

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36652

GREEN EAGLE RAILROAD, LLC
– CONSTRUCTION AND OPERATION OF A LINE OF RAILROAD –
IN MAVERICK COUNTY, TX

GREEN EAGLE RAILROAD, LLC RESPONSE TO THE BOARD’S
JANUARY 30, 2026 DECISION

(includes color images)

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Dated: February 13, 2026

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Pursuant to the Board’s Decision served January 30, 2026, Green Eagle Railroad, LLC (“GER”) respectfully submits these responses to address the Board’s request for supplemental information.

1. Please discuss the effect on rail shippers if all rail traffic currently crossing the border at Eagle Pass shifts to GER and explain how GER would address any competitive or operational harms to shippers that may arise as a result. Please describe what impact this transaction, including the cost of the proposed line and the addition of an intermediate carrier, would have on shipping costs.

GER’s vision is to operate like other port and terminal operators that manage congested areas. Whereas port operators work to create fluidity at marine terminals, GER’s proposal is to create fluidity at the Eagle Pass Port of Entry. Like other port and terminal operators, GER would provide neutral service to interchange partners and carload customers such that no competitive harm would arise from GER’s operations. As stated, ports around the country utilize Class III carriers to manage the flow of traffic.¹ Here, GER would serve that same function to improve the flow of traffic through the Eagle Pass Port of Entry.

¹ See ex. Port of Long Beach and the Port of Los Angeles.

As previously presented to the Board, the purpose of its proposed project is “to meet the needs for border infrastructure improvements that will increase safety and facilitate crucial binational trade between the United States and Mexico.”² In its petition, GER outlined infrastructure needs as detailed in the Texas Department of Transportation’s Texas-Mexico Border Transportation Master Plan (“BTMP”). And GER cited the example of operational challenges that UPRR had faced in its operation of its cross-border bridge when it was forced to embargo service on the line because Ferromex temporarily suspended service due to migrants climbing aboard railcars, and suffering injuries and fatalities.³

The GER proposal is intended to address current and potential operational harms to shippers – such as embargoes – and those identified in the BTMP. Therefore, the effect on rail shippers is improved efficiency for border crossings.

Further, as stated in the GER petition,⁴ “GER is seeking to enter into agreements with BNSF and UPRR for those carriers to shift their cross-border traffic to the Proposed Line for them to take advantage of the fluid cross border trade corridor that PVH intends to construct.” If all rail traffic currently crossing the border at Eagle Pass were to shift to GER, it would be because GER, UP, and BNSF were able to reach agreement on how the carriers would utilize the infrastructure GER proposes to build. Therefore, these agreements would negate any potential competitive harms and would address any perceived operational challenges.

GER believes that its proposal is a value-add for shippers and any potential impact on shipping costs would likely be negligible. The projected capital expenditure of \$394 million

² GER Petition at 2.

³ *Id.* at 4.

⁴ *Id.* at 7.

represents an early-stage Opinion of Probable Construction Cost.⁵ This estimate has not yet undergone the rigorous value engineering process standard for large-scale rail infrastructure, which typically optimizes costs based on specific requirements determined in collaboration with Class I railroads. These costs could be offset by and U.S. or Mexican infrastructure grants.

Based on 2025 volumes, approximately 458,000 northbound cars per the U.S. Department of Transportation, a 10% annual revenue-to-CAPEX recovery ratio (\$39.4 million) would result in an estimated \$86.05 infrastructure cost per roundtrip carload.⁶ On a per ton basis, the impact would be pennies per ton. This cost burden as a percentage of shipping rates will significantly diminish over time. Carload volumes are projected to more than double to 944,000 annual crossings by 2050 according to the BTMP.⁷ Furthermore, as the CAPEX is incurred based on current fixed dollars, expected inflationary increases to overall freight rates over the life of the asset will further reduce the relative impact of this cost on shippers. GER believes the benefits to shippers, and to Class I railroads—including improved speed, consistency, fluidity, and security—will result in a net reduction in total logistics costs. These gains, which reduce in-transit inventory carrying costs, damaged or stolen goods, and production disruptions, are expected to outweigh any potential increase in rail rates that may result from the development of the GER project.

The intent of the Proposed Line is to encourage competition. As GER previously observed, UP's reported shift of crew changes to Clark's Park Yard and proposed infrastructure

⁵ *Id.* at GER Petition, Exhibit B, Page 74.

⁶ U.S. DEPARTMENT OF TRANSPORTATION Border Crossing Entry Data/Annual Data, available at <https://explore.dot.gov/views/BorderCrossingData/Annual?%3Aembed=y&%3AisGuestRedirectFromVizportal=y> (last accessed Feb. 9, 2026).

⁷ TEXAS DEPARTMENT OF TRANSPORTATION, Texas-Mexico Border Transportation Master Plan Regional Summary: Laredo/Coahuila/Nuevo León/Tamaulipas Region May 24, 2021 Figure 6.2-10: Rail Car Movement by POE (2019 and 2025), available at <https://ftp.txdot.gov/pub/txdot/tpp/btmp/btmp-lrd-regional-plan.pdf> (last accessed Feb. 9, 2026)).

improvements validates GER's fundamental operational premise—that performing these functions at the yard and rather than on the bridge and improving infrastructure is the most efficient path for the gateway.⁸

Further, GER believes its proposal will improve the competitiveness of the Eagle Pass Port of Entry for rail shippers, not to harm it because, as stated in the GER Petition, a more efficient Eagle Pass Port of Entry improves competition with CPKC's border crossing in Laredo considering CPKC's recent efforts to improve rail fluidity in by constructing a second rail span.⁹

2. Please provide the Board with a description of the current physical track on the Mexican side of the border connecting Ferromex to the UP International Railroad Bridge at Eagle Pass and the proposed GER track on the Mexican side, including clarifying the extent to which this proposed segment would be double tracked. The Board encourages the submission of any relevant maps not already submitted to the agency. Please include any information you have regarding any planned rerouting of rail traffic and whether any existing track in Mexico would be removed or decommissioned following construction of the Line.

Enclosed as Exhibit A is an updated map highlighting the existing and proposed route in Mexico with indication of double tracking. As a caveat, the GER proposal in Mexico is preliminary and subject to refinement based on Class I operational needs, value engineering, and further discussions with the Mexican regulatory agencies. That said, GER has reserved sufficient right-of-way to permit double-tracking plus additional operational sidings if needed.

Also enclosed as Exhibit B are the official track profiles on the Mexican side of the border between the Union Pacific International Bridge (KM B-442.2 / R-0) and Ferromex's Río Escondido Yard (KM B-426.1 / R-16) as registered by Ferromex with the Mexican Secretariat of Infrastructure, Communications and Transportation ("SICT"). These track profiles demonstrate the current physical track configuration between these locations classified as a single-track

⁸ GER Reply to UP's Comment at 14-15.

⁹ GER Petition at 15-16.

mainline (*vía sencilla*). The parallel tracks that are physically present at the border approach are designated as operational sidings (*laderos*) and storage tracks (*vías de apartado*). These additional tracks are primarily utilized for the staging of cars pending customs clearance rather than being configured for simultaneous two-way mainline traffic. It is GER's understanding that according to Mexican regulatory requirements, any upgrade to a functional double-track mainline (*doble vía*) would require a formal modification to the Concession Title and new technical permits from the SICT.

GER previously shared the Piedras Negras Master Plan and letter from the Mayor of Piedras Negras, which illustrates Mexico's strategic desire to reroute rail traffic away from the city center and along the path proposed by the GER corridor.¹⁰

GER has no information at this time as to any plan in Mexico to decommission its current track. While the project provides a double-tracked bypass that resolves the single-track bottleneck at the border, GER is not in control of, nor can it speak for, Ferromex ("FXE") or the Mexican Federal Government regarding the specific decommissioning of legacy track. The reduction in train volume through city centers provides immediate public safety and quality-of-life benefits regardless of FXE's internal network decisions.

3. Please inform the Board about the status of any negotiations or discussions being had with UP and with BNSF, including regarding any operating plan or similar arrangement.

As the Board knows, GER views a partnership with UP and BNSF as essential to the success of the Proposed Line.¹¹ GER views itself as a strategic partner to the Class I railroads, providing essential infrastructure to enhance their long-haul competitiveness. By bypassing urban

¹⁰ GER Petition at 7, 10; GER Petition, Exhibit B, C at Appendix B.

¹¹ GER Petition at 7.

bottlenecks, GER enables UP, BNSF, and FEX to move freight more efficiently across their expansive networks.

GER notes that all parties involved may not wish to devote significant resources to exploring a route that does not yet have the legal authority to exist. GER views Board approval as a prerequisite for all parties to explore the operational and commercial considerations needed for a project of this scale. For this reason, GER views the Board's permissive licensing authority as crucial to this project because, as GER has noted, the Board "may grant authority to construct a line even if all outstanding issues related to the proposed construction have not yet been resolved or if factors beyond the Board's control...might ultimately prevent consummation of the proposed construction."¹²

Nevertheless, GER remains in active communication with both UP and BNSF. However, these discussions are protected by Non-Disclosure Agreements and are naturally preliminary in nature. If the Board finds that details of these preliminary discussions are dispositive to its decision, GER is prepared to provide a summary of the negotiation status under a Protective Order to preserve competitive sensitivities.

4. Please elaborate on your representation that "GER would be unable to construct and/or operate the proposed line" if you are "unable to attract all cross border rail traffic." (Env't Comment EI 34039, GER Letter 5.) Please explain how you plan to attract or secure all cross-border traffic and confirm whether you would start building the Line in the absence of commitments from UP and BNSF to shift their traffic to the Line post-construction. If you would start building the Line in the absence of those commitments, explain why and what would be sufficient for you to start building.

As stated, the purpose and need and the primary business case for the GER Proposed Line is to improve fluidity utilizing the Eagle Pass Port of Entry. Limited local demand exists for a 20-mile rail move between the switchyards in the U.S. and Mexico. Because all material potential

¹² *Id.*; GER Reply to UP Comment at 12.

revenue is generated by movements outside of GER's direct control, no lender would provide the required capital without an agreement for UP and BNSF to shift their traffic to the GER Proposed Line. Therefore, GER would not start building the Proposed Line absent agreements from UP and BNSF to shift their traffic to the Proposed Line post-construction. GER views the Board's authorization as a stage-gate necessary to de-risk the project from a regulatory standpoint in order to facilitate commercial market negotiations, not as a trigger for construction.

CONCLUSION

In conclusion, GER appreciates the opportunity to provide the Board with additional information as it considers GER's Proposed Line to improve fluidity at the Eagle Pass Port of Entry.

Respectfully submitted,



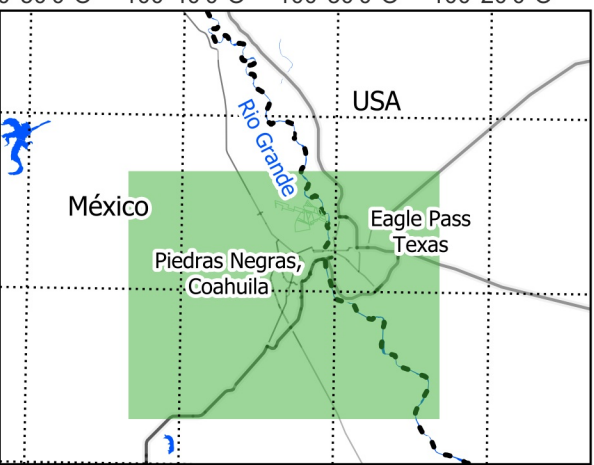
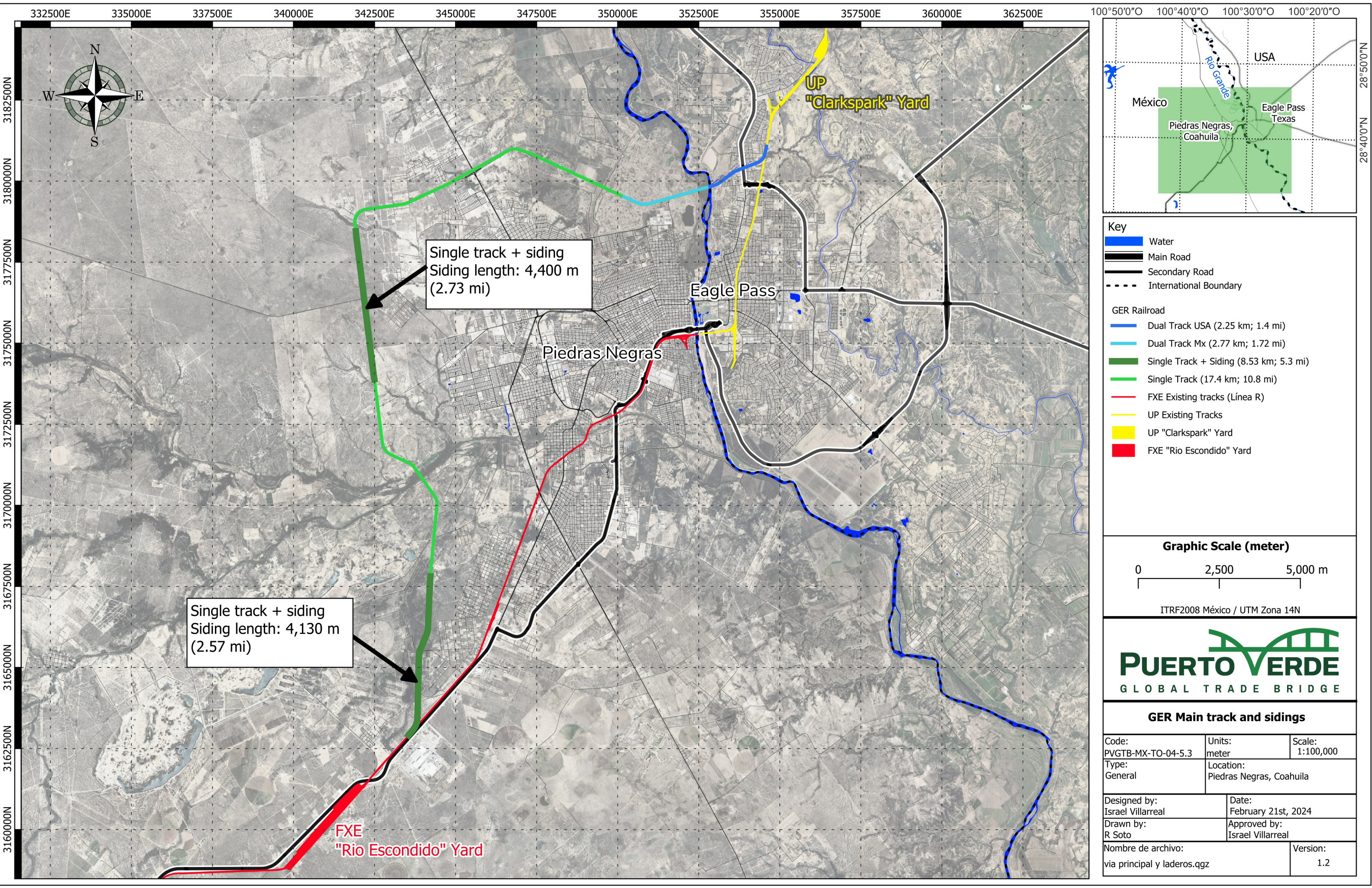
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Counsel for Green Eagle Railroad, LLC

Dated: February 13, 2026

Exhibit A



Key

- Water
- Main Road
- Secondary Road
- International Boundary

GER Railroad

- Dual Track USA (2.25 km; 1.4 mi)
- Dual Track Mx (2.77 km; 1.72 mi)
- Single Track + Siding (8.53 km; 5.3 mi)
- Single Track (17.4 km; 10.8 mi)
- FXE Existing tracks (Línea R)
- UP Existing Tracks
- UP "Clarkspark" Yard
- FXE "Rio Escondido" Yard

Graphic Scale (meter)

0 2,500 5,000 m

ITRF2008 México / UTM Zona 14N

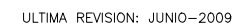
PUERTO VERDE
GLOBAL TRADE BRIDGE

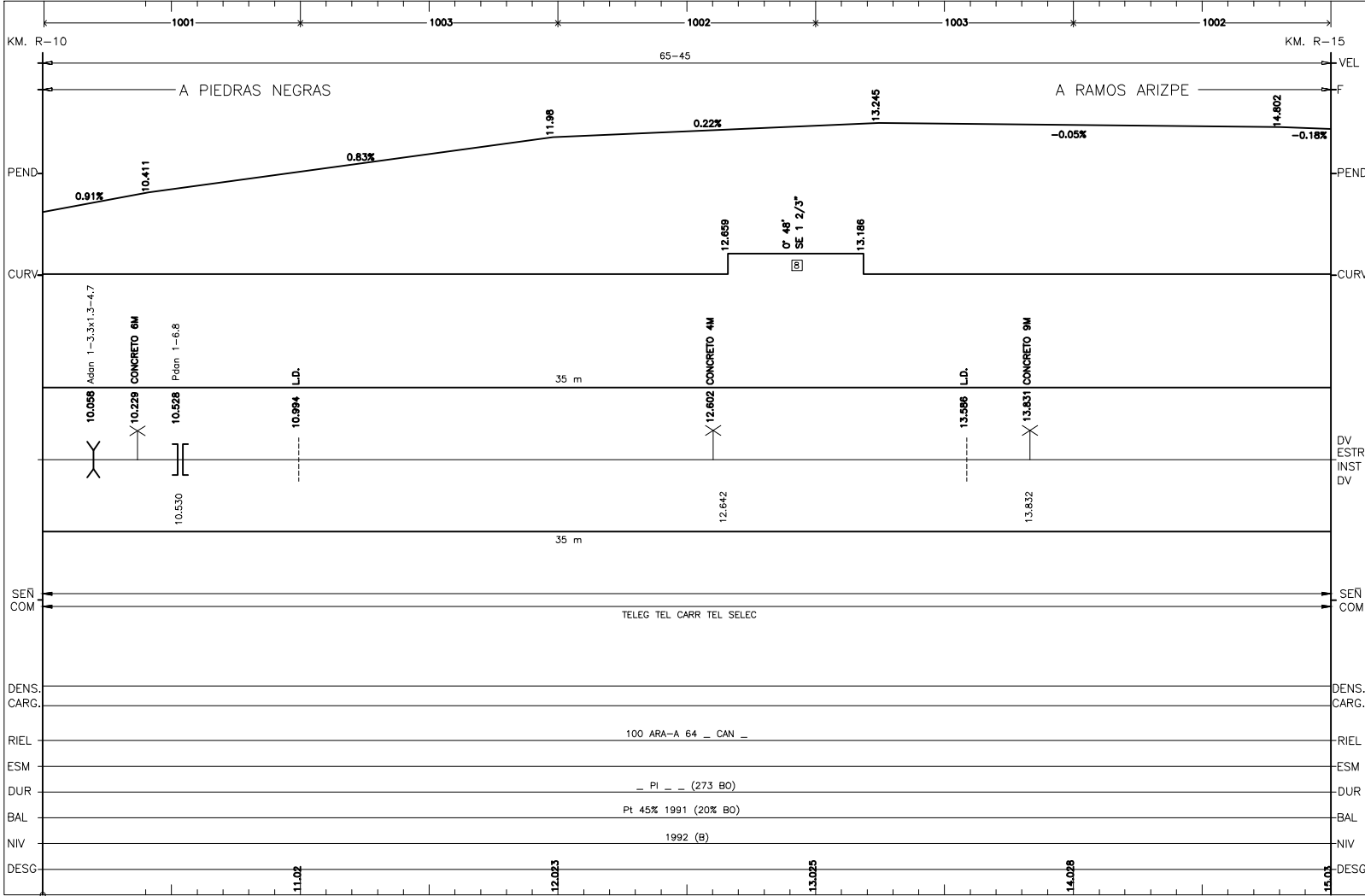
GER Main track and sidings

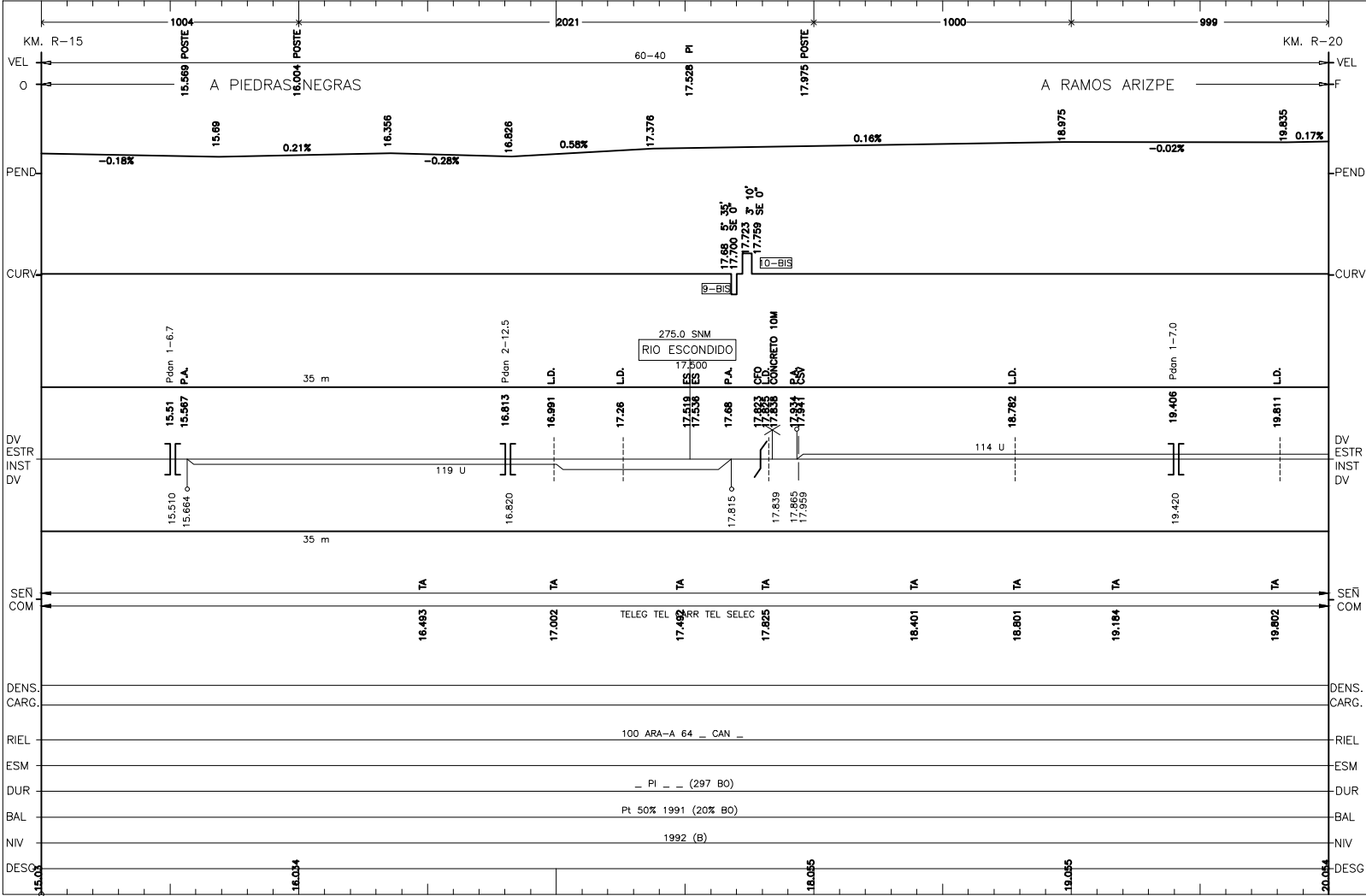
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Type: General	Location: Piedras Negras, Coahuila	
Designed by: Israel Villarreal		Date: February 21st, 2024
Drawn by: R Soto		Approved by: Israel Villarreal
Nombre de archivo: via principal y laderos.qgz		Version: 1.2

Exhibit B









CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of February, 2026, I caused a copy of the foregoing document to be served electronically on all parties of record in STB Docket No. FD 36652 and BNSF Railway, Inc.



Justin J. Marks