



9/21/26

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:

I write on behalf of the City of Houston, At-Large Position 1, to submit preliminary comments on the scope of the Environmental Impact Statement for this transaction. I note that the City of Houston 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 City of Houston contains a substantial share of the grade crossings with the highest volume of blocked crossing reports in the Gulf Coast region, and the analysis will be more accurate with that input in it.

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 are 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.

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.

The thresholds in 49 C.F.R. 1105.7(e) set a floor, and 49 C.F.R. 1105.7(d) preserves the Office's authority to require analysis beyond it where circumstances warrant. The circumstances here warrant it. 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 data

The Houston figures have changed across three versions of the application, each time downward. Projected merger-added truck traffic at Settegast Yard moved from 516 additional trucks per day in the December 19, 2025 application, to 360 in the April 30, 2026 amended application, to 353 in the July 27, 2026 errata. The final reduction was disclosed only in a footnote, and the errata cover letter did not mention Houston. Corridor figures east of Tower 87 moved from increases of 36.7 and 36.8 percent to a uniform 5.00 trains per day.

The application also contains a factual inconsistency. Appendix Q lists Englewood Yard among manifest yards with a 20 percent increase, moving from 2,044 to 2,456 cars per day. The environmental yard table in the same application lists no Houston yard at all. Englewood truck volumes do not appear anywhere.

I ask that OEA require a reconciliation with a change log for every Houston figure that has moved, an explanation of the uniform round increments, the basis for the Beaumont Subdivision attainment designation, and a cross-reference of the projections against the FRA grade crossing inventory and blocked crossing portal.

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 truck, air quality, and environmental justice impacts that are currently outside the analysis

Even at the lowest revised figure, Settegast Yard is projected to see a 139 percent increase in daily truck traffic. A consultant filing in this docket has advised the Board that the environmental analysis excluded impacts generated by intermodal marketing company partners, rather than by the railroads directly. Those truck trips still occur on Houston and Harris County streets, and they occur in neighborhoods with documented environmental health concerns.

I ask that the EIS analyze drayage truck volumes and routing at Settegast and Englewood regardless of which entity operates the trucks, criteria pollutant and diesel particulate impacts in a severe ozone nonattainment area, cumulative impacts alongside existing industrial sources, and environmental justice impacts on the East End and Fifth Ward under the applicable federal guidance.

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 the East End is 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 the City of Houston, Houston Fire, and Houston Police directly on emergency response, roadway, 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.

Conclusion

The communities in the East End 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 dark ink, consisting of a large, stylized loop followed by a horizontal stroke extending to the right.

Julian Ramirez
Council Member
At Large 1