



EI-31446

DATE: December 14, 2021

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

FROM: Davenport City Council & Mayor

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

As the elected body of the City of Davenport, Iowa, we have grave concerns of the impact the proposed merger of Canadian Pacific and Kansas City Southern will have on our community. This merger will triple the number of trains going through the City on a daily basis, which will cause irreparable harm to critical regional infrastructure, neighborhoods adjacent to the rail line and cultural amenities such as our downtown and riverfront. While we understand the benefits of the proposed merger for Canadian Pacific and Kansas City Southern, a blind eye cannot be turned to the very real and detrimental impacts that will result from this merger. The Davenport City Council and Mayor firmly believe these issues must be addressed by Canadian Pacific prior to any approval.

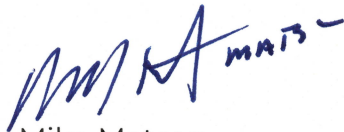
Regional wastewater treatment and potable water treatment facilities are operated on a 24 hour, 7 days a week basis and are identified as critical facilities for the entire region. Both assets are directly impacted by traffic from Canadian Pacific and for this purpose, these facilities must be readily 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. Approving this merger without requiring Canadian Pacific to make improvements to access points to this critical infrastructure would show a flagrant disregard that Canadian Pacific has for the safety of our community.

At this time, quiet zones do not exist within the City even though there are 10 at-grade public crossings and 3 private ones. Within this area is multiple residential neighborhoods, a downtown area that is being revitalized thanks to over \$500 million in private and public investment, and a public-owned riverfront with parks that serve as the gathering place of our region. The City is currently in the process of initiating

over \$10 million in improvements to the riverfront. These improvements are a result of decades long planning that is finally being realized and this proposed merger will devastate the progress that has been made to date and severely hamper our community's ability for future progress to the best cultural amenity our community has to offer.

To preserve the future integrity to critical regional infrastructure and cultural amenities in Davenport, the City is requesting that should the proposed merger be approved through the Surface Transportation Board, that Canadian Pacific and Kansas City Southern be required to cover all of the cost associated with necessary improvements to mitigate the impacts of this increased rail traffic through access improvements to critical infrastructure assets and cultural amenities along our riverfront as well as quiet zones on the 13 crossings adjacent to residential neighborhoods and the downtown district. We also request that a member of the Surface Transportation Board visit Davenport in person prior to a decision on this merger being made to view first-hand how it will have a disastrous impact on this community.

Respectfully,



Mike Matson
Mayor



Kyle Gripp
At-Large



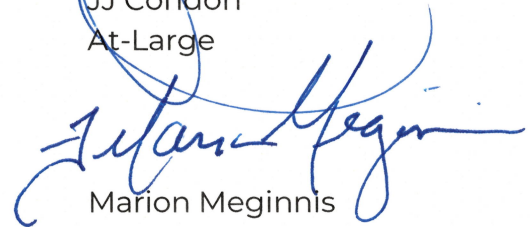
JJ Condon
At-Large



Rick Dunn
1st Ward



Maria Dickmann
2nd Ward



Marion Meginnis
3rd Ward



Raymond Ambrose
4th Ward



Matt Dorhmann
5th Ward



Ben Jobgen
6th Ward



Derek Cornette
7th Ward