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ANA HERNANDEZ DISTRICT 143

September 21, 2026

Danielle Gosselin, Director
Office of Environmental Analysis
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. Response to Preliminary Consultation Letter to Elected Officials. Comments on the Scope of the Environmental Impact Statement.

To Director Gosselin:

Thank you for your August 19, 2026, letter inviting comment on the environmental issues associated with this proposed transaction. I write on behalf of House District 143 to identify several issues that I respectfully ask the Office of Environmental Analysis (OEA) to consider as it determines the scope of the Environmental Impact Statement (EIS).

1. Expand the study area to include Houston communities

I am concerned that the proposed environmental review may not fully capture the potential impacts on Houston neighborhoods located along the Union Pacific network.

House District 143 includes communities that are home to active freight rail infrastructure and grade crossings. Residents have raised concerns about blocked crossings, rail traffic, noise, air quality, emergency response, and the cumulative effects of freight activity.

I respectfully ask OEA to evaluate relevant Union Pacific rail segments, grade crossings, yards, and associated operations in Harris County, including areas beyond the currently proposed study area where the transaction could reasonably result in environmental or community impacts.

2. Consider impacts that may fall below established thresholds

I also ask OEA to consider whether potentially significant impacts could occur on Houston-area rail segments even where projected changes may fall below a particular numerical threshold.

The EIS should consider the existing level of rail activity, surrounding population and land uses, grade-crossing conditions, environmental conditions, and the cumulative effects of existing freight operations when determining whether additional analysis is warranted.

Where OEA determines that a segment does not require additional review, I ask that the basis for that determination be clearly documented in the record.

3. Reconcile and clearly explain Houston-area projections

Because the environmental analysis will rely on projections concerning rail traffic, truck traffic, and other operational changes, I ask OEA to ensure that the information presented in the applicants' filings is consistent and transparent.

Where figures or assumptions have changed between filings, the EIS should identify those changes and explain the methodology and assumptions used to develop the final projections. This is particularly important for Houston-area yards, rail segments, and associated truck activity.

4. Establish a meaningful baseline of existing conditions

The EIS should establish a clear picture of existing conditions before evaluating potential future impacts.

This should include, where applicable:

- The frequency and duration of blocked grade crossings;
- Existing train and locomotive activity, including nighttime operations;
- Existing noise levels in nearby residential areas;
- Potential emergency-response impacts associated with blocked crossings;
- Pedestrian and roadway safety conditions at grade crossings; and
- Existing truck traffic and other activity associated with rail yards.

Establishing a reliable baseline will allow OEA and the public to better understand how the proposed transaction could change conditions in affected communities.

5. Evaluate truck traffic, air quality, cumulative impacts, and environmental justice

The environmental review should also consider impacts associated with truck traffic and other activities connected to rail operations, including activity that may involve third parties.

For Houston communities, the analysis should address potential impacts on air quality, diesel emissions, traffic, noise, and public health, as well as cumulative impacts from existing industrial and transportation activity.

I also ask OEA to evaluate environmental justice considerations and ensure that communities that may experience disproportionate impacts have a meaningful opportunity to participate in the review.

6. Meaningful community engagement

Finally, I respectfully request that the scoping process provide meaningful opportunities for Houston-area residents and local governments to participate.

Specifically, I ask OEA to:

- Hold an in-person scoping meeting in Houston at a time and location accessible to affected residents;
- Provide Spanish-language materials and interpretation;
- Provide a meaningful public comment period following publication of the Draft EIS;

- Consult with the City of Houston, Harris County, and relevant emergency-response and transportation agencies; and
- Ensure that elected officials and local governments representing affected Houston communities are included in the consultation process.

I respectfully ask OEA to broaden the scope of its review so that Houston-area communities are fully considered and that the EIS provides a complete, transparent assessment of the potential environmental and community impacts of the proposed transaction.

Thank you for your consideration. My office is available to the Office of Environmental Analysis throughout this review.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ana Hernandez", with a stylized flourish at the end.

Ana Hernandez
State Representative, District 143