

1 Rail Merger Meeting

2
3 Docket No. FD36500

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5
6 Moderated by Alan Belniak and Joshua Wayland
7 Monday, September 19, 2022

8 06:01 p.m.

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11 Remote Proceeding

12 Chicago, IL 60606

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18 Reported by: Maureen Foody

19 JOB NO.: 5420877

A P P E A R A N C E S

List of Attendees:

Alan Belniak, Vanasse Hangen Brustlin, Inc. Engineer

Dr. Joshua Wayland, Surface Transportation Board

Alan Summerville, Vanasse Hangen Brustlin, Inc.

Dan Belin, Vanasse Hangen Brustlin, Inc.

Laurel Corrao, Vanasse Hangen Brustlin, Inc.

Patrick Fuch, Surface Transportation Board Member

Danielle Gosselin, Director of OEA

Cecilia Moreira, Spanish Interpreter

Paula Riordan, Spanish Interpreter

Ann Geiger, Secretary of the Iowa Mississippi River
Parkway Commission

Chief Nathaniel Melby, Town of Campbell Fire
Department

Winona LaDuke, White Earth Reservation

Justin Stofferahn, Citizen

Marion Greene, Chair of the Board of Commissioners of
Hennepin County in Minnesota

Cheryl Barnds, Citizen

Chief Jim Case, Wauwatosa Fire Department

Zoe Middleton, on behalf of Harris County

Commissioner, Rodney Ellis

Chief Tony Holinka, Town of Shelby Fire Department

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A P P E A R A N C E S (Cont'd.)
Mike LaRoque, Secretary of Treasurer White Earth
Nation

P R O C E E D I N G S

MR. BELNIAK: Hello. And welcome to the public meeting for the Draft Environmental Impact Statement on the proposed acquisition of Kansas City Southern by Canadian Pacific. The Docket No. for this proposed merger is FD36500, and you can see that on the screen here after this introduction.

My name is Alan Belniak. I will review some meeting logistics. I am here to help facilitate the digital portion of this meeting. Following that, we'll have some opening remarks, and then we'll follow that up with a recorded slide presentation to overview some of the meeting's materials. When that concludes, I will remind people of how the comment session works, and then we will open it up for commentary from the public.

So to cover meeting logistics. To hear audio of this meeting in Spanish, or en Espanol, toggle the interpretation button in the bottom tray under "Zoom Controls." For Closed Captioning during the presentation, you can toggle the "Live Transcript" bottom tray in "Zoom Controls," also.

During the comment session at the end of the presentation, we will first call upon

1 participants who have pre-registered to comment.
2 Following that if you did not pre-register but would
3 still like to comment, please toggle the "Q&A" button
4 and type your name; we'll add you to the end of the
5 cue for people -- for those who wish to speak.

6 You may also toggle the "Raise Hand" if
7 you would like to speak. That sends a command to me
8 that you would like to come off your muted state of
9 microphone.

10 Each speaker will be given three
11 minutes to offer a comment. As a point of order, this
12 is not a question-and-answer session; it is more just
13 soliciting commentary from the public. You will be
14 given three minutes to speak to keep it fair for
15 everyone else who is joining with us this evening.

16 At the end of the list of registered
17 speakers, if there is time to wrap around and come
18 back and give people additional time to speak, we'll
19 do that, but we're going to limit people's first
20 speaking engagement to three minutes to ensure we've
21 given everyone a chance who wishes to speak that
22 opportunity.

23 This meeting is being recorded for
24 archival purposes, so if that's not something you're

1 comfortable with, please feel free to exit the
2 meeting.

3 Also, because this meeting is being
4 interpreted and translated, I ask you to speak slowly
5 and clearly. When it is your turn to speak, please
6 state your name clearly for the record and then begin
7 your comments. If you're speaking from a set of
8 prepared notes, we welcome that, but please just be
9 extra mindful to speak extra slowly, as when one tends
10 to read their notes, they tend to speak a bit faster.

11 So with that, I would like to hand it
12 over to tonight's host, Mr. Josh Wayland. Josh, the
13 floor is yours.

14 MR. WAYLAND: Thank you, Alan. And
15 hello everyone, and thank you for joining us this
16 evening for this online public meeting for the Draft
17 Environmental Impact Statement for the proposed
18 acquisition of Kansas City Southern Railway by
19 Canadian Pacific Railway.

20 My name, as Alan said, is Josh Wayland,
21 and I am the Acting Deputy Director of the Surface
22 Transportation Board, Office of Environmental
23 Analysis, or OEA. And I'm also the Project Manager
24 for the Environmental Impact Statement, or EIS, that

1 OEA is preparing for this proposed acquisition.

2 This is our seventh and final public
3 meeting that OEA is holding during the public comment
4 period for the Draft EIS that OEA issued back on
5 August 5th. The other public meetings included two
6 additional online public meetings and four in-person
7 meetings in locations throughout the country where the
8 proposed acquisition would result in environmental
9 impacts.

10 I see at this time that we have 43
11 people on the line tonight, including agency staff,
12 our contractors, and everyone from the public who has
13 called in or joined online.

14 I want to especially recognize Surface
15 Transportation Board member Patrick Fuchs, who has
16 called in to observe this meeting. As I will discuss
17 further in my presentation in a few minutes, The Board
18 members are the decision makers who will decide
19 whether to authorize the proposed acquisition.

20 In making their final decision, The
21 Board members will consider both the transportation
22 merits of the proposal and the potential environmental
23 impacts.

24 This public meeting will focus on the

1 environmental impacts of the proposed acquisition. If
2 you are interested in providing comments on the
3 transportation impacts of the proposed acquisition,
4 please note that The Board will be holding a public
5 hearing on September 28th, 29th, and 30th at The
6 Board's headquarters in Washington, D.C.

7 I also want to recognize Danielle
8 Gosselin, the Director of OEA; thank you for
9 attending. Thanks, also, to the staff from VHB. VHB
10 is an environmental consulting firm that is assisting
11 us in preparing the EIS. Welcome, as well, to any
12 representatives from other agencies and any Federal,
13 State, Tribal, or local elected officials who might
14 have joined us tonight, and thank you for attending.

15 Alan from VHB will review the process
16 for commenting a little bit later, but I just wanted
17 to briefly remind everyone that the main purpose of
18 this evening's meeting is to hear public comments, and
19 we do want to reserve as much time as possible to hear
20 everyone's comments.

21 So we will not be holding a question-
22 and-answer session today, and that is to help ensure
23 that everyone who wants to speak has the chance to do
24 so.

1 If you do have questions about the
2 proposed acquisition or The Board's environmental
3 review process, I recommend that you visit The Board
4 sponsored Project website at www.cp-kcsmergereis.com.
5 That URL will be shared on the screen in a little bit.
6 Through that website you can find all of The Project-
7 related information, including descriptions of the
8 proposed acquisition, the Draft EIS document, and an
9 interactive map showing how rail traffic would change
10 along the combined rail network, if the proposed
11 acquisition is authorized.

12 Before we move into the formal comment
13 portion of tonight's meeting, we are going to play a
14 presentation for you that will provide an overview of
15 the proposed acquisition and of The Board's
16 environmental review process. This presentation will
17 be available on The Board's sponsored Project website
18 in case you would like to watch it again later.

19 So with that, I would just like to
20 welcome everyone once again. Thank you for your
21 participation in this process and ask Alan to please
22 go ahead and start the presentation.

23 MR. BELNIAK: Thank you, Josh. Please
24 bear with me for one moment.

1 (Video played.)

2 MR. BELNIAK: Okay. Welcome back.

3 Thank you. As Josh indicated at the end of the video,
4 we're now moving into the comment session, so I would
5 like to read off a few reminders in case anyone had
6 joined late.

7 Just to let everyone know, we had about
8 13 people register to sign up to speak at this
9 session. As I mentioned earlier, we're going to start
10 with registered speakers first. What I'll do is I'll
11 call out the first person who is listed -- has
12 registered to speak, excuse me, as well as the next
13 two to prepare them to be on-deck and ready to speak
14 after the first person goes.

15 I'll roll through all of that in the
16 order that people have registered to speak, and if
17 you'd like to register to speak, also, please use the
18 "Q&A" function. Note, even though the function is
19 called "Q&A," we're not actively soliciting questions
20 there; we're not actively going to be answering
21 questions. Please just enter your name to let us know
22 that you'd like to be called upon to speak.

23 You can also use the "Raise Hand"
24 feature that's located at the bottom tray of Zoom

1 controls; it sends a command to us that you would like
2 to speak, as well.

3 A few other reminders on the screen.
4 If you'd like to hear audio of this meeting in
5 Spanish, en Espanol, please toggle the
6 "Interpretation" button. For "Closed Captioning,"
7 please toggle the "Live Transcript" button as well.

8 The next section, as I just mentioned
9 about pre-registering first, people using their names
10 in the "Q&A" to let us know they would like to speak
11 next, and then the "Raise Hand" feature as well.

12 We indicated earlier that each person
13 will be given approximately three minutes to speak.
14 You'll see a timer in the upper, right-hand corner of
15 your screen. We'll begin the time after you have the
16 opportunity to begin speaking.

17 As a reminder, when you are given the
18 opportunity to speak, please speak slowly and clearly,
19 state your first and last name. As I mentioned, we do
20 have secondary language translation available in this
21 meeting, so it's important that we speak slowly and
22 clearly to let the translation and interpretation
23 catch up.

24 If you're using prepared remarks, we

1 welcome those as well. Just two reminders, you're
2 also given only three minutes, and please, speak extra
3 slowly and extra clearly if reading from a script.

4 At the end of our listed speakers, if
5 we still have available time left, we'll circle back
6 and give a fresh three minutes to those people who
7 have already spoken, because again, we do want to hear
8 your comments. We just ask that you be respectful and
9 keep your first round to three minutes to make sure
10 folks have an ample opportunity to speak this evening.

11 I mentioned earlier that this meeting
12 is being recorded for archival purposes. So if you'd
13 like to exit, now would be a good time to do so.

14 Okay. With that, let me just check
15 over my notes before we move to the commentators. Okay.
16 I think we've covered that. All right. So let me
17 find my list of prepared speakers -- I'm sorry, my
18 list of registered speakers. And the first registered
19 speaker I see is Ann Geiger, next I'm looking for
20 Krista Kefauver, and on deck would be Angelle
21 Bradford.

22 So, Ann Geiger, if you are in the
23 audience, and you'd like to speak, I'm going to send a
24 command to you to undo your microphone, and when you

1 do, the floor is yours.

2 MS. GEIGER: Thank you. And thank you,
3 Dr. Wayland, for holding the public hearings in
4 person, as opposed to Zoom. I appreciate that.

5 I'm speaking as the Secretary of the
6 Iowa Mississippi River Parkway Commission, which is in
7 charge of the Great River Road in all ten states
8 bordering the Mississippi River. You cannot talk
9 about the road without talking about the river.

10 The Commission, Iowa Commission, has
11 interpretive centers all along the Great River Road,
12 and Iowa has the most, 18. International travelers,
13 as well as US Citizens, visit these annually. The
14 river is our responsibility and according to all the
15 reports in Canada, CP has burned up towns, killed
16 citizens, burned cropland, and totally disregarded
17 their employees.

18 As you have already heard in June, CP
19 Rail dumped five carloads of coal into the Mississippi
20 near Lansing, Iowa where we have an interpretive
21 center. They tried to cover it up, but the media
22 found it.

23 You have also heard of the fuel dump
24 into Nahant Marsh, an education center, where, again,

1 they tried to cover it up. They did not notify the
2 owners, Scott Community College, or the manager, and
3 trespassed by digging up the Marsh and putting
4 possibly inappropriate soil into the Marsh. This is
5 also one of our interpretive centers.

6 Because of the relationship between the
7 road and the river, there are families and businesses
8 within 50 to 150 feet of both. I personally live
9 between the road, the rail, and the river. With the
10 river being about 60 feet in front of my door, and the
11 road and the rail about a football field away.

12 Raising the tracks has caused vibration
13 to damage some of my house. The increased level of
14 the horns, 120 decibels, in clear violation of OSHA
15 and EPA standards, has become a concern regarding my
16 health and the health of our community.

17 In addition, using your EIN report, an
18 average freight semitruck emits about 3 million grams
19 of CO2 per year. That equates to 3 metric tons of CO2
20 per year. The STB says the merger will take 60,000
21 trucks off the road, that equates to 180 metric tons
22 of CO2 saved per year. However, the train traffic
23 from the merger will create 423,083 metro tons of CO2
24 per year. This far outweighs the saved CO2 emissions

1 from trucks, not to mention the loss of US jobs.

2 These numbers or not mitigatable,
3 negligible, minor, and/or temporary. These numbers
4 will go on for years. This is for a company which is
5 shipping product which is not from the US, for the US,
6 or to the US, and is highly volatile and a danger to
7 our citizens. Thank you.

8 MR. BELNIAK: Thank you, Ann, for that.
9 Give me one moment to address a couple items here.
10 Okay. So a few additional comments I was remiss in
11 making as we came out of the video until now: Again,
12 we had about 13 speakers; just coming up on deck to
13 make sure we've got people prepped and ready to go,
14 I'm looking for Krista Kefauver and Angelle Bradford,
15 and then next would be Nathaniel Melby. So please be
16 on the lookout or listen up for when I ask you to come
17 off mute.

18 Also, as a reminder -- another
19 reminder, excuse me, I have not stated it yet: There
20 is an opportunity to register to speak -- pardon me,
21 I'm looking at two different windows here. I'm
22 pasting a link into the chat to speak in person at an
23 upcoming event. That link now has been pasted into
24 the chat. I will paste a few links into the chat

1 continuously throughout the rest of the evening.

2 We do have one phone caller who joined
3 us part way through. For the phone caller, if you
4 would like to raise your hand, because you don't have
5 the opportunity to use "Q&A," that's "*9" in your
6 telephone. And when we move to a portion of looking
7 for "Raised Hands" to speak, "*9" would be what you
8 press to let us know that you would like to speak.

9 One more reminder is if you are
10 speaking from prepared remarks, please just be mindful
11 to speak just a little more slowly to give our
12 interpreters a chance to keep up.

13 So with that, thank you for indulging
14 me for some additional remarks. I'm now looking for,
15 as I mentioned a moment ago, Krista Kefauver. I don't
16 see Krista Kefauver in the audience, but just making
17 sure Krista isn't using a different name; Krista if
18 you're out there, please raise your hand.

19 I'm looking next for Angelle Bradford.
20 And then also looking for Nathaniel Melby, which I do
21 see in the audience. So would Krista and Angelle, if
22 you are there, and you would like to speak, raise your
23 hand, but for now we will go to Nathaniel Melby.

24 So, Nathaniel, you should now have the

1 option to take yourself off of mute, and when you do,
2 please introduce yourself, and I will give you a fresh
3 three minutes.

4 MR. MELBY: Thank you. I am Chief Nate
5 Melby from the Town of Campbell Fire Department. As a
6 First Responder from outside of La Crosse, Wisconsin,
7 I'm calling in to voice my concern regarding this
8 proposed merger.

9 It recently came to our attention that
10 there could be an increase in Amtrak trains going
11 through our service area should this merger pass. I
12 want to express my serious concern. Specifically
13 regarding a lack of data with respect to train
14 increases, if this merger and subsequent Amtrak deals
15 would go through.

16 Dozens of communities throughout
17 Wisconsin would experience an increase in train
18 traffic, but no proper notification or funding to
19 mitigate adverse effects. Worse yet, there was no
20 mention about this or the potential dangers in the
21 Draft EIS. There is simply no way to say there are no
22 potential risks other than noise when trains will, at
23 the very least, double in these rail-side towns.

24 As a Fire Chief and First-Responder, I

1 respectfully request that the STB acknowledge the true
2 danger of this merger and to work with First
3 Responders to ensure that safety is a priority,
4 including gathering more information to assess what is
5 best for all parties. Thank you.

6 MR. BELNIAK: Thank you for that,
7 Nathaniel. Give me one moment to find the next
8 speaker. One second. Okay.

9 Next, I'm looking for Winona LaDuke,
10 after that Justin Stofferahn, and then on deck would
11 be Trisha Rea. So I do see someone named Winona in
12 the audience with no last name; I'm going to for the
13 moment assume it is Winona LaDuke.

14 So Winona you should now have a command
15 to take yourself off of mute. And if it's you, please
16 state your name for the record, and I will give you a
17 fresh three minutes.

18 MS. LADUKE: Hello. My name is Winona
19 LaDuke. Hello, Aniin. Hello, my relatives. I am
20 from the White Earth Reservation in Northern
21 Minnesota. I'm an Anishinaabe, and I'm here to say
22 that I'm deeply concerned about the proposed train
23 merger.

24 Our Reservation is in the remote area

1 of Northwestern Minnesota, and there are five villages
2 that the Sioux Line, which is what is a part of this
3 merger, goes through. And it goes through all of
4 those villages on the western portion of the
5 Reservation already with a significant amount of
6 dangerous rail material that travels through those
7 villages.

8 We did have one explosion a few years
9 ago, and we see that, what we refer to as the "bomb"
10 trains, which are the tar sands trains that come out
11 of Canada, with great frequency. This proposal would,
12 from my understanding, increase two or three times the
13 amount of "bomb" trains traveling through our
14 Reservation.

15 We are not prepared for this. There is
16 no -- for instance, the trains already separate the
17 emergency services from the community. There's no
18 underpass or overpass for people to access across the
19 train tracks, particularly, to the Village of
20 Mahnomen, which has the hospital.

21 We're very concerned about further
22 concentration of the rails. We are supporters of the
23 rails in general. You know, I will say that I am, but
24 what I would like to see is, you know, more rails that

1 had less dangerous things on them, and solutionary
2 rails, rails that are electric and not diesel trains,
3 but I know that that is not the purpose of this.

4 I just know that the more concentration
5 that you have in these trains, the less access and
6 power there is to protect our communities. And we
7 have not had a lot of good luck with the trains in our
8 communities thus far. Thank you for your time.

9 MR. BELNIAK: Thank you, Winona, for
10 those comments. Give me one moment while I prepare
11 for the next speaker. All right the next three I have
12 on our list are Justin Stofferahn, Trisha Rea, and
13 Marion Greene.

14 I do see Justin in the audience. So,
15 Justin Stofferahn, hopefully I said your last name
16 correctly, when you are ready, you should now have the
17 command to unmute. Please just state your first and
18 last name for the record. And when you do, I'll give
19 you a fresh three minutes.

20 MR. STOFFERAHN: Thank you. My name is
21 Justin Stofferahn; I'm from Minnesota. And I have
22 concerns about the impact this merger would have on
23 our state.

24 While the Surface Transportation Board

1 is not the Federal Trade Commission or the Department
2 of Justice, I urge you to you view this merger through
3 the lens of corporate consolidation, as it has an
4 impact on the potential environmental impacts of this
5 massive acquisition.

6 Over the past several decades, we've
7 gone from nearly 40 Class I railroads, to just seven.
8 And, obviously, this would reduce that number to six.
9 Mergers often begin more mergers as smaller companies
10 look to compete against their larger competitors. A
11 further concentration of this already concentrated
12 industry is not the answer.

13 Much like the consolidation of the
14 industrial and retail sectors led to the development
15 of fragile Just-In-Time supply chains, Class I
16 railroads have adopted precision scheduled
17 railroading, which is undermined resiliency resulting
18 in less staff, less investment, and significantly
19 larger trains. All of this creates additional
20 environmental risks for Minnesotans.

21 Since 2010 Class I railroads have spent
22 \$190 billion in stock buybacks, dividend payments,
23 more than they spent investing in upgrades to rail
24 infrastructure. This extreme search for efficiency

1 has also meant that Class I railroads shed nearly a
2 third of their workforce in recent years through lay-
3 offs and attrition, which has led to long hours and
4 unreasonable work-place restrictions that created the
5 conditions for last week's potential strike.

6 Finally, consolidation has led to much
7 longer trains; according to a study from the GAO a
8 couple years ago, as long as three miles in some
9 cases.

10 We as Minnesotans are being asked to
11 accept more trains through our state, an
12 infrastructure that has been properly invested in,
13 with a workforce that has been stretched too thin.

14 Another merger will only exacerbate
15 these issues and create the conditions for something
16 dangerous and catastrophic to happen.

17 Minnesotans value fairness in the
18 marketplace and the protection of our natural spaces;
19 this merger would undermine both of those values. I
20 urge The Board to stand up for Minnesotans, stand up
21 for Americans, and reject this merger. Thank you.

22 MR. BELNIAK: Thank you, Justin, for
23 that. Give me a moment to get ready. Okay. Looking
24 at our list we are onto speaker seven, which will be

1 Trisha Rea, next Marion Greene, and then next Cheryl
2 Barnds. So looking for Trisha Rea. I'm looking in
3 the audience; I don't see anyone under that name.
4 Trisha if you're there, please raise your hand and let
5 us know that you are indeed Trisha Rea.

6 Next, I'm looking for Marion Greene. I
7 do see a Marion Greene in the audience, so in just a
8 moment Marion Greene, and after that is Cheryl Barnds.

9 So, Marion, if you would like to
10 take -- you now have a command, excuse me, to take
11 yourself off mute. And if you do, please announce
12 your first and last name for the record. And when you
13 start speaking, I'll give you a fresh three minutes.

14 MS. GREENE: Good evening. My name is
15 Marion Greene. Good evening, and thank you for the
16 opportunity to comment on this merger. My name is
17 Marion Greene, and I'm the Chair of the Board of
18 Commissioners of Hennepin County in Minnesota.

19 Approximately 1.3 million people live
20 in our county including in the city of Minneapolis.
21 Canadian Pacific owns 76 miles of track in our county;
22 the largest share of any railroad, as well as two
23 large rail yards.

24 Canadian Pacific has been an important

1 member of our community and a good partner to Hennepin
2 County. However, this proposed merger will exacerbate
3 problems our residents already experience from
4 Canadian Pacific's activities. Specifically,
5 increased traffic on our local roadways, blocking
6 crossings, increasing environmental threats to our
7 residents, and adding noise to an already congested
8 urban area.

9 We believe that the data that OEA used
10 to calculate the effects of the transaction in
11 Hennepin County are flawed. Most importantly, the
12 DEIS does not adequately account for the significant
13 local impacts caused by increased truck traffic from
14 CP's intermodal facility in Northeast Minneapolis.

15 The city streets immediately
16 surrounding this intermodal facility include active
17 commercial corridors in racially diverse, densely
18 populated neighborhoods full of pedestrians, cyclists,
19 shoppers, and drivers. Already these streets are
20 burdened by significant truck traffic in and out of
21 the yard, including large volumes of ancillary vehicle
22 movements.

23 The merger will cause a material
24 increase in this traffic blocking intersections,

1 creating noise and pollution, and threatening the
2 health and safety of residents, pedestrians,
3 bicyclists, and drivers in these already busy
4 corridors. These harms must be mitigated.

5 However, Hennepin County has identified
6 a total of 32 crossings along CP main lines in the
7 county that would be directly and materially impacted
8 by merger-related traffic increases with potential
9 adverse impacts on emergency response times.

10 The DEIS does not address any of these
11 crossings or the impact longer and more frequent
12 trains will have on local communities in the county.
13 The DEIS must address these concerns and include
14 appropriate mitigation measures to protect our county.

15 Finally, the CP-KCS transaction will
16 increase the volume of hazardous materials' traffic
17 moving through Hennepin County including densely
18 populated, urban areas. The likelihood of an incident
19 and the risk of a serious outcome can be reduced
20 through a variety of common-sense measures, mitigation
21 measures that we request that these measures also be
22 included in the final EIS and the record of decision.

23 Thank you for your attention to these
24 important concerns. Additional comments and details

1 are forthcoming from Hennepin County and will be sent
2 to your office in writing by October 14, 2022. Thank
3 you.

4 MR. BELNIAK: Thank you, Marion, for
5 those comments. Give me one moment. And now is a
6 good reminder for those people who have already
7 spoken, thank you for sharing your comments with us.

8 At the end of the listed registered
9 speakers and those who have used the "Q&A" to let us
10 know, and those who have "Raised their hand,"
11 essentially everyone who has been given their first
12 opportunity to speak, if you'd like to speak again, we
13 will give you a fresh three minutes. I just want to
14 let you all know that we're going to give everyone
15 their first opportunity to speak first.

16 One more reminder we do have one dial-
17 in participant, so for that dial-in participant, if
18 you would like to "raise your hand, *9" is the command
19 that does that. Also please reference the chat.
20 There has been several pieces of information that were
21 put into there that were referenced earlier. Some of
22 you may find it easier to grab from the chat rather
23 than try to copy it down on the screen.

24 Okay. So with that I will look to our

1 list of speakers. Up next is Cheryl Barnds, on deck
2 Jim Case, behind that, Christopher Pacha.

3 So I do see Cheryl Barnds in the
4 audience. So, Cheryl, I'm going to send a command to
5 you -- okay, Cheryl, you are using an older version of
6 Zoom, so I just need to do something a little bit
7 different for a moment. So, Cheryl, I'm going to
8 temporarily promote you to a panelist. That will give
9 you the opportunity to speak, and when you're done
10 speaking, you will return to an attendee.

11 So, bear with me for just a moment.
12 Okay. Cheryl, you -- Cheryl, please unmute your
13 microphone, and when you do, please state your name,
14 and you'll have three minutes.

15 MS. BARNDS: Thank you. I will try not
16 to abuse my new-found power as a panelist. We
17 appreciate you holding this comment section; it was
18 disappointing that there was no comment, in-person
19 opportunities in a lot of the northern states that are
20 going to be affected by this.

21 I feel this merger needs to be rejected
22 because it primarily serves profit-driven monopoly and
23 private stakeholders. It is not consistent with
24 public interest, and I haven't heard any compelling

1 reason in the public interest to go ahead with the
2 merger.

3 A good plan like this would invest more
4 in communities and Mother Earth; it would include
5 adequate infrastructure and support to increase access
6 and to reduce burden all along the line. Those would
7 be some things in the public interest.

8 The climate section of the Draft EIS is
9 utterly inadequate. While it probably checks the
10 boxes drawn before we entered the current state of
11 climate emergency, it does not begin to address what
12 is both possible and necessary through a multi-
13 billion-dollar international merger. We could do much
14 more, and we have to do much more.

15 By design this line would carry more
16 liquified petroleum gas moving from Alberta to Mexico.
17 It would carry more of the bitumen and crude oil
18 currently moving from Alberta to the Gulf Coast. And
19 while the EIS, you know, talks about this is puzzle
20 pieces that are being moved around the country,
21 there's very little talk about the actual impacts on
22 already burdened communities.

23 The Draft EIS says this merger would,
24 for example, potentially accelerate a shift away from

1 transporting flammable crude oil toward transporting
2 non-hazardous drew-bit, which is the bitumen without
3 the flammable diluent. That is an important thing to
4 nail down; are we going to have flammable crap being
5 transported through these small rural communities or
6 not.

7 Saying it's going to potentially
8 accelerate a shift is woefully inadequate for the
9 people who live here. There are schools near here;
10 there are hospitals, there are retirement centers.

11 With the recent completion of Line 5 up
12 in the north, the last thing we need, as Winona said,
13 is more "bomb" trains or other fossil fuel threats to
14 our water, to the Wild Rice people rely on, to the
15 land up there.

16 The only public-interest reason I could
17 think of for such a dramatic merger would be if it's
18 going to help us get out of the climate emergency,
19 transform our system with something like solutionary
20 rail, which is to electrify our railways with
21 renewable energy and track modernization. There is
22 nothing about electrification or this kind of upgrade
23 in the EIS.

24 It's -- it's 2022, we need to wake up

1 and incorporate what has to be done at this point.
2 It's not okay to just continue business as usual and
3 check these boxes. This is a different world we're
4 in. We need to electrify the railways; we need to use
5 renewable, local energy. We need to modernize the
6 tracks. We need to wake up and bring -- we can bring
7 safer, more reliable, higher-speed freight and
8 passenger service, like they have throughout Europe
9 and Asia. This will also cut pollution and emissions
10 and revitalize communities. A working world-trade
11 system can be an important part of our renewable
12 energy economy. I guess I'm out of time.

13 MR. BELNIAK: Yes.

14 MS. BARND: We can power these trains;
15 we can power trains with wind; we can unleash the
16 Great Plains wind. We can use rural co-ops --

17 MR. BELNIAK: Cheryl, we're happy to
18 give you three more minutes at the end once we get
19 through the list of speakers, if you'd like to come
20 back and share a few additional remarks.

21 MS. BARND: Okay. Thank you. I think
22 I got my point across. I appreciate it.

23 MR. BELNIAK: Okay. Sure. But I think
24 there will be time at the end. I just want to make

1 sure we give everyone a fair chance. So thank you for
2 that, and thanks for bearing with us as we navigate
3 the technology. So bear with me for one moment.

4 Thank you, everyone, and thank you,
5 Cheryl, once more. Next three speakers I am looking
6 for are Jim Case, Christopher Pacha, and Elizabeth
7 Foster. So I don't see Jim Case in the audience at
8 the moment -- pardon me. Thank you. I do. Thank you
9 very much.

10 So, Jim, give me one moment. There you
11 go. Jim, you should now have the option to unmute
12 your mic, and when you do, please state your name for
13 the record, and if you have any prepared remarks,
14 please just be mindful to speak slowly, as we do have
15 live interpretation.

16 MR. CASE: Good evening and thank you.
17 My name is Jim Case, and I'm the Fire Chief for the
18 Wauwatosa Fire Department in Wisconsin; I'm near
19 Milwaukee. Thank you for taking the time tonight to
20 hear our feedback.

21 As a group of fire chiefs from my
22 community, I'm worried about this potential merger and
23 what it may do to our response times. I'm further
24 concerned that the Draft EIS statement does not

1 mention anything more serious than noise as a
2 potential, severe impact to this merger.

3 We have a very active CP Line that runs
4 through our busy downtown in an urban setting. This
5 Line has already resulted in numerous fatal, train-
6 related accidents over the last few years, and I'm
7 very concerned that this merger will increase that
8 traffic, and unfortunately, probably increase the
9 number of fatalities that we see.

10 We are also concerned that the increase
11 for potential -- for at-grade accidents and creating
12 additional barriers for emergency response if a train
13 is stalled at these crossings.

14 I urge the STB to conduct a further
15 review of the merger and how subsequent deals with
16 Amtrak in the future could impact the communities as
17 well.

18 Emergency responders need to be assured
19 that we would be able to continue serving our
20 communities to the best of our abilities and
21 appreciate your consideration. We completely
22 understand the importance and the value of the
23 railways. We just ask you to take a closer look as
24 how it relates to emergency responders and any impact

1 it may have on us. Thank you.

2 MR. BELNIAK: Okay. Thank you, Jim. I
3 appreciate those comments. All right. So next we are
4 looking for Christopher Pacha or Packa [ph], depending
5 on how you say it, and Elizabeth Foster, and Cheryl
6 Jackson.

7 So, Christopher Pacha, I don't see you
8 in the audience, but if you're there, please feel free
9 to raise your hand. Give that one moment. Okay.
10 Next looking for Elizabeth Foster. I do see Elizabeth
11 F. in the audience.

12 So with that I'm going to send a
13 command to Elizabeth's microphone to unmute. There
14 you go. And please state your name for the record and
15 your three minutes will start.

16 MS. FOSTER: Thank you. My name is
17 Elizabeth Foster. Thank you for the opportunity to
18 speak this evening. I recently moved to Becker
19 County, Minnesota, and I can hear, and I can feel the
20 trains as they pass by my new house.

21 According to tonight's presentation,
22 this merger will mean up to 900 additional trains per
23 year going through those tracks.

24 My area is characterized as an

1 environmental logistics area by the Minnesota
2 Pollution Control Agency. And I do oppose the
3 acquisition merger.

4 I oppose due to the potential
5 environmental impact, particularly, to an
6 environmental justice area, as it would mean more real
7 traffic, as I mentioned; it could lead to additional
8 noise pollution and the real traffic carrying more
9 crude oil and hazardous materials through an
10 environmental justice area.

11 I do take issue with the current Draft
12 as it, again, disregards the plight of the people who
13 live in environmental justice areas and in order to
14 benefit corporate profit. So please do take a look at
15 that and do not downplay or ignore the effect and the
16 impact of this merger in environmental justice areas
17 in your Draft, and I ask that you reject the merger.
18 Thank you for your time.

19 MR. BELNIAK: Okay. Thank you for
20 that, Elizabeth. Give me one moment. All right.
21 Next, I'm looking for the last registered speaker I
22 see, which is Cheryl Jackson. Scanning the list, I
23 don't see Cheryl Jackson in the audience; I do see a
24 hand raised. Okay. One moment on the hand raised.

1 So we are through our list of
2 registered speakers. As a reminder, if you would like
3 to speak you can also use the "Q&A" to share your name
4 in there to let us know that you would like to speak.
5 Our "Q&A" is currently empty. So now we will move to
6 hands raised, so I do see one hand raised at the
7 moment, and that looks like it's Zoe Middleton.

8 So, Zoe or Zo [ph], you now have --

9 MS. MIDDLETON: It's Zoe.

10 MR. BELNIAK: Okay. Great. You now
11 have three minutes. The floor is yours.

12 MS. MIDDLETON: All right. Good
13 evening. My name is Zoe Middleton, and I am speaking
14 on behalf of Harris County Commissioner, Rodney Ellis,
15 who represents the 1 million residents in Harris
16 County Precinct One.

17 Many of those residents live in
18 environmental justice communities for whom the
19 environmental impacts of this merger will not be
20 negligible, minor, or temporary as the DEIS contends.

21 Last week our Commissioner's report
22 passed a resolution affirming its commitment to
23 seeking equitable and proportionable mitigation should
24 The Board approve this merger.

1 Before I get into the specifics of the
2 document, I want to touch on the environmental review
3 process so far. On three occasions our office
4 requested in writing a site visit or public hearing in
5 Harris County so the STB could understand the impacts
6 of the proposed merger on our 4.68 million residents,
7 but our office did not receive a formal response
8 agreeing to or declining our request.

9 Black and Hispanic residents of Harris
10 County have worn a unique and terrible burden of
11 pollution and contamination from freight corporations.
12 So while we appreciate The Board moving the only
13 public hearing in Texas from Vidor, the sundown town,
14 to Beaumont, the 180-mile, round-trip on a school
15 night was not accessible, and it cannot be considered
16 what the EPA calls fair treatment or meaningful
17 involvement.

18 Moving on to the document itself. The
19 standards set forth by The Board that have formed the
20 analysis under the EIS are inadequate, and they're
21 inconsistent with the Biden-Harris' Administration's
22 commitment to environmental justice. Those standards
23 are what diminish our confidence in the rigor of the
24 Draft EIS as a whole.

1 Like many others, we disagree with the
2 conclusion that noise will be the primary
3 environmental impact. And that conclusion is
4 especially dangerous for environmental justice
5 communities in our region.

6 As you've heard already in other
7 hearings, Canadian Pacific has had four derailments
8 this year alone. We are concerned about the potential
9 for a spill of tar-sands-related material. Oil
10 extracted from tar sands is widely regarded to be the
11 most difficult oil to clean up. And the results of a
12 derailment in Harris County would not be negligible,
13 minor, or temporary.

14 Twenty-four percent of black kids in
15 Harris County live with asthma that is caused or made
16 worse by air pollution. And our region has fought to
17 improve air quality, but the fact of the matter is
18 that we are currently not in attainment for ozone, and
19 we are currently not in attainment for PM 2.5. Any
20 increase in emissions must be considered cumulatively
21 and mitigation must be mandated wherever possible.

22 There are 897 at-grade crossings in
23 Harris County, and many of them are in poor condition.
24 Already daily commutes, essential public services,

1 like, waste removal and emergency response, are
2 complicated sometimes for hours by stopped trains.

3 At one location in our precinct,
4 children already climb between stalled rail cars to
5 make their way from school and -- I'm sorry, between
6 school and home. And the number of trains at that
7 crossing would increase to 53 a day if this merger is
8 approved.

9 Our office expects through the impacts
10 of this proposed merger on Harris County's
11 environmental justice communities fully accounted for
12 in the final EIS, and we expect that any approval of
13 this merger will be contingent upon a mitigation
14 agreement that addresses the substantial, cumulative,
15 and long-lasting potential impacts that this merger
16 might have in a way that honors the health and safety
17 of millions of residents. Thank you so much.

18 MR. BELNIAK: Thank you for your
19 comments, Zoe. We certainly appreciate those. Just a
20 reminder for those who have prepared remarks, please
21 just be mindful of the speed at which you speak so we
22 give our Spanish translators adequate opportunity to
23 capture and translate live those remarks in real time.
24 So thank you for that.

1 Okay. I do see one more hand raised.
2 We still do have one dial-in participant; once again,
3 "*9" is how you raise your hand from the telephone,
4 and how you raise your hand inside Zoom is looking for
5 the "Raise Hand" button in the bottom tray of Zoom
6 controls, which some of you already have done.

7 And the next person to do that is Chief
8 Holinka. So, Chief Holinka, I'm going to send a
9 command to your device to unmute your line, and when
10 you do, you'll have three minutes to share your
11 comments, please.

12 MR. HOLINKA: Good evening. My name is
13 Tony Holinka; I'm the Fire Chief for the Town of
14 Shelby Fire Department in Shelby, Wisconsin.

15 Our department is comprised of 31
16 volunteer fire fighters, EMS personnel, and myself.
17 Our main station sits within near feet of a railroad
18 track. And at many times we've had to cross those
19 tracks to respond to an emergency. Half of our
20 jurisdiction requires us to cross railroad tracks,
21 and/or adding an additional four minutes to our
22 response.

23 And increase in train traffic that will
24 come with this merger adds a serious risk to our

1 response time. If we cannot get over those tracks,
2 valuable minutes tick away when our community members
3 are in need.

4 We all know that in an emergency
5 seconds can be the difference. We do not have minutes
6 to spare. I urge the Surface Transportation Board to
7 properly study rural towns like mine with volunteer
8 fire fighters and fire departments that risk not being
9 able to access emergencies because of blocked
10 crossings.

11 We must ensure other routes are created
12 to avoid any horrible scenario where we cannot access
13 someone in their need of help.

14 Please consider these very real, very
15 serious concerns as you continue to review the
16 implications of the CP-KCS merger. Thank you.

17 MR. BELNIAK: Thank you, Chief Holinka.
18 We appreciate those comments. All right. Bear with
19 me one moment, while I scan the list.

20 All right. What I have here, according
21 to my notes, is everyone who has registered to speak,
22 has been given at least one -- and is present has been
23 given at least one opportunity to do so. If you have
24 registered to speak, and you joined us late, welcome;

1 we look forward to hearing you speak.

2 If you would like to do so, please
3 raise your hand. I'm going to quickly scan the list
4 for one moment of names I don't think we heard from:
5 Krista Kefauver, Angelle Bradford, let's see -- we've
6 heard from Winona, Nathaniel, and Justin. Trisha Rea.
7 We've heard from Marion Greene. We've heard from
8 Cheryl Barnds, Jim Case. Christopher Pacha. We've
9 heard from Elizabeth, and I think we are now looking
10 for Cheryl Jackson.

11 If any one of you all have not yet
12 spoken and would like to, please raise your hand.
13 While we wait on that, if you are in the audience and
14 would like to speak, you can use the "Q&A" box to
15 share your name. Awesome. I do see something there,
16 thank you, from Zoe.

17 And then now what I would like to do is
18 if anybody would like to speak for the first time to
19 raise your hand, and we'll follow the same process.
20 You can unmute your line. When I call on you, share
21 your name, and I will give you a fresh three minutes.
22 We'll give it a moment for that.

23 Okay. Seeing no new hands, I would now
24 like to turn the floor back over to anyone that has

1 already spoken before who would like to speak again.
2 And we do have one such speaker at the moment, and
3 that is Zoe Middleton.

4 So, Zoe, I'm going to send a command to
5 you, and just once again, if you do have prepared
6 remarks, if you could just, please, speak just a touch
7 more slowly to give everyone a chance.

8 So, with that, you should now have a
9 command to take yourself off mute.

10 MS. MIDDLETON: Hi, again. I apologize
11 to the interpreters. I've been there.

12 MR. BELNIAK: It's okay.

13 MS. MIDDLETON: The only additional
14 thing I wanted to add was that -- so the EIS -- or
15 DEIS rather contains a section that.s on air quality
16 and climate change. And I think that, you know,
17 climate-change analysis is super important, but in
18 that climate-change section, there's not an analysis
19 on climate disasters.

20 And we have a really high number of
21 climate disasters in Harris County, as we're on the
22 forefront of the crisis experience with hurricanes and
23 floods and even, what we call, smaller rain events
24 that don't reach the threshold of a tropical storm,

1 but that still cause enormous flooding and delays in
2 our transportation system.

3 So any way the final EIS could account
4 for those would be much appreciated. That's all.

5 MR. BELNIAK: Thank you for that
6 additional comment. Certainly appreciate it. Okay.
7 Let me reset the timer.

8 Okay. Once again, there is information
9 on the screen about how to stay engaged. Several of
10 those items Josh mentioned earlier. We've also shared
11 some of that same information inside the chat if it's
12 easier for you to copy down that way or click on the
13 link, if you're in front of a device that permits you
14 to do so.

15 Scanning out list of speakers once
16 more, I don't see any names that have registered to
17 speak that are hanging out in the audience who have
18 not spoken. If you are, please raise your hand; we'll
19 give you that opportunity. And, once again, please
20 use the "Q&A" to let us know you'd like to speak or
21 raise your hand.

22 With that, that brings us to 18 after
23 the hour. We are with you until the top of the hour.
24 So that gives us about 42 more minutes. We don't have

1 any new information to share with you. This is not a
2 Q&A session, as we mentioned earlier; it is a comment
3 session. There are ways to ask questions, as we
4 mentioned a moment ago, on how to stay engaged.

5 So with that, I'm going to turn my
6 microphone back on mute. We are going to sit
7 patiently and wait for you to share comments. But
8 every ten minutes or so I'll come back on and just
9 remind people of some options, but with that, we will
10 sit back and wait for anyone who would like to share a
11 comment to please do so. So thank you very much. I
12 look forward to hearing from you.

13 Okay. I do see a hand raised. With
14 that, this is Ann Geiger; Ann, you spoke previously,
15 so thanks very much for coming back. You should now
16 have the ability to take yourself off mute, and I give
17 you a fresh three minutes.

18 MS. GEIGER: Thank you. Good evening,
19 Dr. Wayland. The thing that I am concerned about is
20 not only the Mississippi River and the Great River
21 Road, both of which would be seriously impacted by a
22 train derailment, which Canadian Pacific has a history
23 of doing. A couple -- three years ago they derailed
24 in Le Claire; reasons are still not known; shut off

1 the downtown area along the river for quite awhile.

2 I live in a 100-year-old house. The
3 railroad raised the tracks two feet all along here. I
4 now have upper sashes on my porch windows dropping
5 down.

6 I know in Le Claire, the businesses
7 complained about the vibrations. It's not just the
8 noise, which is devastating. And the idea of having
9 more trains with 120 decibels of horns, flying along
10 the tracks, is pretty upsetting. We're raising our
11 children here. We have our homes here, and everyone
12 knows that noise is very detrimental to human health.

13 In addition, the property values. Who
14 is going to want to sit next to a railroad track
15 that's running trains 24-7. In Muscatine, the two-
16 and-a-half -- pardon me, the two-hour-and-fifteen-
17 minute delay at the busiest crossing in town will
18 increase to five hours.

19 Our Iowa environmental commissioner is
20 so opposed to this. I've talked to him many times.
21 And this is not just about noise. It's about hearing;
22 it's about smelling. It's about -- actually, if you
23 talk to anyone who lives along the river, it's
24 like -- it's not if it's going to derail, but when;

1 and that's the bottom line.

2 And through the center of Iowa the
3 neighborhoods that are most affected are underserved.
4 So they will get the benefit of all the noise and all
5 the racket. And people will not want to live along
6 the river anymore, which is one of our great
7 environmental projects; I guess you could call it
8 almost a project, because we keep continuing to try to
9 keep it good and clean and someplace that people want
10 to live and commute.

11 So that's all I had. I have COVID, so
12 I've got COVID brain, so I do apologize. I'm a little
13 nuts, but I did want to say, again, please don't
14 forget those of us who live here. We're the ones who
15 are going to suffer. Not the cities where it runs
16 through a commercial district, they don't care. But
17 those of use who live here, and have lived here in my
18 case for 45 years, it matters tremendously. This is
19 where we've chosen to live. Thank you.

20 MR. BELNIAK: Okay. Thank you, Ann.
21 Best wishes on a speedy recovery.

22 MS. GEIGER: Thanks.

23 MR. BELNIAK: Okay. So with that,
24 scanning our list, I don't see any new hands raised.

1 Same information as before, if you'd like to speak,
2 please raise your hand. No new information for the
3 balance of the time we have together for the next 37-
4 or-so minutes.

5 So I'm going to go on mute; I will keep
6 an eye on our list about every ten minutes or so.
7 I'll just remind us all, in case there was maybe a
8 late joiner, about the ways to interact with us. And
9 as we approach the top of the hour, I'll do one final
10 call. And about a minute before we are at the top of
11 the hour, Josh will close us out.

12 With that, I'll be back in a few
13 minutes.

14 Good evening. Alan here once again.
15 No new hands raised or people who are indicating they
16 would like to speak. As promised, coming at you about
17 ten minutes from the last time I spoke, just a gentle,
18 friendly reminder, if you would like to speak, please
19 do raise your hand. We will call on you. There is
20 currently no one in cue, so we would love to hear any
21 comments you have.

22 Also there is information on the screen
23 on how to stay engaged if you want to share a comment
24 or ask a question. That information is also available

1 in the chat, and I will paste it once more, in case
2 anyone has joined late. Not everyone can see the
3 previous chat messages if you join late.

4 Also worth noting is any comment
5 received, whether it's verbal, whether it's e-mail,
6 telephone or through The Project website, they're all
7 treated equally. No comment format is weighted any
8 differently than any other format. So please share
9 them in whichever fashion best suits you. So you can
10 do that whenever you are able.

11 So with that I'm going to make sure to
12 come back at you in about ten minutes. And, once
13 again, if you would like to speak, please do raise
14 your hand. Thank you.

15 Good evening. Alan here once again.
16 No new hands raised. We are about 44 after, and
17 instead of coming back at you in ten minutes, I'll
18 come back in about 14 or 15 or so, which will put us
19 about two minutes out, two or three minutes out, for
20 one last call for speakers.

21 I want to make sure we give everyone
22 ample opportunity to comment. If there are none at
23 that time, we'll then stop the comment period for this
24 meeting and hand it back over to Mr. Josh Wayland to

1 close us out for the night.

2 So, again, it's 45 after. We'll come
3 back at about 56, 57 after, something along those
4 lines. And so if you'd like to speak between now and
5 then, please raise your hand. Thank you.

6 We do have a hand raised, so let me
7 make sure our timer is all set. Okay. And the hand
8 is from Mike LaRoque. Mike, hopefully I'm saying your
9 last name correctly, but you're going to get a chance
10 to take yourself off mute and correct me if I said it
11 wrong. So with that, please take yourself off mute,
12 state your name for the record, and you have three
13 minutes.

14 MR. LAROQUE: Bon Jour. Can you hear
15 me?

16 MR. BELNIAK: Yes. We can.

17 MR. LAROQUE: Bon Jour. Mike LaRoque.
18 I'm the Secretary of Treasurer for the White Earth
19 Nation. I guess I would like to speak about this
20 merger with Canadian Pacific and the Kansas railroad.

21 Our White Earth Nation is against this
22 merger because the train tracks run right through our
23 Reservation. And they run through some crucial towns
24 that have -- they have east-and-west property on each

1 side of the railroad tracks.

2 And one of the things about it is when
3 it runs through our city of Mahanomen, once one of our
4 largest cities on the Reservation, we have a large
5 Native community that's to the west of Mahanomen; we
6 have a large community on the east side, and the
7 tracks run directly through. And what's happening is
8 we -- if it increases the train tracks, if it
9 increases, what will happen is public safety and EMS
10 and everybody else, it will be very detrimental to
11 them trying to get to the emergency room, trying to
12 service one side of the tracks, and stuff like that.
13 And that's one of the reason why.

14 The other reasons why is the crude oil
15 that's going to be running through the trains through
16 the Reservation also. And with the increased traffic,
17 of, I've heard, 300 percent of railroad going down our
18 tracks, 300 percent higher is going to -- you know,
19 the railroad in my opinion doesn't have a very good
20 track record for derailments.

21 In the city of Mahanomen and the city of
22 Waubun, there's been derailments, and there's been a
23 really large derailment in Callaway, city of Callaway,
24 which sits within the borders of our Nation, and stuff

1 like that.

2 So I just don't think it's very -- it's
3 very good for this to happen, this merger. So that's
4 about it; that's -- that's about it in a nutshell.
5 It's the EMS services, law enforcement services,
6 public safety services, that's going to be hindered
7 when these trains are coming through, especially if
8 they come through and they stop, or if it's a long
9 train that causes that kind of thing like that.

10 So that's the two things and the three
11 things that I guess I would like to mention in my
12 comments, as far as the White Earth Nation
13 being against the merger that's going on. So I thank
14 you for listening to me today, and I thank you for
15 giving me this opportunity to speak at this event.
16 Miigwech.

17 MR. BELNIAK: Okay. Just like Mike had
18 the opportunity to speak and share comments, we give
19 everyone else here that same opportunity. So we're
20 about ten minutes out, ten minutes of the hour. I'll
21 come back in about seven-or-so minutes, if there are
22 no other people at the moment who want to speak, but
23 if there are, please raise your hand and let us know.
24 Thank you.

1 Okay, everyone. This is Alan once
2 again. We are approaching the top of the hour. It is
3 58 after according to the clock I have on my computer.
4 Looking once more I don't see any new hands raised or
5 anything of that nature. I do want to remind people
6 there are several ways to stay engaged. You can see
7 those items on the screen including a few websites to
8 visit, The Project website, The Board website, and the
9 online meeting room, which is how most of you found
10 this meeting. As mentioned earlier, that room will
11 remain open for some time.

12 You can also join The Project e-mail
13 list; you can reach us by e-mail or by telephone. And
14 right now I'm going to drop that link into the chat
15 once more for anyone who may have joined late and
16 there's also a link to the newest press release on the
17 STB site.

18 So with that, with not seeing any new
19 speakers, I'd like to hand the meeting back over to
20 Mr. Josh Wayland to close us out and share any next
21 steps. So with that, Josh.

22 MR. WAYLAND: Thank you, Alan. And
23 thanks to everyone, again, for attending tonight's
24 meeting.

1 Public involvement is critical to the
2 environment review process, and we really appreciate
3 your participation tonight.

4 As I mentioned at the beginning of the
5 meeting, this was our seventh and final public meeting
6 on the Draft EIS, however, there is still plenty of
7 time remaining to provide comments on the Draft EIS
8 and many ways in which you can do so.

9 The comment period for the Draft EIS
10 will end on October 14th. So any time before then we
11 encourage you to provide comments through The
12 Project's website or The Board's website. You can
13 also provide comments by mail. The address for
14 providing comments by mail is on The Project's website
15 and also in the Draft EIS. We would just ask that any
16 mail comments be postmarked by the deadline of October
17 14th.

18 As Alan mentioned a little while ago,
19 written comments, whether submitted electronically or
20 by mail, are treated exactly the same as oral comments
21 at a public meeting, and we will respond to each and
22 every comment that we receive in the final EIS.

23 So, once again, thank you for your
24 comments. I hope everyone has a great rest of your

1 evening and a wonderful rest of the week. This
2 meeting is now adjourned.

3 MR. BELNIAK: Great. Thank you, Josh.
4 Have a good evening, everyone.

5 (Whereupon, the meeting concluded at
6 7:50 p.m.)

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CERTIFICATE OF DEPOSITION OFFICER

I, MAUREEN FOODY, the officer before whom
the foregoing proceedings were taken, do hereby
certify that any witness(es) in the foregoing
proceedings, prior to testifying, were duly sworn;
that the proceedings were recorded by me and
thereafter reduced to typewriting by a qualified
transcriptionist; that said digital audio recording of
said proceedings are a true and accurate record to the
best of my knowledge, skills, and ability; that I am
neither counsel for, related to, nor employed by any
of the parties to the action in which this was taken;
and, further, that I am not a relative or employee of
any counsel or attorney employed by the parties
hereto, nor financially or otherwise interested in the
outcome of this action.



MAUREEN FOODY

Notary Public in and for the
State of Illinois

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otherwise interested in the outcome of this action.

A handwritten signature in black ink, reading "Michelle Grossmann", is written over a horizontal line.

MICHELLE GROSSMANN

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Illinois Code of Civil Procedure

Article II, Part E

Rule 207, Signing and Filing Depositions

Signing and Filing Depositions

(a) Submission to Deponent; Changes; Signing.

Unless signature is waived by the deponent, the officer shall instruct the deponent that if the testimony is transcribed the deponent will be afforded an opportunity to examine the deposition at the office of the officer or reporter, or elsewhere, by reasonable arrangement at the deponent's expense, and that corrections based on errors in reporting or transcription which the deponent desires to make will be entered upon the deposition with a statement by the deponent that the reporter erred in reporting or transcribing the answer or answers involved. The deponent may not otherwise change either the form or substance of his or her answers. The deponent shall provide the officer with an electronic or physical address to which notice is to be sent when the transcript is available for examination and signing. When the deposition is fully transcribed, the officer shall deliver to the deponent, at the address supplied,

notice that it is available and may be examined at a stated place at stated times, or pursuant to arrangement. After the deponent has examined the deposition, the officer shall enter upon it any changes the deponent desires to make, with the reasons the deponent gives for making them. If the deponent does not appear at the place specified in the notice within 28 days after the mailing of the notice, or within the same 28 days make other arrangements for examination of the deposition, or after examining the deposition refuses to sign it, or after it has been made available to the deponent by arrangement it remains unsigned for 28 days, the officer's certificate shall state the reason for the omission of the signature, including any reason given by the deponent for a refusal to sign. The deposition may then be used as fully as though signed, unless on a motion to suppress under Rule 211(d) the court holds that the reasons given by the deponent for a refusal to sign require rejection of the deposition in whole or in part.

(b) Certification, Filing, and Notice of Filing.

(1) If the testimony is transcribed, the officer

shall certify within the deposition transcript that the deponent was duly sworn by the officer and that the deposition is a true record of the testimony given by the deponent. A deposition so certified requires no further proof of authenticity

(2) Deposition transcripts shall not be filed with the clerk of the court as a matter of course. The party filing a deposition shall promptly serve notice thereof on the other parties and shall file the transcript and any exhibits in the form and manner specified by local rule.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.