

EI-33134

October 26, 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 Capital Improvement Projects Update

Dear Ms. Gosselin:

When the Board approved the merger in this proceeding, it relied on the Final Environmental Impact Statement prepared by your office. That EIS studied 25 capital improvements, which CPKC is building to accommodate increased traffic. Since the merger was finalized, eight of those projects have begun construction. The remaining 17 projects are now undergoing final design, including performance studies, site investigation, and detailed engineering.

As explained in our October 28, 2021 information request response, there were no “site-specific construction or engineering plans” for CPKC’s capital improvements at the EIS stage. Those plans, the response explained, “are not normally developed until the months leading up to the construction activity.” As that final design work progressed, it showed that four locations require changes from the plans used in the EIS: Turkey River, Moravia, Heavener, and Loring. These changes do not cause significant environmental impacts, nor do they have impacts that are significantly different from what was studied in the EIS.

A. Turkey River

At Turkey River, CPKC is adding a new passing siding. The initial roll-plot showed this new siding on the Mississippi River side of the main line. But further investigation has shown that the siding can instead be built on the bluff side. This change will not cause a significant environmental impact. To the contrary, it cuts wetland impacts from over 6 acres to less than 0.5 acres. This drop in wetlands impact aligns with voluntary mitigation measure VM-Water-07, which says that CPKC will “minimize impacts to wetlands where practicable.” The new siding at Turkey River

Danielle Gosselin
October 26, 2023
Page 2

will also stay within the existing right-of-way and will not change the northern and southern project limits.

B. Moravia

The capital improvement at Moravia is also a new passing siding. CPKC's geotechnical investigations at the original Moravia site showed unstable hillslopes near the track. If a new siding were built there, as described in the EIS, it could destabilize the existing track. To avoid this problem, CPKC looked for a new site that would meet all engineering, operational, and environmental criteria. That search led it to a new site about four miles south of the original one. *See photo enclosure.* A field investigation at this new site found no significant environmental impacts and no impacts significantly different from those at the original site. And while CPKC will likely have to acquire long-term access to some adjacent land outside the right-of-way to facilitate construction, it does not expect that acquisition to create any obstacles to the new siding.

C. Heavener

CPKC is extending an existing siding at Heavener. The initial roll-plot showed this siding extension on the same side of the main line as Oil Branch Creek. But design work and geotechnical studies have shown that this plan would have required Oil Branch Creek to be relocated. So CPKC is switching the siding to the other side of the main line. This change eliminates the need to relocate Oil Branch Creek and again aligns with voluntary mitigation measure VM-Water-07. Adverse environmental impacts are negligible, the northern and southern project limits are the same, and the project will stay within the existing right-of-way.

D. Loring

The capital improvement at Loring is also a siding extension. Here, geotechnical investigations during design have shown that the 17-foot embankment height requires a 34-foot build out to accommodate the toe of the embankment slope. That added build out means that CPKC must acquire land north of the existing right-of-way. CPKC has already talked to the current property owners, who have indicated their willingness to negotiate a sale. This change does not cause a significant environmental impact and will not have impacts significantly different from those studied in the EIS.

Danielle Gosselin
October 26, 2023
Page 3

In sum, these changes to four capital improvement projects do not have significant environmental impacts. The projects' impacts will also stay consistent with the impacts studied in the EIS. And CPKC will continue to provide updates on these and all other capital improvements in its quarterly reports.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Jay C. Johnson", is positioned above the printed name.

Jay C. Johnson

CC:
Elizabeth Webster
Joe Van Humbeck
Glen Wilson

**Original Siding
Location**

**New Siding
Location**

Moravia High School

Moravia

Moravia Recreation Area

Custom Built Cabins and Homes

Gear Central Supply

Back Road Soul Puppies

Captain's Landing Restaurant

Maine

Google Earth

Imagery Date: 7/27/2020 40°53'25.06" N 92°48'48.89" W elev 992 ft eye alt 38362 ft