

From: [Webster, Elizabeth](#)
To: jasonsturdivant13@gmail.com; mr_tc1@yahoo.com
Cc: [Wood, Diana](#)
Subject: Surface Transportation Board - Acquisition & Operation of MNBR by CPKC and CSXT
Date: Thursday, February 1, 2024 2:58:00 PM
Attachments: [STB Letter 12.21.23.pdf](#)
[EO-3872 Map.pdf](#)

Commissioners Sturdivant and Cherry,

The Surface Transportation Board's Office of Environmental Analysis is reaching out to confirm your receipt of a consultation letter sent in December 2023 (see attached) regarding the proposed acquisitions of the Meridian & Bigbee Railroad (MNBR) by Canadian Pacific Kansas City (CPKC) and by CSX Transportation (CSXT). If the Board authorizes both CPKC's and CSXT's acquisitions, two more trains per day would operate on the MNBR line between Meridian, MS, and Myrtlewood, AL, and up to two more trains would operate between Myrtlewood, AL and Montgomery, AL. The Draft Environmental Assessment (Draft EA) for these acquisitions will evaluate the potential environmental impacts that additional train traffic may have on communities along the MNBR line.

We ask that you provide the names and contact information for leaders in your community such as school principals, faith leaders, and police chiefs so we may expand our notification on the Draft EA. Feedback from community leaders and members of the public is critical to the environmental review process and will help determine how this project may impact your community.

If you have any questions, please feel free to contact me at 202-360-0742 or by email at Elizabeth.Webster@stb.gov, or Diana Wood at 202-934-0388 or by email at Diana.Wood@stb.gov.

Thank you,
Elizabeth Webster



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

December 21, 2023

Tony L. Cherry
Commissioner
Choctaw County Board of Commissioners
445 Wallace Mcneeley Rd.
Butler, AL 36904

mr_tcl@yahoo.com

RE: Docket No. FD 36727, CSX Transportation, Inc.—Acquisition and Operation—Rail Line of Meridian & Bigbee Railroad, L.L.C. & Docket No. FD 36732, Canadian Pacific Kansas City Limited and the Kansas City Southern Railway Company, D/B/A CPKC – Acquisition and Operation – Certain Rail Line of Meridian & Bigbee Railroad, L.L.C., in Lauderdale County, Miss. and Choctaw and Marengo Counties Ala.

Tony L. Cherry:

In Docket No. FD 36727, CSX Transportation (CSXT) filed an application under 49 U.S.C. § 11323 with the Surface Transportation Board (the Board) to acquire and operate the assets comprising the rail line of Meridian & Bigbee Railroad, L.L.C. (MNBR) that runs approximately 93.68 miles between the cities of Burkville, Ala., and Myrtlewood, Ala., in Lowndes, Dallas, Wilcox and Marengo Counties (CSXT Transaction). In Docket No. FD 36732, Canadian Pacific Kansas City Limited (CPKC) filed an application under 49 U.S.C. § 11323 with the Board on the same day to acquire from MNBR and to operate approximately 50.4 miles of rail line between Meridian, Miss., and Myrtlewood, Ala. (CPKC Transaction). (See Attachment 1: Project Location Map).

According to CSXT and CPKC, approval and implementation of the proposed contiguous transactions would create a direct interchange between CPKC and CSXT at Myrtlewood that would expand shipping options for CSXT and CPKC for intermodal, automotive, and other traffic moving between the Southeastern United States and the Southwestern United States or Mexico. Following implementation of the proposed transactions, CPKC expects the addition of one new roundtrip train per day over its section of the MNBR line (two trains, one in each direction), consisting of approximately 70 cars per train, which would handle traffic moving between CPKC and CSXT, including diverted traffic and new traffic attracted to the Myrtlewood

interchange. CSXT also forecasts an increase in gross ton miles over its section of the MNBR line post-transaction and anticipates that eastbound and westbound through service would increase from 3 days a week to 7 days a week.

On November 3, 2023, the Board accepted both applications for consideration in separate decisions.¹ The Board stated that, for expediency and efficiency, its Office of Environmental Analysis (OEA) will prepare one Environmental Assessment (EA) under the National Environmental Policy Act (NEPA) for both the CSXT and CPKC Transactions. The Board explained that these transactions involve contiguous sections of the same rail line, that CPKC and CSXT each provided volume forecasts showing exceedance of the gross ton mile thresholds based on the scenario in which both transactions are authorized and implemented, the environmental impacts from both transactions are otherwise expected to be very similar, and both applications were filed at the same time, allowing the environmental review of the two transactions to proceed simultaneously. Decision No. 1, FD 36727 et al., slip op. at 13; Decision No. 1, FD 36732 et al., slip op. at 13. For more information about these transactions, see Decision No. 1, FD 36727 et al., slip op. at 2-4; Decision No. 1, FD 36732 et al., slip op. at 2-4.

OEA is beginning the process of gathering environmental information related to both transactions. The purpose of this letter is to ask you for comments on any environmental issues and concerns, including any information on resources that may be affected by either of the transactions. Your comments will assist OEA in preparing the EA.

The EA Process

Under the Board's environmental regulations, an acquisition under 49 U.S.C. § 11323 generally requires the preparation of an EA where certain thresholds would be exceeded. See 49 C.F.R. § 1105.6(b)(4). The thresholds for assessing environmental impacts from increased rail traffic on rail lines in acquisitions are an increase in rail traffic of at least 100% (measured in gross ton miles annually)² or an increase of at least eight trains per day. 49 C.F.R. § 1105.7(e)(5). For air quality impacts, rail lines located in areas classified as being in "nonattainment" areas under the Clean Air Act (42 U.S.C. §§ 7401-7671q) are also assessed if they would experience an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains per day. 49 C.F.R. § 1105.7(e)(5)(ii).

OEA has reviewed the data provided by CSXT and CPKC, including their traffic projections through 2029. Based on the data, neither the 8-trains-per-day nor 3-trains-per-day

¹ See CSX Transp., Inc.—Acquis. & Operation—Rail Line of Meridian & Bigbee R.R. (Decision No. 1), FD 36727 et al. (STB served Nov. 3, 2023) and Can. Pac. Kan. City Ltd.—Acquis. & Operation—Certain Rail Line of Meridian & Bigbee R.R. in Lauderdale Cnty., Miss., & Choctaw & Marengo Cntys., Ala. (Decision No. 1), FD 36732 et al. (STB served Nov. 3, 2023). The applications and decisions in these proceedings are available on the Board's website at www.stb.gov.

² Gross ton miles calculated by multiplying the total weight of loaded and empty freight cars by the number of miles moved by a train.

thresholds for environmental review will be exceeded as a result of either transaction. However, because there will be an increase in gross ton miles in excess of 100% if both transactions are authorized, the gross-ton mile threshold will be exceeded and therefore, as noted in the Board decisions referenced above, OEA will prepare an EA. See 49 C.F.R. §§ 1105.7(e)(5)(i); 1105.10(b).

The EA process will address potential environmental impacts associated with both transactions, including changes in rail line traffic and rail yard activity changes. OEA will prepare a Draft EA and issue it for public comment. Following the close of the comment period, OEA will prepare a Final EA. The Final EA will address the comments received on the Draft EA, present OEA's final conclusions regarding the potential environmental impacts of the transactions, and set forth OEA's final recommendations to the Board, including recommended environmental mitigation measures. The Board then will consider the entire record for each transaction, including the record on the transportation merits, the Draft EA, the Final EA, and all public comments received. In its final decisions, the Board will decide whether the transactions should be authorized and, if so, what conditions, including environmental mitigation conditions, to impose.

Request for Comments

OEA requests any comments that you might have on these two transactions by January 24, 2024. All filings and other submissions can be submitted electronically through the Board's website at <https://stb.gov>. To submit a comment, select "File an Environmental Comment" (below the "Need Assistance?" button) on the Board's home page. Please make sure to refer to Docket No. FD 36727 and/or FD 36732 in all correspondence, including e-filings, addressed to the Board. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats. Commenters are strongly encouraged to submit filings via the Board's e-filing system.

You may also send your written comments to OEA's Project Managers, by mail to Diana Wood regarding FD 36727 and Elizabeth Webster regarding FD 36732:

Surface Transportation Board
395 E Street SW
Washington, DC 20423

We look forward to hearing from you. If you have any questions, please feel free to contact Diana Wood at 202-934-0388 or by email at Diana.Wood@stb.gov or Elizabeth Webster at 202-360-0742 or by email at Elizabeth.Webster@stb.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Gosselin". The signature is fluid and cursive, with the first name "Danielle" written in a larger, more prominent script than the last name "Gosselin".

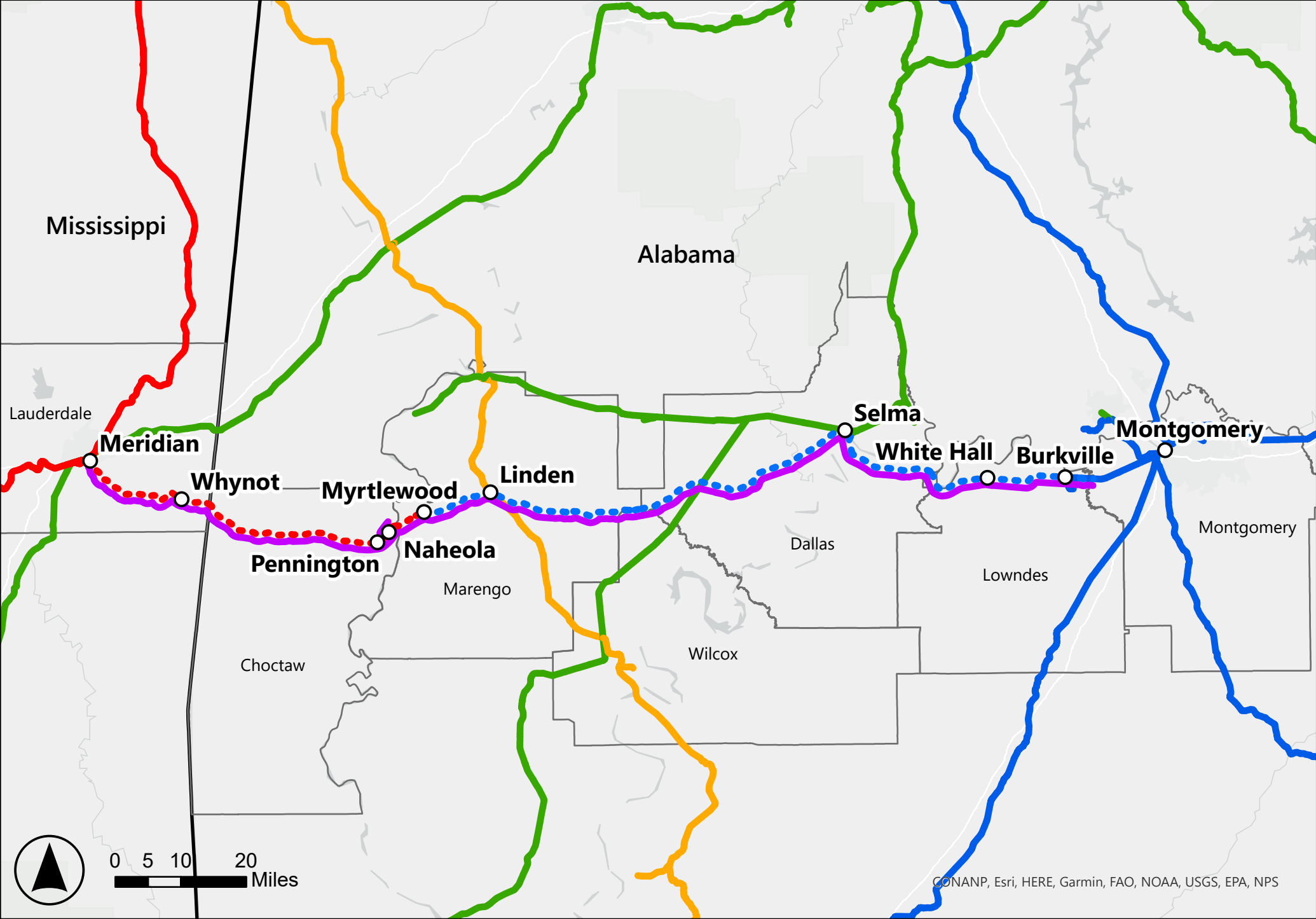
Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Project Location Map



- | | | |
|------------------------|--------|----------------------|
| ●● Eastern Line (CSXT) | — CPKC | — AGR |
| ●● Western Line (CPKC) | — CSXT | ○ Segment End Points |
| — MNBR | — NS | □ Counties |

Attachment 1: Project Location Map
FD 36727 (CSXT) & FD 36732 (CPKC)

CONANP, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS