



Christina Morales

State Representative • District 145
Harris County

September 21, 2026

Representative Christina Morales
Office of State Representative Christina Morales
1100 Congress Ave., GN.10
Austin, TX 78701

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:

I write on behalf of House District 145, which includes the East End, Second Ward and Near Northside, to submit preliminary comments on the scope of the Environmental Impact Statement for this transaction. I note that House District 145 does not appear on the preliminary consultation distribution list published with the Office's August 19, 2026 letters, and I respectfully request that this office be added to the distribution list for the remainder of the environmental review. The territory I represent contains a substantial share of the grade crossings with the highest volume of blocked crossing reports in the Houston region, and the analysis will be more accurate with that input contained.

I am raising these points now, at the consultation stage, because the geographic scope set at the outset will determine which communities appear in the analysis, and the analysis will determine what mitigation is available later. As currently drawn, the applicants' environmental review does not reach the Houston neighborhoods that carry the region's documented grade crossing burden.

- 1. Extend the study area into the Houston urban core:** The applicants' environmental submittals analyze 68 grade crossings, the vast majority of which are in Liberty, Chambers, and Jefferson counties. The crossing, noise, and quiet zone analysis stops at Tower 87.

The Federal Railroad Administration record shows where the impact actually falls. Between January 2021 and June 2026, the public filed 25,196 blocked crossing reports at Union Pacific crossings in the nine-county Houston region, across 652 distinct crossings. Only 371 of those reports, 1.5 percent, occurred at a crossing inside the applicants' review. None of the region's 20 most reported crossings is inside the review. All 20 are in Houston's East End and Fifth Ward. The single most reported crossing in the region, Eastwood Street, accounts for 2,905 reports.





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I ask that the study area include every Union Pacific grade crossing in Harris County, and specifically the segments west of Tower 87, including Lockwood to Tower 87, Tower 87 to Houston, Lockwood to Tower 26, Tower 26 to Chaney to Eureka, the Glidden Subdivision, the West Belt, and the Settegast and Englewood yard complexes.

- 2. Exercise discretionary authority to analyze segments below the numeric thresholds:** Houston is a severe ozone nonattainment area, so review is triggered at three additional trains per day or a 20 percent increase in gross ton miles. The application assigns every Houston urban core segment between 1.88 and 2.29 additional trains per day. The three approach segments east of Tower 87, in the rural counties, are assigned exactly 5.00 and are analyzed. The Beaumont Subdivision shows a 33.5 percent increase in merger million gross ton miles, above the nonattainment threshold, and is marked as not requiring analysis.

OEA may analyze effects below the numeric thresholds. Under 49 C.F.R. § 1105.7(f), the Board may require applicants to submit additional information regarding the environmental effects of the proposed action, and under § 1105.6(d) the Board may modify these requirements for individual proceedings. OEA exercised comparable discretion in Finance Docket No. 36500, where it analyzed rail line segment U-BEAU-01 through the Houston area at 7.57 trains per day, below the eight-train threshold, in response to public comments. The segments falling just below the trigger are the segments with the documented blocked crossing problem, the highest baseline train counts, and the densest residential frontage. I ask that OEA exercise that discretion, and that the decision, whichever way it goes, be stated in writing and placed in the docket with its reasoning.

- 3. Require the applicants to reconcile the Houston rail-traffic data:** The applicants' projections for increased rail traffic in the Houston area have changed across successive versions of the application. The STB's record includes the April 30 revised application, the July 27 supplemental filing, and subsequent updated master segment tables. Because the environmental analysis depends on the projected increase in trains on individual rail-line segments, the OEA should require the applicants to clearly reconcile those changes.

I ask that OEA require the applicants to provide, for each Houston-area segment, the existing baseline trains per day, the projected post-transaction trains per day, the resulting increase, and the methodology used to calculate each figure. Where a projected increase has changed between filings, the applicants should identify the prior figure, the revised figure, the reason for the change, and the specific data or modeling assumption responsible for it. The reconciliation should also identify any Houston-area segments that fall below the applicable environmental-review threshold and explain the basis for those projections.





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4. **Establish measured existing conditions before projecting future conditions:** I ask that the EIS document what happens today before it models what happens later, and that the baseline rests on measurement rather than on modeled averages.

Specifically:

- Blocked crossing duration and frequency at each crossing in the study area, drawn from crossing occupancy sensor data rather than complaint counts alone. The City of Houston has existing sensor deployments that can support this.
- Locomotive horn events by crossing, by hour, including nighttime.
- Nighttime noise measured as Ldn at residential receptors, including yard noise from coupling, train building, and air brake testing.
- Emergency response delay attributable to blocked crossings, developed in consultation with the Houston Fire Department, Harris County Emergency Services Districts, and the Harris County Fire Marshal.
- Pedestrian exposure at crossings near schools. Of the FRA reports referenced above, 11,634 describe pedestrians climbing over, under, or through a stopped train, and 10,985 describe a blocked or delayed first responder.

5. **Include train, air quality, and environmental justice impacts that are currently outside the analysis:** Only 1.5% of the 25,196 blocked crossing reports at Union Pacific occurred inside the current area of analysis. As Houston is a severe ozone nonattainment area, we ask to review triggers at three additional trains per day. Urban segments of Houston in the application land consistently have between 1.88 and 2.29 trains a day.

According to the environmental comments submitted by Super Neighborhood 64 & 88:

- The busiest track in Houston lies outside the study area,
- Segment 12449, Tower 87 to Houston (Settegast), would carry 56.21 trains per day by Year 5,
- Segment 12466, Rabbit Jct to Tower 26, would carry 56.21 trains per day by Year 5,
- Segment 12448, Belt Jct to Tower 26, would carry 52.84 trains per day in year 5.

These are just the biggest increases currently outside the boundaries of the study, however there are many more segments projected to carry significant trains per day.

The only segment getting studied under the current area would carry 30.10 trains; thus, segments that would carry more than double the amount of traffic of the studied segment are not currently being considered.





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6. Scoping process requests:

- Hold at least one in-person scoping meeting in Houston, during evening or weekend hours, at a location accessible by transit within or adjacent to the affected neighborhoods.
- Provide scoping materials and live Spanish interpretation. A substantial share of the affected population in House District 145 are Spanish-speaking.
- Publish a Draft EIS with a public comment period of no fewer than 45 days, and respond to comments in writing before the Board issues its final decision. Blocked crossings have been routed into this review, and residents should have the opportunity to comment on that analysis before it informs a decision, not after.
- Consult directly with the City of Houston and Harris County on emergency response, railway, and land use data.
- Add the City of Houston, Harris County Precinct 2, and Texas House District 145 to the consultation distribution list. The list published with the August 19 letters includes Harris County and Texas House Districts 141, 142, and 143, and includes no Texas municipal government. Houston is the fourth largest city in the country and the location of the terminal complex at issue, and House District 145 sits between Districts 142 and 143 on the same corridors

The communities I represent have carried this freight burden for generations and have documented it carefully. What they are asking for at this stage is straightforward: that the study cover the places where the impact happens. If the geographic scope is set at Tower 87, the record will show a transaction with modest rural effects, and the neighborhoods absorbing the actual burden will have no basis on which to seek mitigation later.

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, reading "Christina Morales", is positioned below the "Respectfully submitted," text. The signature is fluid and cursive.

Representative Christina Morales
Texas House of Representatives
HD 145

