

To: Surface Transportation Board
From: Eastwood Civic Association
Date: May 7, 2026

Re: Finance Docket No. 36873, Comment on the Completeness of the Revised Application Filed April 30, 2026

To Chairman Fuchs and Members of the Surface Transportation Board:

The Eastwood Civic Association represents over 2,900 homes in the Greater Eastwood subdivision in the East End of Houston. We submitted formal comments on October 21, 2025, regarding the original Union Pacific and Norfolk Southern application, and we appreciate the Board's January 16, 2026, decision (PR-26-02) finding that the application was incomplete. We have reviewed the Revised Application filed on April 30, 2026, and we submit this comment to express our continued concern that the Revised Application cannot be considered complete until the issue of blocked crossings receives the substantive treatment that this proceeding requires, before the approval of the application, not during the environmental analysis.

Eastwood Has the Most Blocked Crossings in the United States

According to Federal Railroad Administration data, the East End Triangle surrounding Greater Eastwood has the most reported blocked crossings of any community in the United States. For the twelve months preceding September 16, 2024, eight of the top ten reported crossings nationally, including all of the top eight, were within the Triangle. The most-reported crossing in the country, Eastwood Street at the Galveston Subdivision (FRA crossing 859522Y), recorded 842 reports in that period.

Union Pacific operates 100% of our blocked crossings, controls train movements through the Houston Complex, and is the applicant for the proposed merger. The FRA data, therefore, reflects the operating decisions of the very railroad whose expansion is now before the Board.

Our community has documented conditions at crossing 859522Y from November 2021 through April 2026. In March and April 2026, 30–34% of trains blocked this crossing, with average stoppages of roughly 30 minutes. A single train can simultaneously block every at-grade crossing in the area, leaving only freeway access out. Traffic here is up 27% from 2022 to 2025, and the merger anticipates further growth on top of that.

The Revised Application Defers the Blocked Crossing Analysis

Section 1180.8(a)(2) requires applicants to disclose measures addressing blocked crossings from merger-related operational changes or traffic increases. The Revised Application addresses this in a single paragraph at Volume 1, page 101, deferring all substantive analysis to the environmental review process.

Although that deferral may be permitted, it has a direct procedural consequence for the communities Union Pacific traverses. The completeness record and public comment period close without any substantive blocked-crossing analysis on the docket; the Office



of Environmental Analysis will develop this information later, on a separate timeline. The public is therefore asked to comment on a merger application without access to the operational impacts that most directly affect our community.

For a community already shouldering the country's highest documented burden of blocked crossings, and given that local Union Pacific representatives call the Houston complex "the heart of the franchise," this gap in the record is substantial. The blocked-crossing question is not peripheral to the merger, as the Applicants suggest. For Houston's East End, it is the central question.

Why the Board Cannot Move Forward Without This Information

Our community cannot meaningfully participate in this proceeding without the data necessary to evaluate how the proposed merger will affect blocked crossings in Houston. The Revised Application neither analyzes how increases in traffic will affect conditions at the most-reported crossings in the country nor identifies any mitigation specific to the blockage problem.

The applicants' own Electronic Appendices Q, R, S, and T indicate Houston will absorb significant additional rail volume: a 20.15% workload increase at Englewood Yard, a 148.95% increase in lift activity at Settegast Yard, and 5 additional trains per day on the Lafayette Subdivision between Dawes and Tower 87. Each projection has direct implications for grade-crossing delays throughout the Houston Complex, including the East End Triangle.

Rail operations through the Complex are interconnected. Movements on one line force trains on other lines to hold, and yard congestion at one facility cascades through the network. Adding volume to any single line produces blocked-crossing impacts well beyond that line—yet the Revised Application contains no complex-wide analysis of these cascading effects, nor any segment- or crossing-level analysis of these implications. Without that analysis, the public, the affected communities, and the Board itself lack the information needed to evaluate whether the merger serves the public interest in the most affected regions.

Standard methodologies calculate blocked-crossing time as a function of average train length and speed and do not capture trains that stop completely for extended periods. Our 2024 data showed 27% of trains stopped completely at crossing 859522Y, with an average stoppage of 48 minutes. Methodologies that omit stopped trains will substantially undercount Houston's operational reality, and the Board should require any subsequent analysis to address that gap directly.

Other Commenters Have Identified Additional Material Omissions

The blocked-crossing gap is part of a broader pattern. The New York State Department of Transportation, in its May 7, 2026, comment, identifies two additional omissions that further support a finding of incompleteness.

First, the Revised Application omits one of two Norfolk Southern routes between New York and Massachusetts, the Southern Route between approximately Voorheesville, NY, and Worcester, MA, from the network map and the Electronic Appendices supporting the



Operating Plan, in violation of 49 C.F.R. §§ 1180.6(a)(6), 1180.8(b)(1), and 1180.8(b)(5). This matters because applicants' own density data shows traffic between Binghamton and the Albany area increasing by nearly 50,000 annual cars and 5 million annual gross tons under the growth scenario, with a portion expected to continue into Massachusetts.

Second, the Revised Application omits any discussion of merger impacts on commuter passenger rail service on the NS-controlled Port Jervis Line in southern New York, where Metro-North operates service under contract for New Jersey Transit. That omission violates 49 C.F.R. §§ 1180.8(b)(2) and 1180.10(b), and the Board already directed applicants to address omitted passenger services in Decision No. 9.

These omissions, identified by a state transportation agency representing a major affected jurisdiction, reinforce our request that the Board decline to find the Revised Application complete until the gaps are addressed. The Houston blocked-crossing gap and the New York network and passenger service gaps reflect a pattern in which information directly relevant to affected communities is missing from the public record.

The Underlying Capacity Claims Warrant Closer Scrutiny

Beyond completeness, we share concerns raised by other commenters about the operational assumptions in the Revised Application. The applicants project that the merger will move approximately 2.1 million truckloads to rail. Industry observers note this volume implies substantial additional intermodal trains and would require corresponding expansion of intermodal terminal capacity, port and inland container facilities, locomotive fleets, railcar inventory, and crew rosters. The Revised Application provides no phased buildout plan demonstrating how existing infrastructure absorbs this growth, nor a timeline for the projected modal shift.

The application also does not address current crew availability, conductor shortages, or how the combined railroad would sustainably staff the projected traffic increases. The industry has documented difficulty hiring and retaining train and engine personnel under existing practices, and the application does not explain how the merger resolves those constraints, rather than amplifying them.

For Houston, where current operations already produce the most-reported blocked crossings in the country, any growth plan that adds intermodal volume before demonstrating capacity to handle it risks repeating the operational problems that followed the 1996 Union Pacific–Southern Pacific merger. Houston bore the brunt of those problems then, and our community asks the Board to require a clear accounting of how this merger avoids the same outcome.

Public Comment Is Needed in This Proceeding

The Revised Application characterizes public comment as available "if needed." For the communities most directly affected, public comment should be required. The East End Triangle has the highest documented blocked-crossing burden in the United States, and any merger that increases traffic through Union Pacific's Houston operations will be felt first and most deeply by residents who already navigate daily blockages on their way to school, work, medical care, and emergency services.



The Board's process depends on public comment to develop a record reflecting on-the-ground operational reality, something the applicants' modeling cannot substitute for. Houston residents have systematically tracked train movements at affected crossings for years, and that documentation is precisely the kind of information the Board needs to evaluate the merger against the public-interest standard in 49 C.F.R. § 1180.4(c)(8). Limiting public comment would deprive the Board of evidence that would otherwise be unavailable.

We respectfully ask the Board to confirm that meaningful public comment will be provided in this proceeding, with adequate time and within the City of Houston, so that affected communities can review the application materials and respond on the record.

Requests

We respectfully request that the Surface Transportation Board take the following actions before finding the Revised Application complete:

1. Decline to find the Revised Application complete until applicants file a substantive blocked-crossing exhibit covering all Union Pacific-served crossings in Harris County, with pre-merger and post-merger forecasts at the segment level and at the individual crossing level for the East End Triangle.
2. Require the exhibit to use a methodology that accounts for stopped trains and extended blockages, given their documented prevalence in the Houston Complex.
3. Require the exhibit to include proposed mitigation measures responsive to the documented conditions at the East End Triangle crossings, given their established status as the most-reported in the country and the fact that the majority of those reports involve Union Pacific operations.
4. Direct applicants to address the additional specific omissions identified by other commenters, including the New York State Department of Transportation, before the application is considered complete.
5. Require a phased capacity buildout plan that demonstrates how the projected traffic growth will be absorbed across infrastructure, equipment, and crew resources, with particular attention to the Houston Complex, before any operational benefits are credited to the merger record.
6. Extend the public comment period after the additional information is filed so that affected communities have a meaningful opportunity to review and respond to the operational analysis on the record.
7. Conduct public hearings in Houston's East End to receive testimony from residents and local officials directly affected by the proposed traffic increases.

The Eastwood Civic Association recognizes the Board's responsibility to evaluate this merger on a complete record. Where the central operational impact in our community goes undisclosed, that record is not yet sufficient for the Board's review. We ask the Board to require the missing information before this filing is found complete.

Thank you for your consideration.



Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lindsay Williams".

Lindsay Williams
President
Eastwood Civic Association

cc: All Parties of Record



CERTIFICATE OF SERVICE I hereby certify that on this 8th day of May, 2026, the foregoing document was served to all parties of record to this proceeding.

/s/ Lindsay Williams