

CP-KCS Online Meeting 1

Wednesday, 2022.09.07

SUMMARY KEYWORDS

draft eis, comment, proposed, acquisition, rail lines, railroad, impacts, board, trains, rail, environmental review process, increase, canadian pacific, merger, meeting, capital improvements, minutes, speak, surface transportation board, people

00:08

Good evening, everybody. Thanks for joining us. We're gonna get started in just a moment or two once again, good evening, everybody and thank you for joining us. We're gonna get started in just a moment or two.

01:00

One more time. Thanks, everybody for joining us tonight. We're gonna get started in just a moment

01:23

Hey, good evening. Hello, and welcome to the public scoping meeting for the proposed acquisition of Kansas City Southern by Canadian Pacific. The docket number for this proposed merger is F D 36500. Tonight, we're going to have a brief introduction. We're going to review the meeting logistics. We'll have a welcome and the Surface Transportation Board. We'll watch a project presentation. And then we'll open things up to comments from the public. We'd like to reinforce that we're here for comments, not questions we can't respond to or answer any questions.

02:09

Let's go into the logistics and look at how that's going to work tonight.

02:14

We're utilizing a live translation service. If you'd like to hear the audio of the meeting in Spanish, look for the interpretation button at the bottom of your zoom window and click on that and you can choose the Spanish language channel. We're also offering live closed captioning the automatic transcripts, there's a button at the bottom of your zoom ribbon to turn on the live transcripts. Once we do reach the comment session, a few notes. First, we're going to call on participants who were pre-registered to comment. Next, if there are folks who didn't pre-register would like to comment, go into the q&a. Type your name and please type your name online. And we'll add you to the queue to speak. You can also raise your hand if you'd like to speak. Each speaker will be given three minutes to comment. And as I mentioned before, we have live Spanish language translation. So speak slowly and clearly for the benefit of everybody involved. And one more rule Excuse me one more reminder, tonight's meeting is being recorded. And with that, happy to welcome Josh Whelan from the surface transportation board, Josh.

03:28

Thank you, Matt. Hello, everyone. And thank you for joining us this evening for this public meeting for the draft environmental impact statement for the proposed acquisition of Kansas City Southern Railway by Canadian Pacific Railway. As Matt said, my name is Josh Whelan. I am the Acting Deputy Director of the Surface

Transportation boards Office of Environmental Analysis, and the project manager for the environmental impact statement for the proposed acquisition. I see that we have 35 people as of right now joining us tonight, including agency staff, or contractors, and everyone from the public who has called in or joined online. I want to especially recognize Surface Transportation Board Member Karen Headland, who has called into observe this public meeting. As I will discuss further during my presentation in a few minutes. The surface transcript Surface Transportation Board members are the decision makers who will decide whether to authorize the proposed acquisition and if so, what mitigation to impose. In making their final decision the board members will consider both the transportation merits of the acquisition and the potential environmental impacts. This public meeting will focus on the environmental impacts of the aquifer. And, and the board members who have either joined or may join during this meeting will be listening to the comments that you may have on those environmental impacts but will not be answering any questions or providing any feedback on your comments at this time. If you're interested in providing comments, or hearing comments on the transportation impacts of the proposed acquisition, please note that the board will be holding a public hearing on that topic beginning on September 28 2022, at the board's headquarters in Washington, DC. I also want to recognize Danielle Gosselin and Vicki Robertson, both of whom are with the Office of Environmental Analysis as I am, thank you both for attending. Thanks also to the staff of VHB, our third-party contractor who are assisting us the Office of Environmental Analysis and preparing the environmental impact statement. Finally, welcome to any representatives of other agencies and any elected officials who might have joined us tonight. Thank you for attending.

06:11

So our contractor VHB is going to review the process for the commenting portion of the meeting a little bit later, but I just wanted to briefly reiterate that the main purpose of this evening, this evening's meeting is to hear public comments, and we do want to reserve as much time as possible to allow people to comment. For that reason, we will not be holding a question and answer session today or at the other public meetings and that is to help ensure that everyone who wants to has the opportunity to speak. If you do have questions about the proposed acquisition or the board's environmental review process, I recommend that you visit the agency sponsored project website @www.cp-kcsmergereis.com. Through that website, you can find all of the project related information that is available to date, including descriptions of the proposed acquisition, the draft EIS itself, and an interactive map showing how rail traffic would change along the combined rail network if the proposed acquisition is approved. Before we move into the commenting portion of tonight's meeting, we would like to play a presentation for you that will provide a brief overview of the proposed acquisition, the board's environmental review process and some of the major findings of the draft environmental impact statement. This presentation will be available on the project website after this meeting in case you would like to watch it again later. So with that, I would just like to welcome everyone once again to this meeting. Thank you for your participation and interest in this process. And I'll ask VHB to please go ahead and start the presentation.

08:04

Hello, and welcome to this public meeting where the proposed acquisition of Kansas City Southern Railway by Canadian Pacific Railway. This meeting is being hosted by the Surface Transportation boards Office of Environmental Analysis or OE A, which is the lead Federal Agency for the environmental review of the proposed acquisition. The docket number for the proposed acquisition is FD 36500. My name is Josh Wayland. I'm the Acting Deputy Director of OEA and the project manager for the environmental impact statement or EIS that we are preparing for this proposed acquisition. OEA issued a draft EIS for the proposed acquisition on August 5, 2022 for public review and comment, and this is one of seven public meetings that OEA is holding during the public comment period. This slide shows the topics I will be covering in this presentation. First, I will briefly introduce the Surface Transportation Board, the railroad applicants that's Canadian Pacific and Kansas City Southern and the applicants proposed acquisition of Kansas City Southern by Canadian Pacific. Second, I will provide an overview of the environmental review process. Third, I will briefly summarize some of the major

findings of the draft EIS regarding the potential environmental impacts of the proposed acquisition. Then I will review the next steps in the environmental review process. And finally, I will go over the options for commenting on the draft EIS during the public comment period and for staying engaged during the rest of the environmental review process. I'll begin with an overview of the federal agency. As I mentioned, I work for the surface transportation board which is also referred to as the board or STB. The board is a bipartisan independent adjudicatory board with broad economic regulatory oversight of railroads including railroad rights and service as well as abandonment and construction of railroad lines. The board is also the federal agency that is responsible for reviewing and authorizing proposed railroad mergers, such as the proposed acquisition of Kansas City Southern by Canadian Pacific. When considering whether or not to authorize a proposed acquisition, the board considers both the transportation merits of the proposal and the potential environmental impacts. The board's Office of Environmental Analysis or O E a is the office at the board that is responsible for conducting environmental reviews under the National Environmental Policy Act or NEPA and related environmental laws. For the proposed acquisition of Kansas City Southern by Canadian Pacific, OEA is preparing an environmental impact statement, or EIS, and we issued a draft EIS on August 5. The proposed merger of Canadian Pacific and Kansas City Southern is not being proposed or sponsored by the federal government. The applicants in this case are Canadian Pacific and Kansas City Southern, which are two class one railroads that own and operate rail lines in the United States. The acronym CP refers to Canadian Pacific and its US rail carrier subsidiaries, while the term KCS refers to Kansas City Southern and its US rail carrier subsidiaries. CP and KCS jointly filed an application on October 29, 2021 seeking authority from the board for CP to acquire KCS. If the board authorizes this proposed acquisition, the two companies and their two railroad networks would combine to form one system known as Canadian Pacific, Kansas City, or CP-KCS. Their proposed acquisition would be an end-to-end merger because the CEP and KCS networks do not overlap. The combined railroad system would be the first to extend from Canada through the United States and into Mexico. The proposed acquisition would result in potential changes in rail traffic on portions of the combined CP-KCS rail network. rail traffic would increase on some rail lines and it would decrease on others. Levels of activity at certain rail yards and certain intermodal facilities could change as a result of the proposed acquisition as well. And the applicants CP and KCS plan to make certain capital improvements within the rail right of way to support increased rail traffic on some rail lines. These capital improvements would include adding new passing sidings, extending existing passing sidings, adding double track and adding facility working track within the rail right of way.

13:09

According to the applicants the purpose of this proposed acquisition is to combine America's two smallest but fastest growing class one railroads to build a more efficient and more competitive rail network. The applicant state that the proposed acquisition would further the need for expanded and more capable and efficient transportation infrastructure, while also advancing the interests of current and future customers in more reliable and economical rail transportation options serving important north south trade flows. The applicants also state that the proposed acquisition would generate environmental benefits by reducing truck transportation on highways in North America by more than 60,000 trucks each year. I will turn now to a discussion of the environmental review process. Before the board can authorize the proposed acquisition, it must first consider the impacts of the merger on the environment. This is a requirement of the National Environmental Policy Act or NEPA. NEPA is intended to assist the board and the public in identifying and assessing potential environmental consequences of a proposed action, such as this proposed acquisition of KCS by Cp. O EA has prepared a draft EIS that assesses the potential environmental impacts of the proposed acquisition. And that also addresses related environmental laws as appropriate, including section 106 of the National Historic Preservation Act, and section seven of the Endangered Species Act as well as executive orders on environmental justice. This slide shows the generalized EIS process. We initiated the process by issuing a notice of intent or NOI to prepare an EIS on November 12, 2021. Through the issuance of the NOI began the

scoping process, which then ended on January 3, 2022. Following the end of scoping, OEA issued a final scope of study for the EIS on February 18, 2022 and then we began preparing the draft EIS. We issued the draft EIS on August 5, 2022. And we are currently accepting comments from agencies, tribes, other stakeholders and the public on all aspects of the draft EIS. The public comment period will end on October 14, and then a VA will begin preparing a Final EIS. The draft EIS that OEA prepared analyzes and compares the proposed acquisition and the no action alternative which would occur if the board were to deny authority for CP to acquire KCS. The draft EIS discusses potential environmental impacts that could result from increases in rail traffic on rail lines and increases in operational activity at rail yards and intermodal facilities in locations where those increases would meet or exceed the board's thresholds for environmental review. The draft EIS also discusses potential impacts from 25 planned capital improvements within the rail right of way including adding new passing sidings, extending existing passing sidings, adding double track and adding facility working track within the rail right of way. As I mentioned previously, OEA issued the draft EIS on August 5, for review and comment, and the public comment period will end on October 14. The draft EIS focuses on areas where the board's thresholds for environmental review would be met. Those thresholds are contained in the board's environmental regulations that 49 CFR Section 11 5.7 e. For rail lines, the threshold for environmental review is generally an increase in rail traffic of at least eight trains per day. For air quality impacts, the threshold is an increase of three or more trains per day on rail lines that are in areas that are in non-attainment under the Clean Air Act. The map on this slide shows the projected increase in freight train traffic along the combined network with darker lines representing larger increases in train traffic. The darkest color represents the rail lines where the increase would exceed the board's thresholds for environmental review of eight trains per day. Rail lines that would exceed the board's threshold include rail lines in Illinois, Iowa, Missouri, Kansas, Oklahoma, Arkansas, Louisiana, and Texas. Rail lines and other states would not meet the board's thresholds for environmental review.

18:05

I will turn now to a brief summary of some of the major findings reported in the draft EIS. This slide lists the types of impacts that OEA assessed in the draft EIS. Those include impacts related to freight and passenger rail safety, grade crossing safety, grade crossing delay, truck to rail diversions, intermodal facilities traffic, energy, air quality and climate change, noise and vibration, biological resources, water resources, hazardous materials release sites cultural resources, environmental justice, and cumulative impacts. The major impact of the proposed acquisition would be noise caused by passing trains. OEA does not expect that the proposed acquisition would cause the average individual train to become meaningfully louder, or cause trains to become audible in places where they are not currently. However, the increase in the number of trains per day on many rail lines would increase the average noise level at noise sensitive receptors such as residences, schools, hospitals, nursing homes and places of worship. An adverse noise impact occurs when a receptor experiences an increase in noise of three or more decibels, and reaches a day night average sound level of 65 decibels or higher. We identified a total of 6307 receptors that would experience an adverse noise impact as a result of the proposed acquisition. And those receptors are located in Illinois, Iowa, Missouri and Texas. Passing trains would also cause vibration as they do currently, and that vibration could be annoying. But we do not expect that vibration from passing trains would be strong enough to cause any damage to buildings or other structures. As outside of the rail right of way. As part of the analysis for the draft EIS, OEA specifically assessed whether the proposed acquisition would result in disproportionately high and adverse impacts on environmental justice populations, including minority and low-income populations. We found that across the 6307 receptors that would be adversely impacted by noise, only approximately 28% are located in environmental justice populations, while 72% are located in non-environmental justice populations. Therefore, we concluded that the proposed acquisition would not cause disproportionately high and adverse impacts on environmental justice populations, including minority and low-income populations. The draft EIS also discusses safety because train traffic would increase on many rail lines, the risk of incidents such as derailments spills of

hazardous materials, collisions with passenger trains or other accidents would increase, but we expect that the risk of such incidents would remain small throughout the combined network and that most incidents that would occur would be minor and would not result in any injuries or fatalities. Across all of the roadway rail at grade crossings in the study area, we project that there would be approximately 24.9 crashes involving trains and motor vehicles per year under the proposed acquisition, compared to 19.1 crashes under the no action alternative. In terms of delay at grade crossings, OEA expects that the average time it takes for a train to pass through most grade crossings would decrease as a result of the proposed acquisition. That is because the average train length would decrease on many rail line segments. However, the total number of vehicles that would be delayed at each crossing would increase at many crossings because more trains would be passing through the crossing each day. The greatest increase in average delay for any single at grade crossing would be approximately 7.3 seconds per vehicle per day. Other grade crossings would experience smaller increases in average delay, no change in average delay, or a decrease in average delay. Some of the plant capital improvements would also cause additional delay at grade crossings if the applicants do not develop new access routes during final engineering and design.

22:37

One of the reasons that the proposed acquisition would increase rail traffic is because it would result in truck to rail diversions. This means that some freight that currently moves by truck would move by rail instead, the applicants expect that approximately 64,000 trucks would be removed from highways each year due to these truck-to-rail diversions. Local truck traffic could increase somewhat near certain intermodal facilities, but OEA expects that this would have a negligible impact on local roadways. Due to the truck to rail diversions, OEA found that the proposed acquisition would have a beneficial impact on overall energy efficiency. This is because rail transportation is much more fuel efficient than truck transportation. In addition, the proposed acquisition would not adversely affect the transportation of energy commodities, such as crude oil. In terms of air quality and climate change, we do not expect that the proposed acquisition would result in an overall increase in air pollutant emissions, and it could result in an overall decrease in emissions due to the truck to rail diversions. However, the proposed acquisition would affect where emissions would occur. And we found that it would increase emissions of nitrogen oxide in three non-attainment or maintenance areas for ozone. Because the increase in nitrogen oxide emissions would be less than 1% of the emissions budget from mobile sources in those affected non-attainment areas, we expect that impacts on air quality in those areas would be negligible. The draft EIS concludes that other types of impacts would be very minor. The proposed acquisition would not adversely affect cultural resources such as buildings, structures and archaeological sites that are listed in or eligible for listing in the National Register of Historic Places. In terms of hazardous materials release sites, we found that some of the capital improvements would be built in areas where residual hazardous materials may be present. But OEA is recommending mitigation that would address any potential impacts. For biological resources, we determined that although some of the capital improvements would be located in or near suitable foraging habitat for several protected bat species, the proposed acquisition would not be likely to adversely affect those species and impacts on other species would be negligible for water resources, so we found that the planned capital improvements could impact streams and up to approximately 15.9 acres of wetlands across all 25 sites. This would be due to the addition of new crossing structures and the extension of existing crossing structures, and the placement of fill to support new or extended sightings. OEA is also recommending mitigation to address those potential impacts. Finally, we found that the proposed acquisition would result in only minor, temporary or negligible cumulative impacts on the environment when considered, along with other past, present and reasonably foreseeable future projects and actions. For more information about any of the potential impacts that I just summarized, please refer to the draft EIS and the corresponding appendices. I'd like to turn now to a discussion of next steps in the environmental review process. After the public comment period ends on October 14, we will prepare a Final EIS that will respond to all the comments that we receive. Make any necessary modifications to the draft EIS based on those comments. Present OTAs

final conclusions regarding the potential environmental impacts of the proposed acquisition and set forth OTAs final recommendations for environmental mitigation. At this time, we expect to issue the Final EIS this coming winter. After OEA issues the Final EIS. The board members will make their final decision on whether or not to authorize the proposed acquisition and making their decision. The board will consider the entire record including the record on the transportation merits of the transaction, the draft EIS and Final EIS, and any comments received. If the board decides to authorize the proposed acquisition, the Board may also decide to impose mitigation including environmental mitigation as part of its decision.

27:34

Now I will discuss how you can submit your comments on the draft EIS. Following this presentation, there will be an opportunity for any interested individuals to deliver their comments orally. If you prefer to submit written comments, there are several ways in which you can do so. You can submit written comments electronically through the board sponsored project website www.cp-kcsmergereis.com or through the board's website [@www.stb.gov](http://www.stb.gov). We do encourage you to submit written comments electronically, but if you would prefer to submit written comments by mail, you can send them to the address shown on this slide. That address is Josh Whelan Surface Transportation Board care of VHB 940 Main Campus Drive Suite 500, Raleigh, North Carolina zip code 27606 Attention environmental filing docket number FD 36500. Please be sure to refer to docket number FD 36500 in any written comments that you submit. Please also note that any comments you submit will be made public on the Board's website. And please also note that comments on the draft EIS must be sent no later than October 14, 2022 to the board sponsored project website [@ www.cp-kcsmergereis.com](http://www.cp-kcsmergereis.com) includes project information, as well as the draft EIS. This slide shows the public involvement page on the project website. From this page, you can submit your written comments on the draft EIS directly into the comment box shown at the right. If you would like to upload an attachment with your comments, such as a letter, you can do so through the board's website [@www.stb.gov](http://www.stb.gov) This slide shows the board's environmental comment form. On this form there is the option to upload files such as Microsoft Word documents, or PDF files as part of your comments on the draft EIS. This slide shows how you can stay informed and engaged throughout the remainder of the EIS process. For updates about the environmental review process, you can visit the board sponsored project website [@ www.cp-kcsmergereis.com](http://www.cp-kcsmergereis.com). To view board decisions, filings or environmental comments related to the proposed acquisition, you can visit the board's website [@www.stb.gov](http://www.stb.gov). If you would like to receive updates by email, you can sign up for the project email list through the project website. There are also resources available in the online meeting room that you use to enter this online public meeting. That meeting room will stay open for the remainder of the draft DHS comment period so you can come back to review the materials as often as you would like. If you have any questions about the environmental review process, you can email the project email address at contact@cpdashkcsmergereis.com or call the information line at 888-319-2337. This brings us to the end of the presentation portion of today's public meeting. I will now turn the meeting back over to the facilitators to begin the public comment portion of the meeting. Thank you again for your interest in the environmental review process for this proposed acquisition. I look forward to hearing your comments.

31:41

Hello, and thank you for that. And as Josh said in the presentation, we're entering the comment session. Let me go ahead and we will review one more time. Logistics. To recap what we said at the beginning of the meeting, we're using a live Spanish interpretation service. If you'd like to hear the audio in Spanish, look for the transfer the interpretation button at the bottom of your zoom window, click on that and you can select the Spanish language channel. We're using live automatic closed captions, look at the bottom of your zoom ribbon for the live transcript button and you can turn those on. Okay, now that we've reached the comment session, let's just review this one more time, we're first going to call on our commenters who pre-registered. Next, those of you who didn't pre-register and would like to comment, you can either toggle the q&a and type in your name

and we'll add you to the queue. Or you can use the raise hand button if you'd like to speak. Each speaker will be given three minutes to comment and we will have a timer on the screen to help keep track of that. Another reminder we are recording. And we'd also remind folks once again to please keep comments civil, relevant and respectful. And with our interpreters in mind, please speak clearly and slowly. And with that, let me pull up my list here. And I believe we're ready to call on our first registered speaker

33:32

Kelly Carlson if you are ready, I'm gonna go ahead and let you on mute. And we'll start the timer at three minutes. Kelly you should be able to speak now.

33:47

Awesome. You guys can hear me? We can. Well, my name is Kelly. I'm a longtime member of the DFL party's environmental activist group in Minneapolis. And I'm here today to provide my feedback and concerns with the environmental impact statement. As it stands. My first concern is with emissions. Although the IEA expects that the proposed acquisition would not result in an overall increase in air pollutant emissions. The OEA admits that the localized emissions of air pollutants from locomotives would increase along some rail segments with the CP KC system. This element is concerning to the communities and needs to be further accounted for.

34:40

Thank you for your comment.

34:45

Up next, we're gonna go to Maggie Emery. Maggie, I'm gonna go ahead and allow you to unmute and talk whenever you're ready.

34:56

Can you hear me? Yes, we can go ahead.

34:59

Perfect. Oh, Hey Hi everyone. I'm a Minnesota native environmental activist and a political operative. And I'm here today to oppose the merger between Canadian Pacific and Kansas City Southern. Even though I'm disappointed Minnesota didn't receive the opportunity for an in-person meeting. I really appreciate the time now. As it stands, I reject the idea that the economic benefits will outweigh the environmental costs through this proposed deal. This appears to be nothing more than another attempt by a railroad company to increase profits. Our state's rivers farmlands, tribal lands and Community Safety should come before corporate profits. Currently there are over 1000 miles of Canadian Pacific rail line in Minnesota, which extends to rural communities ceded territories farmlands, towns, major cities, and many of our natural resources. Our communities have already been impacted by the environmental factors high cost long wait times and safety risks associated with rail lines and this merger will only amplify those impacts, while transporting dangerous crude oil through Minnesota communities. While we are only seeing record high temperatures across the globe, we should be focused on protecting the natural resources we have. Rather than putting them in harm's way, we should be expanding alternative energy resources rather than enabling more harmful ones. Currently, Canadian Pacific is the largest real shipper of oil through Minnesota, a yield that will only increase if this merger is approved. However, studies find that oil transportation by rail is 4.5 times more likely than pipelines to experience an accident. If we oppose pipelines, we have to oppose rail and the increased risk of an accident occurring, Canadian Pacific's rails runs along a significant portion of the Mississippi River, which is ranked as the sixth most endangered waterway at a time during a global climate crisis. We shouldn't be causing further

endangerment of the resources we depend on. Whether it's a River Lake or farmland, these are vital resources that need protection, not more risk. Thank you.

37:04

Thank you, Maggie for your comment. Up next we have Manilan Houle. Okay, looks like Manilan, you're on an older version of zoom. So we're going to have to do this a little bit differently. Hang tight for a minute, I'm going to temporarily promote you to a panelist at which point you'll be able to unmute and have three minutes to speak. And one more time we are reminding folks please keep comments civil, respectful, and speak slowly and clearly. For the sake of our interpreters. Okay, hang tight. Okay, you should be able to go ahead. And folks hear me? Yes, we can go ahead. Awesome. Thank you so much. All right. So I'm speaking today as well with concerns regarding the Canadian Pacific in Kansas City Southern railroads. As you may be aware, the proposed merger between Canadian Pacific and Kansas City, Southern railroads would create a direct pipeline for oil that cuts right through the White Earth Reservation and goes all along the Mississippi Rivers watershed. As an enrolled member of Fond du Lac Band of Lake Superior Chippewa. I'm highly concerned about the potential environmental impact of the increased rail traffic and increase of potentially harmful materials in faded throughout Minnesota alongside our most precious water clean water resources. I'm additionally concerned by the fact that in the draft environmental impact survey, the company only cited one tribe having responded for consultation, but that consultation has still yet to happen. Through many parts of Minnesota, the railroad runs through ceded territory, and daydreams such land is irresponsible and a violation of the 1854 Treaty. By routing oil in any amount along these lines, it directly threatened ceded territories and our land that should be protected. Furthermore, an increase in localized emission runoff leaks still poses a threat to our precious land and waterways. That report minimizes the impacts to our wetlands and streams by accounting for site work and construction as minimal by projected cumulative measures, but it fails to consider any damages that occur regularly by an increase in railroad usage or future site work and construction for additional maintenance. I request that STB reevaluate and reconsider this proposed merger and the EIS report to account for more in depth analysis and consult with the appropriate tribal leaders. Thank you.

39:45

Like your comment Okay, up next on our list of registered speakers, we have an Joe Heegaard. And Joe, I don't see you listed by name. If you are here, maybe under a different name, could you go ahead and raise your hand? Or maybe put a comment in the q&a for us?

40:20

Okay

40:24

I'm not seeing anything in general, if you're with us, could you go ahead and just put a quick note in the q&a? Just say, Hi, I'm here. So we know what your surname you're under. If you are here. I'll make the same request for Christa Kefauver. Krista, I don't see you in the list. If you're out there, go ahead and just put a quick note in the q&a for us. And if we don't hear from either of them, we'll move on to our next or district speaker. Okay, just a look, we have either and gel or crystal with us right now. So we're gonna move on to our next registered speaker, that would be Joe Headguard. Show I'm gonna allow you to unmute and speak whenever you're ready.

41:32

I try with your there, I just allowed you to unmute and speak. My apologies. I wasn't interested in speaking, I was just here to listen in. But thank you for the opportunity. Thank you very much.

41:51

Okay, I see none of our other pre-registrants present right now. We'll keep an eye out for them later. At this time, it looks like we can go ahead, we have a couple of raised hands. One more time. We're gonna limit everybody to three minutes. We ask that you keep your comments civil, respectful, and relevant. And please keep our translators in mind and speak slowly and as clearly as possible. With that, first I'm going to call on Chris West. Chris, whenever you're ready, you've got three minutes. Thank you.

42:26

I appreciate that. I just got a few comments. I just think that in today's age that we have enough giant companies that are creating mergers to destroy our environment and other things. And I think that we just need to focus on important things ahead of us in our future like renewable energy instead of dwelling on the past and using oil baron technology. I don't think that this is going to be beneficial for the people in the communities that it serves and for the environment particularly so that's all I have to say and thank you for the time. Thank you Chris.

43:04

Okay, up next, we have a raised hand from Jeff Skalberg. Jeff, whenever you are ready, you can unmute and you have three minutes.

43:15

Hello, I am Jeff Skalberg. I am the Wapello County engineer here in a Tumwater Iowa. I am I represent Wapello County that is here. I speak on the behalf of our board. I believe that we do not like this at all. We have many Greg at grade crossings with this line. One of them carries over. Over 3800 vehicles per day with an average of adding up of a 7.3 seconds per vehicle adds a significant amount of time. Currently we have at least four times a day where our railroad crossings are blocked for more than 20 minutes. The current owner also has one over bridge that goes over the line that they have never maintained and is near point of failure. We asked that mitigations made significant mitigation major measures be taken here. It does block off 1/3 of our county and its population to emergency services for quite possibly a good portion of the day. We do not like it. We've had a lot of conversations with the city. We've even reached out to CP railroad and they have provided us with small amounts of data only an average numbers. They have never given us actual numbers of intersections being blocked. We would like that information, we do wish that they would rebuild one bridge and create another bridge over the line to reduce our traffic on Quincy Avenue. And to serve those people that are in 1/3 of the county.

45:20

Thank you very much. Thank you, Jeff.

45:29

Okay, up next, we have a raised hand from somebody who's listed as Nicole. Nicole, before you start, if you could please go ahead and state your full name and appreciate that, whatever you're ready, you have three minutes.

45:45

Thank you very much. I'm Nicole Coral. I apologize for not including that information in my login. But just wanted to stress that we are strongly opposed to this merger, not only because of the environmental impacts, but also the impact on local communities. Seeing what mergers of this type, including railroad and pipeline work has done previously around the country, and even into Canada, the accidents is caused and the impact

on those local communities has been very detrimental. So again, just wanted to stress that we're opposed to this because of the environmental impacts. Thank you so very much for your time. Thank you, Nicole.

46:35

Okay, next we had a request to speak from Kailyn McCain.

46:42

Let me find you on the list here. Okay, Kailyn, whenever you're ready, you have three minutes. All right. Can everyone hear me? We can. Perfect.

46:56

A couple of things. I am a reporter for the southeast Iowa union newspaper I have read. Functionally all of them in your packet, it's a doozy. I see in the wildlife section that a would the ecological impact section that one of the concerns is sound and vibration and passing trains. However, that section of the packet suggests that that is a minimal concern for the wildlife, which is already used to trains moving through the area is overall true. However, a lot of these animals and in fact, all of the animals that are listed as threatened species that would be impacted are bats. And bats more so than other wildlife, I would argue, are impacted by noise and vibration due to their reliance on echolocation to eat. I would like to see the final draft or the final environmental impact assessment sort of take into account the impact that sound vibration would have on these specific animals like aren't just on bats because of their unique traits. Second of all, I would also like the Surface Transportation Board to hold the railroad companies to perhaps a higher standard for communities that will be more impacted by traffic along the terminal line. Communities like us and Washington and gentleman who just spoke from a Tumblr will be getting a lot more train traffic increases than other communities. And I think that it is maybe fair to hold the railroads to a higher standard for what they can do to help with noise mitigation in those communities that will be getting that much extra traffic. Um, that is the extent of my comments, but I will note that they are shared by a lot of people who have called me at the newspaper. That is all that I have. Thank you so much.

48:52

Thank you Kailyn.

48:56

Next, we do have a raised hand, once again, we have somebody who's just listed by the first name on Mac, before you speak, if you could just go ahead and state your full name. Now you have three minutes whenever you're ready.

49:12

Thank you again for the opportunity. My name is Max Shepherd, I was going to go ahead and reiterate a couple of the points that I felt were valuable four out of my own thoughts. Definitely concerning the vibration from the trains and the bats. That's a very large concern, considering there are animals that are endangered and be controlled a lot of the insect population and then in turn, that population affects a lot of the agricultural populations nearby. Again, reiterating that the meeting between any of the tribes that this is going to be affecting has not been had and there's no information about when that is going to be coming out. I also have large concerns about the hazardous materials that are potentially going to be dropped into these watersheds although the total or the average pollution they're saying is kind of low, you have to take into consideration that there's hundreds to hundreds of companies that are below the average increase in pollution, and all of these increases are stacking up. And although this may seem minor, it's actually a bigger jump in comparison to what other companies are doing. And that's going to create a big problem. I also wanted to note that they projected

about 64,000 trucks to get off the road per year, that's supposed to significantly reduce some of the emissions, I wanted to know if there was any information regarding any trucking companies that they know of, or trade routes that they know of that are going to switch over to their railroad, because you can make this prediction assuming deals are going to go through and none of this stuff happens. And I think a lot of these concerns are shared by a lot of people, I think they there's a lot of percentages and numbers given in certain areas that are yes, valuable. But other things are getting glossed over, you're giving us these numbers, but you're not explaining to us necessarily how we're going to get to them, especially leave with these, quote, contingency sort of counter plans for some of the hazardous material that may spill. What are those contingencies going to be? How effective are they going to be? And how quickly are we going to be able to put those plans and actions? And how quickly are we gonna be able to prepare these communities for this radical change and traffic.

51:07

Thank you for your time. Thank you.

51:18

Okay, at this point, we have gone through all of our pre-registered speakers and all of our raised hands and folks who put their name in the q&a will continue to leave the floor open. Okay, we have a raised hand, we have a couple more raised hands coming in. First, I'm going to call on Natalia and once again, Natalia, if you can please speak your full name before we start. And once again, we're going to remind folks, please keep comments civil, respectful, and relevant. And please speak slowly and clearly as possible for the sake of our Spanish language interpreters. Natalia whenever you're ready to unmute, and you have three minutes. Hi, good evening from Natalia. Can you hear me? Yes, we can. Can you state your full name, please?

52:02

Wonderful. My name is Natalia Connelly. And I wanted to just take a moment to speak on the reason why I oppose this merger and what's happening. Historically, the indigenous people have always been pushed around had been forced off their land. And I think it's enough at this point. And not only affects where they live, but also their resources and what they use to survive. Enough is enough, we have enough rail lines already, I don't think there needs to be more and to force people to adjust their lives and their lifestyles. It's just It's been too much in our history as United States and we do need to move away from that. So I do want to speak up and be a voice for the indigenous people and say that I do fully oppose this. Thank you.

52:51

Thank you for your comment Natalia.

52:58

Up next, we have a raised hand from Randall Carrington. Randall, whenever you're ready to unmute, and you have three minutes.

53:08

Hi, can you hear me? Yes, we can.

53:11

Hi, I just wanted to speak on behalf of you know, most folks that I would assume if you were to take a poll and ask people if they're okay, with more trains running, you know, along the rails in their neighborhood, I would argue that the result would show the majority of people pose that I've grown up along in a neighborhood where

the train line was exempt an entrance of our neighborhood. But residents were ticked off when rails or when train cars get parked there for storage usage.

53:45

So, I just want to point that out that I don't believe the majority of people, if you were to put this up to the public that they would approve of, you know, more trains running across even if it is posed as you know, being environmentally friendly, which I have questions about, you know, 20 years ago, the USDA had serious concerns with consolidation and rail lines and noted that they needed to see better service and cheaper rates before large before larger railroads were emerging. And I don't think that we have seen that evidence. And right now, in our post pandemic world, when shipping costs are again, sky high and already stretched thin. You know, I think a lot of people have concerns and a lot of farmers have concerns that a lot of consumers would have concerns that it just seems that we're masking this monopolistic endeavor as environmentally positive, even when is when it is promoting use of dirty resources that require intensive emissions on the front and back end.

54:49

Thank you. Thank you, Randolph.

55:05

Okay once again you have a comment you can either raise your hand by clicking the raise hand button or enter your name into the q&a tool and we will reach out and let you unmute?

57:59

Once again, we'll be here till 9pm Eastern 8pm Central, staking your comments if you'd like to comment, go ahead and click the raise hand button or send a note in the q&a with your name letting us know you'd like to comment and we'll call on you.

1:00:11

Once again we'll be here for another hour accepting comments. We'd also like to let folks know at this point that if you've previously commented and would like to expand on your original comment given the three minute constraint, you can go ahead and click the raise hand button again we can give you another time around

1:01:31

Okay, it looks like Jeff Skalberg has raised his hand again, Jeff whenever you're ready, you have three minutes.

1:01:37

Thank you very much appreciate your guy's time. Yes, we do have a lot of at grade crossings here in WaPo county that do need significant amount of upgrades with these 7.3 seconds the average in cars it's another like seven minutes per car overall every day of idle time we also have difficulties getting a hold of somebody at the railroad to be able to break trains we do have a small yard at our worst intersection and when they do break these trains they do block them for a significant amount of time I don't know how much mitigation is feasible for money wise for the railroad or the for you guys to tell them to do. We would like all that taken care of before anything else is done or approved. Thank you very much for your guy's time and see you later.

1:03:03

Once again, you can click the raise hand button or you can send us a quick note with your name in the q&a letting us know you'd like to comment.

1:04:14

Okay Randall Carrington has a raised hand again and would like to speak again, Randall. Whenever you're ready, you have three minutes.

1:04:26

I would just like to reiterate that you know in my neighborhood, we had one way in one way out and that segment of rail cut through that entrance and exit to the neighborhood. So with that in mind, I am concerned about in rural areas where there are limited road access points, with emergency vehicles potentially being delayed by an increase in the amount of rail or trains that are running through and I would hope that that is under consideration with the capital improvements and the money and investments specially into the smaller towns that will need significant funding to either create alternative routes or provide technology to alert them that there are that they need to take an alternative route to access their destination.

1:05:26

Thank you.

1:09:34

Once again, we'll be here for the rest of the hour and we invite you to comment, you can either click the raise hand button and we'll unmute you or you can drop us a quick note in the q&a tool just with your name letting us know that you'd like to comment. Thanks.

1:15:07

Once again we'll be here till 9pm Eastern 8pm Central checking your comments you can click the q&a button and send us a quick note with your name letting us know you'd like to comment or you can click the raise hand button. Thank you.

1:18:52

Okay we have one raised hand at this time, I'm going to go ahead and allow you to unmute and speak for three minutes once again reminding folks please keep comments civil, respectful, relevant to the discussion. Try to speak slowly and clearly for our Spanish Language Interpreters you'll have three minutes and please start by stating your full name thank you can go ahead.

1:19:26

Okay should have the option to go ahead and unmute.

1:19:41

I have no idea how old we hear something but we can hear you. Here we go. Restart the timer. Could you please state your name?

1:19:52

Hey, Tim Dolan with free Minnesota. Hope you're doing well. I just wanted to again raise my voice, along with many others. I hear and I in opposition to this merger. This merger does nothing but serve corporate interests that have already been grossly over served. It's not safe for the environment. It's not safe for the people of the Midwest, especially for the people in Minnesota. And there's a large I think, and you're seeing this now a large movement of people, the stewards of the land, the indigenous tribes who graced us with their presence here tonight, City Council's all sorts of different people are raising their voices in opposition to this merger and I hope that all of our voices are honored. Thank you.

1:20:46

And once again, we're gonna be here for another 40 minutes. If you'd like to make a comment, go ahead and click the raise hand button. Or send us a note in the q&a tool with your name letting us know you'd like to comment.

1:29:23

Once again, I will be here for another 30 minutes till 9pm Eastern 8pm Central. We will look at inviting comments and accepting comments up until then you can either click the raise hand button or send a quick note in the q&a tool with your name letting us know you'd like to comment.

1:29:41

Thank you.

1:36:31

You know, once again, we just like to let folks know we're gonna be here till 9pm Eastern 8pm Central up until then we will be welcoming and taking your comments. Go ahead and click the raise hand button or send us a quick note in the q&a with your name letting us know you'd like to comment. Thank you.

1:45:24

Good evening at this time, it's 8:45. We've got about 15 minutes left. Just want to remind folks if you've just joined us or if you've been waiting to comment, you can either click the raise hand button, or send us a quick note in the q&a with your name letting us know you'd like to comment. Thanks.

1:50:12

Once again, good evening. We've got 10 minutes remaining in tonight's session. If you'd like to comment, go ahead and click the raise hand button, or send us a quick note in the q&a tool with your name letting us know you'd like to comment. Thank you.

1:55:20

It's 8:55 We have five minutes remaining and it's nice session one more time if you'd like to go ahead and comment click the raised hand button or click the q&a tool and send us a quick note with your name letting us know you'd like to comment Thank you.

1:58:56

We have a raised hand from Rachel, Rachel if you could go ahead and state your full name. Go ahead. Once again, please keep comments civil respectful and relevant. Go ahead whenever you are ready.

1:59:23

Should be able to unmute when ready. Hi, can you hear me?

1:59:31

Yes, we can if you could state your full name, please.

1:59:35

My name is Rachel Schmieder. And can I go ahead and make a comment? Go ahead.

1:59:42

Okay, so I just want to state kind of a blanket comment that I oppose the merger and all of its forms. I think the risks definitely outweigh the benefits and that no bomb trains should be allowed period just because of the potential impact on the environment.

2:00:00

Thank you very much for your comment. Thank you.

2:00:07

Okay, and it looks like we just hit the top of the hour here. And I see no further raised hands or requests to speak.

2:00:20

All right, well, thank you, once again, everyone for your participation this evening and for your interest in the Surface Transportation board's environmental review process for this proposed acquisition of a Kansas City Southern Railway by Canadian Pacific Railway. This was our first of a total of seven public meetings that we will be having during the public comment period for the draft environmental impact statement. It's the first of three online public meetings that we will be having we will also be hosting for in person public meetings at different locations across the country. The next online public meeting will actually take place tomorrow afternoon.

2:01:09

And that is scheduled to take place from 12 to 2pm. Central time.

2:01:18

And then our third and final online public meeting will take place on September 19, from six to 8pm Central time. So if you want to join any of those meetings, either or both of those meetings and deliver additional comments, we would love to have you. Thanks again everyone for your participation and have a great evening.