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Surface Transportation Board
Docket No. FD 36500
CP-KCS Merger
Request to speak at September 28, 29, 30 Hearings

To whom it may concern:

My name is Brian Ritter and I represent Nahant Marsh Education Center in Davenport, Iowa. I am interested in speaking at the public hearing on September 28, 29, or 30 in regards to the CP-KCS rail merger, Docket no. FD 36500. I would like to join via video. I would like to discuss our community's concerns about the potential ecological, recreational, and economic impacts on our region and on the Mississippi River ecosystems if the proposed merger goes through.

I realize that I am late filing this request. I was not made aware of the September 28, 29, 30 hearings until late on the evening of 9/14/22 and could not find a place to register. I sent an email to the STB requesting a slot to speak. Please excuse my tardiness in this request.

My primary concern about this potential merger is the long-term impact that this will have on community's ability to safely access the Mississippi River, the jewel of our community. Just as importantly, I am gravely concerned about the potential impact to the Mississippi River and surrounding ecosystems like Nahant Marsh in Davenport.

I do not feel that the draft EIS sufficiently addressed the potential ecological disaster that could result from a rail accident. The EIS cites a potential increase in train traffic from 8 trains per day to 22.7 trains per day in our area. The EIS also states that a large portion of trains will be carrying oil from Alberta to the Gulf of Mexico. The tracks in our area are right next to the Mississippi River, one of the most important migratory flyways in North American, home to thousands of species of plants and animals that supports a vital fisheries for both recreational and commercial fishermen, hunters, and boaters. The draft EIS did not address the potential impact that a train derailment and oil or other hazardous spill could have on the Upper Mississippi River.

I have also not heard the STB or the draft EIS address the potential impact of flooding and the potential risk for accidents and spills as a result. In our area, the Mississippi River reached or exceeded flood stage on at least 355 days during the time period from 2010- 2019 (according to USGS stream gage data in Rock Island, IL). This was nearly triple the amount of flooding that was seen in the 1990's and 2000's. In our area, the train tracks are located near the Mississippi River and well within the floodplain. A spill on day with no flooding could be disastrous, but if a spill were to occur on a day in which the river were flooding, how would it be contained?

The CP-KCS southern rail lines currently pass through or over some incredibly ecologically sensitive areas in Eastern Iowa, including the Upper Mississippi River National Wildlife Refuge, the Princeton Marsh, the confluence of the Wapsipinicon and Mississippi Rivers, Green Island, and Nahant Marsh. Specifically at Nahant Marsh, the community and government has invested millions of dollars to restore it from an EPA superfund site to the largest urban wetland on the Upper Mississippi River. It is home to over 1,100 documented species of plants, animals, and mushrooms, including 3 federally endangered species, and 27 state-listed species. Additionally, the education center at Nahant Marsh provides programming for over 22,000 people annually, and recreational opportunities for another 30,000+ people each year. The CP railyard is 100 feet from us and is entirely within the 100 year flood plain. We are concerned about

the increased noise and the increased risk for disaster that could result in devastation for the marsh ecosystems, for our visitors and for both the rare and common species that call this place home.

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May 2, 2019 Drone image of Nahant Marsh, CP Railyard and Mississippi River Flooding