



April 21, 2022

VIA E-FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

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Office of Proceedings
April 21, 2022
Part of
Public Record

RE: STB Finance Docket No. 36500, *Canadian Pacific Ry., et al. – Control – Kansas City Southern, et al.*

Dear Ms. Brown,

We write to share our concerns regarding the potential harm threatened by the proposed Canadian Pacific Railway and Kansas City Southern (“Applicants”) merger (Collectively, the “Application”), along with corresponding comments filed by various parties on the matter. Please accept this letter for filing in the captioned docket by the City of Lake Forest, Illinois, on behalf of the Village of Bannockburn, Illinois, Village of Deerfield, Village of Green Oaks, Illinois, City of Lake Forest, Illinois, and Village of Northbrook, Illinois.

Our communities are situated in the near northern suburbs of Chicago in Cook County and eastern Lake County and located adjacent to at least one segment of a line of railroad along the Metra Milwaukee North railroad tracks. These railroad tracks generally run north-south through our communities and are used for both freight and commuter rail operations. The Milwaukee District North line along the Chicago-Milwaukee (“C&M”) Subdivision runs through various open space and ecologically sensitive areas, residential neighborhoods, and spans roughly a dozen grade rail crossings between Green Oaks, Illinois and Glenview, Illinois.

Based on our understanding, the Applicant’s proposed plans will result in additional line-haul freight trains – increasing the length and number of freight trains – to account for growth across the system. **As communities who have long supported our regional passenger rail system, we strongly object to any decision that will result in increased freight traffic leading to longer traffic delays and congestion and increased noise and emissions within our communities.**

Many Chicago suburban communities, regional transportation agencies, and railroads have filed various objections and conditions that aim to mitigate a myriad of inevitable issues and impacts that

will result from this merger. Among them are numerous infrastructure improvements, new intermodal facilities, and lengthy detour routes throughout the Chicagoland area, all of which will undoubtedly impact the health, safety, and welfare of innumerable communities throughout the Midwest.

We understand the Board has broad discretion to impose conditions on the merger of two Class I railroads. As suggested and based on the volume of opposition already filed against the Application, it appears that the Applicants have understated the extent to which this merger will negatively impact the public. As representatives of those communities that will be negatively impacted by this merger, we ask the Board to condition any approval as follows:

- 1. Reject any capital enhancements requested to the Milwaukee District North rail line that would increase the number of existing main lines between Rondout and Tower A20.** In a filing dated March 15, 2022, the Commuter Rail Division of the Regional Transportation Authority (“Metra”) seeks approval for multiple service and infrastructure expansion projects to accommodate anticipated commuter rail and service impacts the merger will cause. One specific request, the *“Addition a new third main line between Rondout and Tower A20”* would result in the construction of a new track located between Green Oaks and Lake Forest adjacent to large residential communities and through the Middlefork Savanna, a rare tallgrass savanna considered the highest quality tallgrass savanna of its kind in the nation and recognized as a globally threatened ecosystem.

This improvement was previously proposed as part of the WisDOT-IDOT study to expand Amtrak rail service between Chicago and Milwaukee. After four and a half years of strong opposition toward infrastructure expansions in this region, ultimately it was determined by the State of Illinois and Metra that the installation of new track in this area would have significant environmental and local health and safety impacts. **Please do not allow this Application to mandate any improvements that have been previously studied, opposed, and dismissed by various stakeholders, including Metra.**

- 2. Oppose any service or infrastructure measures that would increase freight traffic in our communities.** As suggested in a filing by Canadian National Railway Company (“CN”) on January 12, 2022, CN suggests that Board action to divest in parallel tracks along the Kansas City-Chicago-Detroit corridor will result in Canadian Pacific Railway consolidating control over these routes, leading to less competitive alternatives through the Chicagoland region. Freight trains would have no other option than to utilize the Elgin Subdivision and C&M Subdivision to route through Chicago negatively impacting the health and safety of populous suburban communities. CN has even committed to investing at least \$250 million in the Kansas City to Springfield/East St. Louis line to aid transit times for regional manufacturing and agricultural firms. The Board should require that Canadian Pacific Railway work with CN to leverage these existing dedicated-freight lines, which will allow freight to be rerouted away from populous suburban communities and the City of Chicago and in the process preserve and enhance regional commuter rail lines.

3. Authorize full dispatching control to Metra. While our communities will not support any railroad infrastructure expansion in this area, we do support accommodations that would ease freight train interference with commuter rail operations within the region. We understand that Canadian Pacific's poor dispatching has led to regular interference with Metra's peak and non-peak commuter rail services, which has endangered and inconvenienced local commuters. If the Board approves the Application, we ask that Canadian Pacific Railway be required to transfer all dispatching control to Metra to demonstrate the Board's commitment to considering the public interest in its decision-making.

We commend you and the Board's efforts in ensuring the safety and reliability of our nation's rail system. Our communities rely on the strong relationships we have built with our regional rail transportation partners, with which our local and regional economies depend upon. However, we urge the Board to weigh the public interest benefits in their deliberations and encourage the Board to work closely with all relevant stakeholders so that their interests may be balanced throughout this deliberative process.

Sincerely,



Frank "Bud" Rothing, Village President
Village of Bannockburn



George A. Pandaleon, Mayor
The City of Lake Forest



Dan C. Shapiro, Mayor
Village of Deerfield



Kathryn L. Ciesla, Village President
Village of Northbrook



Bernard Wysocki, President
The Village of Green Oaks

CC: All Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that I have on the 21st day of April 2022, caused to be served a copy of the foregoing filing, upon all parties of record in this proceeding.



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