

October 13, 2023

Jay C. Johnson

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Danielle Gosselin
Director
Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: Docket No. FD 36500, CPKC Quarterly Environmental Mitigation
Measures Report for June 15–September 14, 2023

Dear Ms. Gosselin:

The Board's decision approving the merger in this proceeding requires CPKC to submit quarterly reports to the Office of Environmental Assessment "on the progress of, implementation of, and compliance with all Board-imposed environmental mitigation measures." The decision also explains that "[t]he Board's consistent practice in imposing environmental conditions is to mitigate only impacts resulting directly from the transaction." OEA studied those impacts in its EIS.

With this letter, CPKC is enclosing its second quarterly environmental mitigation measures report. You will see that the report covers mitigation for the impacts studied in the EIS during the quarter starting June 15 and ending September 14, 2023. Additionally, please note that beginning with this quarterly report and for convenience, CPKC will use a table format for its mitigation measure compliance report to ease review.

As always, we are happy to discuss these issues with you, so please contact me if you have any questions.

Sincerely,



Jay C. Johnson



CPKC Quarterly Environmental Mitigation Measure Compliance Report Number 2

This report includes compliance activities completed between June 15, 2023, and September 14, 2023 (Quarter 2, Year 1 of the STBs oversight period following the acquisition of KCS by CP, STB Docket FD 36500)

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
1	General Mitigation Measures	<i>VM-General-01. The Applicants will continue to engage in good faith with potentially affected communities along the combined network, listen to their input related to the proposed merger and strive to reach negotiated agreements to address merger-related impacts.</i>	CPKC representatives, including community liaisons for Chicago and Houston, continue to regularly engage and meet with community leaders along the combined network to work towards addressing concerns and maintaining an open dialogue. In addition to the meetings outlined below, CPKC representatives regularly speak with city officials through the network and are always available to address concerns. On August 2, 2023, CPKC representatives met with city officials from Ottumwa, IA. On August 22, 2023, CPKC representatives met with city officials from McGregor, IA. On September 20, 2023, CPKC representatives met with officials from Muscatine, IA. On September 25, 2023, CPKC representatives met with city officials from Davenport, IA. On September 12, 2023, CPKC representatives met with the Greater Houston Partnership which serves over 900 member companies in the 12-county Houston region to ensure that CPKC addresses the needs of a broad group of stakeholders in the region. On September 13, 2023, CPKC representatives met with the East End District, a group focused on economic development of the Houston area to discuss opportunities to improve infrastructure and community relations. On September 28, CPKC representatives met with staff for Houston City Council Members Robert Gallegos, David Robinson, and Karla Cisneros. On July 13 and August 17, 2023, CPKC representatives met with the Illinois Coalition of Communities. Additionally, CPKC representatives met with Metra during this time to review mitigation measures. In addition, CPKC has also met with various members of the coalition to discuss community specific items.
2	General Mitigation Measures	<i>VM-General-02. The Applicants will follow all applicable Federal Railroad Administration (FRA) and Occupational Safety and Health Administration construction and operational safety regulations to minimize the potential for incidents during construction of the Capital Improvement Projects and operation of the combined network.</i>	During the reporting period, CPKC received two Notice of Violation from the FRA related to operational safety of employees: Notices of Violation – June 15, 2023 – High Oak Yard (Mississippi). An electrical panel safety cover was left uninstalled and a second cover was loose. The maintenance employees

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			responsible for the locomotive inspections were provided coaching. Notice of Violation – July 14, 2023 – Portage Yard (Wisconsin). Three rail cars on a yard track were left unattended with no hand brakes applied. The yard employees who had left the cars on the track were provided coaching.
3	General Mitigation Measures	<i>MM-General-01. If there is a material change in the facts or circumstances upon which the Board relied in imposing specific environmental mitigation conditions, and upon petition by any party who demonstrates such material change, the Board shall consider revising its final mitigation, if warranted and appropriate.</i>	CPKC is not aware of any material changes in the facts or circumstances upon which the Board relied.
4	General Mitigation Measures	<i>MM-General-02. The Applicants shall submit quarterly reports to OEA on the progress of, implementation of, and compliance with all Board-imposed environmental mitigation measures. The reporting period for these quarterly reports shall begin on the date of the Board’s final decision authorizing the acquisition and continue for seven years, or one year after the Applicants have completed capital improvements related to the acquisition, whichever is longer. The Applicants shall submit copies of the quarterly reports within 30 days following the end of each quarterly reporting period and distribute the reports to appropriate federal and state agencies, as specified by OEA.</i>	This is CPKC’s second quarterly compliance report, covering the period of June 15, 2023, to September 14, 2023.
5	General Mitigation Measures	<i>MM-General-03. To minimize the potential for impacts for impacts on biological resources, water resources, hazardous materials release sites, and cultural resources, the Applicants shall, to the greatest extent possible, confine construction activities related to the planned capital improvements to the area within the existing ROW.</i>	CPKC continues to work with the selected contractors to limit construction works to the greatest extent possible to the existing Right-of-Way.
6	Freight and Passenger Rail Safety	<i>VM-Rail-01. The Applicants will comply with FRA and Pipeline and Hazardous Materials Safety Administration regulations applicable to the safe and secure transportation of hazardous materials.</i>	During the reporting period, CPKC has been in compliance with all applicable FRA and PHMSA regulations and did not receive any fines or notices of a recommended violation from the FRA or PHMSA related to the safe and secure transportation of hazardous materials.

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7	Freight and Passenger Rail Safety	VM-Rail-02. <i>The Applicants will comply with the Safety Integration Plan (SIP), prepared pursuant to 49 C.F.R. Part 1106, which may be modified and/or updated as necessary to respond to evolving conditions and/or new information. In the event of a reportable hazardous materials release, the Applicants will notify appropriate federal, state, and local agencies, as required under applicable law.</i>	CPKC continues to progress the integration plans set out in its approved Safety Integration Plan (SIP) and has regular communications with the FRA regarding the SIP. All reportable hazardous material releases were reported to appropriate federal, state and local agencies as required under applicable law.
8	Freight and Passenger Rail Safety	VM-Rail-03. <i>The Applicants will conduct Transportation Community Awareness and Emergency Response Program (TRANSCAER) workshops (training for communities through which dangerous goods are transported) in potentially affected communities that request this training. The Applicants will conduct the workshops in English and, upon request, Spanish. Training will include support for appropriate access to the AskRail app and its use to facilitate rapid, real-time access for qualified responders to information about hazardous materials in rail transportation.</i>	The CPKC Emergency Response and Hazardous Materials team completed the following training events during the reporting period: Blue Springs, MO – TRANSCAER training – 43 participants Albany, IL – Emergency Boat Operator Training – 55 participants Cordova, IL – Railroad 101 training – 80 participants Letts, IA – Railroad 101 training – 30 participants Kansas City, KS – area TRANSCAER training – 50 participants
9	Freight and Passenger Rail Safety	VM-Rail-04. <i>The Applicants will offer to fund the participation in railroad focused emergency response training at the Association of American Railroads’ Security and Emergency Response Training Center in Pueblo, Colorado, of two qualified firefighters providing service within each of the potentially affected communities.</i>	During the reporting period, the CPKC Emergency Response and Hazardous Materials team continued curriculum development for the railroad focused emergency response training course. CPKC remains on schedule to begin offering this course to firefighters from potentially affected communities in 2024. In response to a direct request from the Chicago area communities along the Elgin Subdivision, CPKC put on two railroad focused emergency response training courses at the Illinois Fire Service Institute. A total of 13 firefighters from these communities participated in the training and an additional course is being offered in October with 12 participants from this region currently registered.
10	Freight and Passenger Rail Safety	VM-Rail-05. <i>The Applicants will leverage CP’s extensive emergency response equipment assets by reviewing coverage of those assets across CPKC. The Applicants will either redistribute existing assets or add new equipment assets to improve emergency response capabilities relating to the potentially affected communities on CPKC.</i>	CPKC continues to review emergency response contractor capabilities and asset coverage across the US portion of the combined network and has determined that, as a first step, two new Emergency Response and Hazardous Materials Officers will be added to the team. These positions are now posted on CPKC’s recruiting website.

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11	Freight and Passenger Rail Safety	<i>VM-Rail-06. The Applicants will abide by their commitments to Amtrak in their agreement dated December 17, 2021. In general, the Applicants will support the efforts of Amtrak and the Southern Rail Commission to establish Amtrak service between New Orleans and Baton Rouge, and study the potential for Amtrak service between Meridian, Mississippi and Dallas, Texas. Additionally, Applicants will work with Amtrak to increase the frequency on the Hiawatha service between Chicago and Milwaukee; extend Hiawatha service from Milwaukee to Saint Paul and create a second round-trip on the Twin Cities-Milwaukee-Chicago corridor; and establish passenger service through the Detroit River Tunnel, connecting Detroit to Windsor, Ontario in order to facilitate passenger service between Detroit and Windsor connecting to VIA Rail.</i>	CPKC continues to work with Amtrak to abide by our service commitments in our agreement dated December 17, 2021. New Orleans to Baton Rouge: CPKC representatives have reviewed the draft feasibility study completed by Louisiana Department of Transportation & Development (“LADOTD”) and have approved the study proceeding to the next step. Meridian, Mississippi and Dallas, Texas (“I-20 corridor service”): CPKC representatives have continued to work with stakeholders to fulfill commitments to study I-20 corridor service, including submitting support letters outlining the commitment to the study for federal grants on the service and attending meetings on Capitol Hill and at the FRA with the Southern Rail Commission. Detroit to Windsor: CPKC is in engaged with Amtrak on establishing this service. CPKC is waiting for Amtrak to present the purposed route and details on the new service. Twin Cities-Milwaukee-Chicago corridor: Schedules for the first round trip have been approved and CPKC is awaiting Amtrak to start the new Great River Service. CPKC has been engaged with stakeholders on the new infrastructure projects required for the added service. The projects are still in the designs stage and are progressing to final designs. Construction is slotted to begin in spring of 2024. Once these projects have been completed, Amtrak will be able to start the second round trip. Hiawatha service: CPKC has been working with stakeholders from Amtrak and Wis-Dot on the agreed upon infrastructure projects around the Milwaukee area. Design work continues to progress on these projects. The construction schedule for most of these projects haven’t been determined yet. Once these projects are completed Amtrak will be allowed to add an eighth round trip. Amtrak, Wis-Dot and CPKC will be restarting up a Bi-weekly call on Oct 19, 2023 to discuss what new infrastructure projects will be needed to add the ninth and tenth roundtrips. These discussions were suspended due to the Pandemic.

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12	Freight and Passenger Rail Safety	MM-Rail-01. <i>The Applicants shall comply with the SIP prepared under 49 C.F.R. part 1106 and 49 C.F.R. § 244.9, which may be updated as necessary, and shall continue to coordinate with FRA in implementing the SIP during the operations integration period. The ongoing safety integration process shall continue until FRA has informed the Board that the integration of Applicants' operations has been safely completed.</i>	CPKC continues to progress the integration plans set out in its approved Safety Integration Plan (SIP) and has regular communication with the FRA regarding the SIP.
13	Grade Crossing Safety and Delay	VM-Grade Crossing-01. <i>Although the Applicants have not identified any grade crossings that would require mitigation based on precedent established in other approved mergers, the Applicants will, upon request, work with potentially affected communities in support of securing funding, in conjunction with appropriate state agencies, for crossing mitigation projects where they may be appropriate under criteria established by relevant state transportation departments to increase the safety of existing at-grade crossings.</i>	CPKC worked with the city of Davenport, IA, and supported multiple grant applications to secure funding to improve safety through the community. Davenport, IA received two grants, one Rail Crossing Elimination (RCE) Grant to grade separate Concord Avenue and close Wapelo Avenue, and one Consolidated Rail Infrastructure Safety Improvement (CRISI) grant to upgrade crossing warning devices and implement other safety improvements. CPKC continues to work with the City of Liberty, MO to develop plans for grade separation at Old Birmingham Rd. CPKC is working with the City of Leesville, LA as well as LADOTD in order to review the rail corridor for possible grade separations and crossing closures. CPKC continues to participate in the Gulf Coast Rail District's Houston Area Rail Transformation (HART) Working Group. The HART working group is made up of regional stakeholders joining together to produce a collaborative and programmatic approach to leverage public and private funding opportunities for railroad projects in the Houston region.
14	Grade Crossing Safety and Delay	VM-Grade Crossing-02. <i>The Applicants will operate under the General Code of Operating Rules rule numbers 6.32.6 (Blocked Public Crossings) and 6.32.4 (Clear of Crossings and Signal Circuits), which provide that, when practical, a standing train or switching movement must avoid blocking a public crossing longer than 10 minutes and, when practical, cars, engines and other equipment should not be left standing closer than 250 feet from a road crossing when there is an adjacent track.</i>	CPKC does not currently have an automated system in place that generates data regarding all stopped trains blocking crossings for longer than 10 minutes. For the purpose of this reporting period, CPKC is replying on calls from the public to the Public Safety Communication Center / Community Connect line. It is important to note that CPKC does not have a way to confirm the validity of all reports received. During the reporting period, CPKC received reports of 190 unique incidents to PSCC / Community Connect regarding trains blocking crossing (some incidents resulted in more than one call). These incidents can be broken down as:

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			- 137 reports from Iowa (including 59 from the Quad Cities area, 15 from Clinton, and 8 from Ottumwa) - 15 reports from Illinois (including 8 from Coalition communities) - 6 reports from Missouri - 31 reports from Louisiana (including 17 from Leesville) - 1 report from Arkansas
15	Grade Crossing Safety and Delay	VM-Grade Crossing-03. <i>The Applicants will consult with potentially affected communities to improve visibility at roadway/rail at-grade crossing by clearing vegetation where practicable.</i>	CPKC completed vegetation management activities at 138 public crossings on the Pittsburg and Beaumont Subdivision during the reporting period.
16	Grade Crossing Safety and Delay	VM-Grade Crossing-04. <i>Where practicable, the Applicants will investigate the potential to create alternative access for properties whose sole access will be blocked more than once per week by a train stationary longer than 10 minutes at a single location.</i>	As part of CPKC's ongoing design work on the proposed Goodman Siding, an access road is being included along the west side of the Right-of-Way at the north end of the project to ensure neighbours can maintain access to their property while a train is sitting in the siding.
17	Grade Crossing Safety and Delay	VM-Grade Crossing-05. <i>For the construction of additional track through road crossings within the limits of the Capital Improvement Projects, where practicable, the Applicants will consult with local transportation officials regarding detours and associated signs, as appropriate, or attempt to maintain at least one open lane of traffic, as practicable, to allow the quick passage of emergency and other vehicles.</i>	During the reporting period, CPKC did not need to close any road crossings to facilitate the construction of the Capital Improvement Projects.
18	Grade Crossing Safety and Delay	VM-Grade Crossing-06. <i>The Applicants will notify Emergency Services Dispatching Centers for potentially affected communities of all crossings blocked by trains that are stopped and may be unable to move for a significant period of time.</i>	During the reporting period, the CPKC Public Safety Communications Center routinely provided notice to local Emergency Services Dispatching Centers along the Chicago, IL to Laredo, TX corridor on those occasions when a train which was blocking a crossing and wouldn't be able to move for a significant period of time.

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19	Grade Crossing Safety and Delay	MM-Grade Crossing-01. <i>The Applicants shall consult with appropriate state Departments of Transportation and other appropriate agencies, including the Illinois Commerce Commission for grade crossings in Illinois, prior to constructing, relocating, upgrading, or modifying grade crossings as part of the acquisition, including grade crossing warning devices, and shall abide by those agencies' reasonable requirements for the design of grade crossings and associated warning devices.</i>	CPKC representatives continue to engage with counterparts at the respective state DoTs as well as the Illinois Commerce Commission.
20	Noise and Vibration	VM-Noise-01. <i>The Applicants will fund the improvements necessary to allow any potentially affected community with an existing Quiet Zone to maintain that designation should the increase in merger related train traffic cause that community to fall out of compliance with FRA regulations.</i>	CPKC is not aware of any Quiet Zones which have fallen out of compliance with FRA regulations as a result of merger related train traffic increases.
21	Noise and Vibration	VM-Noise-02. <i>While building the Capital Improvement Projects, the Applicants will work with their construction contractors to minimize, where practicable, construction-related noise disturbances between the hours of 2100 and 0700 local time.</i>	During the reporting period, the following construction activities needed to occur between the hours of 2100 and 0700: 1) Due to a period of extreme daytime temperatures, CPKC authorized its contractor at Washington Siding to begin as early as 0530 so that their work day could be completed earlier, protecting the health and safety of the workers. All of the construction work during this period was completed in a rural area away from populated locations. 2) Due to the length of time the existing tracks needed to be removed from service to install the new culverts at Newtown, this activity was completed over night. The night work was required to ensure the fluidity of train traffic on the corridor. 3) Four shifts of nighttime work were required to install the new switches at Newtown and to place the siding into service. The night work was required to ensure the fluidity of train traffic on the corridor. 4) Two shifts of nighttime work were required to install the new switch at Laredo. The night work was required to ensure the fluidity of train traffic on the corridor.
22	Noise and Vibration	VM-Noise-03. <i>In the construction of the Capital Improvement Projects, the Applicants will, where practicable and consistent with</i>	All of the Capital Improvement Projects have been designed with continuously welded rail.

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		<i>safe and efficient operating practices, use continuously welded rail in order to reduce wheel/rail wayside noise.</i>	
23	Noise and Vibration	MM-Noise-01. <i>To minimize noise and vibration, the Applicants shall maintain rail and rail beds according to American Railway Engineering and Maintenance-of-Way Association standards.</i>	During the reporting period, CPKC was in compliance with all applicable AREMA standards and FRA regulations and did not receive any fines or notices of a recommended violation from the FRA related to the maintenance of the rail or rail bed.
24	Noise and Vibration	MM-Noise-02. <i>The Applicants shall comply with FRA regulations establishing decibel limits for train operations.</i>	During the reporting quarter, CPKC was in compliance with all applicable FRA regulations and did not receive any fines or notices of a recommended violation from the FRA related to the decibel limits for train operations.
25	Noise and Vibration	MM-Noise-03. <i>The Applicants shall consider lubricating curves where doing so would both be consistent with safe and efficient operating practices and significantly reduce noise for residential or other noise sensitive receptors.</i>	CPKC has engaged a consultant to begin assessing if there are any curves in proximity to residential or other noise sensitive receptors which could be candidates for curve lubrication.
26	Noise and Vibration	MM-Noise-04. <i>The Applicants shall employ safe and efficient operating procedures that, in lieu of, or as complement to, other noise mitigation measures can have the collateral benefit of effectively reducing noise from train operations. Such procedures may include:</i> <i>a) Inspecting rail car wheels to maintain wheels in good working order and minimize the development of wheel flats;</i> <i>b) Inspecting new and existing rail for rough surfaces and, where appropriate, grinding these surfaces to provide a smooth rail surface during operations;</i> <i>c) Regularly maintaining locomotives and keeping mufflers in good working order; and</i> <i>d) Removing or consolidating switches that the Applicants determine are no longer needed.</i>	a) During the reporting period, CPKC was in compliance with all applicable FRA regulations and did not receive any fines or notices of a recommended violation from the FRA related to the maintenance of railcar wheels. b) CPKC completed approximately 490 miles of mainline production rail grinding during the reporting quarter on the Chicago, Davenport, Ottumwa, and Kansas City Subdivisions. c) As part of CPKC's routine locomotive maintenance program, mufflers and other components of the exhaust system are inspected at regular intervals and repaired as required. During the reporting period, CPKC was in compliance with all applicable FRA regulations and did not receive any fines or notices of a recommended violation from the FRA related to the maintenance of locomotive mufflers. d) CPKC did not remove any switches during the reporting period.

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27	Noise and Vibration	MM-Noise-05. The Applicants shall promptly respond to community inquiries concerning the establishment of Quiet Zones and assist communities in identifying supplemental or alternative safety measures, practical operational methods, or technologies that may enable the community to establish Quiet Zones in accordance with FRA’s final rule on the “Use of Locomotive Horns at Highway-Rail Grade Crossings.”	CPKC has promptly responded to community inquiries concerning the establishment of quiet zones and is working with Roselle, IL, Hampshire, IL, Bettendorf, IA, Davenport, IA, and Clinton, IA.
28	Air Quality and Climate Change	VM-Air-01. The Applicants commit to developing Green House Gas (GHG) reduction targets for the combined network and request verification as appropriate from the Science Based Targets initiative (SBTi). As reference, CP’s current SBTi approved target is a 38.3% reduction in well-to-wheels GHG emissions (on an intensity basis) from locomotive operations by 2030 compared to a 2019 base year. CP has also committed to committed to 27.5% GHG reduction (on an absolute basis) by 2030 compared to a 2019 base year for non-locomotive Scope 1 and Scope 2 emissions. KCS has a SBTi target to reduce Scope 1 and 2 GHG emissions by 42% by 2034.	As CPKC reported in Quarterly Compliance Report 1, this has been completed.
29	Air Quality and Climate Change	VM-Air-02. The Applicants commit to undertaking a combined network in-depth climate scenario analysis aligned to Task Force on Climate-related Financial Disclosures (TCFD) recommendations to understand how a changing climate may impact CPKC. The Applicants further commit to improving the resiliency of the combined network to the physical risks of climate change through its capital program.	CPKC is planning to undertake the combined network in-depth climate scenario analysis in 2024. This climate scenario analysis will help identify the areas of CPKC’s network most at risk from the physical risks of climate change and help guide CPKC’s Capital Program in future years.
30	Air Quality and Climate Change	VM-Air-03. As part of the ongoing reconfiguration of Bensenville Yard (a non-merger related project being undertaken as part of the development of the Illinois Tollway’s Elgin O’Hare Western Access Project), the Applicants commit to undertake studies to identify ways to reduce the GHG emissions (and by extension, also reduce other air emissions) at Bensenville Yard.	CPKC has reviewed the report from the consultant retained to identify ways to reduce the GHG emissions at Bensenville Yard. At present, CPKC is planning to include electric overhead gantry cranes in the second phase of the intermodal operation realignment (it is not possible to include these cranes in the first phase because of the facility’s proximity to Chicago O’Hare Runway 4R/22L). The second phase of the project is currently scheduled to occur after the Union Pacific bridge over Bensenville Yard is replaced.
31	Air Quality and Climate Change	VM-Air-04. The Applicants will comply with U.S. Environmental Protection Agency (EPA) emissions standards for diesel-electric railroad locomotives when purchasing and rebuilding locomotives.	CPKC did not take possession of any new or rebuilt locomotives during the reporting quarter.
32	Air Quality and Climate Change	VM-Air-05. The Applicants will develop an anti-idling policy for use in potentially affected communities on the combined network.	CPKC has issued an Anti-Idling Guideline for use by CPKC’s contractors on the construction of the Capital Improvement Projects. CPKC is in the process of developing a company-wide

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		<i>The policy will capture both idling of construction equipment used on the Capital Improvement Projects as well as ongoing operations.</i>	Anti-Idling Policy which will apply to all non-locomotive combustion engines (locomotive idling is subject the respective operating rules and regulations of Canada, the United States, and Mexico).
33	Air Quality and Climate Change	VM-Air-06. <i>To minimize fugitive dust emissions created during the construction of the Capital Improvement Projects, the Applicants will implement appropriate fugitive dust suppression controls, such as spraying water or other approved measures.</i>	To prevent fugitive dust emissions, the construction contractors have monitored dusting conditions and applied dust control measures, such as site watering, as required.
34	Air Quality and Climate Change	VM-Air-07. <i>The Applicants will work with the contractors selected to construct the Capital Improvement Projects to make sure that construction equipment is properly maintained and that mufflers and other required pollution-control devices are in working condition in order to limit construction-related air emissions.</i>	CPKC continues to work with all construction contractors selected for the Capital Improvement Projects to ensure that all of their equipment is properly maintained, and that mufflers and other required pollution control devises are in proper working order.
35	Air Quality and Climate Change	VM-Air-08. <i>Where vegetation clearing has taken place during the construction of the Capital Improvement Projects, the Applicants will begin revegetation as soon as practicable to minimize impacts of wind erosion and fugitive dust. Where immediate revegetation is not practicable, the Applicants will implement alternative stabilization measures such as matting, mulching, or hydroseeding.</i>	CPKC's contractors are implementing measures to minimize wind erosion and fugitive dust. As part of the final site stabilization following completion of track construction, the contractors are applying matting, mulch and/or hydroseed.
36	Cultural Resources	MM-Cultural-01. <i>Prior to beginning any construction activities related to the 25 planned capital improvements, the Applicants shall prepare a construction monitoring plan that addresses the following:</i> • <i>Training procedures to familiarize construction personnel with the identification and appropriate treatment of historic properties;</i> • <i>Monitoring of construction activities by a qualified professional archaeologist;</i> • <i>Provisions for monitoring and coordination for work within tribal reservation boundaries;</i> • <i>Provisions for the unanticipated discovery of archaeological sites or associated artifacts during construction activities, including procedures for notifying OEA and the appropriate State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO), pursuant to 36 C.F.R. § 800.13(b) in the event of an unanticipated discovery; and</i> • <i>Provisions for complying with the Native American Graves Protection and Repatriation Act (25 U.S.C. § 3001-3013) and other</i>	CPKC completed this measure prior to beginning construction on any of the Capital Improvement Projects.

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		<i>applicable federal, state, and local laws and regulations in the event of inadvertent discoveries of an unanticipated discovery of unmarked human remains during construction activities.</i> <i>The Applicants shall provide the construction monitoring plan to OEA and appropriate THPOs for review no later than 30 days prior to the start of any construction activities related to the 25 planned capital improvements and shall abide by the provisions of the plan, including any revisions by OEA and appropriate THPOs, during construction activities.</i>	
37	Cultural Resources	MM-Cultural-02. <i>The Applicants shall abide by their commitments to design and engineer the 25 planned capital improvements to remain within existing rail ROW, to maintain the existing rail footprint in locations immediately adjacent to archaeological sites that OEA has identified as eligible for listing on the National Register, and to not perform any construction activities related to the 25 planned capital improvements within the boundaries of National Register-eligible archeological sites identified by OEA.</i>	CPKC continues to abide by the commitment to design and engineer the 25 planned capital improvement so as to maintain the existing rail footprint in locations immediately adjacent to archaeological and historical sites which the OEA has identified as eligible for listing on the National Register.
38	Hazardous Material Release Sites	VM-Haz. Material Sites-01. <i>The Applicants will require its construction contractor(s) to implement measures to protect workers' health and safety and the environment in the event that undocumented hazardous material are encountered during construction of the Capital Improvement Projects. The Applicants will document all activities associated with the previously undocumented contamination and will notify the appropriate state agencies according to applicable regulations. The Applicants will use disposal methods which comply with applicable solid and hazardous waste regulations.</i>	CPKC's contractors have included measures in their Health and Safety Plans to protect workers in the event previously undocumented hazardous materials are discovered.
39	Hazardous Material Release Sites	VM-Haz. Material Sites-02. <i>Prior to the start of construction for each Capital Improvement Project, the Applicants will develop a site-specific spill prevention, control and response plan. This plan will specify measures to prevent the release of petroleum products or other hazardous materials during construction activities and contain such discharges if they occur.</i>	Prior to the start of construction, CPKC's contractors have developed site specific spill prevention, control and response plans.
40	Hazardous Material Release Sites	VM-Haz. Material Sites-03. <i>In the event of a spill over the applicable reportable quantity during the construction of a Capital Improvement Project, the Applicants will comply with its site-specific spill prevention, control and response plan and applicable</i>	There were no spills over applicable reportable quantities at the Capital Improvement Projects during the reporting period.

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		<i>federal and state regulations pertaining to spill containment, appropriate clean-up, and notifications.</i>	
41	Hazardous Material Release Sites	VM-Haz. Material Sites-04. <i>During the construction of the Capital Improvement Projects, the Applicants will ensure that gasoline, diesel fuel, oil, lubricants, and other petroleum products are handled and stored to reduce the risk of spills contaminating soils or surface waters. If a petroleum spill occurs as a result of construction, and exceeds specific quantities or enters a waterbody, the Applicants (or its agents) will be responsible for promptly cleaning up the spill and notifying responsible agencies in accordance with federal and state regulations.</i>	All petroleum products on site are properly stored and this is inspected daily by each site's respective environmental monitor.
42	Hazardous Material Release Sites	VM-Haz. Material Sites-05. <i>The Applicants will require contractors to dispose of waste generated on the Capital Improvement Projects in accordance with all applicable federal, state, and local regulations.</i>	All waste generated on site at the Capital Improvement Projects under construction was disposed of in accordance with applicable laws and regulations.
43	Hazardous Material Release Sites	MM-Haz Material Sites-01. <i>The Applicants shall notify EPA prior to undertaking any capital improvements related to the acquisition within the EPA Orongo-Duenweg Mining Belt Superfund site.</i>	CPKC will notify the EPA prior to beginning construction on the Asbury Siding Extension.
44	Hazardous Material Release Sites	MM-Haz Material Sites-02. <i>The Applicants shall notify the Iowa Department of Natural Resources prior to undertaking any capital improvements related to the acquisition that could affect the Archer Daniels Midland Corn Processing Facility Industrial Waste Landfill near the Camanche, Iowa site.</i>	CPKC will engage with the Iowa DNR prior to the start of construction at the proposed Camanche Siding Extension.
N/A	Hazardous Material Release Sites	MM-Haz Material Sites-03. <i>Appendix C of the Board's Decision approving, with conditions, CP acquisition of KCS did not contain a Mitigation Measure with this label.</i>	N/A
45	Hazardous Material Release Sites	MM-Haz Material Sites-04. <i>The Applicants shall use established standards for recycling or reuse of construction materials, such as ballast and rail ties, during the construction of capital improvements related to the acquisition. When recycling construction materials is not a viable operation, the Applicants shall use disposal methods that comply with applicable solid and hazardous waste regulations.</i>	No used ballast or rail ties were generated at the Capital Improvement Projects during the reporting quarter and thus none were reused.

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
46	Hazardous Material Release Sites	MM-Haz Material Sites-05. <i>For capital improvements related to the acquisition, the Applicants shall follow American Society of Testing and Materials E1527-05, Standard Practice for Environmental Site Assessments: Phase 1 Environmental Site Assessment Process in areas where potential contamination could be encountered. If the Applicants encounter contamination (or signs of potential contamination) during these activities, Applicants shall perform a Phase 2 environmental investigation. Should findings of a Phase 2 environmental investigation identify contamination in soil and/or groundwater, the Applicants shall coordinate with relevant state agencies on regulatory obligations and comply with those agencies' reasonable requirements for avoiding impacts related to soil and/or groundwater contamination.</i>	CPKC completed Phase 1 Environmental Site Assessments for all of the Capital Improvement Projects. None of the Phase 1 Assessments recommended a Phase 2 Assessment.
47	Biological Resources	VM-Biological-01. <i>In alignment with CP's Environmental Policy, the Applicants commit to implementing methods to promote No Net Loss of sensitive habitats (e.g., aquatic areas, wetlands, riparian areas, native prairie, old growth forest) when constructing the Capital Improvement Projects.</i>	CPKC continues to implement methods to promote No Net Loss of sensitive habitats on the Capital Improvement Projects.
48	Biological Resources	VM-Biological-02. <i>Where practicable, the Applicants will clear vegetation in preparation for the Capital Improvement Projects before or after the breeding bird nesting season, specific to each project location, to avoid inadvertent removal of active nests (nesting adults, young, or eggs) and to ensure compliance with the Migratory Bird Treaty Act. If clearing is required during a respective location's nesting season, the Applicants will consult with OEA and the local office of the U.S. Fish and Wildlife Service (USFWS) on appropriate nest survey methods for that area.</i>	There was no clearing of trees or brush during the reporting period.
49	Biological Resources	VM-Biological-03. <i>The Applicants will not conduct construction related tree removal for the Capital Improvement Projects during the active season for the Indiana bat and the northern long-eared bat (April 1 to October 31).</i>	There was no clearing of trees or brush during the reporting period.
50	Biological Resources	VM-Biological-04. <i>During the construction of the Capital Improvement Projects, the Applicants will take steps to reduce the unnecessary removal of bat habitat outside of active bat season by limiting tree removal to only the areas necessary to safely construct and operate the new siding or second track, marking the limits of</i>	There was no clearing of trees or brush during the reporting period.

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
		<i>tree clearing through the use of flagging or fencing, and ensuring that construction contractors understand clearing limits and how they are marked in the field.</i>	
51	Biological Resources	VM-Biological-05. <i>If construction of the Capital Improvement Projects would require removal or alteration of bridges, culverts, or other structures that provide suitable habitat for the northern long-eared bat or the Indiana bat during the active season for those species (April 1 to October 31), the Applicants will first conduct an inspection for the presence of, or evidence of use by, bats. The inspection will be completed by a qualified biologist. If the inspection finds bats or evidence of bats, then the Applicants will not commence work on the structure until coordinating with OEA and USFWS to determine appropriate follow-up or mitigative actions. The inspection must be completed during the same year that the work takes place.</i>	Prior to altering or removing any bridge or culvert on the Capital Improvement Projects, a qualified biologist completed an inspection for bats. No signs of roosting or use by bats were observed.
52	Biological Resources	VM-Biological-06. <i>Where practicable, the Applicants will conduct any culvert or bridge removal as part of the Capital Improvement Projects outside of the roosting period of bat species, specific to each project location. Where practicable, if bridge or culvert removal is required during the bat roosting period where the individual Capital Improvement Project is located, the Applicants will consult with OEA and the local USFWS office on appropriate methods to determine if bats are using the bridge or culvert as a roost.</i>	Because the alteration of the culverts and bridges on the Capital Improvement Projects need to occur at the same time as the construction of the rail embankment, it was not practicable to limit this activity to the period between Nov. 1 and Mar. 31. Prior to altering or removing any bridge or culvert on the Capital Improvement Projects, a qualified biologist completed an inspection for bats using the approved methodology. No signs of roosting or use by bats were observed.
53	Biological Resources	VM-Biological-07. <i>During construction of the Capital Improvement Projects, the Applicants will direct any temporary lighting away from suitable habitat for the northern long-eared bat or the Indiana bat during the active season for those species (April 1 to October 31). The Applicants will use downward-facing, full cut-off lens lights for any temporary lighting used during the construction of the Capital Improvement Projects.</i>	All temporary lighting used during the quarter was downfacing with full cutoff lenses and aimed away from suitable bat habitat.
54	Biological Resources	VM-Biological-08. <i>If the Capital Improvement Projects would involve installing any new, or replacing any existing, permanent lights, the Applicants will use downwardfacing, full cut-off lens lights (with the same intensity or less for replacement lighting).</i>	None of the Capital Improvement Projects have been designed with permanent lighting.

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
55	Biological Resources	VM-Biological-09. During construction of the Capital Improvement Projects, temporary barricades, fencing, and/or flagging will be used in sensitive habitats to contain construction related impacts to the area within the construction ROW. To the extent possible, staging areas will be located in previously disturbed sites and not in sensitive habitat areas.	Sensitive habitats, such as wetlands, were flagged on site. The environmental monitors at each of the Capital Improvement Projects is working with the respective contractors to ensure that staging areas are not in sensitive habitat areas.
56	Biological Resources	VM-Biological-10. The Applicants will limit ground disturbance to only the areas necessary for the construction of the Capital Improvement Projects.	The contractor is limiting ground disturbance to only the areas necessary for the construction of the Capital Improvement Projects.
57	Biological Resources	VM-Biological-11. The Applicants will use construction methods and seed mixes that minimize introduction and spread of noxious weeds on the Capital Improvement Projects. Noxious weed control will include combinations of mechanical and herbicide spray methods.	The seed applied during the reporting period was purchased from local seed suppliers and came with seed inspection tags certifying it as weed free. Noxious weed control was not required during the reporting period at the Capital Improvement Projects under construction.
58	Biological Resources	VM-Biological-12. The Applicants will ensure that any herbicides used in ROW maintenance to control vegetation are approved by EPA and are applied by licensed individuals who will limit application to the extent necessary for safe rail operations. Herbicides will be applied so as to prevent or minimize drift off of the ROW onto adjacent areas.	CPKC confirms all herbicide used in the reporting period was approved by the EPA and applied by licensed applicators. CPKC did not receive any reports of overspray or herbicide drift impacting areas adjacent to the ROW.
59	Biological Resources	VM-Biological-13. As applicable to each of the individual Capital Improvement Projects, the Applicants will protect bald and golden eagles by adhering to the Bald and Golden Eagle Protection Act. In addition, the Applicants will follow the USFWS National Bald Eagle Management Guidelines, as applicable.	There were no eagle nests present at any of the Capital Improvement Projects under construction. CPKC has secured an Eagle Nest Take Permit (Permit Number: MBPER2974111) to remove the eagle nest in proximity to the proposed Dawn Siding. This nest must be removed between Nov. 1 and Dec. 31, 2023.
60	Biological Resources	MM-Biological-01. For capital improvements related to the acquisition, the Applicants shall not knowingly include any federally- or state-listed invasive weed species in seed mixes for revegetating disturbed areas within the rail ROW.	The seed applied during the reporting period was purchased from local seed suppliers and came with seed inspection tags certifying it as weed free.

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
61	Biological Resources	MM-Biological-02. During final design and engineering of capital improvement projects related to the acquisition, the Applicants shall reexamine the USFWS list of threatened or endangered species. If the list has changed to include newly listed species or newly designated critical habitat, or if new information reveals that listed species or critical habitat could be affected by the capital improvements, the Applicants shall consult with OEA and USFWS regarding avoidance, minimization, and mitigation measures and shall implement the measures developed in consultation with OEA and USFWS.	During the final design of the Capital Improvement Projects, CPKC continues to reexamine the USFWS list of Threatened and Endangered Species and designated critical habitat. Following the change in status of the Northern Long-Eared Bat from Threatened to Endangered in March, 2023, CPKC emailed the OEA asking for confirmation that no additional mitigation measures where required.
62	Biological Resources	MM-Biological-03. The Applicants shall apply the mitigation measures identified in VM Biological-03, VM-Biological-04, VM-Biological-05, VM-Biological-06 and VM Biological-07 to any planned capital improvements potentially affecting the habitat of the Tricolored bat, which USFWS has proposed for listing as Endangered.	The listed mitigation measures were applied for the protection of Tricolored Bat in addition to the Indiana Bat and Northern Long-eared Bat.
63	Biological Resources	MM-Biological-04. The Applicants shall implement Special Protective Measures and karst Best Management Practices if the construction of the planned capital improvements occurs in areas with karst features in Benton County, Arkansas and McDonald County, Missouri, to avoid potentially affecting the endangered Benton County Cave Crayfish, Hell Creek Cave Crayfish, and Ozark Cavefish.	CPKC has completed geotechnical investigations at both the proposed Gentry and Goodman Capital Improvement Project locations. These investigations included both boreholes as well as pedestrian surveys looking for sinkholes, caves, springs or disappearing streams. No indications of karst features were detected at either proposed location.
64	Water Resources	VM-Water-01. The Applicants commit to remaining compliant with 33 C.F.R. Part 117 Drawbridge Operation Regulations.	During the reporting period, CPKC was in compliance with all applicable US Coast Guard regulations and did not receive any fines or notices of a recommended violation from the USCG related to the operation of drawbridges.
65	Water Resources	VM-Water-02. As applicable for each of the Capital Improvement Projects, the Applicants will request Clean Water Act Water Quality Certification from the jurisdiction where the respective project is located.	CPKC has requested Clean Water Act Water Quality Certification from the respective jurisdictions for all of the Capital Improvement Projects under construction.
66	Water Resources	VM-Water-03. As applicable for each of the individual Capital Improvement Projects, the Applicants will obtain an authorization from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act before initiating project-related construction activities in jurisdictional waters of the U.S.	As applicable, CPKC has obtained authorization under Section 404 of the Clean Water Act prior to impacting jurisdictional waters of the US.

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
67	Water Resources	VM-Water-04. <i>As applicable to each of the individual Capital Improvement Projects, the Applicants will require its construction contractor(s) to follow all water quality control conditions identified in all permits including the Water Quality Certification from the respective jurisdiction and Section 404 Permits issued by USACE.</i>	The environmental monitor onsite daily at the respective Capital Improvement Projects under construction is ensuring the contractors comply with all applicable permit conditions.
68	Water Resources	VM-Water-05. <i>Prior to initiating construction at a Capital Improvement Project location, the Applicants will develop a site-specific Stormwater Pollution Prevention Plan which will incorporate Best Management Practices as well as site specific measures to control erosion and reduce the amount of sediment and pollutants entering surface waters, ground waters, and waters of the U.S.</i>	Prior to initiating construction at the Capital Improvement Projects, CPKC is ensuring that a site specific SWPPP is in place.
69	Water Resources	VM-Water-06. <i>For Capital Improvement Project locations which will involve construction activities in proximity to surface water, prior to the start of construction the Docket No. FD 36500 et al. 209 Applicants will develop a site-specific water quality monitoring plan and implement this monitoring plan throughout construction.</i>	For construction in proximity to surface waters, CPKC is ensuring a site-specific water quality monitoring plan is in place. Throughout the construction, the environmental monitor at each respective construction site has been implementing the respective water quality monitoring plan.
70	Water Resources	VM-Water-07. <i>The Applicants will minimize impacts to wetlands where practicable in the final design of the individual Capital Improvement Projects. Applicants agree to compensate for the loss of any wetlands through any one, or a combination of: purchasing credits from an authorized wetland mitigation bank, restoring a previously existing wetland or other aquatic site, enhancing an existing aquatic site's function, preserving an existing aquatic site, and/or creating a new aquatic site.</i>	CPKC continues to minimize impacts to wetlands where practicable and to offset the loss of wetland habitat through the purchase of wetland credits or other means.
71	Water Resources	VM-Water-08. <i>The Applicants will design all Capital Improvement Project drainage crossing structures to pass a 100-year storm event.</i>	CPKC continues to design all of the Capital Improvement Projects to pass a 1:100 year storm event.
72	Water Resources	VM-Water-09. <i>The Applicants will consider the passage of aquatic organisms in the design of culverts and bridges required for the Capital Improvement Projects, where practicable.</i>	As applicable to each respective Capital Improvement Project, the passage of aquatic organisms is being considered in the design of culverts and bridges.
73	Water Resources	VM-Water-10. <i>As applicable to each of the individual Capital Improvement Projects, the Applicants will comply with applicable in-water work windows and timing restrictions for the protection of fish species.</i>	In water work is being scheduled at the Capital Improvement Projects to protect fish species as applicable to each respective site.

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
74	Water Resources	VM-Water-11. During the construction of Capital Improvement Projects, the Applicants will require all contractors to conduct daily inspections of all equipment for any fuel, lube oil, hydraulic or antifreeze leaks. If leaks are found, the Applicants will require the contractor to immediately remove the equipment from service and repair or replace it.	The contractors are completing daily equipment inspections at each of the Capital Improvement Projects under construction.
75	Water Resources	VM-Water-12. During the construction of the Capital Improvement Projects, the Applicants will prohibit construction vehicles from driving in or crossing streams at other than established crossing points.	The environmental monitors at each of the respective Capital Improvement Project construction sites are ensuring that the contractors are only crossing watercourses at established crossing points.
76	Water Resources	VM-Water-13. During the construction of the Capital Improvement Projects, the Applicants will take reasonable steps to ensure contractors use fill material appropriate for the project area.	The contractor is complying with the engineering design for each of the respective Capital Improvement Projects including the material specifications for each site (which have been designed by a Professional Engineer to ensure they are appropriate for that respective site).
77	Water Resources	MM-Water-01. During the final engineering and design of the 25 capital improvements, the Applicants shall design culverts and bridges so as to maintain existing surface water drainage patterns to the extent practicable and not cause or exacerbate flooding.	CPKC continues to design all culverts and bridges so as to maintain surface water drainage patterns and not cause or exacerbate flooding.
78	Water Resources	MM-Water-02. The Applicants shall coordinate with the Federal Emergency Management Agency if construction of bridges, culverts, or embankments related to the 25 planned capital improvements would result in an unavoidable increase greater than 1 foot to the 100-year water surface elevations.	CPKC continues to design the Capital Improvement Projects to ensure that any rise in the 100-year water surface elevation is one foot or less.
79	Water Resources	MM-Water-03. The Applicants shall obtain and comply with National Pollutant Discharge Elimination System (NPDES) permits for storm water discharges resulting from project-related construction activities at each of the capital improvements that meet the requirements for a NPDES.	CPKC has ensured NPDES permit coverage is in place prior to the start of construction on the eight Capital Improvement Projects which have commenced construction.
80	Environmental Justice	VM-EJ-01. The Applicants will use CP's experience building relationships with First Nations in Canada to engage with federally recognized Indian tribes in the U.S.	CPKC continues to build relations and engage with federally recognized Indian tribes in the U.S. On August 1, 2023, CPKC representatives met with representatives of the White Earth Nation and on August 17, met with representatives of the United Keetoowah Band of Cherokee.
81	Environmental Justice	VM-EJ-02. The Applicants will make Operation Lifesaver programs available to potentially affected communities, including	During the reporting period, CPKC Police Officers and other CPKC Employees completed over 50 Operation Lifesaver events.

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
		<i>schools and other organizations (Operation Lifesaver is a non-profit education and awareness program that helps increase the public's awareness of the dangers around rail lines).</i>	These included training for Law Enforcement partners, presentations to primary school groups and driving schools and participation in various community events.
82	Environmental Justice	VM-EJ-03. <i>For the construction contracts for the Capital Improvement Projects, the Applicants commit to allocate a minimum of 15% of contractor bid evaluation weighting to the inclusion of minority and tribal owned businesses and employees on the proposed project team.</i>	CPKC continues to allocate a minimum of 15% in evaluation of contractor bids for the prospective contractor's inclusion of minority and tribal owned businesses and employees.
83	Environmental Justice	MM-EJ-01. <i>The Applicants shall conduct proactive and targeted outreach to minority and low-income communities that would experience adverse noise impacts as a result of the acquisition to provide information about the process for establishing Quiet Zones. The Applicants shall assist interested communities in identifying supplemental or alternative safety measures, practical operational methods, or technologies that may enable the community to establish Quiet Zones in accordance with FRA's final rule on the "Use of Locomotive Horns at Highway-Rail Grade Crossings."</i>	CPKC continues to engage with communities (including EJ communities) across the combined network on any issue they would like to discuss, including quiet zones. As part of this, CPKC has shared information on the process to establish quiet zones.
84	Community Agreements and Coordination	VM-Community-01. <i>The Applicants commit that the new CPKC will meet regularly with community representatives in the Houston area. If those communities experience merger-related impacts, CPKC will work with them on ways to address their concerns. CPKC will also participate alongside other railroads serving Houston—notwithstanding that it will own no track there—to work cooperatively with communities to address the impacts of rail operations in the region.</i>	As mentioned in VM-General-01, on September 12, 2023, CPKC representatives met with the Greater Houston Partnership which serves over 900 member companies in the 12-county Houston region to ensure that CPKC addresses the needs of a broad group of stakeholders in the region. On September 13, 2023, CPKC representatives met with the East End District, a group focused on economic development of the Houston area to discuss opportunities to improve infrastructure and community relations. On September 28, CPKC representatives met with staff for Houston City Council Members Robert Gallegos, David Robinson, and Karla Cisneros. CPKC continues to participate in the Gulf Coast Rail District's Houston Area Rail Transformation (HART) Working Group, which meets monthly. The HART working group is made up of regional stakeholders joining together to produce a collaborative and programmatic approach to leverage public and private funding opportunities for railroad projects in the Houston region.
85	Community Agreements and Coordination	VM-Community-02. <i>The Applicants will provide community leaders in Houston with ways to report issues. CP has a "Community Connect" webpage that provides contact information, answers frequently asked questions, and offers other resources that will remain active for the new CPKC system. CP also has a Public</i>	CPKC has communicated the different ways to reach CPKC to Houston area community leaders. While CPKC did not receive any call to the Community Connect line from the Houston area, it did pass on notification of three incidents to Union Pacific through the Public Safety Communications Center.

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
		<i>Safety Communication Centre that operates 24 hours a day, 365 days a year with trained communication officers who can be reached toll-free at 1-800-716-9132. Calls into that Centre, which includes the Community Connect line and CP's emergency lines, are tracked using sophisticated Computer Aided Dispatch (CAD) software. The communication officers in this Centre are trained to handle a range of issues, from a blocked crossing to a trespasser, and they regularly coordinate the involvement of other railroads as required for any specific incident.</i>	
86	Community Agreements and Coordination	VM-Community-03. <i>The Applicants will work with certain Chicago area communities with which they have not been able to reach agreements—DuPage County, the Village of Bartlett, the Village of Bensenville, the City of Elgin, the Village of Itasca, the Village of Hanover Park, the Village of Roselle, the City of Wood Dale, and the Village of Schaumburg—to mitigate potential acquisition-related environmental impacts. Specifically, they will work with them to accomplish:</i> <i>• Subject to necessary FRA approvals and practicability, funding efforts towards the creation and implementation of quiet zones, including the costs of installation.</i> <i>• Installing and funding a predictive mobility system, interconnected with existing railroad crossing signals, that will deliver advanced notice of blocked crossings to citizens, police, fire, and rescue operations, and others.</i> <i>• Installing and funding ITS Interconnect for Advanced Warning Signs at strategic locations to give drivers information about occupied crossings, allowing them to make better on-the-spot decisions.</i> <i>• Installing and funding Positive Train Control wireless technology tie-ins at crossings adjacent to Metra platforms, which will minimize the activation of crossing lights and gates.</i> <i>With respect to the work described above, the Applicants anticipate that the Applicants or their subcontractors will perform the work. In the case of instances where work may be performed by others, the Applicants would reimburse reasonable and customary charges for such work. Because Metra owns the trackage that CP uses in these communities, Metra would have to approve the implementation of these mitigation measures. The Applicants would work with Metra, the communities, and any other relevant agencies to seek approvals.</i>	CPKC received a quiet zone study completed by the City of Elgin and is reviewing it in order to provide feedback. CPKC continues to work with the Village of Roselle and METRA to determine a path to move Chicago rule crossings with a partial quiet zone to full quiet zones. In addition, CPKC is reviewing a previously conducted quiet zone study for its applicability to a separate unincorporated crossing that the coalition has expressed a desire to become a quiet zone. During the week of August 14th CPKC met with the three dispatch centers which cover the applicable areas of the Elgin Subdivision in order to understand their needs as part of the installation of the predictive mobility solution. Moreover, CPKC has also met with multiple third-party vendors to assess their capabilities to meet the merger mitigation requirements. The CPKC has received a list of crossings from the Coalition outlining their desired locations for Advanced Warning Signs. In our conversations with the third-party vendors mentioned in the above item we have also reviewed their ability to implement this measure. CPKC and METRA are both engaged with the AAR Committee that is conducting a development of wireless crossing guidelines. As the industry develops standards which will govern the implementation of this relatively new technology, CPKC will work with METRA to implement the technology on the Elgin Subdivision corridor. On August 16th, CPKC met with METRA to conduct a review of the mitigation measures and ensure the appropriate channels for implementation are in place. CPKC will continue to engage with METRA regarding implementation of the above measures.

Measure Number	Mitigation Category	Voluntary/Mitigation Measure	Compliance Activity
87	Community Agreements and Coordination	MM-Community-01. <i>The Applicants shall comply with the terms of the agreements reached between the Applicants and the City of Davenport, Iowa; the City of Bettendorf, Iowa; the City of Muscatine, Iowa; the City of LeClaire, Iowa; the City of Clinton, Iowa; the City of Washington, Iowa; the City of Fruitland, Iowa; the Village of Hampshire, Illinois; the Village of Pingree Grove, Illinois; and the City of Liberty, Missouri.</i>	All cash settlements have been wired to communities with community investment settlement agreements. Additionally, CPKC representatives continue to work with communities with agreements to fulfill commitments in their agreements.
88	Community Agreements and Coordination	MM-Community-02. <i>If Applicants reach additional agreements with communities or other entities following publication of this Final EIS, the Applicants shall notify the Board, and the Board will impose a condition that requires the Applicants to comply with the terms of the agreement.</i>	No new agreements were executed during the reporting period.
89	Community Agreements and Coordination	MM-Community-03. <i>To facilitate compliance with VM-Community-01 and VM Community-02, the Applicants shall establish a Community Liaison to consult with Houston area community leaders. The Community Liaison shall be available for public meetings and to conduct periodic outreach to mayors and appropriate local officials. The Applicants shall establish and staff the Community Liaison position for a period of seven years following the Board's final decision authorizing the acquisition. The Applicants shall provide the name, telephone number, and email address of the Community Liaison to the Houston mayor and Harris County officials.</i>	Andy Cummings continues to serve as CPKC's Community Liaison for the Houston Area.
90	Community Agreements and Coordination	MM-Community-04. <i>To facilitate compliance with VM-Community-03, the Applicants shall establish a Community Liaison to consult with leaders of Chicago area communities referenced in that mitigation measure (the Village of Itasca, the Village of Bensenville, the City of Wood Dale, the Village of Roselle, the Village of Schaumburg, the Village of Hanover Park, the Village of Bartlett, the City of Elgin, and DuPage County). The Community Liaison shall be available for public meetings and to conduct periodic outreach to mayors and appropriate local officials. The Applicants shall establish and staff the Community Liaison position for a period of seven years following the approval of the acquisition. The Applicants shall provide the name, telephone number, and email address of the Community Liaison to mayors and other appropriate local officials in each community listed above.</i>	Larry Lloyd continues to serve as CPKC's Community Liaison for the Chicago Area.

CPKC Capital Improvement Project Updates

Turkey River, IA – New Siding

In this reporting period, CPKC progressed design work and site investigations on the proposed Turkey River siding. No physical construction was undertaken at this site.

Bellevue, IA – New Siding

In this reporting period, CPKC continued construction on the new siding at Bellevue.

CPKC has an environmental monitor on site full time during civil construction activities. No non-compliances with the construction related mitigation measures were observed during the reporting period.

CPKC has an archaeological monitor on site full time during ground disturbing activities. There were no archaeological or historical finds at the project site during the reporting period.

Monroe, IL – New Siding

In this reporting period, CPKC finished design and environmental permitting work on the proposed Monroe Siding. A pre-construction checklist for the Monroe Siding is appended to this report.

Construction will begin early in the next reporting period.

Deer Creek, IA – Siding Extension

In this reporting period, CPKC continued construction on the siding extension at Deer Creek.

CPKC has an environmental monitor on site full time during civil construction activities. No non-compliances with the construction related mitigation measures were observed during the reporting period.

CPKC has an archaeological monitor on site full time during ground disturbing activities. There were no archaeological or historical finds at the project site during the reporting period.

Camanche, IA – Siding Extension

In this reporting period, CPKC progressed design and environmental permitting work on the proposed Camanche Siding extension. No physical construction was undertaken at this site.

Letts, IA – Siding Extension

In this reporting period, CPKC did not undertake any work on the proposed Letts Siding extension.

Washington, IA – New Siding

In this reporting period, CPKC continued construction on the new siding at Washington.

CPKC has an environmental monitor on site full time during civil construction activities. No non-compliances with the construction related mitigation measures were observed during the reporting period.

CPKC has an archaeological monitor on site full time during ground disturbing activities. There were no archaeological or historical finds at the project site during the reporting period.

Ottumwa, IA – Siding Extension

In this reporting period, CPKC did not undertake any work on the proposed Ottumwa Siding extension.

Moravia, IA – New Siding

In this reporting period, CPKC progressed engineering investigations on the proposed Moravia Siding. No physical construction was undertaken at this site.

Newtown, MO – Siding Extension

In this reporting period, CPKC completed construction on the siding extension at Newtown. The project was placed into service on August 31, 2023

CPKC had an environmental monitor on site full time during civil construction activities which were completed on June 23. During track construction, the environmental monitor completed weekly inspections. Track construction (with the exception of the final cutover) was completed on August 21. The final environmental monitoring report is appended.

CPKC had an archaeological monitor on site full time during ground disturbing activities which were completed on June 17. The final archaeological monitoring report is appended.

Laredo, MO – Siding Extension

In this reporting period, CPKC continued construction on the siding extension at Laredo.

CPKC had an environmental monitor on site full time during civil construction activities which were completed on August 25, 2023. During track construction, the environmental monitor is completing weekly inspections. No non-compliances with the construction related mitigation measures were observed during the reporting period.

CPKC had an archaeological monitor on site full time during ground disturbing activities which were completed on August 5. There were no archaeological or historical finds at the project site during the reporting period.

Dawn, MO – New Siding

In this reporting period, CPKC progressed design and environmental permitting work on the proposed Dawn Siding. No physical construction was undertaken at this site.

Blue Valley, MO – New Double Track

In this reporting period, CPKC progressed design and environmental permitting work on the proposed Blue Valley Double Track. No physical construction was undertaken at this site.

Grandview, MO – New Facility Working Tracks

In this reporting period, no work was undertaken related to the proposed additional track infrastructure. CPKC completed tie and rail replacement work on the existing siding track.

Asbury, MO – Siding Extension

In this reporting period, CPKC progressed design and environmental permitting work on the proposed Asbury Siding extension. No physical construction was undertaken at this site.

Goodman, MO – New Siding

In this reporting period, CPKC progressed design and environmental permitting work on the proposed Goodman Siding. No physical construction was undertaken at this site.

Gentry, AR – Siding Extension

In this reporting period, CPKC progressed design and environmental permitting work on the proposed Gentry Siding extension. No physical construction was undertaken at this site.

Baron, OK – New Siding

In this reporting period, CPKC progressed design and environmental permitting work on the proposed new Baron Siding. No physical construction was undertaken at this site.

Cave Springs, AR – Siding Extension

In this reporting period, CPKC progressed design and environmental permitting work on the proposed Cave Springs Siding extension. No physical construction was undertaken at this site.

Spiro, OK – Siding Extension

In this reporting period, CPKC initiated construction on the siding extension at Spiro. The pre-construction compliance checklist for this project is appended to this report.

CPKC has an environmental monitor on site full time during civil construction activities. No non-compliances with the construction related mitigation measures were observed during the reporting period.

CPKC has an archaeological monitor on site full time during ground disturbing activities. There were no archaeological or historical finds at the project site during the reporting period.

Heavener, OK – Siding Extension

In this reporting period, CPKC progressed engineering designs and technical investigations on the proposed Heavener Siding extension. No physical construction was undertaken at this site.

Mena, AR – New Siding

In this reporting period, CPKC progressed design and environmental permitting work on the proposed new Mena Siding. No physical construction was undertaken at this site.

Mansfield, LA – Siding Extension

In this quarter, CPKC continued construction on the siding extension at Mansfield.

CPKC has an environmental monitor on site full time during civil construction activities. No non-compliances with the construction related mitigation measures were observed during the reporting period.

CPKC has an archaeological monitor on site full time during ground disturbing activities. There were no archaeological or historical finds at the project site during the reporting period.

Loring, LA – Siding Extension

In this reporting period, CPKC progressed design and technical investigations on the proposed Loring Siding extension. No physical construction was undertaken at this site.

Singer, LA – Siding Extension

In this reporting period, CPKC progressed design and environmental permitting work on the proposed Singer Siding extension. No physical construction was undertaken at this site.

TECHNICAL MEMORANDUM

To: Michael Keller
HDR Inc.
michael.keller@hdrinc.com

From: Jolene Schleicher, Project Manager; Matthew Hull, Principal Investigator, SWCA
Environmental Consultants

Date: October 6, 2023

Re: **HDR Rail Monitoring Summary Report, September 2023, Newtown, Missouri / SWCA
Project No. 77801**

PROJECT DESCRIPTION

SWCA Environmental Consultants (SWCA) has been contracted by HDR, Inc. (HDR), to monitor for cultural resources during the construction of capital improvements along the Canadian Pacific and Kansas City Southern rail right-of-way. These capital improvements include extending 13 existing sidings and adding 10 new passing sidings, one new section of facility working track, and one new section of double track (project). The project is taking place in various locations. This summary report for the Newtown, Missouri, project area, as required by HDR, documents the completed cultural resources monitoring activities undertaken by SWCA at this location, which occurred between May 8 and June 16, 2023.

Construction at the Newtown, Missouri, project area began on May 8 and completed on June 16, 2023. The SWCA personnel that monitored construction at the Newtown, Missouri, project area and the construction monitoring dates are summarized in Table 1.

Table 1. Cultural Resource Monitors and Dates of Monitoring at the Newtown, Missouri, Project Area

Project Area	SWCA Cultural Resource Monitor	Dates of Construction Monitoring
Newtown, Missouri	Jacob Cropper	May 8–12, 16–20, 2023
	Ross Campbell	May 22–26, 30–June 3, June 5–10, and 12–16, 2023 (finished)

MONITORING METHODS

Qualified SWCA archaeologists, Jacob Cropper and Ross Campbell, monitored ground-disturbing construction activities at the Newtown, Missouri, project area. SWCA monitoring methods consisted of the visual inspection ground disturbing activities, such as bulldozing and scraping, associated with construction. The archaeologists observed soil removal and digging activities (Figures 1 and 2) and monitored for the presence of cultural resources, such as bone, individual artifacts, artifact concentrations, and features. They also inspected the surrounding area and soil stockpiles (Figure 3) for the presence of cultural resources.

MONITORING SUMMARY

The type of construction activities monitored and the results of monitoring at the Newtown, Missouri, project area between May 8 and June 16, 2023, are presented in Table 2. At the beginning of ground disturbance SWCA's archaeologist presented a training to the construction personnel, providing background to why archaeology monitoring is being conducted, what the archaeologist is looking for, and what steps are to be taken if cultural resources are identified during construction.

Table 2. Newtown, Missouri Project Location and Cultural Resource Monitors

Monitor and Dates	Construction Activities Monitored	Results
Jacob Cropper (May 8–12, 16–20, 2023)	Topsoil removal; cut and fill grading; preparation for installation of culvert; and delivery of fill.	No features or cultural resources were identified during the monitoring.
Ross Campbell (May 22–25, 27–June 3, June 5–10, and 12–17, 2023 [finished])	Cut and fill grading; excavation; culvert delivery; culvert welding; culvert installation; and water truck gravel settling.	No features or significant cultural resources were identified during the monitoring.

Results

No features or cultural materials were identified during the cultural resources monitoring at the Newtown, Missouri project location. No known cultural resources have been impacted by construction.

CONCLUSIONS

Between May 8 and June 16, 2023, SWCA conducted cultural resource monitoring tasks associated with the Newtown, Missouri, project area. Construction on the project commenced on May 8, 2023, and construction activities were completed on June 16, 2023. Construction largely focused on clearing work, which included topsoil removal, gravel fill additions to the substrate, culvert welding, and culvert installation along an active railway. No features or cultural materials were identified during the cultural resources monitoring, and no known cultural resources were impacted by construction at the Newtown, Missouri, project area.



Figure 1. Image shows initial right-of-way clearance by bulldozer; view facing southeast (Photograph by J. Cropper May 8, 2023).



Figure 2. Image shows right-of-way clearance using trackhoe in preparation for the arrival of gravel to be laid down; view facing south (Photograph by J. Cropper May 10, 2023).



Figure 3. Image shows cleared right-of-way after gravel has been laid down; view facing southeast (Photograph by J. Cropper May 16, 2023).



Figure 4. Image shows cleared right-of-way after gravel has been laid down, with roller smoothing the gravel path; view facing south (Photograph by J. Cropper May 17, 2023).



Figure 5. Image shows welding of culvert sections to replace wooden bridge; view facing northeast (Photograph by R. Campbell May 22, 2023).



Figure 6. Image shows truck dumping rocks for bulldozer to flatten scatter on fill embankment; view facing northwest (Photograph by R. Campbell May 25, 2023).



Figure 7. Image shows truck dumping rocks for bulldozer to flatten scatter on fill embankment; view facing southwest (Photograph by R. Campbell May 31, 2023).



Figure 8. Temporary excavation/disturbed area was refilled with excavated topsoil; view facing southeast. This action was performed to test the soils for the upcoming culvert installations (Photograph by R. Campbell May 30, 2023).



Figure 9. Foreman Jason Lombard standing in recently excavated soils under railroad bridge; view facing northwest. No cultural resources found. Soils were already previously disturbed 10 YR grey silty clays (Photograph by R. Campbell May 30, 2023).



Figure 10. Image shows trench dug by trackhoe for culvert installation; view facing west. Soils were 10 YR dark grey alluvial clay with large amounts of wood and rocks included (Photograph by R. Campbell June 7, 2023).



Figure 11. Image shows one of two soil piles made from excavated soils under wooden bridge; view facing east. Both piles were visually and manually inspected post excavation for any cultural resources, though none were found (Photograph by R. Campbell June 7, 2023).



Figure 12. Image shows cutting and grading on the eastern side of the railroad track; view facing north (Photograph by R. Campbell June 9, 2023).



Figure 13. Image shows bulldozer pushing excavated soils from nighttime culvert installation into a nearby pile; view facing east. The pile was visually and manually inspected post excavation for any cultural resources, though none were found (Photograph by R. Campbell June 13, 2023).



Figure 14. Image shows construction workers laying down pads to lay fill upon and create a stable surface as part of cleanup from culvert installation; view facing northeast (Photograph by R. Campbell June 15, 2023).



Figure 15. Image shows the large rocks being put down by the trackhoes to cover padding and create a stable ground surface around the culvert entrance; view facing northeast (Photograph by R. Campbell June 16, 2023).



NEWTOWN SIDING EXTENSION

CPKC Final Environmental Monitoring Report



NEWTOWN SIDING EXTENSION

CPKC Final Environmental Monitoring Report

This is the final Environmental Monitoring Report for the **Newtown Siding Extension project** (commonly referred to as “Newtown”) located in Sullivan County, MO (Kansas City Subdivision from MP 379.2 to MP 381.7). This project is part of the Canadian Pacific – Kansas City Southern railroad merger approved by the Surface Transportation Board on March 15, 2023. The extended siding is required to manage the impacts of increased traffic by creating additional passing capacity and maintain system fluidity post-merger. All capital improvement projects approved as part of the merger are subject to a series of mitigation measures as is outlined in the Final Environmental Impact Statement (and included as Approval Conditions in the Board’ Final Decision), and this is the final report showing Newtown’s compliance with those measures.

Construction on Newtown started on May 8, 2023, and the extension was placed into service on August 31, 2023. All construction activities which were part of this project were in compliance with the Board’s construction related Conditions.

Compliance with Mitigation Measures

MM-General-03. *To minimize the potential for impacts on biological resources, water resources, hazardous materials release sites, and cultural resources, the Applicants shall, to the greatest extent possible, confine construction activities related to the planned capital improvements to the area within the existing ROW.*

Right of Way (ROW) boundaries were marked with blue lath and wetlands were marked with green paint to indicate work limits and all workers on site were made aware that they were to make sure work stayed within the ROW. Work on the project was successfully kept within the ROW with minimal disturbance to wetland areas. The photos below show these color-coded boundaries.



VM-Noise-02. *While building the Capital Improvement Projects, the Applicants will work with their construction contractors to minimize, where practicable, construction-related noise disturbances between the hours of 2100 and 0700 local time.*

The Environmental Monitor (EM) held weekly briefings with crew members regarding equipment noise throughout the duration of the Newtown capital improvement project. With the exception of one overnight culvert installation, all work was performed between the hours of 0700 and 2100 throughout construction. Noise was kept within acceptable limits of the project permits at all times.

The overnight culvert installation occurred on 6/14/2023, starting at 2315 and was completed by 0500 on 6/15/2023. Overnight work was required to accommodate the length of time needed for the track to be taken out of service.

VM-Air-05. *The Applicants will develop an anti-idling policy for use in potentially affected communities on the combined network. The policy will capture both idling of construction equipment used on the Capital Improvement Projects as well as ongoing operations.*

The Anti-Idling procedure was discussed during the initial and weekly briefings held by the EM. These briefings occurred during Safety/JSA meetings, and all new subcontractors were also briefed as they joined the project and began their work. The Anti-Idling procedure was adhered to throughout the duration of the Newtown capital improvement project.

The two photos below provide examples of some of the equipment that had to follow this policy during the project's duration.



VM-Air-06. *To minimize fugitive dust emissions created during the construction of the Capital Improvement Projects, the Applicants will implement appropriate fugitive dust suppression controls, such as spraying water or other approved measures.*

Fugitive dust suppression controls were put in place at various points throughout the project when it was determined that the work would potentially create significant dusting. The primary method of dust suppression was the use of dust control water trucks, which were needed periodically on the ROW and roadways throughout the duration of the Newtown capital improvement project. See below photos of these trucks in use on site.



VM-Air-08. *Where vegetation clearing has taken place during the construction of the Capital Improvement Projects, the Applicants will begin revegetation as soon as practicable to minimize impacts of wind erosion and fugitive dust. Where immediate revegetation is not practicable, the Applicants will implement alternative stabilization measures such as matting, mulching, or hydroseeding.*

The project was able to ensure that all stabilization measures needed throughout the project were able to be utilized within the 14-day window. This included the reutilization of soil and hydroseeding and/or mulching. At the end of the project, the EM returned to the site to ensure that revegetation had been maintained and was successful in its attempt to restabilize the land post-construction.

The photos below show some of the areas where revegetation measures were implemented along the construction site.



VM-Haz. Material Sites-01. *The Applicants will require its construction contractor(s) to implement measures to protect workers' health and safety and the environment in the event that undocumented hazardous materials are encountered during construction of the Capital Improvement Projects. The Applicants will document all activities associated with the previously undocumented contamination and will notify the appropriate state agencies according to applicable regulations. The Applicants will use disposal methods which comply with applicable solid and hazardous waste regulations.*

No hazardous materials were discovered within the project limits throughout the duration of the Newtown capital improvement project. All parties on site were frequently briefed on the importance of strict adherence to the measures outlined in the Health & Safety and Materials Management Plans if hazardous materials were identified.

VM-Haz. Material Sites-03. *In the event of a spill over the applicable reportable quantity during the construction of a Capital Improvement Project, the Applicants will comply with its site-specific spill prevention, control and response plan and applicable federal and state regulations pertaining to spill containment, appropriate clean-up, and notifications.*

No spills occurred during the construction period that met the threshold for a "reportable spill." Two (2) small non-reportable spills took place during the project, one on 5/9/2023 and one on 6/23/2023.

The spill on 5/9/2023 was comprised of approximately 2 gallons or less of coolant and absorbent pads were used immediately for containment. After all coolant was absorbed, the crew shoveled the soiled materials into plastic bags and they were placement sealed containment drums for disposal.

The spill on 6/23/2023 was comprised of approximately a half gallon or less of hydraulic oil. Again, absorbent pads were used immediately for containment. After all of the oil was absorbed, the crew shoveled the soiled materials into plastic bags and they were placement sealed containment drums for disposal.

In both spill events, spill prevention measures were immediately implemented and all CPKC, HDR and required government entities were notified. The EM completed detailed spill reports per the requirements in the Spill

Prevention, Control, and Countermeasure Plan (SPCCP). These spill reports have been included in this report as Appendix A (5/9/2023 Spill Report) and Appendix B (6/23/2023 Spill Report).

Neither spill that occurred on the project was within wetland or resource areas.

Photos of 5/9/2023 Spill at MP 381.3
Coolant/Less than 2 gallons



Photos of 6/23/2023 Spill at MP 381.2
Hydraulic Oil/Less than ½ gallon



VM-Haz. Material Sites-04. During the construction of the Capital Improvement Projects, the Applicants will ensure that gasoline, diesel fuel, oil, lubricants, and other petroleum products are handled and stored to reduce the risk of spills contaminating soils or surface waters. If a petroleum spill occurs as a result of construction, and exceeds specific quantities or enters a waterbody, the Applicants (or its agents) will be responsible for promptly cleaning up the spill and notifying responsible agencies in accordance with federal and state.

Petroleum products used during the Newtown capital improvement project were all handled properly either with a secondary containment method or storage within an enclosed job trailer. Each piece of equipment used

on the project was also equipped with its own spill kit to manage containment immediately in the case of a spill. The photos below show these containment measures.



VM-Haz. Material Sites-05. *The Applicants will require contractors to dispose of waste generated on the Capital Improvement Projects in accordance with all applicable federal, state, and local regulations.*

In accordance with the Materials Management Plan, all waste products requiring disposal throughout the Newtown capital improvement project were placed in dumpsters and hauled to the state permitted Rapid Removal Solid Waste Transfer Station in Trenton, Missouri, which is certified for construction waste. The photos below show the filling of the dumpsters in preparation for disposal.



VM-Biological-02. *Where practicable, the Applicants will clear vegetation in preparation for the Capital Improvement Projects before or after the breeding bird nesting season, specific to each project location, to avoid inadvertent removal of active nests (nesting adults, young, or eggs) and to ensure compliance with the Migratory Bird Treaty Act. If clearing is required during a respective location's nesting season, the Applicants*

will consult with OEA and the local office of the U.S. Fish and Wildlife Service (USFWS) on appropriate nest survey methods for that area.

Tree clearing at Newtown was completed before March 31, 2023. No eagles nests or other active bird nests were identified on the project site during tree clearing or construction, and no more trees were cleared than were necessary for construction. The photos below show the ROW after the completion of tree clearing but before construction began.



VM-Biological-03. *The Applicants will not conduct construction related tree removal for the Capital Improvement Projects during the active season for the Indiana bat and the northern long-eared bat (April 1 to October 31).*

Similarly to bird nesting concerns, all tree clearing activities occurred prior to active bat species season, and no active bats were observed within the project limits during tree clearing and construction. Tree clearing was limited specifically to areas needed for construction.

VM-Biological-04. *During the construction of the Capital Improvement Projects, the Applicants will take steps to reduce the unnecessary removal of bat habitat outside of active bat season by limiting tree removal to only the areas necessary to safely construct and operate the new siding or second track, marking the limits of tree clearing through the use of flagging or fencing, and ensuring that construction contractors understand clearing limits and how they are marked in the field.*

After tree clearing was complete, areas where trees had been cleared were marked with flagged survey limits so contractors could easily identify any areas within ROW and near bridges where bat species could potentially be present. No bat habitat or nesting was identified throughout the Newtown capital improvement project.



VM-Biological-05. *If construction of the Capital Improvement Projects would require removal or alteration of bridges, culverts, or other structures that provide suitable habitat for the northern long-eared bat or the*

Indiana bat during the active season for those species (April 1 to October 31), the Applicants will first conduct an inspection for the presence of, or evidence of use by, bats. The inspection will be completed by a qualified biologist. If the inspection finds bats or evidence of bats, then the Applicants will not commence work on the structure until coordinating with OEA and USFWS to determine appropriate follow-up or mitigating actions. The inspection must be completed during the same year that the work takes place.

The EM completed daily inspections of the two timber bridges at MP 381.39 and MP 381.03 prior to the culvert installation that occurred on 6/14/2023. At no time did the EM find evidence of bats or bat use. Gabriella Miller, biologist for HDR, completed a final bat inspection with a report on 6/9/2023 on both MP 381.39 and MP 381.03 timber bridges, with no identifying bats or nests present. Please see Appendix C for the Bat Inspection report.



VM-Biological-06. *Where practicable, the Applicants will conduct any culvert or bridge removal as part of the Capital Improvement Projects outside of the roosting period of bat species, specific to each project location. Where practicable, if bridge or culvert removal is required during the bat roosting period where the individual Capital Improvement Project is located, the Applicants will consult with OEA and the local USFWS office on appropriate methods to determine if bats are using the bridge or culvert as a roost.*

After an inspection that determined no bat species were present, the timber bridge culvert removal and installation at MP 381.03 was completed on 6/14/2023, during the bat roosting period. Daily monitoring of bat species was completed by the EM, followed by a complete inspection by Gabriella Miller, biologist for HDR. No bat species was present before or during the installation process.

Photos below show the abovementioned overnight culvert installation performed on 6/14/23, demonstrating that no bats were present.



VM-Biological-07. During construction of the Capital Improvement Projects, the Applicants will direct any temporary lighting away from suitable habitat for the northern long-eared bat or the Indiana bat during the active season for those species (April 1 to October 31). The Applicants will use downward-facing, full cut-off lens lights for any temporary lighting used during the construction of the Capital Improvement Projects.

Because work was done at night, temporary lighting with a full cut-off lens was used during the removal and installation of the timber bridge culvert at MP 381.03 on 6/14/2023. This lighting was faced downward, away from the timber bridge as was required. A complete bat inspection was completed prior to the removal which identified no bat species were present within the project.



VM-Biological-09. During construction of the Capital Improvement Projects, temporary barricades, fencing, and/or flagging will be used in sensitive habitats to contain construction related impacts to the area within the construction ROW. To the extent possible, staging areas will be located in previously disturbed sites and not in sensitive habitat areas.

Wetlands and a creek crossing were outlined in green lath at MP 381.03 to indicate sensitive habitats within the ROW. Blue lath was used to identify project ROW boundaries. Construction staging occurred within the ROW but outside of areas identified as sensitive habitats. No barricades or fencing was used. The photos below show the green and blue lath in various locations along the project.



VM-Biological-10. *The Applicants will limit ground disturbance to only the areas necessary for the construction of the Capital Improvement.*

Ground disturbance within the duration of the Newtown capital improvement project was limited to the necessary construction efforts to complete the Newtown siding extension between MP 379.2 - MP 381.7. Ground disturbance began on 5/8/2023 and was completed on 5/31/2023.

VM-Biological-11. *The Applicants will use construction methods and seed mixes that minimize introduction and spread of noxious weeds on the Capital Improvement Projects. Noxious weed control will include combinations of mechanical and herbicide spray methods.*

Seed mixes used within the Newtown capital improvement project for the minimization of the introduction and spread of noxious weeds were verified by the EM prior to use. The seed tag shown in the photos below as provided by the seeding contractor specifies No Noxious Weed Found and the MoDOT Seeding Type Requirements in Section 805.2.1 of Missouri Standard Specifications for Highway Construction. No herbicide spray methods were used on the project.



VM-Biological-13. As applicable to each of the individual Capital Improvement Projects, the Applicants will protect bald and golden eagles by adhering to the Bald and Golden Eagle Protection Act. In addition, the Applicants will follow the USFWS National Bald Eagle Management Guidelines, as applicable.

The EM observed that no bald or golden eagles or nests were identified within the limits of the project, thus adhering to the Bald and Golden Eagle Protection Act as required.

MM-Biological-01. For capital improvements related to the Proposed Acquisition, the Applicants shall not knowingly include any federally- or state-listed invasive weed species in seed mixes for revegetating disturbed areas within the rail ROW.

Seed mixes used for revegetative efforts on the Newtown capital improvement project were verified according to seed tags and the MoDOT Seeding Type Requirements in Section 805.2.1 of Missouri Standard Specifications for Highway Construction. See below photos for various seed mix types used on the project for revegetation.



VM-Water-04. As applicable to each of the individual Capital Improvement Projects, the Applicants will require its construction contractor(s) to follow all water quality control conditions identified in all permits including the Water Quality Certification from the respective jurisdiction and Section 404 Permits issued by USACE.

During construction of the Newtown capital improvement project, the contractor followed all water quality conditions as to minimize impact to water quality per the Water Quality Monitoring plan (WQMP). A site-specific Stormwater Pollution Prevention Plan (SWPPP) for the project was also implemented, which incorporated best management practices and site-specific measures to control erosion and reduce the amount of sediment and pollutants that could enter surface waters, groundwater, and wetlands. Minimal impacts to wetlands and creek areas were identified including the placement of fill material or conveyance structures.

VM-Water-05. Prior to initiating construction at a Capital Improvement Project location, the Applicants will develop a site-specific Stormwater Pollution Prevention Plan which will incorporate Best Management

Practices as well as site specific measures to control erosion and reduce the amount of sediment and pollutants entering surface waters, ground waters, and waters of the U.S.

The contractor followed Pre/Post construction measures using the site-specific SWPPP developed for the Newtown capital improvement project. These measures included the installation of Erosion Control Devices prior to and during construction, which eliminated any sediment or pollutant discharges throughout the project. See below photos for some examples of where this was used on the project.

The contractor followed Best Management Practices by utilizing secondary containment while refueling, designated equipment cleaning areas, utilizing spill prevention measures, minimizing sediment on public roadways, and utilizing good waste management practices.

Weekly and post rain event SWPPP inspections were completed throughout the construction phase of the project and will continue through 70% post construction revegetation.



VM-Water-06. *For Capital Improvement Project locations which will involve construction activities in proximity to surface water, prior to the start of construction the Applicants will develop a site-specific water quality monitoring plan and implement this monitoring plan throughout construction.*

A site-specific WQMP was developed prior to construction of the Newtown capital improvement project. The EM evaluated potential surface water and stormwater quality impacts due to project construction activities throughout the project. Routine sampling and analysis of instream surface water and site stormwater sources during project construction activities was not deemed necessary at the Newtown capital improvement project to ensure adherence to the WQMP.

VM-Water-10. *As applicable to each of the individual Capital Improvement Projects, the Applicants will comply with applicable in-water work windows and timing restrictions for the protection of fish species.*

No fish-bearing water bodies were identified within the Newtown capital improvement project location, so in-water work windows and timing restrictions were not applicable.

VM-Water-11. During the construction of Capital Improvement Projects, the Applicants will require all contractors to conduct daily inspections of all equipment for any fuel, lube oil, hydraulic or antifreeze leaks. If leaks are found, the Applicants will require the contractor to immediately remove the equipment from service and repair or replace it.

Daily equipment inspections were conducted by all contractors on the Newtown capital improvement project, followed by daily inspection reports. Any leaks identified by EM were immediately brought to the contractors attention and equipment was placed out of service as needed.



VM-Water-13. During the construction of the Capital Improvement Projects, the Applicants will take reasonable steps to ensure contractors use fill material appropriate for the project area.

Suitable fill materials used within the Newtown capital improvement project consisted of primary reused Native soils, Clean Fill and ballast material previously approved by project engineers and contractors and from state licensed local sources.



NEWTOWN SIDING EXTENSION
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APPENDIX A

SPILL REPORT FORM For each oil spill, complete this form and maintain a copy in Appendix I.

Name (First, Middle I, Last)/Position or Title/Phone Number of Individual Reporting Spill:
Kristi J Blaser, Environmental Monitor 218-289-1120

Substance Spilled: Coolant	Quantity Spilled (Do Not Speculate): Less than 2 Gal	Location: Newtown MP 381.3	
Date/Time Of Spill: 5/9/2023 2:33 P.M.	Time Spill Discovered (If Different):	Date/Time Spill Was Contained: 5/9/2023 2:35 P.M.	
Total oil storage capacity of tank(s) or impoundment(s) from which material was discharged:	Injuries? Yes No X	PPE Available?	PPE Used?
		Yes X No	Yes X No

Supervisor Notified?
Yes X No

Cause Of Spill (if known) – Include any equipment damages and approximate cost of damage. Faulty hose

Description(s) of how each oil discharge was detected:
Coolant maintained under equipment only.

Containment/Clean-Up Actions Taken – Include amounts and disposition of wastes generated by the cleanup. List materials used such as absorbent pads and containment drums. Describe effectiveness of containment. Absorbent pads were used to contain, crew shoveled area and all material was disposed in plastic bags. Bags transported to contractor yard.

Water Or Soil Impacted By Spill. If applicable, describe extent (e.g., amount of oil reaching storm drains, ditches, ponds, and area/amount of soil saturated with oil.) No impact to water sources.

Effectiveness of monitoring equipment:
Mechanic was onsite to immediately work on equipment.

Corrective/Preventative Action(s). List procedures, repairs, or other preventative measure that will minimize the potential for this type of spill to happen again.
Contractor to maintain good daily maintenance practices of equipment.

SPILL REPORT FORM (Continued)

REFER TO TABLE 5.2 IN SECTION 5.0 OF THIS PLAN, WHICH DESCRIBES THE VARIOUS SCENARIOS THAT REQUIRE EXTERNAL REPORTING OF RELEASES. REFER TO THE TABLE BEFORE COMPLETING THE REMAINDER OF THIS FORM.

(complete only if required)Notifier's Name: CPKC Spill Hotline Duty Officer# Delta 528

NRC/Case No. _____ 800-424-8802	☐ Yes	☐ No	Date: _____	Time: _____	Name: _____
MDNR 573-634-2436	☐ Yes	☐ No	Date: _____	Time: _____	Name: _____
[name] LEPC[phone number]	☐ Yes	☐ No	Date: _____	Time: _____	Name: _____
U.S. EPA Region 7 (913) 281-0991	☐ Yes	☐ No	Date: _____	Time: _____	Name: _____
Other Agency	☒ Yes	☐ No	Date: <u>5/9/2023</u>	Time: <u>3:09 P.M.</u>	Name: <u>Craig</u>

No. of employees in facility: 11 No. evacuated: 0

Material Name: Coolant CAS No: CPKC23038935 RQ: _____

General Public notified? ☐ Yes ☒ No How: _____

C. Enforcement Action(s): _____

D. Reporting Official:

Name of Reporting Official: Kristi Blaser Organization: HDR

Signature: Kristi Blaser Date: 5/9/2023

Agency Notification Standard Report (cont'd)

Cause of the discharge(s), including a failure analysis of the system and subsystems in which the failure occurred:

Faulty coolant hose on CAT 745 Off road truck # AD-25

Corrective actions and countermeasures taken, including a description of equipment repairs and replacements:

Spill was contained by using absorbent pads in spill kit. Crew used shovels and cleaned soil within are affected. Spill material was placed in plastic bags and hauled by contractor to yard. Mechanic onsite assessing equipment for parts.

Additional preventive measures taken or contemplated to minimize possibility of recurrence:

Contractor to maintain daily inspections of equipment onsite throughout workday.

Other pertinent information:

No water resources were affected by spill at MP 381.3









NEWTOWN SIDING EXTENSION
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APPENDIX B

SPILL REPORT FORM*For each oil spill, complete this form and maintain a copy in Appendix I.*

Name (First, Middle I, Last)/Position or Title/Phone Number of Individual Reporting Spill:

Kristi J Blaser, Environmental Monitor 218-289-1120

Substance Spilled:

Hydraulic Oil

Quantity Spilled (Do Not

Speculate): Less than half
1/2 Gal

Location:

Newtown MP 381.2

Date/Time Of Spill:

6/23/2023 1820 hrs

Time Spill Discovered (If
Different):

Date/Time Spill Was Contained:6/23/2023

1825 hrs

Total oil storage capacity of
tank(s) or impoundment(s)
from which material was
discharged:

Injuries?

Yes

No X

PPE
Available?

Yes X No

PPE Used?

Yes

X No

Supervisor Notified?

Yes X

No

Cause Of Spill (if known) – Include any equipment damages and approximate cost of damage. Faulty
hydraulic hose

Description(s) of how each oil discharge was detected:

Hydraulic oil maintained under equipment only.

Containment/Clean-Up Actions Taken – Include amounts and disposition of wastes generated by the
cleanup. List materials used such as absorbent pads and containment drums. Describe effectiveness of
containment. Absorbent pads were used to contain spill area, crew shoveled area and all material was
disposed in seed bags within proximity. Bags transported to containment drum within project ROW.

Water Or Soil Impacted By Spill. If applicable, describe extent (e.g., amount of oil reaching storm drains, ditches, ponds, and area/amount of soil saturated with oil.) No impact to water sources within project.
Effectiveness of monitoring equipment: EM and crew immediately onsite to contain and clean up spill.
Corrective/Preventative Action(s). List procedures, repairs, or other preventative measures that will minimize the potential for this type of spill to happen again. Sub-Contractor to maintain good daily maintenance practices of equipment. EM will do complete inspection of equipment prior to work within ROW.

SPILL REPORT FORM (Continued)							
<i>REFER TO TABLE 5.2 IN SECTION 5.0 OF THIS PLAN, WHICH DESCRIBES THE VARIOUS SCENARIOS THAT REQUIRE EXTERNAL REPORTING OF RELEASES. REFER TO THE TABLE BEFORE COMPLETING THE REMAINDER OF THIS FORM.</i> <u>(complete only if required)</u>							
Notifier's Name:		CPKC Spill Hotline Duty Officer# Delta 559					
NRC/Case No. _____ 800-424-8802	☐ Yes	☐ No	Date: _____	Time: _____	Name: _____		
MDNR 573-634-2436	☐ Yes	☐ No	Date: _____	Time: _____	Name: _____		
[name] LEPC[phone number]	☐ Yes	☐ No	Date: _____	Time: _____	Name: _____		
U.S. EPA Region 7 (913) 281-0991	☐ Yes	☐ No	Date: _____	Time: _____	Name: _____		

Other Agency	☒ Yes	☐ No	Date:	<u>6/23/2023</u>	Time:	<u>1840 hrs</u>	Name:	<u>Kelsey</u>
No. of employees in facility:	<u>5</u>		No. evacuated:	<u>0</u>				
Material Name:	<u>Hydraulic Oil</u>			CAS No:	<u>CPKC23053075</u>		RQ:	<u></u>
General Public notified?	☐ Yes	☒ No	How:	<u></u>				
C. Enforcement Action(s):								
D. Reporting Official:								
Name of Reporting Official:			<u>Kristi Blaser</u>			Organization: HDR		
Signature:			<u>Kristi Blaser</u>			Date: <u>6/23/2023</u>		

Agency Notification Standard Report (cont'd)
Cause of the discharge(s), including a failure analysis of the system and subsystems in which the failure occurred: Faulty hydraulic hose on Kubota Tractor #LA1154 Sub-Contractor GreenTech
Corrective actions and countermeasures taken, including a description of equipment repairs and replacements: Spill was contained by using absorbent pads in spill kit. Crew used shovels and cleaned soil within are affected area, Spill material was placed in seed bags and placed in containment drum to be hauled by contractor to yard. Tractor was loaded onto Sub-Contractor trailer and hauled off ROW.

Additional preventive measures taken or contemplated to minimize possibility of recurrence:

Contractor to maintain daily inspections of equipment onsite throughout workday. EM will inspect Sub-contractor equipment prior to entering project ROW.

Other pertinent information:

No water resources were affected by spill at MP 381.2



NEWTOWN SIDING EXTENSION
CPKC Final Environmental Monitoring Report

APPENDIX C



CPKC OEA Compliance Program Bridge/Structure Bat Assessment Form

Date & Time of Assessment 06-09-23 12:42	CPKC Project Name Newtown	Bridge Milepost 381.39	County Sullivan
Structure Name (if exists) Ex Timber Bridge 381.39	Structure Coordinates (latitude and longitude) 40°20'42"N 93°20'22"W	Structure Height (approximate) 3'	Structure Length 35'
Structure Type (check one)		Structure Material (check all that apply)	
Bridge Construction Style		Deck Material	Beam Material
☐ Cast-in-place	☐ Pre-stressed Girder	☐ Metal	☐ None
☐ Flat Slab/Box	☒ Steel I-beam	☐ Concrete	☐ Concrete
☐ Truss	☐ Covered	☒ Timber	☒ Steel
☐ Parallel Box Beam	☐ Other:	☐ Open grid	☐ Timber
		☐ Other:	☐ Other:
Culvert Type		Culvert Material	Creosote Evidence
☐ Box	Other Structure	☐ Metal	☐ Yes ☒ No
☐ Pipe/Round		☐ Concrete	☐ Unknown
☐ Other:		☐ Plastic	Notes:
		☐ Stone/Masonry	
		☐ Other:	
Crossings Traversed (check all that apply)		Surrounding Habitat (check all that apply)	
☒ Bare ground	☒ Open vegetation	☒ Agricultural	☐ Grassland
☐ Rip-rap	☐ Closed vegetation	☐ Commercial	☐ Ranching
☐ Flowing water	☒ Railroad	☐ Residential-urban	☐ Riparian/wetland
☐ Standing water	☐ Road/trail - Type:	☐ Residential-rural	☐ Mixed use
☐ Seasonal water	☐ Other:	☐ Woodland/forested	☐ Other:
Areas Assessed (check all that apply)			
Check all areas that apply. If an area is not present in the structure, check the "not present" box.			
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.			
Area (check if assessed)	Assessment Notes	Evidence of Bats (include photos if present)	
☒ All crevices and cracks: Bridges/culverts: rough surfaces or imperfections in concrete Other structures: soffits, rafters, attic areas	☐ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Species
		☐ Guano	☐ Odor
		☐ Staining	☐ Photos
			N/A
☐ Concrete surfaces (open roosting on concrete)	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Species
		☐ Guano	☐ Odor
		☐ Staining	☐ Photos
			N/A
☐ Spaces between concrete end walls and the bridge deck	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Species
		☐ Guano	☐ Odor
		☐ Staining	☐ Photos
			N/A
☐ Crack between concrete railings on top of the bridge deck 	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Species
		☐ Guano	☐ Odor
		☐ Staining	☐ Photos
			N/A
☐ Vertical surfaces on concrete I-beams	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Species
		☐ Guano	☐ Odor
		☐ Staining	☐ Photos
			N/A
☒ Spaces between walls, ceiling joists	☐ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Species
		☐ Guano	☐ Odor
		☐ Staining	☐ Photos
			N/A
☒ Weep holes, scupper drains, and inlets/pipes	☐ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Species
		☐ Guano	☐ Odor
		☐ Staining	☐ Photos
			N/A
☐ All guiderails	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Species
		☐ Guano	☐ Odor
		☐ Staining	☐ Photos
			N/A
☐ All expansion joints	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Species
		☐ Guano	☐ Odor
		☐ Staining	☐ Photos
			N/A
Name: Gabriella Parker		Signature:	

SW W NW
210 240 270 300
252°W (T) 40°20'42"N, 93°20'22"W ±19ft ▲ 866ft



S SW W
150 180 210 240 270
209°SW (T) 40°20'42"N, 93°20'21"W ±13ft ▲ 865ft



S SW W
180 210 240 270
224°SW (T) 40°20'42"N, 93°20'21"W ±13ft ▲ 853ft



Gabriella Parker

09 Jun 2023, 12:43:01

S SW W
150 180 210 240 270
216°SW (T) 40°20'42"N, 93°20'21"W ±13ft ▲ 861ft



Gabriella Parker

09 Jun 2023, 12:43:08

S SW W
150 180 210 240 270
213°SW (T) 40°20'42"N, 93°20'21"W ±13ft ▲ 863ft



NW N NE
300 330 0 30 60
5°N (T) 40°20'42"N, 93°20'21"W ±16ft ▲ 839ft



Gabriella Parker

09 Jun 2023, 12:44:16

SE S SW
120 150 180 210 240
173°S (T) 40°20'42"N, 93°20'21"W ±9ft ▲ 837ft



SE S SW
120 150 180 210 240
183°S (T) 40°20'42"N, 93°20'21"W ±16ft ▲ 863ft



Gabriella Parker

09 Jun 2023, 12:44:31

NW N NE
300 330 0 30 60
7°N (T) 40°20'42"N, 93°20'21"W ±26ft ▲ 865ft



E SE S
60 90 120 150 180
126°SE (T) 40°20'42"N, 93°20'22"W ±13ft ▲ 861ft



Gabriella Parker

09 Jun 2023 12:44:58

NW N NE
300 330 0 30 60
360°N (T) 40°20'42"N, 93°20'21"W ±19ft ▲ 863ft



N NE E
330 0 30 60 90
37°NE (T) 40°20'42"N, 93°20'22"W ±13ft ▲ 862ft



Gabriella Parker

09 Jun 2023 12:45:00



☉ 58°NE (T) ● 40°20'42"N, 93°20'22"W ±13ft ▲ 863ft



☉ 92°E (T) ● 40°20'42"N, 93°20'21"W ±13ft ▲ 861ft



Gabriella Parker 09 Jun 2023 12:45:45



☉ 98°E (T) ● 40°20'42"N, 93°20'21"W ±13ft ▲ 862ft



☉ 100°E (T) ● 40°20'42"N, 93°20'21"W ±13ft ▲ 860ft



Gabriella Parker 09 Jun 2023 12:45:52

NW N NE
300 330 0 30 60
8°N (T) 40°20'42"N, 93°20'21"W ±13ft ▲ 870ft





CPKC OEA Compliance Program Bridge/Structure Bat Assessment Form

Date & Time of Assessment 06-09-23 12:18	CPKC Project Name Newtown	Bridge Milepost 381.03	County Sullivan
Structure Name (if exists) Ex Timber Bridge 381.03	Structure Coordinates (latitude and longitude) 40°21'1"N 93°20'17"W	Structure Height (approximate) 12'	Structure Length 16'
Structure Type (check one)		Structure Material (check all that apply)	
Bridge Construction Style		Deck Material	Beam Material
☐ Cast-in-place		☐ Metal	☐ None
☐ Flat Slab/Box		☐ Concrete	☐ Concrete
☐ Truss		☒ Timber	☒ Steel
☐ Parallel Box Beam		☐ Open grid	☐ Timber
☐ Pre-stressed Girder		☐ Other:	☐ Other:
☐ Steel I-beam		End/Back Wall Material	
☐ Covered		☐ Concrete	
☐ Other:		☒ Timber	
		☐ Stone/Masonry	
		☐ Other:	
Culvert Type		Culvert Material	
☐ Box		☐ Metal	
☐ Pipe/Round		☐ Concrete	
☐ Other:		☐ Plastic	
		☐ Stone/Masonry	
		☐ Other:	
Other Structure		Notes:	
Crossings Traversed (check all that apply)		Surrounding Habitat (check all that apply)	
☒ Bare ground		☒ Agricultural	
☐ Rip-rap		☐ Commercial	
☐ Flowing water		☐ Residential-urban	
☐ Standing water		☐ Residential-rural	
☐ Seasonal water		☐ Woodland/forested	
☐ Open vegetation		☐ Grassland	
☐ Closed vegetation		☐ Ranching	
☒ Railroad		☐ Riparian/wetland	
☐ Road/trail - Type:		☐ Mixed use	
☐ Other:		☐ Other:	
Areas Assessed (check all that apply)			
Check all areas that apply. If an area is not present in the structure, check the "not present" box.			
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.			
Area (check if assessed)	Assessment Notes	Evidence of Bats (include photos if present)	
☒ All crevices and cracks: Bridges/culverts: rough surfaces or imperfections in concrete Other structures: soffits, rafters, attic areas	☐ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Odor ☐ Photos Species: N/A
☐ Concrete surfaces (open roosting on concrete)	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Odor ☐ Photos Species: N/A
☐ Spaces between concrete end walls and the bridge deck	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Odor ☐ Photos Species: N/A
☐ Crack between concrete railings on top of the bridge deck 	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Odor ☐ Photos Species: N/A
☐ Vertical surfaces on concrete I-beams	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Odor ☐ Photos Species: N/A
☒ Spaces between walls, ceiling joists	☐ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Odor ☐ Photos Species: N/A
☒ Weep holes, scupper drains, and inlets/pipes	☐ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Odor ☐ Photos Species: N/A
☐ All guiderails	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Odor ☐ Photos Species: N/A
☐ All expansion joints	☒ Not present	☒ Visual - live # 0 dead # 0	☐ Audible ☐ Odor ☐ Photos Species: N/A
Name: Gabriella Parker		Signature:	

SW W NW
240 270 300 330
☼ 289°W (T) ● 40°21'1"N, 93°20'17"W ±9ft ▲ 851ft



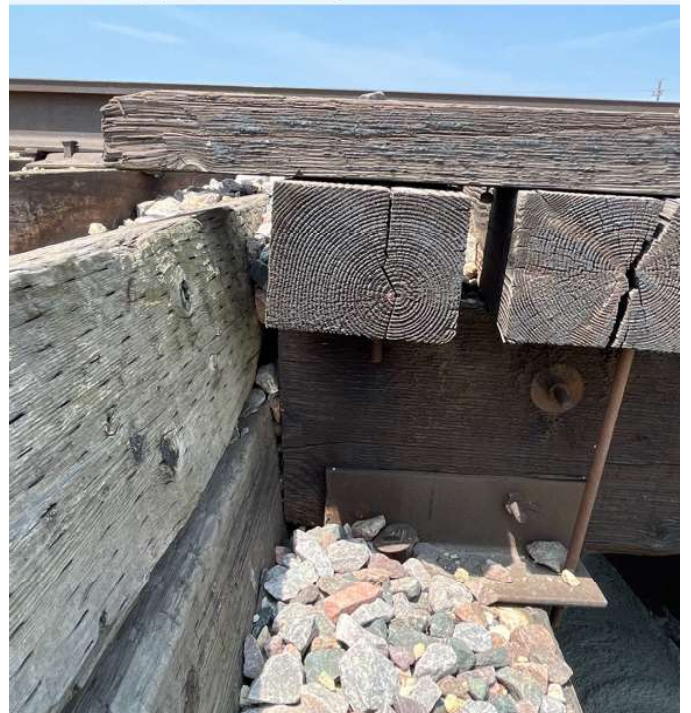
SW W NW
210 240 270 300 330
☼ 277°W (T) ● 40°21'1"N, 93°20'17"W ±13ft ▲ 860ft



Gabriella Parker

09 Jun 2023, 12:18:59

SW W NW
210 240 270 300 330
☼ 264°W (T) ● 40°21'1"N, 93°20'17"W ±13ft ▲ 862ft



W NW N
270 300 330 0 30
☼ 322°NW (T) ● 40°21'1"N, 93°20'17"W ±16ft ▲ 865ft



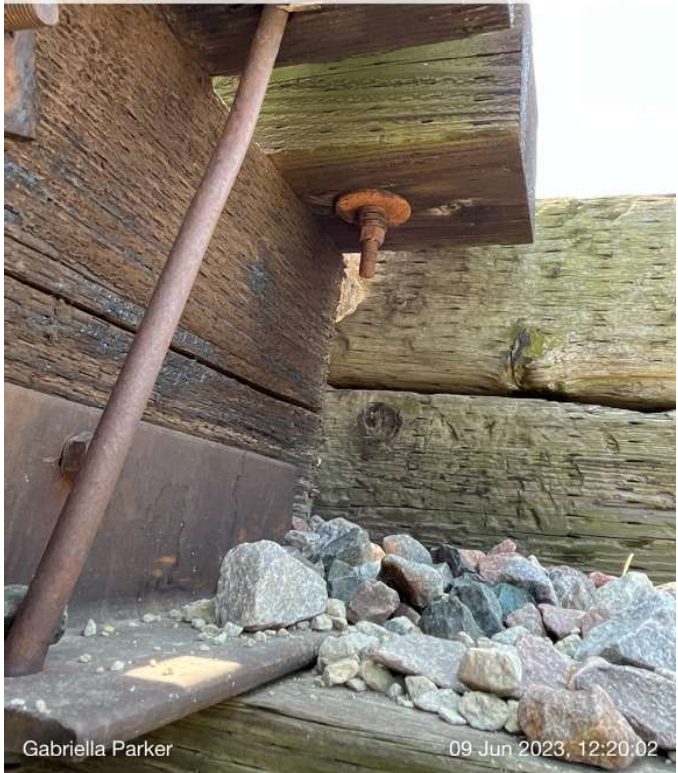
Gabriella Parker

09 Jun 2023, 12:19:38

NW N NE
300 330 0 30
345°N (T) 40°21'1"N, 93°20'17"W ±19ft ▲ 864ft



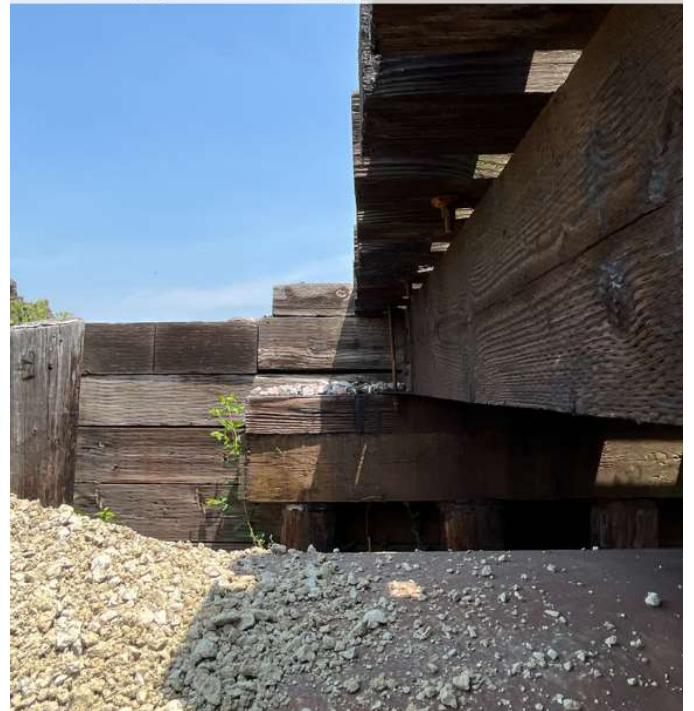
E SE S
90 120 150 180 210
147°SE (T) 40°21'1"N, 93°20'17"W ±13ft ▲ 864ft



Gabriella Parker

09 Jun 2023, 12:20:02

NW N NE
300 330 0 30 6
349°N (T) 40°21'1"N, 93°20'17"W ±13ft ▲ 865ft



NE E SE
30 60 90 120
75°E (T) 40°21'1"N, 93°20'17"W ±9ft ▲ 855ft



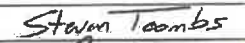
Gabriella Parker

09 Jun 2023, 12:21:19

Capital Improvement Project Pre-Construction Checklist			
Project Name: Monroe		Subdivision: Chicago	Mileage: 72.10-75.12
Project Team		Signatures	
CP Engineering Representative:	Daniel Sabatka	<i>Daniel Sabatka</i>	
CP Environmental Representative:	Joe Van Humbeck	<i>Joe Van Humbeck</i>	
Engineering Consultant:	AECOM - Ryan Raske	<i>Ryan Raske</i>	
Environmental Consultant:	Pinnacle Engineering - Jeff Melby	<i>Jeff Melby</i> Scott Thelen for Jeff Melby	
Contractor:	Veit		
Measure	Requirement	Comment	Initial
ENGINEERING			
VM-Grade Crossing-04	Investigate the potential to create alternative access for properties whose sole access will be blocked more that once per week by a train stationary for longer than ten minutes.	Access and/or access alternatives to properties have been investigated. Access will not be blocked be a stationary train for longer than 10 minutes.	RPR
VM-Grade Crossing-05	Consult with local transportation officials regarding road closures and detours required for construction.	Road closures and/or detours are not anticipated as a result of construction activities. Any anticipated road closures and/or detours will be coordinated with local transportation officials by the Contractor and/or on site construction manager.	RPR
VM-Noise-03	Project has been designed with continuously welded rail.	All proposed rail will be installed using continuously welded rail (CWR)	RPR
VM-Biological-04	Clearing limit drawing prepared.	Tree Clearing limit drawings were prepared and provided to clearing contractor and clearing limit field representatives overseeing clearing activities. Clearing limit stakes were provided in the field prior to clearing activities.	RPR
MM-General-03	Project has been designed to remain within the existing Right-of-Way.	Proposed project infrastructure has been designed to remain within the existing Right-of-Way	RPR
MM-Cultural-02	Project has been designed to avoid impacting all known historic properties which are potentially eligible for listing on the NRHP.	OEA did not identify any known historic properties deemed eligible for listing on the NRHP at the Project Site.	RPR
VM-Biological-01	Impacts on sensitive areas minimized to the extent practicable.	Wetlands have been delineated. No native prairie or old growth forest identified at the project site.	JEM
VM-Biological-08	All lighting has been designed with downward facing cutoff lenses.	Lighting is not proposed and will not be installed as part of this project	RPR
VM-Water-07	Impact on wetlands has been minimized to the extent practicable.	Wetland impacts have been minimized by utilizing 2:1 embankment side slopes, maintaining pre-development hydrology/hydraulics, and limiting disturbance	RPR
VM-Water-08	H&H Analysis completed and culverts designed to comply with CP's standard for the passage of a 1:100 storm event.	Culverts have been designed to comply with the passage of 1:100 year event. 100 year culvert criteria assumes the 100-year water surface elevation (WSE) to be 2' below base of rail per AREMA criteria.	RPR
VM-Water-09	The watercourse crossing structures have been designed with consideration for the passage of aquatic organisms, where practicable.	Watercourse crossing structures have been designed to match existing watercourse as much as practicable in order to minimize impedance of aquatic organism passage.	RPR
MM-Water-01	Culverts and bridges have been designed to maintain existing drainage patterns and not cause or exacerbate flooding	Proposed culverts, bridges, and ditching have been designed to maintain existing drainage patterns and meet AREMA, FEMA, EIS, or CP criteria where applicable.	RPR
MM-Water-02	Coordination with FEMA has occurred if greater than 1 foot rise in 1:100 flood elevation	Proposed structures within FEMA zone(s) do not exceed 1 foot rise in 1:100 flood elevation. Accordingly, Coordination with FEMA is not required.	RPR
Tender			
VM-EJ-03	A minimum of 15% of the bid evaluation was allocated to the inclusion of minority and tribal owned businesses and employees.	Our evaluation of contractor proposals includes a 15% weight for the inclusion of minority and tribal owned businesses.	DWS
ENVIRONMENT			
MM-Cultural-01	Archaeological monitoring plan has been developed and training material prepared.	The archaeological monitoring plan and training material has been prepared by an SOI Qualified Archaeologist and reviewed by the OEA and appropriate THPOs.	JVH
VM-Biological-01	Habitat along length of project assessed and sensitive areas identified.	No critical habitats identified from review of USFWS IPaC Website. Wetlands have been delineated. No native prairie or old growth forest identified at the project site.	JEM
MM-Haz. Mat.-05	Complete a Phase 1, and if required Phase 2, ESA prior to initiating construction.	A Phase 1 ESA was completed for the project area. No further investigation (i.e., a Phase 2 ESA) is recommended for the project area.	JVH
VM-Biological-13	Plans developed to manage any eagle nests in proximity to the construction area.	No eagles nests were identified while performing wetland delineation field activities.	JEM
MM-Biological-02	USFWS list of T&E species and critical habitats has been consulted to ensure no additions in the vicinity of the project site.	No critical habitats identified from review of USFWS IPaC Website. The T&E memo should be provided to the contractor and environmental monitor.	JEM
VM-Water-02	Water Quality Certification has been obtained.	ILEPA 401 certification automatically granted for work approved by ACOE under a Nationwide Permit (NWP).	JEM
VM-Water-03	Clean Water Act Sec. 404 Approval has been obtained.	Clean Water Act 404 approval from ACOE (6/27/2023 letter) authorizing work under NWP 14 contingent on the purchase of wetland credits. Wetland credits were purchased from the Afton South Prairie Wetland Bank (7/11/23).	JEM
VM-Water-05	A site specific SWPPP has been developed.	A site specific SWPPP has been developed and will be on site prior to construction.	RPR
VM-Water-06	A site specific Water Quality Monitoring Plan has been developed.	A site specific Water Quality monitoring plan has been developed and will be on site prior to construction.	RPR
VM-Water-07	Wetland compensation has been arranged for.	Compensatory wetland mitigation is required by ACOE for the project. The wetland credits for forested and emergent wetland impacts was purchased from the Afton South Prairie Wetland Bank (7/11/23) and verified by the ACOE.	JEM
MM-Water-03	A NPDES permit has been obtained for stormwater discharges.	A NPDES permit has been obtained. Coverage under IEPA general permit for Construction	RPR
Contractor Plans			
VM-Air-07	Contractor written statement that equipment is properly maintained and that mufflers and other required pollution control devices are in working order	Yes	JVH
VM-Haz. Mat.-01	Contractor action plan for the discovery of previously undocumented hazardous materials and contaminated soils, including measures to protect the health and safety of workers	Yes	JVH
VM-Haz. Mat.-01	Site specific material management plan developed in alignment with overarching State plan	Yes	JVH
VM-Haz. Mat.-02	Site specific Spill Prevention, Control and Response Plan developed in alignment with overarching State plan.	Yes	JVH

Spiro Project Pre-Construction Checklist (RN-012217)

Project Name: Spiro Siding Extension Subdivision: Heavener Mile Post: 313

Project Team		Signatures
CPKC Engineering Rep:	Michael Martin	
CPKC Environmental Rep:	Kyle Sumsion	Joe Van Humbeck for Kyle Sumsion
Engineering Consultant:	Foster Jones and Associates	
Environmental Consultant:	Headwaters	
Contractor:	LG Barcus	

Measure	Requirement	Comment	Initial
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ENGINEERING

VM-Grade Crossing-04	Investigate the potential to create alternative access for properties whose sole access will be blocked more than once per week by a train stationary for longer than ten minutes.	There are no properties for which sole access will be blocked as a result of constructing this project.	SWT
VM-Grade Crossing-05	Consult with local transportation officials regarding road closures and detours required for construction.	Contractor should contact the LeFlore County Road Manager, Mr. Ballard Campbell, regarding any required road closures and/or detours. Mr. Campbell's contact information: 479-461-5904 leflorecountyd1@yahoo.com	SWT
VM-Noise-03	Project has been designed with continuously welded rail.	The project is designed with CWR.	MM
VM-Biological-04	Clearing limit drawing prepared.	A clearing limit drawing was prepared, delineated onsite, and documented.	MM
MM-General-03	Project has been designed to remain within the existing Right-of-Way.	Project remains within CPKC R/W limits	SWT
MM-Cultural-02	Project has been designed to avoid impacting all known historic properties which are potentially eligible for listing on the NRHP.	Project avoids all NRHP properties	MM
VM-Biological-01	Impacts on sensitive areas minimized to the extent practicable.	Impacts on sensitive areas have been minimized	MM
VM-Biological-08	All lighting has been designed with downward facing cutoff lenses.	There is no lighting appurtenances on this project.	MM
VM-Water-07	Impact on wetlands has been minimized to the extent practicable.	Impact on wetlands has been minimized to the extent practicable.	SWT
VM-Water-08	H&H Analysis completed and culverts designed to comply with CP's standard for the passage of a 1:100 storm event.	H&H was completed and culverts are designed to comply with CPKC's standard for the passage of a 100 year storm.	SWT
VM-Water-09	The watercourse crossing structures have been designed with consideration for the passage of aquatic organisms, where practicable.	Yes	SWT
MM-Water-01	Culverts and bridges have been designed to maintain existing drainage patterns and not cause or exacerbate flooding	Yes	SWT
MM-Water-02	Coordination with FEMA has occurred if greater than 1 foot rise in 1:100 flood elevation	The flood elevation is not impacted by the project.	SWT

TENDER

VM-EJ-03	A minimum of 15% of the bid evaluation was allocated to the inclusion of minority and tribal owned businesses and employees.	Yes.	MM
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ENVIRONMENT			
MM-Cultural-01	Archaeological monitoring plan has been developed and training material prepared.	Yes.	JVH
VM-Biological-01	Habitat along length of project assessed and sensitive areas identified.	Yes.	RMO
MM-Haz. Mat.-05	Complete and Phase 1, and if required Phase 2, ESA prior to Initiating construction.	Phase 1 was completed.	RMO
VM-Biological-13	Plans developed to manage any eagle nests in proximity to the construction area.	N/A	JVH
MM-Biological-02	USFWS list of T&E species and critical habitats has been consulted to ensure no additions in the vicinity of the project site.	Yes.	RMO
VM-Water-02	Water Quality Certification has been obtained.	Yes.	RMO
VM-Water-03	Clean Water Act Sec. 404 Approval has been obtained.	Yes.	RMO
VM-Water-05	A site specific SWPPP has been developed.	Yes.	RMO
VM-Water-06	A site specific Water Quality Monitoring Plan has been developed.	Yes.	RMO
VM-Water-07	Wetland compensation has been arranged for.	N/A	JVH
MM-Water-03	A NPDES permit has been obtained for stormwater discharges.	Yes.	RMO
CONSTRUCTION			
VM-Air-07	Contractor written statement that equipment is properly maintained and that mufflers and other required pollution control devices are in working order	Yes.	JVH
VM-Haz. Mat.-01	Contractor action plan for the discovery of previously undocumented hazardous materials and contaminated soils, including measures to protect the health and safety of workers	Yes.	JVH
VM-Haz. Mat.-01	Site specific material management plan developed in alignment with overarching State plan	Yes.	JVH
VM-Haz. Mat.-02	Site specific Spill Prevention, Control and Response Plan developed in alignment with overarching State plan.	Yes.	JVH