



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

August 14, 2023

Joe Van Humbeck
7550 Ogden Dale Road S.E.
Calgary, AB T2C 4X9
Canada

Re: Docket No. FD 36500, Canadian Pacific Railway Limited, et al.—Control of—
Kansas City Southern, et al.; Quarterly Environmental Mitigation Measures
Report for March 15-June 14, 2023

Dear Mr. Van Humbeck,

In its March 15, 2023 decision granting Canadian Pacific Railway Limited the acquisition of control of Kansas City Southern, the Surface Transportation Board (Board) imposed 90 environmental mitigation conditions, consisting of voluntary measures and additional mitigation measures recommended by the Board's Office of Environmental Analysis (OEA). The Board's decision requires Canadian Pacific Kansas City (CPKC) to submit quarterly reports to OEA on the progress of implementation of, and compliance with, the Board-imposed environmental mitigation. On July 14, 2023, CPKC submitted its first report for the quarter ending June 14, 2023.

OEA has reviewed the quarterly report and has identified the following mitigation measures that were not addressed:

Noise

- VM-Noise-02

Air Quality

- VM-Air-06
- VM-Air-08

Hazardous Material Release Sites

- VM-Haz. Material Sites-03
- VM-Haz. Material Sites-04
- VM-Haz. Material Sites-05
- MM-Haz. Material Sites-04

Biological Resources

- VM-Biological-02
- VM-Biological-03
- VM-Biological-05
- VM-Biological-06
- VM-Biological-07
- VM-Biological-09
- VM-Biological-10
- VM-Biological-11
- MM-Biological-01
- MM-Biological-03

Water Resources

- VM-Water-04
- VM-Water-10
- VM-Water-11
- VM-Water-12
- VM-Water-13

While we understand that certain environmental mitigation conditions do not require a full explanation and/or may not be applicable at this time, we ask that all environmental conditions be addressed to give OEA a full picture of CPKC's implementation and compliance. Please update your first quarterly report by addressing the mitigation measures listed above by September 15, 2023. Moving forward, please address all the Board-imposed environmental mitigation conditions in order. If you have any questions, please do not hesitate to contact me or Elizabeth Webster at (202) 360-0742.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Gosselin". The signature is fluid and cursive, with the first name "Danielle" and last name "Gosselin" clearly distinguishable.

Danielle Gosselin
Director
Office of Environmental Analysis