

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

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Office of Chief Counsel
December 19, 2025
Part of
Public Record

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

December 19, 2025

NPBL-8

VIA ELECTRONIC FILING

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: **Docket No. FD 36836 (Sub-No. 1)**
CSX Transportation, Inc. – Terminal Trackage Rights –
Norfolk Southern Railway Company and
Norfolk and Portsmouth Belt Line Railroad Company

Dear Case Administration Chief:

Attached for filing in the above-captioned docket are the following letters regarding the terminal trackage rights application of CSX Transportation, Inc.:

- Hon. Shannon E. Glover, Mayor of Portsmouth, Virginia
- Portsmouth Public Schools, Dr. Elie Bracy, III, Division Superintendent
- Hampton Roads Military and Federal Facilities Alliance, Richard E. Dwyer, Executive Director
- Portsmouth Partnership, Michelle Wren, Executive Director
- Portsmouth Partnership, Don Comer, Jr., Board Member
- Elizabeth River Crossings OpCo, LLC, Ana Bonet, Chief Executive Officer
- South Norfolk Jordan Bridge, Kevin Crum, General Manager
- Chick-fil-A Frederick Blvd, Will Taylor, Owner/Operator
- Stephen Genthner D.C., Old Towne Family Chiropractic
- Ashley Genthner D.C., Old Towne Family Chiropractic

FLETCHER & SIPPEL LLC

Chief of Case Administration
December 19, 2025
Page 2

NPBL-8

I certify that a copy of this filing has been served by electronic mail or first-class mail, postage prepaid, on all parties of record in this docket.

Respectfully submitted,

/s/ *Thomas J. Litwiler*

Thomas J. Litwiler
Attorney for Norfolk and Portsmouth
Belt Line Railroad Company

TJL:tl

cc: Parties of Record
Hon. Jenifer Soulikias, ALJ



CITY OF PORTSMOUTH
Office of the Mayor

Shannon E. Glover
Mayor

December 17, 2025

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: STB Docket No. FD 36836 (Sub-No. 1), CSX Transportation, Inc. – Terminal Trackage Rights –
Norfolk Southern Railway Company and Norfolk and Portsmouth Belt Line Railroad Company

Dear Members of the Board:

I write to you today as Mayor of the City of Portsmouth, Virginia, to express the serious concerns of our community regarding CSX Transportation's application for terminal trackage rights that would route trains through the heart of our city. I want to be clear from the outset: Portsmouth is not opposed to competitive rail access to the Port of Virginia. We understand the critical importance of maintaining a robust, competitive blue economy that supports maritime commerce and creates good-paying jobs for our region. What we oppose is the specific routing proposed by CSX that would impose unacceptable burdens on our residents, compromise public safety, and undermine the very economic development we have worked so hard to achieve.

Portsmouth has made tremendous strides in recent years. We have positioned ourselves as an emerging East Coast maritime epicenter, attracting \$1.5 billion in private investment and creating thousands of jobs in distribution, logistics, and maritime trades. We have focused on wise infrastructure investments and targeted economic development that leverages our city's strengths. The proposed routing of CSX trains through Portsmouth contradicts these efforts and threatens the progress our community has made.

The operational realities of CSX's proposal present grave concerns for Portsmouth. The trains in question—some up to 10,000 feet in length—would be required to operate at less than 10 miles per hour on the Norfolk & Portsmouth Belt Line's terminal trackage through our city. At these slow speeds, these trains would block critical grade crossings for 14 to 24 minutes or longer, multiple times daily. This is not a minor inconvenience; it is a fundamental threat to public safety and community connectivity.

Our emergency response capabilities would be severely compromised. Fire, police, and emergency medical services must be able to respond quickly to calls for help. When grade crossings are blocked for extended periods, response times increase dramatically, putting lives at risk. Portsmouth is home to the Norfolk Naval Shipyard, one of the oldest and most important naval installations in our nation. The proposed train routing would impede access to this critical defense facility, potentially affecting national security operations.

The impact on our residents' daily lives would be equally significant. Families would be separated from schools, healthcare facilities, and workplaces. The economic vitality of our business districts would suffer as customers and employees struggle to navigate around blocked crossings. The very investments we have attracted—companies like Rivers Casino Portsmouth, Lineage Logistics, and the emerging businesses in our High Street Innovation District—would be undermined by infrastructure that creates barriers rather than connections.

Most importantly, there are better alternatives available. CSX has existing options to achieve competitive access to Norfolk International Terminal without routing trains through Portsmouth at less than 10 miles per hour. A connection between CSX and Norfolk Southern west of Suffolk would provide the competitive port access that benefits the regional economy while avoiding the devastating impacts on Portsmouth's residents. This alternative route would allow CSX to reach Norfolk International Terminal using higher-speed mainline track, benefiting both the railroad's operational efficiency and our community's quality of life.

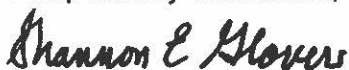
Portsmouth supports the goals of enhanced competition and economic growth at the Port of Virginia. We recognize that dual-rail access strengthens our region's position in global maritime commerce. However, these important economic objectives must be balanced against the legitimate needs and safety concerns of the communities that host this critical infrastructure. The proposed routing through Portsmouth fails this test.

I urge the Surface Transportation Board to carefully consider the community impacts of CSX's application and to require CSX to pursue alternative routing that achieves competitive access without imposing unacceptable burdens on Portsmouth residents. Our city has worked collaboratively with all stakeholders to advance economic development while protecting our citizens' wellbeing. We ask that the Board hold CSX to the same standard.

We stand ready to work with the Board, CSX, Norfolk Southern, and all parties to identify solutions that advance both competitive access and community protection. Portsmouth's future as a maritime hub depends on infrastructure decisions that support, rather than impair, our continued growth and the safety of our residents.

Thank you for your consideration of these concerns.

Respectfully submitted,

A handwritten signature in black ink that reads "Shannon E. Glover". The signature is written in a cursive, flowing style.

Shannon E. Glover
Mayor



Chief of Case Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Dec. 15, 2025

Re: STB Docket No. FD 36836 (Sub-No. 1), CSX Transportation, Inc. – Terminal Trackage Rights – Norfolk Southern Railway Company and Norfolk and Portsmouth Belt Line Railroad Company

Comments in opposition to CSX Transportation, Inc.'s application for terminal trackage rights

To Chief of Case Administration –

My name is Dr. Elie Bracy, III, and I serve as division superintendent for Portsmouth Public Schools, in Portsmouth, VA. Recently, my administration was made aware of the terminal trackage rights route proposed by CSX Transportation, Inc. Specifically, we were presented information that showed the predicted impact on traffic wait times if these trackage rights were approved.

In the 15 impacted crossings in our city, the average predicted wait time in just one direction was 27.8 minutes if the train goes 5 mph or 23.2 minutes if the train goes 8 mph.

While our school division has no vested interest in the business operations of railroad companies, this massive increase in wait times would have an undeniably negative impact on our ability to safely and efficiently transport students to and from school.

Our division works on a four-tier transportation system with each tier roughly 30 minutes apart. This allows our buses to complete a full run before starting a new one. This means buses are on the roads throughout the morning and afternoon, not just one specific timeframe. A wait time of 23-27 minutes would have full tiers being delayed, causing a compounding impact on the tiers to follow.

Instructionally, this will undoubtedly lead to hours of lost time in classrooms. In a 177-day school calendar like ours, 30 minutes of missed instruction each day equals 88.5 hours – or more than 14 full school days. In light of school accreditation, it is very concerning for me as a superintendent to know students could lose more than two weeks of instructional time and still be responsible for them to perform at/above state standards.

I also want to point out that if these wait times were to occur only during dismissal times (i.e., the afternoon), then this still leads to large-scale problems for childcare providers and families as they wait for their children to arrive as well as for our staff, who will be forced to work prolonged hours while waiting for students to be picked up from school.

Unfortunately, we do not have the ability to reroute buses without advanced notice. However, given the sheer number of crossings across the city, it would be difficult to identify other routes that would not have similar, if not longer, wait increases.

With that understood, from a security standpoint, I am also very uncomfortable with the idea that anywhere from 30 to 60 students could be routinely left waiting on a school bus for close to half an hour, stuck in one place in traffic and only one staff member, the bus driver, there for supervision. This is especially worrisome on days of extreme heat or cold, as not all of our buses have climate control options. We do not allow for this lack of control or supervision in our schools, but we would be forced to manage this on our fleet of roughly 100 buses.

This brings me to my final point. As a public school division, we are responsible for meeting the individual needs of our students with disabilities, including transportation services. According to the Disability Law Center of Virginia, students should not be transported for more than one hour in one direction at a time. There are several reasons for this guideline, including the acute medical needs of some students, intensive behavior concerns, sensory needs, physical limitations, toileting needs and the necessity for safety equipment. Many of our students with special needs are transported door-to-door, which can result in longer routes compared to general education routes. Understanding there may be additional wait times of 22-27 minutes at the crossings, this potentially impacts our ability to comply with the state.

Again, I would like to emphasize that the division has no interest, financial or otherwise, regarding ongoing railroad contracts or use agreements. However, in this case, I felt compelled to write, as I am deeply fearful of the major impacts on our students, staff, families and schools should this proposal be approved.

If I can further elaborate on what I have shared here or otherwise answer any other questions you may have, please do not hesitate to reach out to me directly. Thank you for your consideration of this letter, and I ask that it be included in the official record for the Surface Transportation Board's review.

Sincerely,



Dr. Elie Bracy, III
Division Superintendent



THOMAS G. SHEPPERD, JR., CHAIR . DON G. ROSIE, II, VICE-CHAIR . TEALEN HANSEN, TREASURER

RICHARD E. DWYER, EXECUTIVE DIRECTOR . TODD NICHOLS, SECRETARY

December 19, 2025

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

SUBJECT: STB Docket No. FD 36836 (Sub-No. 1), CSX Transportation, Inc. – Terminal Trackage Rights – Norfolk Southern Railway Company and Norfolk and Portsmouth Belt Line Railroad Company; Comments in opposition to CSX Transportation, Inc's application for terminal trackage rights

Dear Members of the Board:

As Executive Director of the Hampton Roads Military and Federal Facilities Alliance (HRMFFA), I am writing to you today to express our concerns regarding CSX Transportation's application for terminal trackage rights that would route 10,000-foot trains through Portsmouth, Virginia. While we support competitive rail access to the Port of Virginia, we oppose the routing and length of trains proposed by CSX that would cause unacceptable risks to readiness and operations at critical defense facilities in Portsmouth.

HRMFFA provides a focused regional voice in matters relating to attracting, retaining, and growing Hampton Roads' many Federal capabilities and installations. Today, the 16 communities that comprise HRMFFA collectively support 18 military installations, all six military service branches, including approximately 120,000 active duty, reserve, and civilian personnel, over 125,000 military dependents, and nearly 220,000 veterans. With additional NASA, Department of Energy, Veterans Affairs, and Interior facilities, there is arguably not a denser concentration of federal installations elsewhere in the country outside of Washington, DC.

Portsmouth is home to thousands of veterans, active-duty military families, and civilian employees who support our nation's defense at Norfolk Naval Shipyard, Naval Medical Center Portsmouth, and Coast Guard Base Portsmouth. Norfolk Naval Shipyard is the oldest and largest shipyard in the Navy. It is not merely an industrial site—it is a cornerstone of American naval power, responsible for maintaining the nuclear-powered carriers and submarines that project American strength around the world. Naval Medical Center Portsmouth is the oldest, continuously operating hospital in the Navy, and the only Level II trauma center in the Military Health System. Coast Guard Base Portsmouth is the largest major cutter homeport in the Coast Guard. These critical military assets play a vital and strategic role in national defense.

The proposed CSX route would operate trains up to 10,000 feet in length—nearly two miles long—through Portsmouth using Norfolk & Portsmouth Belt Line terminal trackage. While the maximum authorized speed on this trackage is 10 miles per hour, operational realities mean trains actually travel between 5 and 8 miles per hour. Based on detailed operational modeling, these train movements would block critical grade crossings for 28 to 34 minutes per occurrence. These extraordinary blockage times result from the combination of extremely slow



speeds, the immense length of the trains, and mandatory operational stops required for safe train movements through the constrained terminal area. When a nearly two-mile-long train is stretched across multiple crossings during these operational requirements, every affected crossing remains blocked for the entire duration. CSX proposes multiple train movements per day, creating systematic and recurring disruption during critical operational hours.

Norfolk Naval Shipyard's mission of repairing and overhauling nuclear aircraft carriers and submarines is incredibly complex and requires thousands of workers and timely movement of equipment and supplies. When primary access routes are blocked for half an hour at a time, workforce and delivery punctuality becomes impossible, maintenance schedules extend, and Fleet readiness is compromised. This is a direct threat to national security that cannot be justified by railroad routing convenience and cheaper costs.

These blockages would also have severe implications for emergency response crews. Snarled Portsmouth traffic caused by extensive crossing blockages would impede ambulance access to the Naval Medical Center, one of only four Level II trauma centers in the region. Fire suppression, medical emergencies, security incidents, and environmental responses all depend on first responders being able to reach the shipyard without delay. Half-hour blockages of primary access routes would create an impenetrable barrier preventing Portsmouth Fire & Rescue, emergency medical services, law enforcement, and specialized hazardous materials response teams from reaching the shipyard during critical incidents. In a facility handling nuclear materials and complex naval systems, the difference between a 5-minute response time and a 35-minute response time can mean the difference between containing an incident and experiencing a catastrophic outcome.

HRMFFA is not opposed to CSX achieving competitive access to Norfolk International Terminals. Competition strengthens our port infrastructure and benefits the regional economy. However, there are alternative routing options that would provide CSX with the access it seeks while avoiding these severe impacts on critical defense operations. Routes exist that would permit higher train speeds and avoid routing long trains through densely populated areas adjacent to critical defense infrastructure, dramatically reducing grade crossing blockage duration from 30+ minutes to a manageable timeframe that does not compromise national security operations.

We respectfully urge the Surface Transportation Board to consider the national security implications of this routing decision and to require CSX to pursue alternative routes. The defense of our nation depends on the reliable, unimpeded operation of our defense facilities. We ask that you weigh the convenience of CSX's preferred routing against the critical national interest in maintaining the operational effectiveness of our military installations.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Dwyer', with a stylized, flowing script.

Richard E. Dwyer
Executive Director

DIRECTORS:

James F. Benro,
Fairlead Integrated
Joseph D. Bovee
JIBA Architecture & Interior Design
Carley E. Briere, Communications Manager
Elizabeth River Crossings
Dr. Valerie Burge-Hall, Campus Dean
Tidewater Community College
B. Ross Cherry, President
Cherry Carpet & Flooring
Donald W. Conner, Jr., President
Retired - Dow Corning Ford, Inc.
Camille Crofton Cherry, Principal Partner
Crofton Diving
Thomas Cress, Dir. State & Local Gov't Affairs
Virginia Port Authority
Commander James K. Gullen,
Olde Towne Farmers Market
Joseph M. Donnelly, President
Donnelly Real Properties LLC
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PMA + IT Solutions
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SimIS, Inc.
Dr. Stephen Gentner, CEO/Host Doctor
Olde Towne Chiropractic
Jay Grant,
City of Newport News
Max Greenwood, President
Rocketbike
Herbert A. Haneman, President
Western Branch Diesel
Laura W. Hanson J.D., Interim Vice President
Workforce Solutions, Tidewater Community College
Stephen E. Heretick, Attorney
Stephen E. Heretick, P.C.
D. Finn Host, Owner
Riverside Enterprise
C. Bradford Hunter, AVP Comm. Lending
TowneBank
Ryan C. Kenrick, Attorney
Williams Mullen
Shane Kinsch President
Maryview Hospital
Stephen J. Korung, CFP
Korung & Company
Ashton Lewis, Jr., Chief Operating Officer
First Team Automotive Group
Justin C. Lovell, Vice President
Forsythe, Inc.
L. Louise Lucas, Senator
18th District of Virginia
Curtis C. Lyons, Owner/Operator
Roger Brown's Restaurant & Sports Bar
William S. Magann, Jr., Project Manager
W. F. Magann Corporation
Cauton Mess, President & General Manager
Norfolk and Portsmouth Belt Line
Peggy W. Murphy, SVP, Senior Credit Analyst
TowneBank
John Paul, Business Banker
Atlantic Union Bank
Fred J. Pasquine, President
Fairlead Integrated
Christine N. Piersall, Partner
Williams Mullen
Melissa Ramsey
Rivers Casino
Dr. Angela Reddix Founder, CEO
ARDX
Cameron Robuett, CIO
Cock Island Capital
Kendra Robinson
The Community Outreach Coalition
Joel Rubin, Representative
WIN Waste Innovations
Robin Schmalbach, Chief Operating Officer
Integrated Management Group, LLC
Chris Shelton
Aston Shelton Enterprises LLC
Hope R. Sinclair, Ph.D., Executive Director
Communities in Schools, Hampton Roads
William J. Smith
Dominion Energy Services Inc.
William Taylor
Taylor Legacy Group
Matthew Tuttle
Total Business Solutions
Rob Wilber, CJO
Seaward Marine Corporation

EXECUTIVE DIRECTOR:

Michelle Wren

EX-OFFICIOS:

Dr. Alex Benitez
Steven Carter
Brian Donahue
Frankie Edmondson
Maynor Shannon Glover
Cameron Hunter
Peter Kopacz
Lauren Nolasco
Andy Sutter
Alisa Winston

CONSULTING MEMBERS:

J. Robert Bray
William H. Hargrove, III
William S. Magann
G. Robert Aston Jr. (Bob)
David Tynch
Junius H. Williams
Robert T. Williams



December 8, 2025

VIA ELECTRONIC FILING

Chief of Case Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: STB Docket No. FD 36836 (Sub-No. 1)

CSX Transportation, Inc. – Terminal Trackage Rights –
Norfolk Southern Railway Company and Norfolk and Portsmouth Belt Line
Railroad Company

Comments in Opposition to CSX Transportation, Inc.'s Proposed Terminal
Trackage Rights Route

Dear Chief of Case Administration:

On behalf of the Portsmouth Partnership, a nonprofit organization dedicated to advancing economic growth, supporting local businesses, and safeguarding the long-term prosperity of the City of Portsmouth, we respectfully submit these comments in strong opposition to the specific terminal trackage rights route proposed by CSX Transportation, Inc. ("CSXT").

The Portsmouth Partnership does not oppose CSXT's desire to access Norfolk International Terminals ("NIT") in principle. However, we firmly oppose the particular route CSXT has proposed over the Norfolk & Portsmouth Belt Line Railroad Company ("NPBL") because it would create serious and entirely avoidable harm to the safety, mobility, economic vitality, and overall quality of life for the residents and businesses of Portsmouth.

SEVERE IMPACTS TO THE COMMUNITY

CSXT seeks to operate trains up to approximately 10,000 feet in length—nearly two miles—over NPBL’s constrained terminal trackage at restricted speeds, while also contending with a moveable bridge and a series of closely spaced public grade crossings. Under realistic operating conditions, this combination will result in frequent slow-rolling movements, extended stops, and long periods during which multiple arterial crossings are blocked at the same time.

A member of the Portsmouth Partnership, with professional engineering and transportation planning experience, developed a quantitative simulation model to evaluate how such trains would actually behave in this corridor. Using conservative assumptions about train length, speed, and stopping behavior, that model shows that trains could block one or more public road crossings for between approximately 14 and 34 minutes at a time, depending on direction of travel and operating speed. These results are summarized in Exhibit A, which provides crossing-by-crossing blockage times for a range of speeds.

Exhibit B presents these impacts geographically, mapping the affected crossings and illustrating how these closures would, in practice, divide the city, severing multiple north–south and east–west routes simultaneously. The pattern is not one of isolated inconvenience; it is a systemic, recurring disruption to the basic circulation of people, goods, and emergency services within Portsmouth.

THREAT TO EMERGENCY RESPONSE

Portsmouth’s neighborhoods and employment centers are linked by a limited number of key corridors. Fire, Police, and EMS agencies rely heavily on roadways such as Frederick Boulevard, Portsmouth Boulevard, and George Washington Highway to move between stations, hospitals, and incident locations.

As the blockage-time analysis in Exhibit A and the map in Exhibit B make clear, these very corridors are among those most significantly affected by long-duration train movements. Delaying first responders by even a few minutes can be the difference between life and death in medical emergencies and structure fires. Routine 20–30 minute blockages of critical routes are fundamentally incompatible with the level of public safety that residents of Portsmouth deserve and that local agencies are expected to provide.

IMPACT ON DEFENSE OPERATIONS

Portsmouth is home to major Department of Defense facilities, including the Norfolk Naval Shipyard and related installations. Thousands of military and civilian personnel rely on the same roadway network that would be repeatedly blocked by the proposed CSXT operations.

Extended closures on routes such as U.S. Route 17 and connecting arterials would not only disrupt daily commutes but could also interfere with time-sensitive defense activities and shipyard operations. The proposed routing therefore poses risks that extend beyond local inconvenience and into the realm of national security and defense readiness.

ECONOMIC AND ENVIRONMENTAL JUSTICE IMPACTS

The proposed route would undermine Portsmouth's economic momentum by degrading access for employees, customers, freight, and visitors throughout large portions of the city. Businesses cannot thrive when their workers and patrons are routinely trapped on the wrong side of a train for half an hour or more.

Moreover, many of the neighborhoods most affected by these closures have historically borne disproportionate environmental and infrastructure burdens. Concentrating additional delay, congestion, and emission-heavy idling traffic in these areas raises serious environmental justice concerns. Those who have the fewest alternatives would bear the greatest share of the harm.

REGIONAL COMMERCE AND MARINE TRAFFIC DISRUPTIONS

The NPBL corridor includes a moveable bridge over the Southern Branch of the Elizabeth River, which is essential for marine traffic. Long, slow, or stopped trains in the vicinity of this bridge increase the likelihood of conflicts between rail and marine operations, compounding delays for vessels that also support regional commerce and industry.

In other words, the proposed routing does not simply trade one community's inconvenience for another's benefit; it introduces new friction points for both land and water transportation systems in an already complex corridor.

FAILURE TO ADEQUATELY ADDRESS PUBLIC-INTEREST REQUIREMENTS

Given the magnitude of the impacts outlined above, the public interest demands a careful and transparent evaluation of alternatives. Yet the application, as proposed, does not meaningfully quantify or mitigate these foreseeable harms to roadway users, emergency responders, defense facilities, and nearby communities. The detailed blockage-time analysis and mapping provided in Exhibits A and B underscore how significant those harms would be if the proposed route were approved without substantial modification or conditions.

AN AVAILABLE, LESS HARMFUL ALTERNATIVE

A viable and less harmful alternative exists that would allow CSXT to reach NIT without bringing long, slow-moving trains through the heart of Portsmouth.

As illustrated in Exhibit C, CSXT could connect to the Norfolk Southern ("NS") mainline west of Suffolk and then follow the existing NS route used by higher-speed intermodal trains into the Norfolk area. This alternative alignment keeps CSXT movements out of Portsmouth entirely, avoids the NPBL drawbridge and closely spaced crossings, and utilizes infrastructure already designed and operated for through-freight service at higher track speeds.

The NS intermodal route depicted in Exhibit C demonstrates that it is both feasible and practical to serve NIT without imposing the extended roadway blockages and community disruptions that would occur on the NPBL line. When a technically and economically reasonable route exists that dramatically reduces harm to the public, it is incumbent upon the applicant—and the Board—to give that alternative serious weight.

CONCLUSION

For all of the reasons described above, the Portsmouth Partnership respectfully urges the Surface Transportation Board to reject CSXT's proposed terminal trackage rights route over the NPBL line through Portsmouth.

If the Board nevertheless determines that some form of access is appropriate, we further request that any approval be conditioned on CSXT's pursuit and implementation of a less harmful routing alternative, such as the NS-based route illustrated in Exhibit C, that preserves community safety, supports reliable emergency response, protects defense and port operations, and avoids imposing disproportionate burdens on Portsmouth residents and businesses.

We appreciate the Board's consideration of these comments and respectfully request that this letter and the attached exhibits be included in the official record for this proceeding.

Respectfully submitted,



Michelle Wren
Executive Director
Portsmouth Partnership

Exhibits:

- Exhibit A – Train Blockage Duration Analysis by Public Crossing
- Exhibit B – Map of Roadway Network and Crossing Impacts in Portsmouth
- Exhibit C – Map of Alternative NS Route to NIT Avoiding Portsmouth

Exhibit 1

10,000ft train at hand thrown switch on CSX Diamond on CSX track before getting on NPBL

Crossing Block(s) from diamond to 2nd street
 Victory Blvd (major 4-lane crossing) - at intersection of Victory Blvd
 Rodman Ave
 Portsmouth Ave (major 4-lane crossing) - at intersection of Portsmouth Ave
 Victory Blvd (major 4-lane crossing) - at intersection of Victory Blvd
 Victory Blvd (major 4-lane crossing) - at intersection of Victory Blvd

Legend
 13,000 ft CSX Diamond
 Crossing on CSX



Minutes Road Crossings Block

Crossing	EB 5 mph	WB 5 mph	EB 6 mph	WB 6 mph	EB 8 mph	WB 8 mph
Victory Blvd	22.5	19.2	22.5	19.2	22.5	19.2
Missy Elliott (4-lane)	24.6	21.5	24.2	21.2	24	21.1
Portsmouth Blvd (West)	26.2	23.2	25.4	22.4	24.6	21.9
Rodman Ave	29.4	27	27.6	25.3	25.7	23.6
Frederick Blvd	31.7	30.3	29	27.7	25.9	24.8

Exhibit 2



Minutes Road Crossings Block						
Crossing	EB 5 mph	WB 5 mph	EB 6 mph	WB 6 mph	EB 8 mph	WB 8 mph
Deep Creek Blvd	23.5	22.7	20.1	18.9	16.3	14.3
Portsmouth Blvd (East)	33.7	22.7	30.4	19	26.8	14.6
George Washington Hwy	34	33.9	31.1	31	28	28
Sherwin-Williams (PRIVATE)	34	33.9	31	31	28	28
Elm Ave (2-lane)	34	33.9	31.1	31	28	28
Navy Gate	34	33.9	31	31	28	28

Exhibit 3



December 16, 2025

VIA ELECTRONIC FILING

Chief of Case Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: STB Docket No. FD 36836 (Sub-No. 1)

CSX Transportation, Inc. – Terminal Trackage Rights –
Norfolk Southern Railway Company and Norfolk and Portsmouth Belt Line Railroad Company

Comments in Opposition to CSX Transportation, Inc.'s Proposed Terminal Trackage Rights Route

Dear Chief of Case Administration:

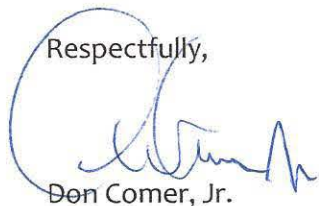
As a long-time board member of the Portsmouth Partnership, I am writing to oppose CSX Transportation, Inc.'s proposal for terminal trackage rights in the Norfolk – Portsmouth – Suffolk area, and to suggest an alternative route – a route which already exists – and which has been outlined in a separate communication by the Portsmouth Partnership to your office.

In short, we propose that CSXT connect with Norfolk sites via the **existing** Norfolk Southern line at a point west of Suffolk. The long list of significant problems created for Portsmouth's residents by the CSXT proposal, including a bridge lift crossing for marine traffic; auto traffic tie-ups at the nearly dozen road crossings; delays for Portsmouth workers' getting to jobs; blockages impeding school buses, first responders – even our military – would be obviated entirely.

The current drayage of containers from Norfolk to Portsmouth via Norfolk's Hampton Boulevard is an inefficient, hazardous, and unnecessarily complicated solution to getting freight to points Westward out of Norfolk. CSXT's proposal would simply shift Norfolk's burden to Portsmouth, while compounding the inefficiency many times over – at a price that Portsmouth's citizens would unfairly have to pay. **All of this would be avoided, and freight would be moved more quickly, if CSXT simply used the existing Norfolk Southern track.**

Thank you for your consideration of this important matter and its implications not only for Portsmouth, but for the health of our port.

Respectfully,



Don Comer, Jr.

December 17th, 2025

Chief of Case Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: STB Docket No. FD 36836 (Sub-No.1)
CSX Transportation, Inc. – Terminal Trackage Rights- Norfolk Southern Railway
Company and Norfolk and Portsmouth Belt Line Railroad Company

Dear Chief of Case Administration:

Our company, the Elizabeth River Crossings OpCo, LLC (ERC), is a limited liability company whose sole purpose is to finance, deliver, operate and maintain the Elizabeth River Tunnels Project in the South Hampton Roads region of Virginia. The project operates the Midtown Tunnels, Downtown Tunnels, MLK Expressway, and the sections of I-264 that connect our assets between Portsmouth and Norfolk and are considered critical infrastructure for the region. As you may know, this is one of the main corridors in the Hampton Roads area, with an average daily traffic of over 100,000 vehicles per day driving back and forth through this infrastructure.

We have recently become aware, as stakeholders in the Hampton Roads area, of the possibility that the railway company CSXT may receive authorization to operate trains up to 10,000 feet in length through the Norfolk & Portsmouth Belt Line Railroad Company (NPBL) terminal trackage (Terminal Trackage Rights).

In this sense, we are writing to express our concern and opposition to the proposed operation of bringing up to 10,000 feet-in-length trains across NPBL's terminal trackage at restricted speeds. We understand that this route will block multiple public rail crossings in the Portsmouth community, potentially for up to 34 minutes, in areas with high road traffic density.

We are worried that this plan poses significant risks to public safety, the region's mobility, economic stability, and the overall quality of life for residents and businesses in the affected areas.

Our opposition is based on the following considerations.

1. Impact on critical Emergency Response

As a critical infrastructure company, we do depend upon Portsmouth emergency responders every time there is an incident or an accident on a daily basis, not only at the Tunnels but also along I-264. Every time a train blocks the crossings it will severely impede emergency response times and impact the ability for fire trucks, ambulances, and law enforcement vehicles which rely on unobstructed routes to respond quickly to life-threatening situations. A single delay caused by a train of this length could mean the difference between life and death.

2. Mobility Impact on critical infrastructure

Additionally, this measure will create extended backups on I-264 and local roads and increase the likelihood of traffic accidents, disabled vehicles, road rage incidents, and unsafe detours. As mentioned, this is a critical infrastructure that accommodates more than 100,000 drivers per day, and extended backups on I-264 will block one of the main arteries of the region in terms of mobility if drivers have to be stuck for more than 30 minutes. These backups may block drivers from accessing I-264 and also may extend back to the Downtown Tunnels.

In terms of our operations, the inability for ERC's Safety Service Patrollers and Wrecker Services to respond to and clear these traffic incidents will impact on one of our most important obligations, which is to keep the roads safe and incident-free as quickly as possible, increasing the probability of secondary accidents as well.

3. Economic and Community Impact

Prolonged congestion will disrupt the daily movement of motorists, goods and service providers in an already highly traveled and congested area, harming local businesses and creating extremely stressful situations for those traveling in and out of Portsmouth. Commuters will face longer travel times, waste fuel, and lose productivity. These delays translate into real financial losses for individuals, and all companies present in that area alike.

4. Environmental Consequences

It is a fact that idling vehicles during extended backups emit harmful pollutants, worsening air quality and contributing to greenhouse gas emissions.

In view of all the foregoing, we kindly ask you to take our considerations into account and seek alternatives that do not harm the safety, well-being, and health of the citizens of Portsmouth.

In this regard, we urge the consideration of safer and more practical alternative routes that would allow CSXT to reach Norfolk International Terminal without bringing these long, slow-moving trains through Portsmouth, and these alternatives would help balance operational efficiency with public safety and community well-being.

We appreciate the Board's consideration of our comments, and we request that you prioritize the safety, health, and economic stability of our community over operational convenience.

Thank you for your attention to this critical matter.

Sincerely,



Ana Bonet

Chief Executive Officer

Elizabeth River Crossings



December 19, 2025

Chief of Case Administration
Chief of Chief Council
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: STB Docket No. FD 36836 (Sub-No 1), CSX Transportation, Inc. – Terminal Trackage Rights - Norfolk Southern Railway Company and Norfolk and Portsmouth Belt Line Railroad Company

Dear Members of the Board,

I am writing to you today to express our concerns regarding CSX application 36836 for terminal trackage rights. We remain supportive of improved port connectivity/access, however there are other available alternative solutions that offer far fewer negative impacts to the City of Portsmouth and Chesapeake's South Norfolk.

Our private toll bridge connects Chesapeake and Portsmouth with average weekday traffic of 10k vehicles. We serve as primary entrance to the Norfolk Naval Shipyard at Gate 36. Key railroad crossings at Elm Ave., George Washington Highway, Portsmouth Blvd., and Deep Creek Blvd., have a major impact on the overall driver experience, as well as our daily traffic volumes.

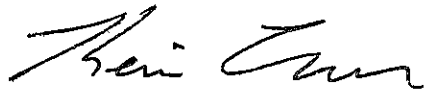
The proposed use of 10,000 ft. trains through a densely populated residential and commercial community will be detrimental to residents, businesses and visitors. Public safety and military readiness will be compromised. The estimated 14-30 minute stoppages at least 21 key railroad crossings during commuter hours will create havoc at some of the region's largest employers including the Norfolk Naval Shipyard and Naval Medical Center Portsmouth on a daily basis.

In addition, this issue is likely to complicate upcoming future investments that benefit Portsmouth, including the \$1B+ private investment commitments from LS Cable & System Ltd./LS GreenLink in Chesapeake and the Southeastern Public Service Authority's (SPSA) \$200M regional transfer station in Portsmouth.

I would urge the board to consider less impactful alternatives.

Thank you for your consideration.

Regards,

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

Kevin Crum
General Manager
1001 Scenic Parkway, Suite 203
Chesapeake, VA 23323

**CHICK-FIL-A Frederick BLVD
PORTSMOUTH, VIRGINIA**

Will Taylor, Owner/Operator

12/19/2025

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: STB Docket No. FD 36836 (Sub-No. 1), CSX Transportation, Inc. – Terminal Trackage Rights – Norfolk Southern Railway Company and Norfolk and Portsmouth Belt Line Railroad Company

Comments in opposition to CSX Transportation, Inc.'s application for terminal trackage rights

Dear Members of the Board:

I write as the owner and operator of Chick-fil-A on Frederick Boulevard in Portsmouth, Virginia, to oppose CSX Transportation's proposed trackage rights through our city. Let me be clear: I support competitive rail access to the Port of Virginia and understand its importance to our regional economy. However, the specific route CSX has chosen would greatly challenge a small business like mine that depends on reliable customer and employee access throughout the day.

My restaurant sits directly on Frederick Boulevard, however I have many customers and team members that commute from that side of town which is approximately 3 miles from my location. According to operational modeling, Victory Blvd would be blocked for 19 to 22 minutes every time one of CSX's proposed trains passes through. These trains would be nearly two miles long and travel at just 5 to 8 miles per hour due to the constrained terminal trackage. With multiple train movements proposed throughout the day, Victory Boulevard would be systematically blocked during our critical breakfast and lunch rush periods when we serve well over a hundred customers.

Our business model depends on speed and convenience. Customers choose Chick-fil-A because they know they can get quality food quickly, even during peak hours. When Victory Boulevard is blocked for 20+ minutes at a time, customers heading to our location will simply turn around and go elsewhere. They cannot wait half their lunch break for a train to pass. In the restaurant industry, when customers develop a pattern of going to competitors because access to your location is unreliable, they rarely come back even after the problem is resolved. These crossing blockages would fundamentally alter customer behavior and permanently redirect business away from my restaurant.

Beyond lost customers, I face serious operational challenges. My team members depend on punctual schedules to coordinate their work shifts with school, second

jobs, and family responsibilities. When employees are systematically delayed 20+ minutes trying to reach work because trains have blocked Victory Blvd, Portsmouth Blvd, or Frederick Blvd, my operation falls apart. It would be extremely challenging to maintain our service standards when team members arrive 30 minutes late for their shifts multiple times per week.

Delivery operations would also suffer significantly. Food suppliers delivering fresh products, bread, chicken, and produce operate on tight delivery windows. When delivery trucks cannot reach our store because crossings are blocked for 20+ minutes, we risk running out of key menu items during peak hours or receiving late deliveries that disrupt our preparation schedules. Third-party delivery services like DoorDash and Uber Eats have already become crucial to our business model—when drivers cannot access our restaurant reliably due to crossing blockages, they will stop accepting orders from our location, and customers will order from competitors instead.

I have invested significantly in this location and employ over 100 people, 80% of which are Portsmouth residents who depend on this job. Many of my team members are young people earning money for college, parents working to support their families, and retirees supplementing their income. When systematic train blockages reduce customer traffic and make reliable employee scheduling impossible, I face difficult decisions about staffing levels and hours of operation. The proposed CSX route threatens the economic viability of my business and the jobs I provide to this community.

I understand CSX's desire for competitive port access, and I support finding solutions that benefit our regional economy. However, surely better routing alternatives exist that would not systematically block major commercial corridors like Victory Boulevard for 20+ minutes at a time during business hours. I urge the Surface Transportation Board to protect Portsmouth's business community by requiring CSX to pursue alternative routes that achieve their objectives without destroying the accessibility that small businesses depend on to survive.

Sincerely,

A handwritten signature in black ink, appearing to read 'Will Taylor'.

Will "Coach" Taylor
Owner/Operator
Chick-fil-A Frederick Blvd

**Before the
SURFACE TRANSPORTATION BOARD
Washington, DC 20423**

**STB Docket No. FD 36836 (Sub-No. 1)
CSX Transportation, Inc.—Terminal Trackage Rights—
Norfolk Southern Railway Company and Norfolk and Portsmouth Belt Line Railroad
Company**

COMMENTS IN OPPOSITION TO PROPOSED TERMINAL TRACKAGE RIGHTS ROUTE

Dear Chief of Case Administration:

I submit these comments as a resident of Portsmouth, Virginia, a local business owner, and a doctorate-level professional who lives and works within the community directly affected by CSX Transportation, Inc.'s ("CSXT") proposed terminal trackage rights over the Norfolk & Portsmouth Belt Line Railroad ("NPBL").

While I do not oppose CSXT's objective of accessing Norfolk International Terminals ("NIT"), I oppose the specific routing proposed through Portsmouth because it would result in substantial and recurring adverse impacts on public safety, transportation efficiency, economic activity, and community well-being. These impacts are foreseeable, largely unmitigated, and inconsistent with the public interest.

Transportation and Community Impacts

CSXT proposes to operate trains of up to approximately 10,000 feet in length over NPBL's constrained terminal trackage at restricted speeds, across a moveable bridge, and through a dense concentration of public grade crossings. As the Board has recognized in prior decisions, train length, operating speed, and crossing density are critical factors in evaluating roadway delay and community impacts.

Under realistic operating conditions, the proposed operations would predictably result in slow-moving or stopped trains that block multiple crossings simultaneously for extended periods. A conservative simulation developed by a qualified transportation professional demonstrates that individual CSXT movements could block one or more public crossings for approximately 14 to 34 minutes, depending on direction and speed. These results are summarized in **Exhibit A**.

As shown geographically in **Exhibit B**, the affected crossings are not isolated local streets but include key arterial routes. The resulting closures would regularly sever north–south and east–west circulation across substantial portions of the city. This pattern constitutes a systemic and recurring impairment of local mobility, rather than an incidental or temporary inconvenience.

Public Safety and Emergency Services

The Board has consistently treated impacts on emergency response as a significant public-interest consideration. Portsmouth relies on a limited number of primary corridors—including Frederick Boulevard, Portsmouth Boulevard, and George Washington Highway—for Fire, Police, and EMS response.

These corridors coincide with the crossings most affected by the proposed CSXT operations. Regular blockage durations of 20 to 30 minutes would materially interfere with emergency response times. Even modest delays can have severe consequences in medical emergencies and structure fires. The proposed routing therefore presents a clear and ongoing risk to public safety that cannot be reasonably mitigated through operational adjustments alone.

Defense Facilities and National Interest Considerations

Portsmouth hosts major Department of Defense facilities, including the Norfolk Naval Shipyard. The same roadway network affected by the proposed route is relied upon daily by military and civilian personnel supporting shipyard and defense operations.

Extended and unpredictable closures along U.S. Route 17 and connecting arterials would disrupt shift changes, access to secure facilities, and time-sensitive activities. These impacts implicate interests beyond local traffic delay and weigh against approval of a routing that introduces avoidable operational conflicts in a defense-critical corridor.

Economic and Environmental Justice Impacts

The Board has recognized that prolonged and repeated transportation disruptions can materially affect local economies. Businesses cannot operate efficiently when employees, customers, and freight movements are routinely delayed by extended crossing blockages.

In addition, many of the neighborhoods most affected by the proposed route have historically experienced disproportionate infrastructure and environmental burdens. Concentrating additional congestion, vehicle idling, and emissions in these areas raises environmental justice concerns that further weigh against approval of this routing without substantial modification.

Marine Traffic and Multimodal Conflicts

The NPBL corridor includes a moveable bridge over the Southern Branch of the Elizabeth River that serves essential marine traffic. Long or stopped trains in proximity to this bridge increase the likelihood of conflicts between rail and marine operations, compounding delays for vessels supporting regional commerce.

The proposed routing thus introduces new inefficiencies into both land and water transportation systems, rather than advancing overall network fluidity.

Availability of a Reasonable, Less Harmful Alternative

Consistent with Board precedent, the existence of a reasonable alternative that would substantially reduce public harm is a critical factor in the public-interest analysis. As shown in **Exhibit C**, CSXT could connect to the Norfolk Southern (“NS”) mainline west of Suffolk and follow the established NS intermodal route into the Norfolk area.

This alternative avoids routing trains through Portsmouth entirely, eliminates conflicts with the NPBL drawbridge and closely spaced grade crossings, and utilizes infrastructure designed for higher-speed through-freight service. The NS-based alignment demonstrates that CSXT can achieve access to NIT without imposing the significant community, safety, and transportation impacts associated with the proposed NPBL route.

Conclusion

For the reasons discussed above, the proposed terminal trackage rights route over the NPBL line would result in substantial, foreseeable, and recurring adverse impacts that outweigh its asserted transportation benefits. Accordingly, approval of the proposed routing would not be consistent with the public interest.

I respectfully request that the Surface Transportation Board deny CSXT’s proposed route through Portsmouth. In the alternative, if the Board determines that terminal access should be authorized, any approval should be expressly conditioned on CSXT’s use of a less harmful routing alternative—such as the NS-based route depicted in Exhibit C—that avoids material adverse impacts to public safety, emergency response, defense operations, and affected communities.

I respectfully request that these comments and the accompanying exhibits be made part of the record in this proceeding.

Respectfully submitted,

Stephen Genthner D.C.
Olde Towne Family Chiropractic
355 Crawford St. Ste 105
Portsmouth, Virginia 23704

Exhibit A



Minutes Road Crossings Block

Crossing EB 5 mph WB 5 mph EB 6 mph WB 6 mph EB 8 mph WB 8 mph

	EB 5 mph	WB 5 mph	EB 6 mph	WB 6 mph	EB 8 mph	WB 8 mph
Victory Blvd	22.5	19.2	22.5	19.2	22.5	19.2
Missy Elliott (4-lane)	24.6	21.5	24.2	21.2	24	21.1

Portsmouth Blvd	26.2	23.2	25.4	22.4	24.6	21.9
(West) Rodman Ave	29.4	27	27.6	25.3	25.7	23.6
Frederick Blvd	31.7	30.3	29	27.7	25.9	24.8



Minutes Road Crossings Block						
Crossing EB 5 mph WB 5 mph EB 6 mph WB 6 mph EB 8 mph WB 8 mph						
Deep Creek Blvd	23.5	22.7	20.1	18.9	16.3	14.3

Portsmouth Blvd (East)	33.7	22.7	30.4	19	26.8	14.6
George Washington Hwy	34	33.9	31.1	31	28	28
Sherwin-Williams (PRIVATE)	34	33.9	31	31	28	28
Elm Ave (2-lane)	34	33.9	31.1	31	28	28
Navy Gate	34	33.9	31	31	28	28

Minutes Road Crossing Blocked Crossing EB 5 mph WB 5 mph EB 6 mph WB 6 mph EB 8 mph WB 8 mph						
Victory Blvd	22.5	19.2	22.5	19.2	22.5	19.2
Missy Elliott (4-lane)	24.6	21.5	24.2	21.2	24	21.1
Portsmouth Blvd (West)	26.2	23.2	25.4	22.4	24.6	21.9
Rodman Ave	29.4	27	27.6	25.3	25.7	23.6
Frederick Blvd	31.7	30.3	29	27.7	25.9	24.8
Deep Creek Blvd	23.5	22.7	20.1	18.9	16.3	14.3

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Elm Ave (2-lane)	34	33.9	31.1	31	28	28
Navy Gate	34	33.9	31	31	28	28
Ohio St	22.7	31.6	18.9	28.2	14.2	24.2
Bainbridge Blvd	22.7	31.6	19	28.2	14.2	24.2
Liberty St	22.7	31.6	18.9	28.2	14.2	24.2
Industrial Ave	22.7	31.6	18.9	28.2	14.2	24.2

Exhibit B

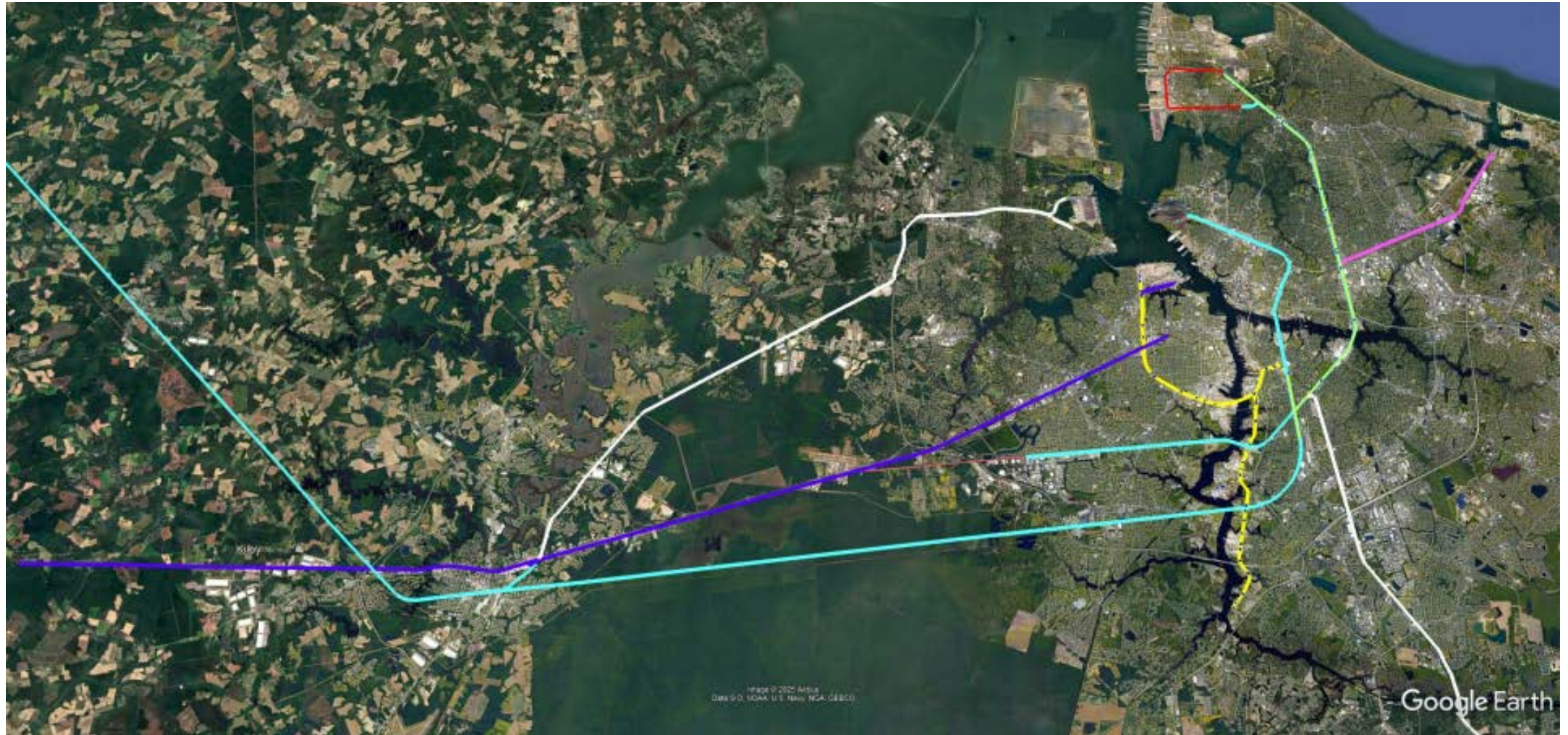
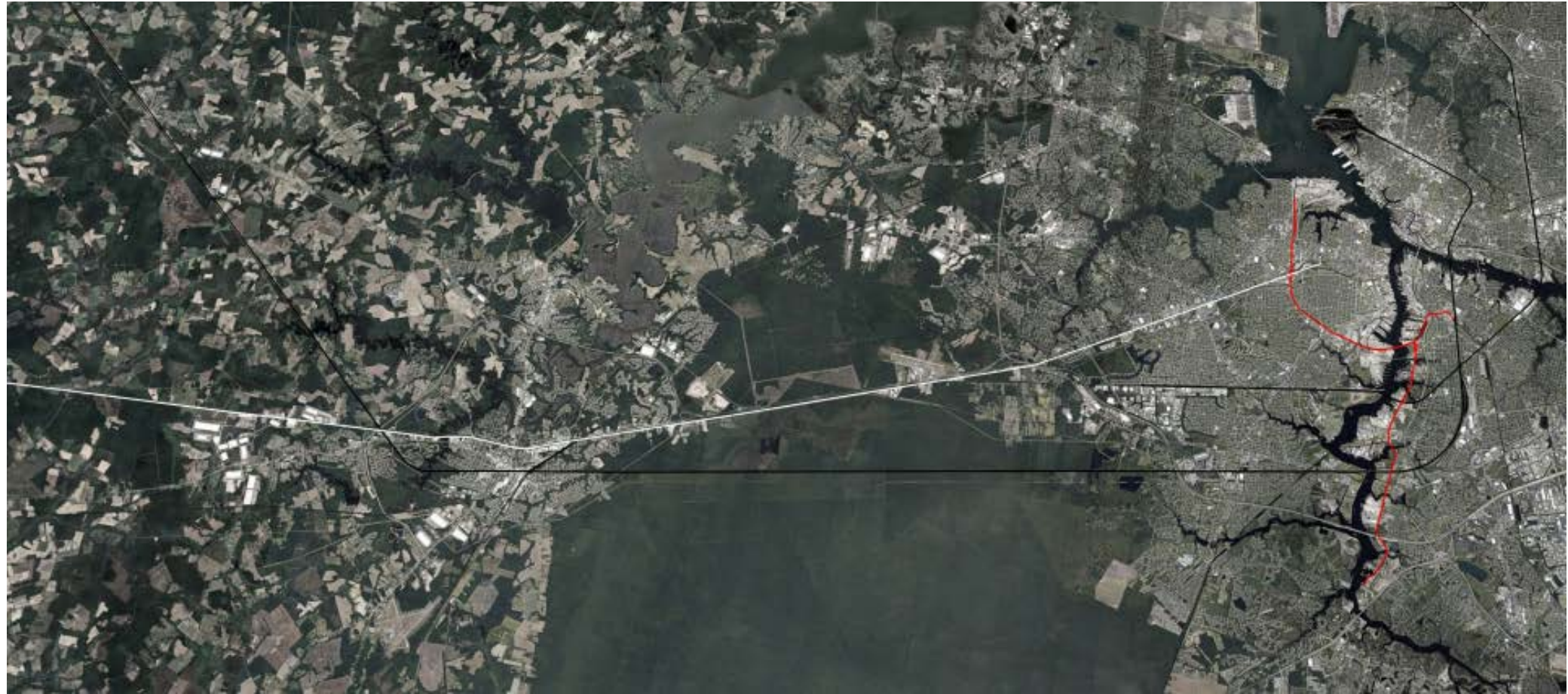




Exhibit C



Before the
SURFACE TRANSPORTATION BOARD
Washington, DC 20423

STB Docket No. FD 36836 (Sub-No. 1)
CSX Transportation, Inc.—Terminal Trackage Rights—
Norfolk Southern Railway Company and Norfolk and Portsmouth Belt Line Railroad Company

COMMENTS IN OPPOSITION TO PROPOSED TERMINAL Trackage RIGHTS ROUTE

Dear Chief of Case Administration:

I submit these comments as a resident of Portsmouth, Virginia, a local business owner, a parent, and a doctorate-level professional who lives and works within the community directly affected by CSX Transportation, Inc.’s (“CSXT”) proposed terminal trackage rights over the Norfolk & Portsmouth Belt Line Railroad (“NPBL”).

Child Safety at Risk

I oppose the proposed route because it would **create substantial, recurring, and avoidable risks to children and families**. The route passes near **schools, parks, and residential neighborhoods**, where children walk and cycle daily. **Slow-moving or stopped trains—potentially blocking crossings for 14 to 34 minutes (Exhibit A)—would pose predictable hazards for children and families**. The combination of long trains, densely spaced grade crossings, and proximity to residential areas constitutes a recurring safety threat that cannot be fully mitigated through operational adjustments. **Protecting child safety and community well-being must be the foremost consideration in evaluating this routing**.

Emergency Response Delays

Portsmouth relies on a limited number of primary corridors—**Frederick Boulevard, Portsmouth Boulevard, and George Washington Highway**—for Fire, Police, and EMS response. These same corridors coincide with the crossings affected by the proposed operations. **Regular blockages of 20 to 30 minutes would materially delay emergency response, with potentially life-threatening consequences for children, the elderly, and other vulnerable residents**. Even minor delays in emergencies can have tragic outcomes, and the proposed routing would create recurring situations where such delays are unavoidable.

Transportation and Community Mobility

CSXT plans to operate trains of up to 10,000 feet through constrained terminal trackage at restricted speeds, including across a moveable bridge and dense grade crossings. As shown in Exhibit B, these crossings include key arterial routes, severing north–south and east–west circulation across substantial portions of the city. **Families could be trapped on blocked streets, children delayed from reaching school or after-school activities, and local commerce routinely disrupted.** These disruptions are systemic and recurring, not temporary inconveniences.

Defense and National Interest Concerns

Portsmouth hosts major Department of Defense facilities, including the **Norfolk Naval Shipyard**. Extended and unpredictable closures along U.S. Route 17 and connecting arterials would disrupt access for military and civilian personnel, interfere with shift changes, and complicate time-sensitive operations. **The same streets that are essential to defense readiness would become repeatedly inaccessible to families, employees, and emergency responders alike.**

Economic and Environmental Justice Impacts

Repeated crossing blockages impede employees, customers, and freight movement, reducing productivity and economic activity. Many of the neighborhoods most impacted have historically borne disproportionate infrastructure and environmental burdens. **Concentrating additional congestion, vehicle idling, and emissions in these areas exacerbates public health risks for children and residents,** raising serious environmental justice concerns.

Marine Traffic and Multimodal Conflicts

The NPBL corridor includes a moveable bridge over the Southern Branch of the Elizabeth River. Long or stopped trains near the bridge would increase conflicts with marine traffic, further delaying commerce and reducing overall transportation efficiency. **These conflicts would not only harm business activity but could also prevent families from reaching destinations safely and promptly.**

Reasonable Safer Alternative Exists

As shown in Exhibit C, CSXT could connect to the Norfolk Southern (“NS”) mainline west of Suffolk and follow the established NS intermodal route into the Norfolk area. This alternative **avoids residential areas, schools, and playgrounds**, eliminates NPBL bottlenecks and drawbridge conflicts, and uses infrastructure designed for higher-speed freight operations. It achieves terminal access without imposing recurring safety hazards, delays, or community disruption.

Conclusion

For these reasons, the proposed terminal trackage rights route over the NPBL line would impose **foreseeable, recurring, and significant risks to children, families, and the broader community**. Approval of the proposed routing would not be consistent with the public interest.

I respectfully request that the Surface Transportation Board deny CSXT’s proposed route through Portsmouth. If the Board determines that terminal access must be authorized, approval should be expressly conditioned on the use of the **less harmful NS-based alternative depicted in Exhibit C**, which avoids material adverse impacts to child and community safety, emergency response, defense operations, and affected neighborhoods.

I respectfully request that these comments and accompanying exhibits be made part of the record in this proceeding.

Respectfully submitted,

Ashley Genthner D.C.
Olde Towne Family Chiropractic
355 Crawford St. Ste 105
Portsmouth, Virginia 23704

Exhibit A



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Exhibit B

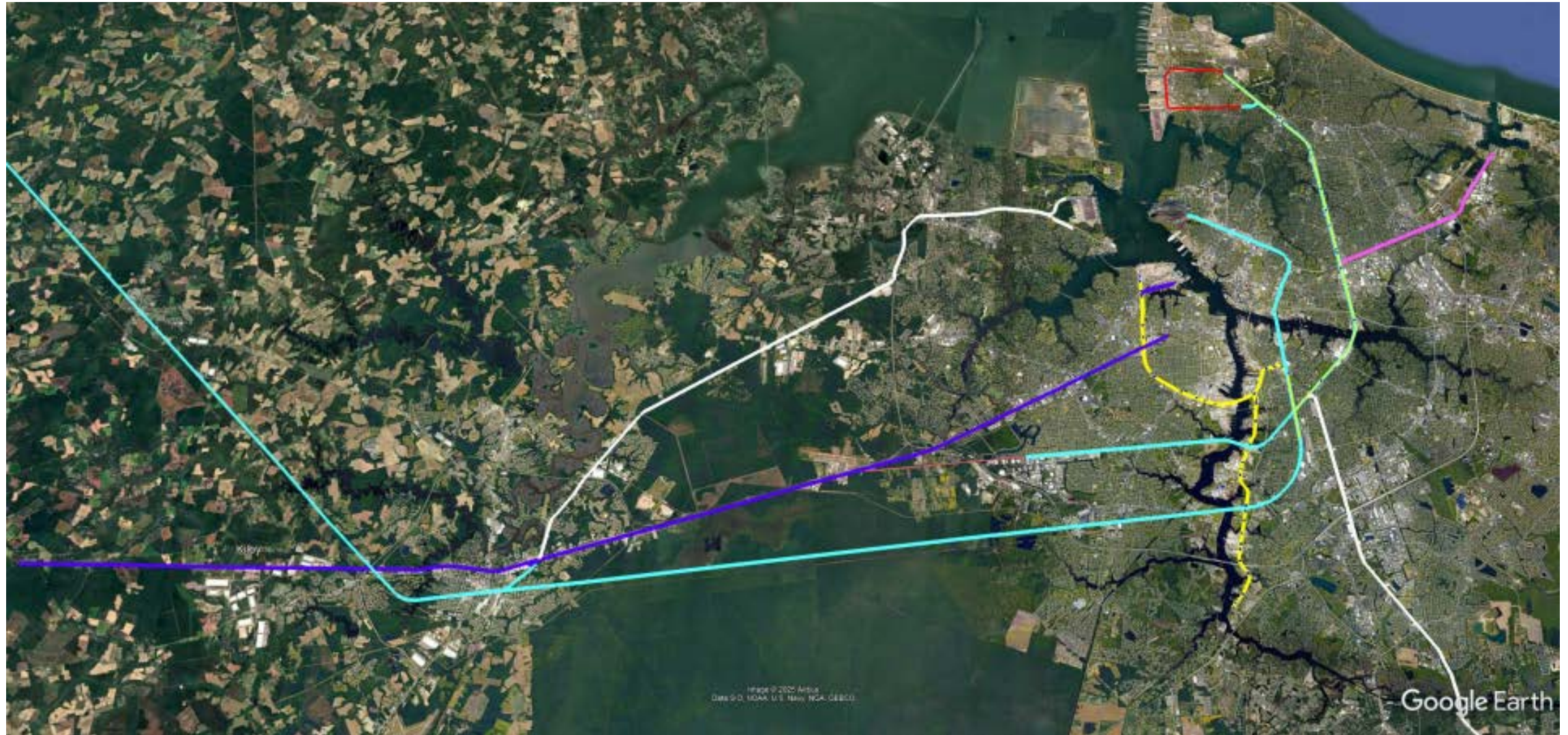




Exhibit C

