



DAVENPORT

RIVERFRONT IMPROVEMENT
COMMISSION

Submission for Docket FD36500 –

Canadian Pacific Railway Limited, Control of Kansas City Southern

The City of Davenport is situated along the Mississippi River and has nine miles of riverfront that include ten public railroad crossings and three private railroad crossings. There are several concerns we share with the City for the proposed merger of Canadian Pacific and Kansas City Southern outlined here.

Critical Utility Infrastructure

The Water Pollution Control plant that serves the cities of Davenport, Bettendorf, Riverdale and Panorama Park is situated adjacent to the rail switch yard. It is common for our city staff to be stuck either going into work or leaving work now, and this will exacerbate the situation. In addition, should there be an emergency at this facility, emergency vehicles would be unable to access gain immediate access.

Iowa American Water is the clean water service provider for our region and the treatments facility is both north and south of the tracks with similar access concerns.

While both facilities are 24 x 7 operations, these are pieces of critical infrastructure for our community and need to be readily accessible. In addition, the increased rail traffic poses concern for increased chances of water contamination in the event of an incident.

Downtown Neighborhood

Downtown Davenport now has 1,600 rental units (thousands of residents) making this an integral neighborhood for our community. Many of these apartment complexes, as well as hundreds of hotel rooms, are close enough to the tracks to experience the noise pollution. The City of Davenport does not currently have any quiet zones and already receives complaints from residents and visitors during the repeat horn blowing through the seven public crossings that are adjacent to this neighborhood. Our downtown is a key economic driver with plans for continued growth, and we are concerned this increase in traffic will stall growth.

Downtown and Riverfront Facilities / Track Adjacent

There are several city owned facilities directly adjacent to the railroad tracks that are key assets for the City. One example is the Freight House, which houses multiple restaurants and public amenities, including the Freight House Farmer's Market, which attracts thousands of visitors each year. Another is Modern Woodman Park baseball field, which hosts the Minor League team for the Houston Astros and experiences over 250,000 guests per year. The auxiliary facility for the Public Works center has critical fueling infrastructure, storage facilities and an asphalt plant. The fire department has a fire boat house that is docked south of the tracks between Gaines St. and Marquette St. for emergency river incident response. The Lindsay Park Yacht Club and several other small businesses are also south of the tracks. All of these facilities are impacted currently by rail traffic.

There is also park land south of the tracks that is frequently used for large events and host an additional estimated 400,000 guests per year. One of these parks in 2022, River Heritage Park, will become the new home for two riverboat docks – Viking Cruises and American Cruise Lines. These cruise ships are anticipated to bring in several thousand passengers to the region for day tours. The train traffic will inhibit frequency of access for these passengers to the local destinations and ships.

The city is concerned that this event-centered community space will no longer be attractive with loud, frequent trains and difficult access.

General Concerns

It is estimated that the City of Davenport will experience triple the train traffic at the conclusion of the merger. This volume will be sent through a single track that is adjacent to critical infrastructure and public event space. The maps attached to the project do not indicate any planned capital improvements for our region. An increase in traffic will result in more frequent traffic delays, more frequent maintenance requirements, an increase in train switching, and increase likelihood of accidental events.

While the Riverfront Improvement Commission and the City of Davenport support commerce and decreased emissions efforts, this merger would have economic, livelihood, and potential safety consequences to our community that need to be adequately addressed ahead of any merger approval.



DATE: December 13, 2021

TO: Joshua Wayland, Surface Transportation Board, c/o VHB

FROM: Corri Spiegel, City Administrator

RE: Submission for Docket No. FD 36500
Canadian Pacific Railway Limited, Control of Kansas City Southern

The City of Davenport is located in eastern Iowa, approximately half-way between Chicago, Illinois and Des Moines, Iowa. It is the third largest city in the state with a population of nearly 103,000 and the largest member of the Quad Cities, a bi-state regional metropolitan area that incorporates multiple municipalities in Iowa and Illinois with an approximate population of 475,000.

If the proposed merger occurs, documents show that the amount of trains going through the City on a daily basis are anticipated to triple. As shown on the proposed maps, this increased volume will be sent through a single track that is adjacent to critical regional infrastructure and heavily utilized public event spaces. The information provided as part of the *Public Scoping Meetings* do not currently indicate any planned capital improvements for this region. This substantial increase in traffic will result in more frequent traffic delays, more frequent maintenance requirements, an increase in train switching, and increased likelihood of accidental derailment or contamination events.

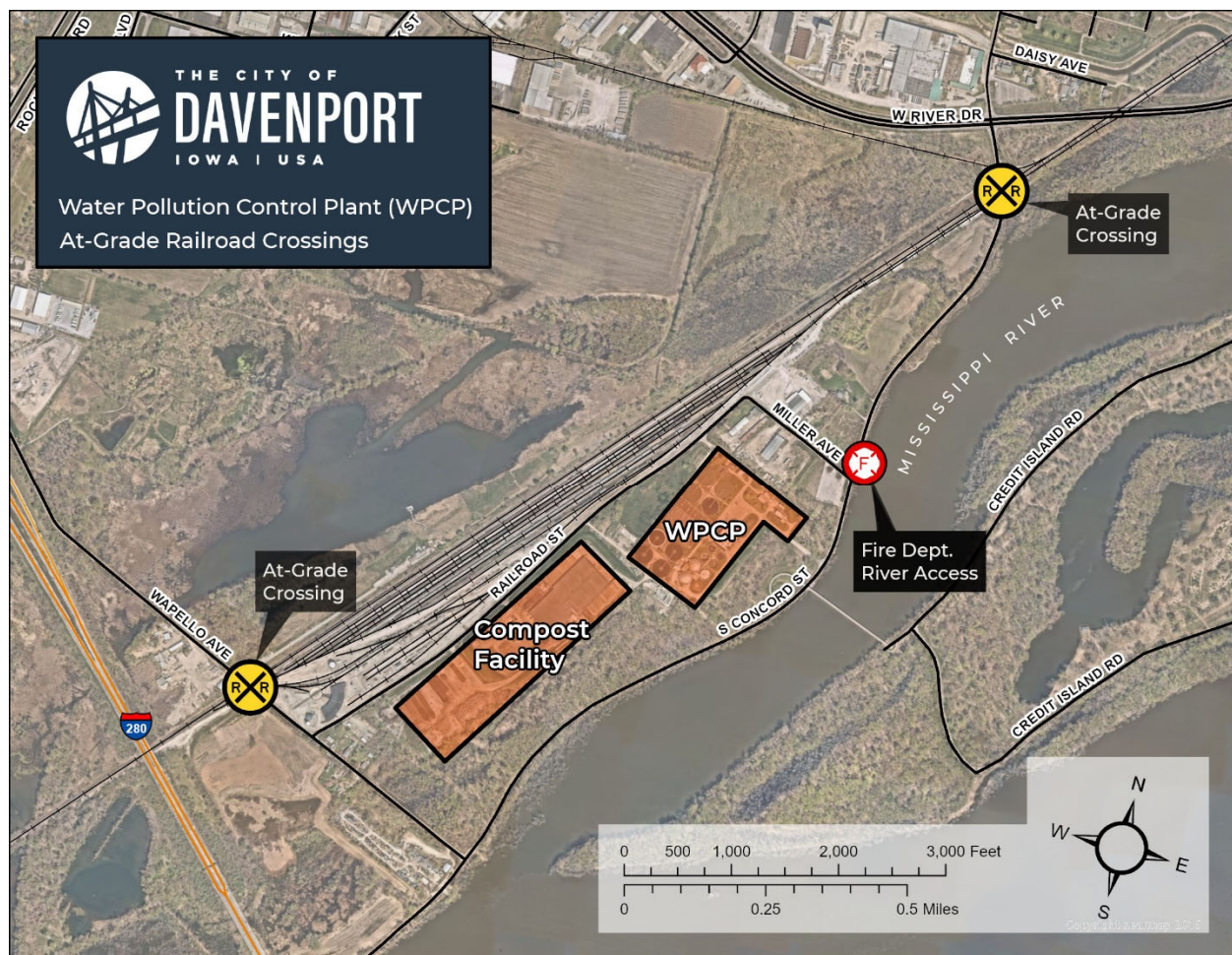
The City has several concerns with the proposed merger which are outlined below.

ACCESS TO CRITICAL REGIONAL INFRASTRUCTURE

The cities of Davenport, Bettendorf, Riverdale, and Panorama Park share ownership of one of the largest wastewater treatment plants in the state of Iowa. This critical facility serves a population of over 140,000 residents, 48 large-scale industrial sites, 6,105 commercial properties, and 47,455 homes. It is located adjacent to Canadian Pacific's switch yard, with two at-grade access points. Currently, it is common for rail cars to block the entrance to this facility, leaving City staff unable to enter or exit this critical asset. Current code states that the crossings can only be blocked for ten

minutes, but City staff frequently experience blockages closer to an hour due to switching activities. The proposed merger will certainly exacerbate this ongoing issue. In addition, in the event of an emergency at this critical facility, first responders would be unable to gain immediate access to address the situation. The map below visualizes how access can easily be cut off by current Canadian Pacific infrastructure.

Additionally, Iowa American Water's treatment facility sits on the eastern end of the City. This private utility is the only provider of clean drinking water for six cities and Scott County. Canadian Pacific's main line bisects this treatment facility, and they also operate a spur line that borders the northern edge of the plant. Access to their full site is key, as well as protection against potential derailment, spills, or any other emergency situations.



Map 1 | Hindered Access to Water Pollution Control Plant

Both of these facilities are operated on a 24 hour, 7 days a week basis and are identified as critical facilities for the entire region. For this purpose, these facilities must be readily accessible and have protections against possible emergency situations in the event of a train derailment. It is anticipated that the probability of which will likely increase due to the rise in usage.

In addition, the Davenport Fire Department is a primary responder for river rescue events. There are three critical access points for river rescue boat deployment that fall south of the tracks at Marquette Street, Credit Island and South Concord. Different access points are used based on the weather, type of event, and location of event and must be readily accessible. Increased traffic will lead to increased response times to river response events.

NOISE POLLUTION

Canadian Pacific's track runs very close to a number of City neighborhoods and two thriving business districts. One of these neighborhoods exists within the City's growing downtown area. When comparing the 2010 and 2020 census, this particular area grew over 22% over the ten year period. At this time, quiet zones do not exist within this stretch which has 10 at-grade public crossings and 3 private ones. Currently, noise pollution is an ongoing issue; the City often receives complaints from residents, businesses, and hotel visitors for repeated horn use due to the number of active crossings. With the planned increase in train usage, these noise levels will have a large effect on existing residents along this corridor and could hinder future growth within these districts.

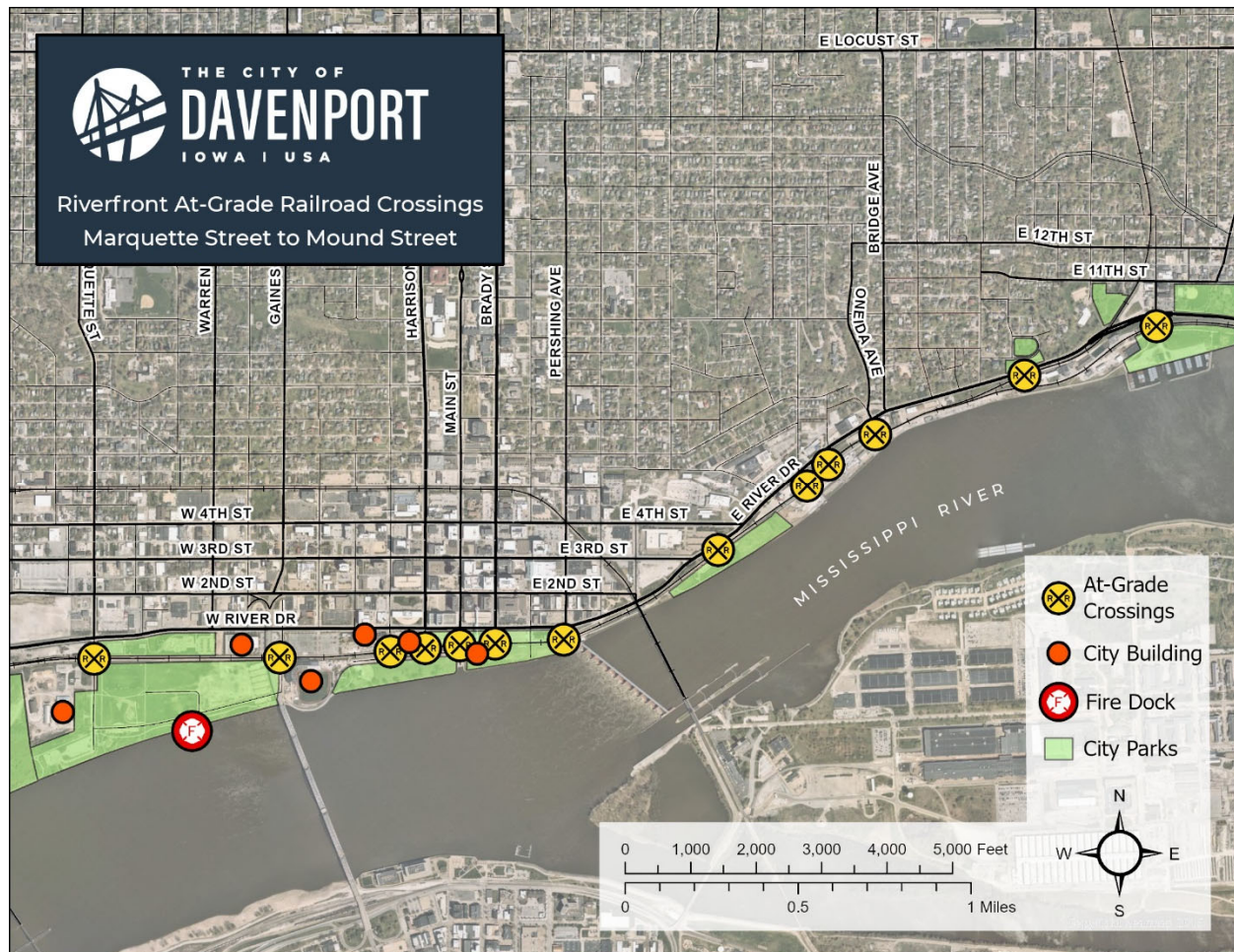
ACCESS TO COMMUNITY & REGIONAL ASSETS

The City owns several buildings, properties, and parks directly next to Canadian Pacific's track; these assets are known collectively as our Riverfront, due to being located adjacent to the Mississippi River. This Riverfront space is used by the community for regional recreational, shopping, sporting, and musical events. One of the key buildings that is south of CP infrastructure is a City-owned baseball stadium that houses a High-A minor league baseball team associated with the Kansas City Royals. In 2013, the stadium was voted the best minor league ball park in the United States; in its last full-time season, it had nearly 250,000 guests.

In addition, vehicular traffic is required to drive over an at-grade crossing to gain access to a municipal auxiliary facility that houses critical fueling infrastructure, storage facilities for City operations, and an asphalt plant. Lastly, a boating club and several small businesses that rent space from the City are impacted by this track.

Within this stretch of riverfront, which the Canadian Pacific track cuts in two, the public has access to six public parks, the aforementioned baseball stadium, an indoor multi-sports facility, farmers market, multiple buildings with restaurants, and a boating facility. Listed below are just three examples of public parks located directly south of these tracks. The only access point to these amenities is at a track crossing.

River Heritage Park is the site where two major Mississippi River cruise ships will be docking in 2022. These dockings will occur multiple times a week which will bring thousands of visitors to the City of Davenport. Another public venue, LeClaire Park is the site of major musical events and a historical bandshell (see Image 1). Lastly, at another park, Main Street Landing, the City is in the process of creating a \$6.0 million regional play destination, which is part of a master plan that has been decades in the making. During 2021, in the midst of a pandemic, this stretch of space held 135 individual events that collectively had an attendance of over 410,000 visitors.



Map 2 | At-Grade Crossings on Public Spaces

As very briefly described, this stretch is the gathering place for Davenport's community. The City is deeply concerned that the proposed increased train traffic that occurs within a few feet of many of these events will turn this vibrant, community gathering space into something that is unsafe, less attractive, and frequently inaccessible.



Image 1 | Musical Event at LeClaire Park. CP's track is 125 feet away from this park.

CONCLUSION

While the City of Davenport supports commerce and decreased emissions efforts, this merger will have economic, livelihood, and potential safety consequences to our community that need to be adequately addressed ahead of any merger approval. This project will clearly affect how our community utilizes these spaces now and in the future. Partial mitigation of these issues can occur, and the City believes it is imperative that Canadian Pacific works to assist in ensuring Davenport remains a thriving community.