



CITY OF HOUSTON

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Mayor

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Office of Chief Counsel
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October 13, 2025

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

Re: Comments Regarding Proposed Union Pacific Corporation–Norfolk Southern Corporation
Merger (Docket No. FD 36873)

Dear Chairman Fuchs:

On behalf of the City of Houston, I write to express our strong interest in the Surface Transportation Board's review of the proposed merger between Union Pacific Corporation and Norfolk Southern Corporation.

As the nation's fourth-largest city and a critical hub for rail and port activity, Houston sits at the crossroads of the national freight network and is in the Gulf Coast Commodity Flow for both Union Pacific Railroad and Burlington Northern Santa Fe Railroad. Our rail system supports the movement of goods vital to the U.S. economy, but it also runs directly through densely populated residential neighborhoods, creating unique and ongoing challenges for public safety, emergency response, air quality, and community livability.

Houston's East End, Greater Fifth Ward, OST/South Union, and Northside communities in particular are among the most rail-impacted urban areas in the nation. These neighborhoods experience frequent blocked crossings—sometimes lasting hours—causing delays for emergency responders, dividing communities, and contributing to air quality and noise issues that affect tens of thousands of residents. The Houston Fire Department documents hundreds of incidents each year where stopped trains delay emergency vehicles or force reroutes, creating unacceptable risks to life and safety.

The proposed \$85 billion merger would create the first modern transcontinental railroad, and Union Pacific has identified Houston as a key node in its expansion strategy, seeking to capture more Midwest freight bound for Gulf Coast ports. Without proper oversight and mitigation, this will intensify the operational pressures already affecting our city.

Accordingly, the City of Houston urges the Surface Transportation Board to ensure that the merger review process and final decision include both procedural safeguards and substantive commitments that protect Houston residents and first responders.

Procedural Fairness and Community Participation

Houston's residents—especially those in our East End neighborhoods—must have a meaningful opportunity to participate in this process. We strongly support the requests made by the Joint East End Super Neighborhood Coalition and echo their specific recommendations that the STB:

1. Hold at least one public hearing in Houston at a time and location accessible to working residents, including evening or weekend hours. During the previous CP–KCS merger, Houston was excluded from direct engagement despite being a major operational hub. That must not happen again.
2. Allow sufficient time between technical filings and public comment deadlines to permit community review of merger applications, environmental analyses, and operational forecasts. Local residents and city departments must be able to evaluate projected changes in train volume, frequency, length, and impacts on crossings and air quality.
3. Conduct a comprehensive system impact study that examines both primary merger routes and secondary lines throughout the Houston region. Rail congestion in Houston is interlinked across multiple carriers and subdivisions; a narrow review will fail to capture cascading effects that cause prolonged blockages and emergency response delays.
4. Include time in the procedural schedule for community mitigation planning, ensuring affected neighborhoods can review, negotiate, and comment on proposed mitigation measures prior to final merger approval.

Substantive Mitigation Commitments

To safeguard public safety and maintain quality of life as rail traffic increases, the City of Houston requests that any merger approval include binding commitments requiring:

1. Infrastructure Investment: Funding for grade separation projects at the City's highest-priority crossings to eliminate frequent and prolonged blockages.
2. Operational Restrictions: Reasonable limits on train length and idling time within urban and residential areas to prevent gridlock and reduce diesel emissions.
3. Community Protections: Support for additional quiet zones, improved rail safety infrastructure, and measures to minimize noise and vibration impacts in affected neighborhoods.

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4. Emergency Response Coordination: Formalized communication protocols between the merged railroad and the Houston Fire Department, EMS, and Police Department to prevent emergency response delays and ensure real-time coordination during blockages.
5. Data-Driven Oversight: Incorporation of findings from the City's Smart Railroad Crossing Monitor Pilot and Houston Fire Department incident data into the STB's environmental and operational monitoring requirements.
6. Community Engagement: Require ongoing communication and outreach to neighborhoods with the highest frequency of blocked crossings, including public education on rail safety, real-time information resources, and tools to help residents manage and respond safely to stopped train events.

Houston's economic vitality depends on efficient freight rail operations—but our residents and first responders cannot bear the escalating costs of congestion and inaction. This merger review presents an opportunity for the Surface Transportation Board to balance national freight efficiency with local public safety and environmental justice.

We respectfully request that the Board adopt a schedule that ensures meaningful public participation in Houston, conduct a comprehensive impact analysis of the full regional rail system, and condition any approval on enforceable mitigation commitments that directly protect the people of Houston.

Thank you for your leadership and attention to these critical issues. The City of Houston stands ready to collaborate with the Board, the applicants, and our regional partners to achieve a balanced and equitable outcome for our residents and the national rail network.

Sincerely,



John Whitmire
Mayor

cc: The Honorable Sean Duffy, Secretary of Transportation
The Honorable Abigail "Gail" Slater, Assistant Attorney-General, Antitrust Division
The Honorable Jenifer Soulikias, Administrative Law Judge
Michael Rosenthal, Covington & Burling LLP
Raymond A. Atkins, Sidley Austin LLP
Other Parties of Record