

**Congressman Peter J. Roskam**

*Comments before the House Transportation & Infrastructure Committee*

HR 6707, the Taking Responsible Action for Community Safety Act

September 9, 2008

Chairman Oberstar, Ranking Member Mica, I appreciate the opportunity to testify before the committee today on the Taking Responsible Action for Community Safety Act. Mr. Chairman, I thank you for bringing your attention and expertise to this matter, and the people of my district are grateful for your thoughtful legislation.

The EJ&E rail line roughly forms the western boundary of my Congressional District – I represent the western and northwestern suburbs of Chicago. It's no new theme in Illinois that the city and the suburbs stand on opposite sides of an issue. The City of Chicago is obviously happy to rid itself of some of CN's train traffic in the name of enhancing efficiency and moving trains through the city. The Chicagoland area is after all the "rail hub" of the nation, and we suffer from major gridlock.

But even the Chicago Metropolitan Agency for Planning has expressed grave doubts about CN's push to acquire the EJ&E ring railroad. CMAP is a land-use and transportation planning agency with a seven-county regional view. CMAP has expressed opposition to the deal thus far because CN has not made any commitments about long-term reductions in traffic on certain lines, nor has it made any guarantees to see through to completion a regional commuter rail project long in the works using the EJ&E.

The community impacts of this proposed acquisition are severe. The Chicagoland area has recognized the need to update its rail

infrastructure. The CREATE Program was the fruit of a long deliberation among public and private stakeholders to provide a plan to update the rail infrastructure and move trains through the area more efficiently. Instead, CN has come claiming to have a solution. But their solution has ignored many of the community impacts, and the Draft Environmental Impact Statement was not able to adequately address them either due to statutory limitations.

Nonetheless, the Draft Environmental Impact Statement for this proposed acquisition projected a 28% increase in accidents along the EJ&E line, hundreds of jobs lost, an increase in fuel consumption by the railroad to get around the city, an increase in emissions equivalent to adding 1,000 cars to the road, an increase in hazardous materials transportation and accidents, an obvious increase in noise and vibrations, and 11 fire and emergency medical service providers that will face substantial difficulties coping with emergencies.

One of those providers is the Village of Bartlett in my Congressional District. This month, the village is set to open a brand new fire station at a cost of nearly \$5M. CN using the EJ&E will severely hamper this station's ability to serve the village, as its service area is split by the EJ&E tracks. Even minutes for our first responders at these grade crossings could turn unfortunate accidents into catastrophes, or injury into death.

For all this – lesser inconveniences to larger issues of life and death, what do we get? What benefit befalls my constituents? One mitigation measure proposed by STB: CN should create a hotline where communities could call to resolve blockage situations. This recommendation is of no comfort to the Village of Bartlett that has

toiled for so long with Canadian National over one of its existing lines on which the railroad blocks major state roads for inordinate periods of time.

The STB process is humming along with no regard for the region's CREATE effort, and with inadequate attention paid to the impact on a revolutionary inter-suburban commuter rail project that is coming together as a product of years of careful planning and work by stakeholders across the region. This commuter line would connect nearly 100 suburban communities, and give more than 1M people an alternative to driving. CN has offered no guarantees about the future of this project that has already benefited from taxpayer assistance in SAFETEA-LU and member project requests.

Mr. Chairman, I realize the benefits rail transportation offers to our country. It's a fuel efficient form of transportation that has provided local benefits to my constituents on the numerous rail lines crossing our district. We certainly have benefitted from access to rail for shipping goods from our strong manufacturing base. For the most part we're able to live peacefully among the rail presence—we don't suffer from a NIMBY complex.

What we suffer from is a process that is fundamentally flawed, a process that virtually assumes approval of the transaction. We need a paradigm shift in evaluating rail mergers such as these—one where we get a fuller picture of impacts beyond only the anti-competitive considerations of the railroads. Chairman Oberstar, your thoughtful legislation will offer a more appropriate and comprehensive review of rail transactions.

Thank you.