

FROM THE DESK OF

WILLIAMS

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Office of Chief Counsel
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The Honorable Patrick J. Fuchs
Chairman
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

**Re: Finance Docket 36873 – Union Pacific Corporation–Norfolk Southern Corporation
Merger Proposed Procedural Schedule Public Comment**

To Chairman Fuchs and Members of the Board,

As President of both the Eastwood Civic Association and Super Neighborhood 64 & 88, I am writing to demand that the Surface Transportation Board conduct a rigorous, transparent, and honest review of the proposed Union Pacific–Norfolk Southern merger. I am not writing from a position of abstract concern. *I live in Houston's East End.* The West Belt Railroad line runs directly by my home. What I describe below is not hyperbolic rhetoric—it is our daily reality, and it is killing us.

This Is a Life-or-Death Matter

In May 2023, at an FRA Road and Rail safety event, we learned that the national average first-responder arrival time is 5 to 6 minutes. In Houston's East End, that time is over 11 minutes.

The consequences are not theoretical. Homes have burned down. People have died. Police could not make it to an East End school with an active shooter. In 2023, a baby died because first responders could not reach them fast enough. This is what happens when train blockages turn emergency response into an impossible task.

The City of Houston has documented that the Houston Fire Department reported 905 incidents in 2019 where first responders were delayed or had to reroute due to blocked crossings. That number grew to 974 in 2020 and surged to nearly 1,400 in 2021. The trend has remained consistent. These are not inconveniences. These are life-threatening delays with fatal outcomes.

Children Crawling Under Trains to Get to School

There are 23 schools in the vicinity of these rail lines in the East End. Our community has captured video—heartbreaking, damning video—of children and mothers holding infants crawling under stopped trains. Union Pacific touts its "Track Safe" initiative as if children are crawling under trains because they think it's fun or cool. They are not.

These children are crawling under trains because:

- It is often the only way they will eat that day—they cannot miss their free breakfast at school.
- School district attendance policies mark tardiness, resulting in academic and disciplinary consequences.
- Teachers regularly report that transportation disruptions cause significant educational stress and learning loss for students who cannot reliably reach school.

Union Pacific claims to be "in the business of moving trains." I see little evidence of that. What I see are trains stopped—constantly—blocking the same crossings for hours at a time while children risk their lives to access food and education.

Current Conditions Are Already Unlivable

The West Belt Railroad line already blocks crossings in my neighborhood for up to 6 hours per day—and that is just from moving trains, not including when they stop entirely. Residents routinely report feeling unsafe walking near these lines. The prolonged stoppages are so frequent and so severe that drivers go around lowered gates and pedestrians climb through or over stopped trains. These actions do not reflect impatience. They reflect the extraordinary, inescapable pressure created by a rail system that has made normal life impossible.

Houston's East End submits more blocked-crossing reports to the FRA's national portal than any other region in the country. The 2021 Texas Department of Transportation Houston-Beaumont Region Freight Rail Study projected that over the next twenty years, the total public cost of delay at roadway-rail crossings in the eight-county Houston region would exceed \$2.6 billion. That was the pre-merger forecast. We are running a nearly 400% increase in train volume on a railroad infrastructure that has not changed in the last 100 years.

How much worse will it become when Union Pacific absorbs Norfolk Southern's traffic and reduces rail competition?

Union Pacific's Disingenuousness and Lack of Accountability

Union Pacific has been disingenuous about the true impacts of this merger. They publicly emphasize that the Gulf Coast petrochemical and oil and gas sectors are central to the merger rationale, and early expert analysis points to at least 10 percent volume growth by 2030. Yet they refuse to be transparent about the inevitable operational consequences for Houston's East End.

Union Pacific has never been held accountable for the suffering they cause in our community. They issue press releases about safety while our children crawl under their trains. They claim operational efficiency while their trains sit motionless for hours, severing our access to emergency services, schools, jobs, and grocery stores.

We deserve better. We deserve the truth.

What the Board Must Require

If the Surface Transportation Board approves this merger, it must impose enforceable conditions that go beyond symbolic gestures:

1. Full Public Hearing in Houston

Given the scale and location of expected impacts, a full public hearing must be held in Houston. Residents, local officials, businesses, emergency-response agencies, and school administrators must have the opportunity to provide testimony directly to the Board in the community most affected by this consolidation. We must be part of the conversation, not a footnote in an environmental analysis produced by someone thousands of miles away.

2. Complete and Verifiable Traffic Projections

Union Pacific and Norfolk Southern must be required to present detailed, independently verifiable projections of expected volumes, train lengths, frequencies, and operational changes for every affected line segment in the Houston region. This must include:

- Primary merger routes and secondary lines throughout the Houston region
- Secondary-line interactions and wait times at interchanges
- Cumulative impacts of increased traffic on the entire Houston rail network
- At-grade crossing blockage patterns and durations
- Effects on parallel roadways and alternative routes

The CPKC merger analysis failed to capture the cascade effects that are a primary cause of prolonged blockages in Houston's East End. This Board must not repeat that mistake.

3. Real Operational Accountability—Not Just Infrastructure Funding

Union Pacific must commit to real operational changes to prevent trains from blocking crossings in the first place. It is not sufficient for them to fund grade separations while continuing to operate in ways that create hours-long blockages. They must:

- Implement enforceable limits on crossing blockage durations
- Establish penalties for violations
- Commit to operational changes that prioritize the movement of trains through congested urban corridors
- Provide real-time communication systems so emergency responders and the public know when crossings will be clear

4. Mandated Grade Separations and Emergency Access Routes

The combined UP-NS entity must be required to fund and construct grade separations at the most critically impacted crossings and establish permanent emergency access routes that cannot be blocked by rail operations.

Union Pacific cannot claim these costs are prohibitive when they can donate \$200 million to a White House ballroom and report billions in profit each quarter. If they have resources for symbolic gestures in Washington, they have resources to save lives in Houston.

However, Union Pacific cannot be permitted to simply impose solutions on our community.

These infrastructure projects must be developed through meaningful community engagement, where residents have genuine decision-making authority over what is implemented and how it integrates into our neighborhoods. We will not accept utilitarian overpasses that further divide and degrade our community. The solutions must be thoughtful, context-sensitive, and designed in partnership with the people who live here. These infrastructure commitments must be enforceable, fully funded by the merged entity, and completed on an aggressive timeline with community accountability at every stage.

Conclusion

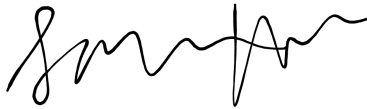
Union Pacific claims to be in the business of moving trains. They need to prove it. They need to own up to the fact that this merger will increase volumes and worsen conditions in Houston's East End. They need to be truthful, transparent, and accountable.

Your decision will determine whether a baby's death in 2023 will be followed by more preventable tragedies. It will determine whether children continue to crawl under trains to access food and education. It will determine whether first responders can reach people in time to save their lives.

Houston's East End already shoulders disproportionate burdens. We will not accept a process that treats our lives as an afterthought. The stakes could not be higher. The fate of the people who live and work here rests in your hands.

Thank you for your attention to this critical matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lindsay Williams', with a stylized, cursive script.

Lindsay Williams

President, Eastwood Civic Association

President, Super Neighborhood 64 & 88, Greater Eastwood, Lawndale, and Wayside

Chair, Economic Development Committee, Super Neighborhood Alliance

Board Member, Harris County Precinct 2 Community Advisory

Member, East End Rail Safety Task Force

Member, East End Pedestrian Safety Task Force

Member, East End Safe Streets for All Technical Advisory Group

Houston, Texas

CC:

Parties of record

US Congresswoman Sylvia Garcia

Mayor, City of Houston

Harris County Commissioner Adrian Garcia

Texas State Senator Carol Alvarado

Texas State Representative Ana Hernandez

City of Houston City Council

Houston Police

Gulf Coast Rail District

Super Neighborhoods 63, 65, and 82

Eastwood Civic Association