users of the Union Pacific Northwest Line to and from Chicago and the communities in between). Among the major surface roads used by residents of these communities are U.S. Route 14 (Northwest Highway) and Illinois Route 59. During the period these communities experienced their explosive growth, automobile commuting patterns became firmly established: (1) along IL Rte 14 and US Rte 12 for all southeast/northwest traffic, Rte 59/ US Rte 31 and various other surface roads for north/south traffic, and Lake Cook Road, Cuba Road and IL Rte 22 for east-west traffic. During the time these commuting patterns became established, the rail traffic on the EJ&E was minimal, and the impact on such automobile commuting was relatively slight.

Notably, the EJ&E crossing at US Rte 12 (in Lake Zurich) is accommodated by a street viaduct which travels under the EJ&E tracks. However, as has been noted by William H. Urry, Chief of Police for the Village of Lake Zurich at his presentation at the STB hearing on August 27 at Barrington High School, Barrington, IL, the benefits of this grade separation are partially negated by the nearby grade crossing on nearby Ela Road. Although the EJ&E tracks travel over a viaduct on Route 12, the EJ&E grade crossing on Ela Road is located approximately 1/6 of the mile south of the intersection of Ela Road and US Rte 12. Due to the heavy southbound traffic on Ela Road, trains crossing at the Ela grade crossings quickly back up traffic onto heavily used US Rte 12.

No grade separations are provided at IL Rte 59, IL Rte 14, Lake-Cook Road, Cuba Road or IL Rte 22. As a result, any significant increase in rail traffic on the EJ&E will have devastating impacts on the firmly-established automobile commuting patterns of the residents in the above-referenced communities along all of these major daily commuting arteries. Without grade separations at these crossings, the commuting times experienced by the affected residents will increase to intolerable levels. The deleterious impact on the affected residents on productivity (time spent waiting at crossings), energy consumption (idling cars), pollution (idling cars), health and safety (emergency

vehicle access to residents' homes and to Advocate Good Shepherd Hospital) caused by the increased surface freight traffic are costs that need to be accounted for by the STB.

The Draft Environmental Impact Statement prepared by the STB in this matter is woefully inadequate in that it fails to realistically and honestly address the negative effects the increased rail traffic will have on the on car and truck traffic patterns of the communities situated in the northwest portion of the Chicago metropolitan area. These impact along should be sufficient reason for the STB to hold that CN's acquisition of the EJ&E Railway is not in the public interest.

Very truly yours,

Justin Gerak