



THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SOMERSET NEW JERSEY



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September 16, 2026

Elizabeth Webster
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; Preliminary Environmental Consultation

Dear Ms. Webster:

Somerset County appreciates the opportunity to provide preliminary comments regarding the proposed acquisition of Norfolk Southern Railway Company by Union Pacific Railroad Company. The County has reviewed the preliminary information provided by the Surface Transportation Board's Office of Environmental Analysis ("OEA") and requests that several Somerset County-specific issues be evaluated as part of the Environmental Impact Statement ("EIS").

The Board's Public Data Explorer identifies projected transaction-related freight growth along the Lehigh Line through Somerset County. The approximately 40-mile segment extending from Phillipsburg to Manville is identified as exceeding the Board's threshold for air-quality analysis, with projected transaction-related growth of approximately 7.77 trains per day. Portions of the affected freight corridor also operate in close proximity to NJ TRANSIT's Raritan Valley Line. The County requests that the EIS evaluate whether increased freight volumes, longer trains, or changes in rail operations could affect passenger rail operations, service reliability, dispatching, station access, or other transportation functions.

Additionally, freight and passenger rail operations pass through an area protected by floodwalls, pump stations, railroad closure gates, and other flood-control infrastructure. During Tropical Storm Ida in 2021, a disabled passenger train interfered with the timely closure of a railroad floodgate, demonstrating the potential consequences when rail operations and flood-protection procedures conflict. Because the proposed transaction could result in increased freight traffic, longer trains, or changes in operating

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patterns, the County requests that the EIS evaluate whether merger-related rail activity could affect the reliable operation of the Bound Brook flood-control system. This should include consideration of projected train volumes and lengths; the potential for stopped, disabled, or slow-moving trains to interfere with flood-control facilities, grade crossings, or emergency access; severe-weather operating procedures; coordination among rail operators, NJ TRANSIT, County and municipal emergency-management personnel, and other responsible agencies; and appropriate mitigation measures. The EIS should also consider the potential consequences of a derailment or equipment failure during a flood event, including releases of fuel or hazardous materials to nearby waterways and floodplains.

The County is concerned about air-quality and cumulative community impacts associated with increased freight traffic. The affected corridor travels through or adjacent to several areas identified as Overburdened Communities under the New Jersey Environmental Justice Law, including communities with low-income, minority, and limited-English-proficiency populations. The County requests that the EIS evaluate air-quality, noise, vibration, blocked crossings, emergency-response delays, public safety, and other cumulative effects associated with increased freight activity, with particular attention to potential disproportionate impacts on overburdened communities.

Thank you for the opportunity to provide preliminary comments. The County respectfully requests that the issues identified above be included within the scope of the EIS so that potential impacts can be appropriately evaluated and, where necessary, avoided, minimized, or mitigated. Please contact me if additional information from Somerset County would be helpful during the environmental review process.

Sincerely,



Colleen Mahr, Administrator
Somerset County

cc: The Honorable Cory A. Booker, United States Senator
The Honorable Andy Kim, United States Senator
Matt Loper, Director - Department of Engineering & Planning
Vinny Russo, Director - Department of Public Works
John Fodor, Director - Department of Public Health & Safety
Samantha DeAndrea, Director - Division of Planning
Joe DeMarco, County Counsel