



Chicago Metropolitan Agency for Planning

433 West Van Buren Street
Suite 450
Chicago, IL 60607

312-454-0400
cmap.illinois.gov

December 28, 2021

Ms. Danielle Gosselin
Acting Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

RE: FD 36500, Environmental Filing, Canadian Pacific Railway – Control of – Kansas City Southern.

Dear Ms. Gosselin:

Thank you for the opportunity to comment on the scope of the Environmental Impact Statement (EIS) for the proposed acquisition of the Kansas City Southern (KCS) by the Canadian Pacific Railway (CP). The Chicago Metropolitan Agency for Planning (CMAP) believes both the positive and negative impacts of any merger on the freight network should be studied. Anticipated transportation benefits should be balanced along with impacts at the local, regional and national levels.

As the federally designated metropolitan planning organization for northeastern Illinois, CMAP is charged with safeguarding and enhancing the region's transportation system. CMAP is focused on strengthening the viability of the region's freight and passenger networks as a key part of the economy and overall transportation system. CMAP intends to play an active role during the EIS process by analyzing the impacts and benefits from a regional perspective and supporting our local partners' analysis and review of the impacts of this transaction on their communities.

As the Surface Transportation Board (STB) finalizes the scope of the EIS process for this potential merger, CMAP submits the following comments for consideration:

Transit services. CP and KCS trains will be running on Metra commuter-rail lines. The Milwaukee District West Line will be most affected by the CP-KCS merger. Prior to the COVID-19 pandemic, the Milwaukee District West Line served more than 20,800 weekday boardings with 58 trains per weekday. Metra operations, including scheduled trains, deadheads, terminals, and station operations, must be fully addressed, and any potential conflict fully mitigated to ensure a full transit system recovery in the coming years. Planning must fully account for a staged recovery in the number of commuter trains per day as ridership rebounds from pandemic lows.

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Extended blockages of highway-rail grade crossings. Extended delays at grade crossings (gate-down intervals of 10 minutes or more) have a detrimental impact on quality of life and are a threat to public safety when emergency vehicles are affected. Data collected during the STB's monitoring period for the CN acquisition of the Elgin Joliet & Eastern Railway (EJE) showed the potential extent of such blockages after an acquisition. Blockages greater than 10 minutes in length totaled 74,754 over a 53-month period, with 1,756 of those blockages lasting more than an hour in duration. Twenty-four crossings had more than 1,000 blockages longer than 10 minutes. Any merger that increases long-duration blockages is unacceptable. The EIS should estimate the impact of the CP-KCS transaction on extended blockages at each crossing, develop mitigations to those impacts, and then measure the actual changes using gate monitoring during STB's oversight period so that grade crossing blockages are not made worse.

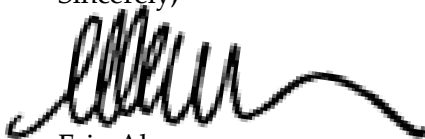
Air quality considerations. "Hotspot" analysis should be undertaken at rail yards, intermodal terminals, rail-rail grade crossings ("diamonds"), junctions, and other places of concentrated rail activity, considering the cumulative and marginal burdens of pollutants from not only the direct operations of CP-KCS operations, but the additional truck trips that are forecast to take place in the vicinity of the intermodal terminals as a result of this transaction. The impacts of the transaction on low-income and minority communities must be fully understood and mitigated, consistent with environmental justice requirements. Air-quality mitigation strategies for locomotives, yard equipment, and drayage trucks entering and leaving the terminal must be considered.

Noise and vibration. We have concerns about expected increases in noise and vibration along CP-KCS facilities. We would like to be assured that the CP-KCS will be required to take a central role in the planning and development of quiet zones as mitigations, including the construction of improvements to establish quiet zones.

STB oversight period. Longer STB oversight will be necessary than the typical three to five years to consider the impacts of network changes, increased market access, and mitigations. To assure performance, it is necessary to monitor the effectiveness of mitigations, not simply to ascertain whether the mitigations were completed. We suggest a minimum oversight period of an additional three years following the completion of all mitigations and network changes. Further, a longer oversight period will be necessary to assure that CP-KCS trains do not interfere with Metra operations as Metra returns to pre-pandemic operating levels, a process that will take several years.

Once again, thank you for the opportunity to comment on the proposed scope of the EIS process. We look forward to working with your office and the applicants as this merger and its potential impacts are being reviewed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erin Aleman', with a long, sweeping horizontal line extending to the right.

Erin Aleman
Executive Director