

**Subject:** [DPNeBlast] URGENT--Act TODAY on CN  
**Date:** Monday, December 8, 2008 12:08 PM  
**From:** Deborah Barry, Secretary <deborah.barry@deerparkneighbors.com>  
**Reply-To:** deborah.barry@deerparkneighbors.com  
**To:** "dpneblast@deerparkneighbors.com" <dpneblast@deerparkneighbors.com>  
**Conversation:** URGENT--Act TODAY on CN

host\_name

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### From Deer Park Neighbors:

We were out for a few days, so we apologize for being late in getting this message to you—but there is still time to ACT TODAY!

**We urgently request that you take a few minutes TODAY to call Dick Durbin (202-224-2152) and Melissa Bean (202-225-3711), who will be working on this matter Tuesday, with a decision from the Surface Transportation Board in as little as one week. Details from both TRAC and our own Rita Finley follow below; both reports will help refresh your talking points.**

IN THIS BLAST, DPN comments, followed by materials from TRAC and finally from our own Rita Finley. DPN again sends a special thank you to Rita. It is citizens like her—passionate about an issue and making a personal commitment to stay on top of the news and communicate that to others—is just what Deer Park Neighbors is all about.

The Final Environment Impact Study (FEIS) will be a disaster for our region and effectively nothing in the final report reflects the concerns of citizens and businesses who will suffer under the proposed purchase of the EJ&E line by Canadian National. We need to balance the support for this deal that comes from communities who will—but only initially—see some relief. They are being very shortsighted. In time, we believe in as few as five years, every community along the line will be gridlocked, with effectively no financial support from CN. We anticipate that traffic would continue to increase exponentially; what's more, CN might double track all along the line, increasing further the block of crossing.

True, we all bought homes or opened business along a rail line. However, CN's deal will dramatically CHANGE THE EXISTING CONDITIONS without consequences to CN's bottom line, while our local economy and public safety can not be protected—local governments simply do not have the dollars nor any way to create the kind of inflows required to research and build out the mitigations

required—overpasses, underpasses, noise barriers, underwriting failing enterprises (due to reduced consumer visits) and thereby negatively impact the local economy and public safety.

*Time and time again, we hear people say, “I can’t make a difference,” and yet, the only guarantee of the end result is doing nothing. ACT TODAY!*

Three more things:

>>Call or write President Gifford, to ask why this urgent message was not distributed by the Village--we didn't get a notice from Deer Park, did you?--using the Connect-CTY® service, Deer Park's new village-to-resident notification system.

>>Only publicly available phone numbers are automatically in the CTY system. To add your unlisted land line, cell phone and/or email address for village notifications, visit:

<https://portal.blackboardconnectcty.com/welcome.aspx?eiid=1207B6088C3570A6627D>

>>Join the TRAC email list:

<http://fightrailcongestion.com>

This challenge will be with us for decades to come

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from TRAC:

Friday morning, the STB released the Final Draft Environmental Impact Statement (FEIS) on CN's proposed acquisition of the EJ. Just as we feared, the process has been a rubber stamp for Big Rail. As we review the full document (even longer than the DEIS) TRAC has released the following statement:

TRAC COALITION STATEMENT ON FINAL ENVIRONMENTAL IMPACT STATEMENT RELATED TO CANADIAN NATIONAL/EJ ACQUISITION

***Final EIS Fails to Address Core Issues for the Region***

The Regional Answer to Canadian National (TRAC) Coalition has issued the following statement regarding the final environmental impact statement (FEIS) on the proposed Canadian National/EJ acquisition:

"Since this acquisition was announced, we have seen an unprecedented demonstration of opposition from taxpayers, communities and our lawmakers in Washington based on the negative consequences that would result from this transaction. Yet, it appears these concerns fell on deaf ears. One would think an acquisition that would increase freight traffic by 400% through communities, increase noise and air pollution, dismantle commuter rail operations and force taxpayers to subsidize \$1 billion for a private sector transaction would be rejected. Unfortunately, this FEIS is a rubber stamp for CN to increase its bottom line at the expense of taxpayers and families in the greater Chicagoland region. It would be a travesty if the STB approved this transaction based on the flawed analysis that is the hallmark of this FEIS."

According to this FEIS, area taxpayers will be forced to pay the overwhelming majority of mitigation costs necessary for Canadian National to increase their profitability. TRAC has consistently stated that taxpayers in the region – no matter where you live – should not be responsible for mitigation costs that adversely impact their quality of life. This belief has been echoed by President-Elect Obama who stated in April 15, 2008 correspondence on this issue that "the costs associated with any infrastructure improvements required by this increased freight traffic should be largely borne by CN" and concluded that, "any merger should reflect a solid commitment by the new owners to pay for these improvements."

People can access the FEIS at the STB website:  
[www.stbfinancedocket35087.com](http://www.stbfinancedocket35087.com).

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>From our own Rita Finley

The Final Environmental Impact Study (FEIS), which was released on Friday, DID NOT listen to Main Street. And the 3 member Surface Transportation Board (STB) will be voting in as soon as 1 week on whether to deny, allow or allow the sale with conditions. **A DECISION OUR REGION WILL HAVE TO LIVE WITH FOREVER.**

If you are as concerned as others, please call the congressional offices of Durbin and Bean by COB Monday 12/8. Tell them that they need to do something to make sure the STB Board DOES NOT approve this deal based on this FEIS analysis. Just calling to express your concern counts. **Read below for more you may want to tell them about.** We need our outrage known clearly at these offices. They are occupied dealing with the financial crisis and other issues. *we simply can not let this issue get lost under the radar during this critical time.*

Dick Durbin's DC Office: 202-224-2152  
Melissa Bean's DC Office: 202-225-3711

Please get at least 5 people to do the same. TIME IS RUNNING OUT. The STB making a decision with the released FEIS would be a travesty

## WHY?

>>Our regional concerns have been ignored and mitigation mandates are a joke. A few examples on what the FEIS says:

### No mitigation is needed for most grade crossings, including Cuba Road and now also the Ela Road crossing.

### Since downtown Barrington already has a traffic problem, a grade separation at IL 59 is not warranted. Further, a grade separation at US 14 would have "minimal benefit" to traffic flow in Barrington. They ignore the fact that no one is expecting CN to solve any existing traffic problems in downtown Barrington but must mitigate for the *increase* in problems that mile-plus-long freight trains over 20 times a day would cause!

\*\*Their solution to the complex congestion issues?? "Traffic advisory signs to alert drivers not to block the roadway intersection during a train pass." *Huh?* [DPN note: Picture any crossing in downtown Barrington, then imagine people backing up or making U-turns to get out of the intersection. One of those vehicles could well be a police car trying to get to a scene or an ambulance trying to transport to the hospital.]

\*\*They say the impact on property values is minimal. They "assume" that a portion of adverse affects have already been incorporated into the existing property values. What about the well-maintained Colonial currently for sale on the end of Old Farm Road adjacent to the tracks that Ela Township has assessed for around \$660,000, yet it is not selling as the owners have had to continue drop the price-- now to \$450,000 and still not selling out of fears of increased train traffic. If the assessor's value was correct, that is over a 30% negative impact on the "existing" value

\*\* The likelihood of a HAZMAT spill would increase, but is minimized in the study as a "worst case scenario." Plus, they dismiss that CN would mitigate and supply people with water if that did occur. (Some of you recall in 2005, CN had a HAZMAT spill in Lake Wabamun.

Canada. and people went months without drinkable water.)

\*\*Here's another injustice which directly impacts the children of our region: FEIS concludes that the concern for and risks associated with student populations crossing the tracks exists today because the proximity of these schools to tracks on which there is rail traffic is an existing condition. "The proposed action would exacerbate these issues along [the EJ&E}, but it is unlikely that [CN buying the EJ&E] would create conditions that do not currently exist."

For more of the FEIS, go to [www.stbfinancedocket35087.com](http://www.stbfinancedocket35087.com)  
<<http://www.stbfinancedocket35087.com/>>

>>**The study is fundamentally flawed because it is based on the idea that the capacity being vacated by CN on current lines won't be filled again by them or by another railroad.**

\*\*Consequently, the study shows benefits for current CN line communities outweighing negatives for EJ&E communities.

\*\*Given projections for rail freight growth in Chicago over the next decade and the fact that the EJ&E will be AT CAPACITY based on what CN stated on its application, this increased freight volume needs to run somewhere and it would go to its existing lines.

\*\*Result: NO BENEFITS to the region that outweigh the overwhelming negatives.

\*\*Further, they didn't analyze impacts from double-tracking of the EJ&E in ALL of the track's existing right-of-way. Why wouldn't CN double-track at some point to maximize operations along the EJ&E? Absent that real PROBABILITY being evaluated, the analysis is fundamentally flawed.

>>**Why should regional and national tax dollars go to cleaning up a mess created by CN so it can maximize its profits? Should taxpayer dollars be invested at the whims of corporations rather than determined by regional planners? Aren't we learning some real lessons by current corporate bail-outs?**

Please call Durbin and Bean by Monday 12/8--it will take less time than waiting behind a train in the future. They must hear from us people on the ground (or I'm afraid it will in fact be Freight before People).

Dick Durbin's DC Office: 202-224-2152

Melissa Bean's DC Office: 202-225-3711

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Some recent articles:

<http://www.reuters.com/article/marketsNews/idUSN0546444320081205>

[http://www.suburbanchicagonews.com/newssun/news/1315450,5\\_1\\_WA05\\_MORECN\\_vS1.article](http://www.suburbanchicagonews.com/newssun/news/1315450,5_1_WA05_MORECN_vS1.article)

<http://www.chicagotribune.com/news/local/chi-canadian-national-06-dec06,0,5885814.story>

[http://www.suburbanchicagonews.com/heraldnews/business/1317043,4\\_1\\_J006\\_EJE\\_S1.article](http://www.suburbanchicagonews.com/heraldnews/business/1317043,4_1_J006_EJE_S1.article)

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Deer Park Neighbors, 412 Bramble Lane, Deer Park, IL 60010

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