



# CN Acquisition of the EJ&E Rail Line

## Community Action Briefing

by the

Barrington Communities Against CN Rail Congestion Coalition

December 2007

# Situation Summary

- Canadian National Railroad (CN) – the **only** international rail carrier that covers the entire U.S. – is planning to purchase a marginally used freight rail line that runs through the downtown area of the Village of Barrington.
- CN plans to use this line as its **major Chicago by-pass route for all freight traffic** it plans to move through the Chicagoland area.
- On the route that impacts our region, CN has admitted that it will increase freight traffic from the current 3 to 5 to **20 trains daily**.
- **CN has admitted to us that no other community along the line will be impacted as much as our region by this planned increase in rail congestion.**
- CN needs approval from the U.S. Surface Transportation Board (STB) to finalize this acquisition.

# Coalition Response

- Within 20 days of CN's application to the STB, ***the Village of Barrington on behalf of itself and the surrounding coalition communities filed a petition asking that the STB conduct an intensive environmental study (EIS) to review the negative impacts*** the acquisition would have on the region in terms of traffic flow, safety and noise. These are all considered "environmental" impacts by the STB.
- The Coalition has taken the following actions to date:
  - Put the word out to regional community leaders and secured ***the written input from more than 70 individuals*** supporting the need for an EIS.
  - ***Engaged local media*** to frame the region's viewpoint on the issue with articles appearing in *Crain's Chicago Business, The Chicago Tribune, The Daily Herald* and *The Barrington Courier*. Media outreach is ongoing with interviews scheduled for *Comcast Newsmakers* and an article in the upcoming edition of *Quintessential Barrington*.
  - ***Worked to notify federal elected officials of the threat, leading to Rep. Melissa Bean & Rep. Don Manzullo taking a bipartisan and proactive leadership role in engaging with the STB on the issue.***
  - ***Launched a website*** ([www.FightRailCongestion.com](http://www.FightRailCongestion.com)) and will launch a ***formal community engagement campaign*** by the new year.
- These advocacy efforts paid off when ***the STB announced on November 26 that an EIS would be required in its review process.*** In its ruling, the STB noted that its decision was partly based on the numerous communications of concern that the Board had received.



# Threats to our Region

## Threat 1 – Public Safety is at Risk

- Our school district covers an area of 90 square miles, so our *school buses cross this rail line nearly 400 times daily*. This doesn't include all the private vehicles that are dropping off and picking up children or the children walking to and from schools. *The safety of our children is at risk with the looming threat of heavy freight trains barreling down the tracks 20 times a day.*
- *Good Shepherd Hospital* has the region's most advanced cardiac care center and a new state-of-the-art emergency department, so *blocked rail crossings can become a life-and-death situation for patients* who can't afford the minutes needed for a rail crossing to clear.
- Because the EJ&E line bifurcates our region, emergency vehicle response times would inevitably be impacted. *A fire doubles in size every minute. A five-minute delay in fire response time to a burning building could mean the difference between rescue and fatalities, as well as minimal property damage vs. total destruction.*

# Threats to our Region

## Threat 2 -- Traffic Flow Congestion

- Each freight train will be between 5,000 and 10,000 feet long (the length of over 33 football fields). A train of 6,000 feet could *block all 4 downtown Barrington street crossings at once.*
- One freight train can take an average of *4 minutes to pass a crossing* – that is akin to having to sit and *wait for 7 traffic light changes* before your car can proceed. This *doesn't* include the amount of time for traffic congestion to clear, so we envision that *major traffic backups for miles will become the norm.*
- Since the Village of Barrington serves as the connectivity hub for the region, this huge increase in freight traffic is the recipe for a gridlock scenario of nightmarish proportions – *it threatens to bring the livability and commercial viability of our region to a screeching halt.*

# Threats to our Region

## Threat 3 – Noise & Noxious Fumes

- *314 of 3,903 housing units (8%) in the Village of Barrington are within 300 feet of the EJ&E line.* Train whistles, vibrations, and track noise will go from minimal to a near-constant sensory assault.
- The region has long protected its green space and wetlands and has invested heavily in preserving their integrity. *The EJ&E line runs through environmentally sensitive areas,* including the new \$14 million Citizens Park that contains a unique feature to enable the disabled to enjoy a tree house.

# Threats to our Region

## Threat 4 – Worst Case Scenarios

- An avalanche of additional freight trains can only increase risk in our communities when people take risky actions to avoid freight train-induced delays.
- With 72 derailments in 2004 alone, CN's record for rail safety is deplorable:
  - July 10, 2005 – Two CN freight trains collided in Mississippi derailing 23 cars and releasing 15,000 gallons of diesel fuel that burned for 15 hours. Results – 4 fatalities; 100 residents evacuated; property damages exceeding \$9.5 million; environmental clean-up costs totaling \$616,800. Cause – CN crew fatigue.
  - February 9, 2003 – Train derailment in Tamaroa, Illinois with derailed cars releasing methanol. Results – evacuation of an entire village of 850 residents living within a 3-mile radius; fire. Cause – improper rail construction by CN.

# Threats to our Region

## **Threat 4 – Worst Case Scenarios** (cont.)

- **A Transport Canada audit report made public earlier this year reveals some shocking information about CN's safety record:**
  - **54% of locomotives had safety defects.**
  - **37% of locomotives had Labor Code violations.**
  - **50% of train brake tests had safety problems.**
  - **26% of CN Rail Crossings had inadequate sightlines.**
  - **Audit inspectors also found that most employees reported "there is more emphasis on productivity than on safety."**

# Regulatory Process: STB Mandate & Proceedings

- Unless the STB believes this acquisition would be anticompetitive, ***they must approve it*** to facilitate interstate commerce.
- The ***STB has the option of dictating mitigation requirements*** for the benefit of impacted communities in approving such transactions.
- The ***STB has encouraged CN to work with impacted communities*** to resolve any problems throughout this STB process to achieve a ***“negotiated settlement.”***
- The ***Coalition is a party to the STB proceedings and will defend our interests through that process***, including taking an active role in the environmental impact study that will be conducted in the months ahead by the STB.
- Additionally, the Coalition will work with CN to ***identify the scope of the negative impacts faced by our region and identify solutions that resolve those problems to our satisfaction.***

# Primary Environmental Impact Statement Stages

- **Scoping** – determines the scope of issues to be addressed and identifies the range of actions, alternatives, and environmental impacts. As part of the scoping process the STB:
  - Issues a *Draft Scope of Study* for public and agency comment and seeks comment on the *proposed action*.
  - Consults with agencies that have regulatory jurisdiction or special expertise.
  - Conducts field work.
  - Holds *public meetings*.
  - Issues a *Final Scope of Study*.

# Primary Environmental Impact Statement Stages

- **Draft EIS** – After scoping, the STB prepares a Draft EIS which contains:
  - A brief description of the purpose and need for action.
  - A description of alternatives, including the proposed action and a comparison of the environmental consequences of the alternatives.
  - The affected environment and environmental consequences.
  - Potential mitigation.
- **Public Comments on Draft EIS** – The STB distributes the Draft EIS and seeks public and agency comments through letters and typically through public meetings.

# Primary Environmental Impact Statement Stages

- **Final EIS** – the Final EIS responds to substantive comments on the Draft EIS by:
  - modifying alternatives,
  - developing and evaluating alternatives not previously given serious consideration by the agency,
  - supplementing, improving, or modifying its analyses, or
  - explaining why the comments do not warrant further response.
- **STB Decision** – the Board will issue a final decision that will incorporate some or all of the mitigation measures recommended by the Board's Section of Environmental Analysis (SEA).

# What Our Region is Demanding

- While we understand the need to facilitate interstate commerce, CN cannot benefit its stockholders at the cost of the safety, well-being, and quality of life of the people who live in our communities. ***People must take precedence over freight.***
- ***We expect CN to be a good corporate neighbor*** and remedy the problems their business activities create in our region.
- Any ***acceptable mitigation proposed by CN must be accompanied by a realistic plan to achieve full funding*** so that our region is ***NOT*** left footing the bill for infrastructure improvements that are forced upon us by its actions.

# What You Can Do to Help

## **Get Involved & Stay Involved!**

1. Thanks to the active involvement of our citizens who contacted the STB with their concerns, we were victorious in making sure the Board mandated that an in-depth environmental impact study be undertaken. Our united action made a huge difference.
2. **The STB will be holding scoping open houses in Barrington on Wednesday, January 9 from 1 to 4 pm and again from 6 to 8 pm at the Makray Memorial Golf Club. Please plan to ATTEND – we need an overwhelming citizen presence to make our voice of opposition heard.**
3. This will be a lengthy battle, so make sure you check the Coalition website on a regular basis at [www.FightRailCongestion.com](http://www.FightRailCongestion.com) to become active on each “call to action” throughout the process.
4. Make your friends, family and neighbors aware of this issue and ask them to get involved.

# What You Can Do *Right Now:*

**Action 1: Contact our federal elected officials to let them know that you expect them to *ACTIVELY DEFEND* our region's interests before the STB.**

**Ask them where they stand on this critical issue and what they plan to do about it.**

Sen. Dick Durbin  
ph: 312/353-4952  
230 S. Dearborn St. - Ste 3892  
Chicago, IL 60604

Sen. Barack Obama  
ph: 312/886-3506  
230 S. Dearborn St. – Ste 3900  
Chicago, IL 60604

Rep. Melissa Bean  
ph: 847/925-0265  
1622 E. Algonquin Rd.  
Suite L  
Schaumburg, IL 60173

Rep. Mark Kirk  
ph: 847/940-0202  
707 Skokie Blvd.  
Suite 350  
Northbrook, IL 60062

Rep. Don Manzullo  
ph: 815/356-9800  
5186 Northwest Highway  
Suite 130  
Crystal Lake, IL 60014

# What You Can Do *Right Now:*

**Action 2: Make yourself heard.  
Write letters to the editor  
expressing your point of view.**

***The Daily Herald***

847-427-1301 - fax  
847-427-4544 - follow-up  
fencepost@dailyherald.com

***Crain's Chicago Business***

312-280-3150 - fax  
312-649-5411 - follow-up  
letters@chicagobusiness.com

***The Barrington Courier***

847-458-5325 - fax  
847-458-5303 - follow-up

***The Chicago Tribune***

312-222-2598 - fax  
312-222-4438 - follow-up  
(on-line access available at  
[www.chicagotribune.com](http://www.chicagotribune.com))

***The Chicago Sun Times***

312-321-2120 - fax  
312-321-2510- follow-up

# What You Can Do *Right Now:*

## Action 3:

**Beginning January 3,  
the Coalition will have  
yard signs and window signs  
available for the region's residents  
to place in yards and in the windows  
of homes and offices.**

**Please check the Coalition website  
to see pick-up locations in each  
Coalition township and village**

**-- or --**

**stop by the Village of Barrington's  
Public Safety Building at  
400 North Northwest Highway  
to them up.**