

1 SCOPING MEETING FOR THE PROPOSED CANADIAN
2 NATIONAL RAILWAY COMPANY ACQUISITION OF THE
3 ELGIN, JOLIET AND EASTERN RAILWAY COMPANY
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8 STATEMENT OF:
9 JEFFREY BERMAN
10 AUGUST 27, 2008
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13 BARRINGTON HIGH SCHOOL
14 616 WEST MAIN STREET
15 BARRINGTON, ILLINOIS
16
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18 CHIMNIAK REPORTING & VIDEO
19 Telephone: 312-781-9111
20
21

22 REPORTED BY: Donna M. Kazaitis, 084-003145
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1 MR. BERMAN: Good afternoon. My name is
2 Jeffrey Berman, B-E-R-M-A-N.
3 I am a village trustee for the
4 village of Buffalo Grove, and I operate as our

5 village board's liaison for transportation issues.

6 I am here today to speak on behalf
7 of the roughly 44,000 residents of the Village of
8 Buffalo Grove and further in an effort to provide
9 a voice for the more than sixty communities with
10 the combined population of 4.1 million residents
11 who will benefit from changes resulting from the
12 acquisition of the EJ&E West Company by the
13 Canadian National Railway Company, or CN.

14 Before I get into my rant, I want
15 to thank the STB for holding these hearings. I
16 think it's a great opportunity for the public and
17 for the STB to get input.

18 However, I do want to object to the
19 fact that all of the hearings are being held along
20 the circumference of the EJ&E, and none of the
21 hearings are being held in a location convenient
22 to the people who live along the existing CN lines
23 what stand to benefit and who might want to speak
24 positively on this issue but are forced to come

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1 into an atmosphere that, shall we say, is less
2 than hospitable for opposing points of view.

3 I recognize that all politics are
4 local, and we certainly have seen our fair share
5 of political feeder in connection with this
6 proposal, including here today.

7 However, I also believe that as
8 representatives of the U.S. Surface Transportation
9 Board you have a higher calling, to view the big
10 picture, and focus on the proper development and

11 appropriate evolution of our regional and national
12 transportation system for the greater good.

13 I hope that by appearing here today
14 I can at least help to add depth to your
15 understanding of the broader interests that are
16 involved.

17 By Resolution 2008-1, the Board of
18 Trustees of the Village of Buffalo Grove formally
19 expressed the Village's strong support for the
20 proposed acquisition of the EJ&E.

21 So why does the Village of Buffalo
22 Grove and other like situated communities support
23 the transaction? There are many reasons.

24 I urge the STB in the strongest

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1 terms possible to take into account these benefits
2 and the perspective of supportive communities into
3 account, and proper perspective, along with the
4 detriments claimed by those communities and
5 individuals who urge impairment or rejection of
6 the transaction.

7 The proposed acquisition would
8 allow freight train traffic to be diverted away
9 from the core of the metropolitan area and onto
10 under-utilized rail capacity around the perimeter
11 of the Chicago area, thereby improving the surface
12 transportation system for the region as a whole.

13 On a macro level, the acquisition
14 and related improvements will yield substantial
15 transportation, environmental, and economic
16 benefits to the region and the nation.

17 It can be a major step toward
18 unclogging our rail system which will reduce
19 shipping costs, spur investment, and add jobs.
20 Efficiency and transportation is
21 absolutely essential to keeping the U.S.
22 productive and to allow our own industries to
23 compete in the global economy.
24 Finally, CN's private investment

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1 would confer these benefits without the
2 interminable delay and public funding challenges
3 associated with the nearly dormant CREATE plan.

4 The ability to move traffic more
5 efficiently means having fewer trains tying up
6 traffic and belching diesel fumes while standing
7 in the existing rail gridlock.

8 Efficient use of rail offers an
9 inexpensive way to improve the environment without
10 harming the economy.

11 Moving more freight by rail also
12 helps to reduce highway congestion which costs
13 \$78 billion per year in wasted time and wasted
14 fuel, according to the 2007 Urban Mobility Report
15 from the Texas Transportation Institute.

16 A typical train takes the freight
17 equivalent of hundreds of trucks off roads. As
18 such, moving freight by rail enhances mobility and
19 helps reduce the cost of maintaining roads and the
20 pressure to build costly new roads.

21 In addition, by significantly
22 relieving rail congestion, the transaction will

23 help protect the Chicago region's status as the
24 rail hub of North America.

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1 According to the CREATE feasibility
2 study, rail transportation in the Chicago region
3 impacts five million jobs nationwide each year,
4 along with \$782 billion in output and \$217 billion
5 in wages.

6 The same study forecasts that if
7 rail capacity is not improved, the Chicago area
8 will lose \$2 billion in production and as many as
9 17,000 jobs will be lost over the next two
10 decades.

11 On a more localized basis, CN's
12 proposed shifting of trains to a more efficient
13 route on the under-utilized EJ&E would result in
14 fewer trains each day for more than sixty
15 communities and their 4.1 residents compared with
16 fewer than thirty with 1.5 million residents that
17 would see an increase.

18 At present, CN runs the very same
19 twenty freight trains each day down the existing
20 CN line that would be diverted to the EJ&E.

21 The purported increase in freight
22 traffic on the EJ&E is thus nothing more than
23 moving existing trains from one track to another
24 and the impacts from one group to another.

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1 Millions of people in towns that
2 about the existing CN lines stand to benefit from
3 reductions in rail and highway congestion and

4 delay, a decrease in train noise, and relative
5 improvements to safety if the transaction
6 proceeds.

7 As reflected in the Draft EIS, the
8 number of train accidents on existing CN lines
9 would decrease significantly, and the number of
10 accidents on existing CN lines and the EJ&E line
11 combined would see in that decrease.

12 The risk to pedestrians and
13 bicyclists would decrease.

14 The impact on freight traffic on
15 highway congestion and delay at grade crossings
16 for communities along the CN lines would decrease
17 significantly.

18 The impact of train noise from
19 freight traffic along the existing CN lines would
20 also decrease significantly.

21 From an environmental justice
22 standpoint, minority and low-income communities
23 adjacent to existing CN lines would experience
24 significant reductions in freight traffic

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1 resulting in decreases in noise, congestion,
2 delay, and noise impacts.

3 The proposed acquisition also would
4 allow for better utilization of the existing CN
5 tracks upon which Metra operates its North Central
6 Service commuter line.

7 It would set the stage for possible
8 enhancements to services on that line, overdue
9 improvements that would take cars off area roads,

10 but which are stalled due to conflicts with
11 freight traffic.

12 The improved and expanded Metra
13 service would address unmet weekday demand and
14 allow commencement of weekend service. Thereby
15 improving of the quality of life in the region,
16 enhancing utility and viability of the North
17 Central Service, and adding value to the past
18 federal, state, and local investments made in
19 capital improvements to the line.

20 CN acquired the Wisconsin Central
21 in 2001. Prior to that time, freight traffic
22 through Buffalo Grove was relatively light, not
23 unlike volumes presently seen on the EJ&E.

24 Since then CN has increased traffic

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1 on that line significantly. The rapid buildup of
2 freight traffic was unprecedented and unexpected
3 for our town and others along the line. Would we
4 prefer to have less freight traffic, yes, we
5 would, absolutely.

6 The additional freight traffic has
7 contributed to increased roadway congestion and
8 has been the source of significant annoyance and
9 frustration for many.

10 I should add, however, that the
11 increase in CN freight traffic has not caused a
12 cataclysm, civilization as we know it has not come
13 to an end, and our community continues to adapt
14 and move forward in spite of the changes.

15 In that regard, there are a couple
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16 of very specific points I want to touch upon
17 briefly.

18 One of the issues raised repeatedly
19 is a concern over potential impairment of
20 emergency responses. I can offer some real-life
21 insight into that issue.

22 Despite the quick and unexpected
23 expansion of traffic on the CN line, we have not
24 experienced those kinds of problems.

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1 I've asked this question more than
2 once, and repeatedly have been told that we cannot
3 identify even a single instance of an emergency
4 response being materially impaired by the presence
5 of freight traffic. That is in spite of the fact
6 that all of our Village's emergency response
7 facilities are located on the west side of the
8 tracks and a significant portion of the community
9 is located to the east.

10 we have contingency plans to
11 construct an additional facility to the east of
12 the tracks, but as of now we've been told it is
13 not necessary to do so.

14 Aside from the lack of experiential
15 impacts, we have in place mutual aid agreements
16 with neighboring towns, including several to the
17 east of the tracks, which would allow us to call
18 upon them in the event the need ever arises due to
19 freight interference.

20 Another big ticket concern is the
21 claimed need for construction of dozens of grade

22 separations along the EJ&E.

23 While I note the Draft EIS has
24 identified a handful of specific intersections

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1 where mitigation is warranted, and I do not
2 quarrel with those points or the possibility that
3 separations will be deemed warranted at those
4 locations, the point of contention is the true
5 need for large numbers of new grade separations.

6 In our area most towns along the
7 existing CN line do not have any grade separation
8 within their boundaries.

9 In fact, along the CN line there
10 are only a total of three grade separations in all
11 of Lake County, and none are located south of
12 Mundelein.

13 Over more than forty miles of track
14 from the Wisconsin state line to I-90 at O'Hare
15 Airport, there are a grand total of six
16 separations.

17 Over that distance the CN tracks
18 pass through nearly two dozen towns, villages, and
19 unincorporated areas including Antioch, Venetian
20 Village, Lake Villa, Round Lake Beach,
21 Libertyville, Grayslake, Mundelein, Vernon Hills,
22 Lincolnshire, Prairieview, Buffalo Grove,
23 Wheeling, Prospect Heights, Mt. Prospect,
24 Des Plaines, and Rosemont. Even if you average

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1 out the distance, that comes to only one grade

2 separation for every seven or eight miles of
3 track.

4 It is hard to imagine that this
5 very large and well-developed area has adapted to
6 the volume of CN freight with so few grade
7 separations while such an enormous amount of
8 infrastructure is quote "essential" unquote to
9 mitigate the move to the EJ&E.

10 In fact, the CREATE program would
11 have provided funding for only twenty-five grade
12 separations across the entire metropolitan region.

13 Why are the towns along the EJ&E
14 entitled to more consideration than dozens of
15 other Chicago area communities that have long
16 lived with as many as one hundred trains each day.

17 Even where it is deemed
18 appropriate, moreover, holding the project hostage
19 to a demand that CN pay all or most of the related
20 costs is both unreasonable and unprecedented, not
21 only according to the Chicago Tribune but common
22 sense as well.

23 I started my comments with the
24 proposition that a federal level agency must view

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1 the big picture focusing on regional and national
2 interests.

3 I understand that you have and will
4 continue to hear from individuals, communities,
5 and elected officials who oppose the transaction
6 because of concerns about the potential impact on
7 communities along the EJ&E.

8 Decisions of this magnitude should
9 not be made based on who screams the loudest or
10 who has the most political currency.

11 I must ask you, therefore, are the
12 cities and towns along the existing CN lines not
13 also entitled to the same considerations as those
14 along the EJ&E? Is our residents' quality of life
15 inconsequential? Are our interests somehow less
16 significant to this process than those of the
17 towns along the EJ&E?

18 I respectfully submit they are not,
19 and I must believe that you agree.

20 As such, my challenge to the
21 Surface Transportation Board as the agency moves
22 forward with the EIS process is to keep your eye
23 on the big picture. Discharge your duties
24 according to the statutory mandates and avoid the

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1 traps of politics.

2 Please take the time to cut through
3 the rhetoric to understand the benefits to
4 regional transportation efficiency, the economy,
5 and the environment, and recognize the interests
6 of the vast number of communities and literally
7 millions of residents who stand to benefit from
8 changes resulting from the proposed acquisition.

9 The transaction presents a rare and
10 valuable opportunity to create a more efficient
11 transportation system not only for the benefit of
12 the village of Buffalo Grove but for the entire
13 region.

14 As such, on behalf of the village
15 of Buffalo Grove and more than threescore like
16 communities, I respectfully request that the
17 Surface Transportation Board approve as soon as
18 possible the proposed acquisition of the control
19 of the EJ&E West Company by the CN currently filed
20 as STB Finance Docket No. 35087. Thank you.

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