

**Subject: Rep. Melissa Bean Calls DEIS "Highly Disappointing" and Announces August 5 Congressional Field Hearing**

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**Conversation:** Rep. Melissa Bean Calls DEIS "Highly Disappointing" and Announces August 5 Congressional Field Hearing

BEAN DENOUNCES DRAFT EIS IN CN RAIL DEAL;

ANNOUNCES CONGRESSIONAL FIELD HEARING

Environmental Impact Statement must be revised to reflect impact to community

WASHINGTON – Congresswoman Melissa Bean (IL-08) sharply rebuked the Surface Transportation Board for the draft environmental impact statement released today in its consideration of Canadian National’s proposed purchase of the EJ rail line.

“This draft from the STB is highly disappointing, as it seems to endorse allowing a private company to destroy local communities’ quality of life, safety and economies, while expecting those communities to pick up the tab,” Bean said. “This is another example of a federal agency failing its responsibility to the American people by serving industry special interests over our nation’s taxpayers.

“My colleagues and I will be communicating to the STB our strong objections to this draft, which does not reflect American values, and will work to ensure that the final EIS better protects the rights of our constituents and communities,” Bean said.

Bean will hold a joint Congressional field hearing with other members of Congress on August 5, to take testimony from experts and the community. Bean will be joined by fellow Reps. Peter Roskam (IL-06), Judy Biggert (IL-13), Bill Foster (IL-14), and Don Manzullo (IL-16). Results from that hearing will be submitted to the STB for consideration in the final

version of the EIS.

The STB, a three-member panel appointed by the Bush Administration, will have final authority to approve or disapprove CN's proposal.

More than 40 communities oppose this transaction, which would result in up to a 400 percent increase in rail traffic along the EJ line. The increase will have a significant negative impact on traffic congestion along major roads, public safety, quality of life, environmental quality, and local economies.

At Congresswoman Bean's request, the STB began an environmental review of the transaction last year. During the initial phase to determine scope of the impact, the STB saw an unprecedented turnout at its public meetings, with nearly 3,700 total comments received. Today's draft EIS contains the recommendations from the STB's Section of Environmental Analysis.

The release of today's draft EIS marks the beginning of a comment period, when the community is invited to weigh in about what is missing from the agency's environmental review. After that comment period closes, the STB staff will make changes to the EIS and issue a final version. The board will then make a final decision on the transaction, and any possible mitigation, based on the recommendations contained in the EIS.

"Federal and local elected officials and thousands of citizens have been working in good faith with the STB," Bean said. "STB Chairman Chip Nottingham promised diligent and respectful consideration of our concerns. This draft suggests his agency is more concerned with appeasing the rail industry than protecting Americans from an egregious tax burden and gross injustice that destabilizes their communities."

Below are just some of Bean's objections to the draft version of the EIS:

(1) Egregious burden on local taxpayers. Local taxpayers will face an overwhelming burden to fund mitigation for a project they do not want and do not benefit from, according to the draft EIS recommendations. The EIS studies only 87 of the 133 grade crossings and determines that only 15 of them will face “substantial effects,” with road traffic delays of 40 hours per day or more or obstruction of major arterial roads. It is likely that far more crossings will face significant impacts, but even for those designated the EIS is vague in its recommendations for mitigation. The draft provides a range of possible options that gives the public no clear view into the eventual final recommendation, but at best the EIS suggests that CN should pay only 5 to 10 percent of mitigation costs. With grade separations costing about \$50 million each, this amounts to a major public tax subsidy for CN.

(2) Ignores effects on Metra’s STAR line. Metra, which provides 83 million rides to suburban and city residents each year, says CN has not committed to sharing tracks along the EJ. The proposal threatens construction of the long-awaited suburb-to-suburb Metra STAR Line. But the draft EIS seems to ignore this problem, stating that the proposal “would not preclude the implementation of this service.”

No help for public safety. With long trains possibly blocking crossings for long periods at a time, entire sections of some communities may be cut off from police and emergency services. The Draft EIS identifies 11 different communities that will face “substantial” effects to their police, fire and EMS services, but again provides no specific suggestion for mitigation. Suggestions range from increased communication to moving police and fire stations, but no mention is made of CN’s share of funding for these expensive projects.

(3) Insufficient information from CN. CN’s projections on increased traffic along the newly-acquired track only extend for five years. The final EIS should require projections over longer periods of time so the full impact of the proposal can be assessed.

(4) No enforcement. For all suggested mitigation, the draft EIS suggests that the board should only exercise oversight authority for the first three years of the transaction. After that, communities would be on their own.

