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Mayor

May 20, 2026

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Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re: Docket No. FD 36873 - Union Pacific Corporation and Union Pacific Railroad Company – Control – Norfolk Southern Corporation and Norfolk Southern Railway Company – Request for improved facility maintenance and facilitating public reuse of inactive rail corridors

Dear Members of the Board:

On behalf of a coalition of Gateway and Southeast Los Angeles County cities, including the cities of South Gate, Cerritos, Cudahy, Downey, Huntington Park, Lakewood, La Mirada, Long Beach, Lynwood, Maywood, Paramount, Pico Rivera, and Santa Fe Springs (collectively, “Gateway Cities”), we respectfully submit these comments regarding the proposed transaction between Union Pacific Railroad (“Union Pacific”) and Norfolk Southern Railway (“Norfolk Southern”) (collectively, “Applicants”). **On behalf of the Gateway Cities, we oppose the proposed transaction unless and until the concerns raised herein are addressed and effective enforcement mechanism is established.**

As Mayor of the City of South Gate, I submit these comments in collaboration with neighboring jurisdictions that share longstanding concerns regarding the impacts of inactive, abandoned, and underutilized rail corridors throughout Southeast Los Angeles County and the Gateway Cities region.

Our coalition respectfully requests that the Board impose conditions necessary to ensure that the proposed transaction satisfies the public interest requirements established under federal law, including mitigation measures addressing neglected rail infrastructure, environmental fairness concerns, and the public reuse of inactive rail corridors within densely populated urban communities.

I. PUBLIC INTEREST STANDARD AND BOARD AUTHORITY

Under 49 U.S.C. § 11324(c), the Board may approve a transaction only if it determines that the proposal is consistent with the public interest. The Board additionally retains broad authority under 49 U.S.C. § 10101 to impose conditions necessary to mitigate adverse impacts and further national transportation policy objectives, including:

- Ensuring safe and efficient rail transportation
- Promoting sound economic conditions
- Encouraging environmental protection and energy conservation
- Reducing adverse environmental and community impacts
- Fostering coordination between rail carriers and local communities

The coalition respectfully submits that the Applicants' management of inactive and underutilized rail corridors throughout Southeast Los Angeles County raises concerns directly relevant to these statutory obligations.

II. CONDITIONS WITHIN GATEWAY CITIES AND SOUTHEAST LOS ANGELES COMMUNITIES

Across our communities, segments of Union Pacific-owned rail corridors that are inactive, abandoned, or underutilized have become recurring sites of:

- Illegal dumping of solid and hazardous waste
- Fire hazards and criminal activity
- Encampments and public nuisance conditions
- Visual blight and environmental degradation
- Barriers to connectivity, mobility, and community reinvestment

These impacts disproportionately burden densely populated working-class communities that are predominantly Latino and already experience some of the highest cumulative environmental burdens in California due to freight movement, industrial activity, and transportation infrastructure.

The continued neglect of these corridors undermines public safety, environmental quality, and economic revitalization efforts across the region and is inconsistent with the national rail transportation policy goals established by Congress.

III. REQUEST FOR CONDITIONS: PUBLIC USE, RAIL BANKING, AND COMMUNITY REINVESTMENT

In light of the foregoing, the coalition respectfully requests that the Board condition any approval of the proposed transaction upon the Applicants' agreement to the following:

A. Inventory and Public Disclosure

Conduct and publicly disclose a comprehensive inventory identifying:

- All inactive, abandoned, or underutilized rail corridors located within urbanized areas served by the Applicants
- Current operational status and future operational plans for such corridors
- Corridors suitable for interim public use or rail banking opportunities

B. Good Faith Negotiations with Local Jurisdictions

Engage in good faith negotiations with affected municipalities regarding:

- Interim public use under 49 C.F.R. § 1152.28 (Public Use Condition)



- Long-term corridor preservation pursuant to the National Trails System Act, 16 U.S.C. § 1247(d) (“rail banking”)
- Potential transfer, lease, or joint-use agreements for community-serving infrastructure projects

C. Facilitation of Greenway and Active Transportation Projects

Provide reasonable accommodation and cooperation to facilitate conversion of inactive corridors into:

- Bicycle paths and regional bike networks
- Pedestrian walkways and greenways
- Open space, recreational corridors, and climate-resilient infrastructure
- Multi-use mobility corridors connecting underserved communities

These projects directly support regional, state, and federal goals relating to:

- Climate resilience and greenhouse gas reduction
- Active transportation and public health
- Environmental remediation and sustainable land use
- Equitable infrastructure investment in disadvantaged communities

D. Maintenance and Interim Mitigation Measures

Until reuse or redevelopment occurs, require Applicants to:

- Maintain inactive corridors in a condition that prevents illegal dumping and nuisance activity
- Implement appropriate fencing, signage, vegetation management, and security measures
- Coordinate with local governments regarding corridor maintenance and public safety concerns
- Establish dedicated regional points of contact for municipal coordination

IV. ENVIRONMENTAL FAIRNESS AND EQUITABLE INFRASTRUCTURE INVESTMENT

The Board has increasingly recognized the importance of environmental fairness considerations in evaluating major rail transactions. The communities represented by this coalition have historically borne disproportionate impacts associated with freight movement, industrial land uses, rail infrastructure, and transportation emissions.

This transaction presents an opportunity not only to consolidate rail operations, but also to advance equitable community investment by transforming neglected infrastructure into public assets that improve quality of life, mobility, environmental conditions, and neighborhood connectivity.

Communities that have long hosted the burdens associated with freight transportation should also share in the benefits of reinvestment and infrastructure modernization.



V. CONCLUSION

The coalition of Gateway and Southeast Los Angeles County cities respectfully urges the Board to condition any approval of the proposed transaction on meaningful commitments that:

- Address the impacts of inactive and neglected rail infrastructure
- Facilitate public reuse and rail banking opportunities
- Advance environmental fairness objectives
- Improve safety, environmental conditions, and mobility within affected communities

Absent such conditions, the proposed transaction risks perpetuating longstanding harms while further consolidating control over critical transportation infrastructure without corresponding community accountability.

We appreciate the Board's consideration of these comments and stand ready to engage further regarding these matters. Please feel free to contact me at jbarron@sogate.org or via phone at (323) 563-9543.

Respectfully submitted,



Mayor Lynda P. Johnson
City of Cerritos



Mayor Cynthia Gonzalez
City of Cudahy



Mayor Claudia M. Frometa
City of Downey



Mayor Dr. Heber Marquez
City of Maywood



Mayor Gabriel Camacho
City of Lynwood



Mayor Brenda Olmos
City of Paramount



Mayor Joshua Barron
City of South Gate

And supported by the cities of Huntington Park, Lakewood, La Mirada, Long Beach, Pico Rivera, and Santa Fe Springs.

cc: U.S. Department of Transportation
U.S. Department of Justice (Antitrust Division)
UP & NS respective legal counsels
Parties of Record

