



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

December 7, 2021

Mark R. Coulter
Vice President and General Counsel
Port Authority of Kansas City
110 Berkley Plaza
Kansas City, MO 64120

Re: Docket No. FD 36406, Port Authority of Kansas City—Construction and
Operation Exemption—in Jackson and Clay Counties, Mo.; Request for
Applicant's Alternatives Report and Funding Update

Dear Mr. Coulter:

As you know, the Port Authority of Kansas City (Port KC) first met with the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) on April 23, 2020 to discuss Port KC's proposed construction and operation of approximately 1.7 miles of new rail line that would connect the Missouri River and the Missouri River Terminal (MRT) to an interchange point with the Kansas City Terminal Railway Company (KCT). After Port KC presented its proposal, OEA then explained the Board's environmental review process consistent with the National Environmental Policy Act, 42 U.S.C. §§ 4321-4370m-12, and the Board's environmental rules at 49 C.F.R. 1105. For the past 16 months, OEA has been working to advance the environmental review for Port KC's proposal.

On November 3, 2021, Port KC sent OEA changes to its preferred alignment and to six other alignments under consideration. Port KC's new preferred alignment involves eight tracks instead of the four originally submitted, crosses existing rail lines via a new or existing tunnel, and effectively doubles the construction and operation footprint. The other alignments extend beyond the original end point to approach the Missouri River on the northern portion of the proposed MRT site or leave the MRT site to the west and tie into the Union Pacific Railroad or KCT north of the terminal railyard.

Port KC's ongoing changes to the alignments are making it increasingly difficult for OEA to move forward with the environmental review in a timely and effective manner. Accordingly, OEA is requesting an Alternatives Report that clearly defines the alternatives developed for the propose rail line and an update on funding as discussed in more detail below.

The Alternatives Report will add structure and form to Port KC's planning work and will allow OEA to proceed with the environmental review confident that our analysis will not have to be redone. To ensure that we have the information we need to move forward, I am placing the environmental review on hold until OEA receives the requested information and formally reinstitutes the environmental review process.

Alternatives Report

Please provide an Alternatives Report that includes information on the alignments currently under consideration, identifies Port KC's preferred alignment, and explains the rationale used by Port KC in selecting its preferred alignment. The Alternatives Report should include specific details for each alignment including how the proposed common carrier rail line on the MRT site would be successfully sited, constructed, and operated. Please include preliminary engineering for each rail alignment with a potential connection to existing common carrier tracks, proposed crossings of existing rail lines, and siting constraints. Please also provide Geographic Information System (GIS) shapefiles (or files in a KMZ format) and updated design drawings and diagrams for the alignments under consideration that include the items listed below:

- Rail alignment plan and profile,
- Daylight lines for cut and fill or grading limit lines,
- Specification of rail segments that are proposed as common carrier railroad and segments that are proposed as unregulated spur track within the meaning of 49 U.S.C § 10906, and
- Typical cross-section for the full right-of-way and the rail bed including potential access roads, transmission lines, and other ancillary facilities that would be in the right-of-way.

The Alternatives Report should also provide a rationale and explanation of the constraints analysis that informed the design of each rail alignment under consideration. Additionally, if there are alignments that have been evaluated but were not found to be feasible, these alignments should be identified and a rationale provided as to why they are not feasible.

Funding

OEA also understands that there has been a delay in Port KC's ability to secure funding for the wetland and waterbody delineation and cultural resources fieldwork as well as the accompanying technical reports now planned for Spring 2022. Please provide a timeline for when funding is anticipated for the necessary resource fieldwork and technical reports.

We look forward to receiving Port KC's Alternatives Report and timeline for funding the fieldwork and technical reports at your earliest convenience. The requested information should be sent electronically to Adam Assenza of my staff at adam.assenza@stb.gov. Please feel free to contact Mr. Assenza at this email address or at 202-245-0301 if you have any questions. Thank you for your assistance.

Sincerely,

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

Danielle Gosselin
Acting Director
Office of Environmental Analysis

CC: Justin Marks