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Public Record

BEFORE THE SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 36873

UNION PACIFIC CORPORATION AND UNION PACIFIC RAILROAD COMPANY -- CONTROL -- NORFOLK SOUTHERN CORPORATION AND NORFOLK SOUTHERN RAILWAY COMPANY

VILLAGE OF RIVER FOREST COMMENTS AND REQUEST FOR CONDITIONS

The Village of River Forest, Illinois ("Village") respectfully submits these comments and request for conditions in response to the Surface Transportation Board ("STB" or "Board") Decision No. 30 in the above-captioned proceeding setting a procedural schedule. The Village opposes the transaction as proposed by the Applicants but is open to discussions with the Applicants to address certain concerns discussed herein. If the discussions are not successful and the transaction is approved, the Village asks the Board to make its approval subject to several conditions described below, without which the transaction would not be consistent with the public interest. *See* 49 U.S.C. § 11324(c).

The Village is a predominantly residential community through which Union Pacific Railroad Company ("UP") operates a major freight rail corridor. The railroad runs immediately adjacent to homes, parks, and businesses, making railroad operations a matter of direct and significant concern to our residents. The Village has longstanding concerns regarding train idling, infrastructure maintenance, noise, vibration, and public safety. These existing issues have

not been adequately resolved, and the proposed merger raises substantial concerns that could worsen through increased rail traffic, operational complexity, and future corridor expansion.

Of particular concern is the potential impact on neighboring communities that already experience the adverse effects of freight rail operations. The Board should carefully evaluate whether the claimed benefits of the merger outweigh the burdens likely to be borne by municipalities situated along UP's expanding rail network.

The Village continues to receive resident complaints regarding trains idling within and near residential areas. Extended train idling generates noise, vibration, and diesel emissions that negatively affect the quality of life of nearby residents. These impacts are particularly significant in a community where residential neighborhoods are located immediately adjacent to the rail corridor. As rail operations become larger and more consolidated, there is a legitimate concern that operational congestion and train dwell times could increase, resulting in even greater impacts on local communities.

The Village is also concerned about the condition and maintenance of rail infrastructure. Proper maintenance of tracks, crossings, and related facilities is essential to ensuring public safety and minimizing unnecessary noise and vibration impacts. River Forest residents have repeatedly expressed concerns regarding rail corridor conditions and the effect of freight operations on surrounding neighborhoods. The proposed merger raises important questions regarding whether sufficient resources and attention will be devoted to maintaining existing infrastructure and addressing community concerns.

In addition, the Village is concerned that the merger may increase the likelihood of future leasing, shared-use agreements, or other arrangements involving UP-owned property and rail

corridors. Of particular concern is the potential use of the UP-owned property for additional passenger rail operations associated with a proposed O'Hare airport rail connection, commonly referred to as the O'Hare Flyer.

The Village recognizes the importance of regional transportation planning and options. However, any proposal to introduce new rail services through River Forest would have significant implications for local residents and businesses, including impacts related to noise, vibration, grade crossing delays, safety, operational conflicts, and overall neighborhood character. The proposal also threatens Thatcher Woods, a segment of the Forest Preserves of Cook County that contains high-quality natural areas. The Village believes that any such proposal deserves its own independent review process and should not be facilitated or advanced indirectly through approval of this merger.

Accordingly, the Village urges the Surface Transportation Board to carefully evaluate the potential consequences of this transaction on communities located along UP corridors and to recognize that approval of the merger could create new opportunities for future rail operations that have not been fully analyzed from a local impact perspective. For these reasons, the Village respectfully asks the Surface Transportation Board to deny the proposed merger; however, as noted above, the Village remains open to discussing its concerns with UP to possibly resolve these issues

Should these discussions fail and the Board determines that approval is warranted, the Village requests that any approval be conditioned upon enforceable mitigation measures and community protections[1], including:

1. **Written Commitment to Not Enter into an agreement with O'Hare Flyer and related affiliates in Relation to this Transaction.**
2. **Train Idling Controls**
    - Restrictions on non-emergency train idling within or adjacent to residential areas.
    - Monitoring and public reporting of train dwell times and idling activity.
    - A formal community complaint and response process with designated railroad representatives.
3. **Infrastructure Maintenance Commitments.**
    - Enhanced inspection and maintenance requirements for tracks, crossings, signals, and related infrastructure.
    - Repairs to crumbling embankment walls throughout River Forest.
    - Repairs to Harlem Avenue Bridge & Viaduct.
4. **Protection Against Unreviewed Corridor Expansion.**
    - A requirement that any future lease, easement, shared-use agreement, or passenger rail arrangement involving the corridor be subject to separate regulatory review and public engagement.
    - Explicit recognition that approval of this merger does not constitute approval of any future passenger rail service, including proposals associated with an O'Hare airport connection.
    - Advance notice and consultation with affected municipalities regarding any proposed changes to corridor use, especially as it relates to public safety measures including, but not limited to, grade separations.

[1] *See, e.g., Canadian National Ry Company and Grand Trunk Corp. – Control – EJ&E West Company*, FD No. 35087, slip op, at 30-52 (STB served Dec. 24, 2008) (The Board approved, with numerous environmental conditions, the acquisition of control by Canadian National Railway.)

5. **Negotiation of an Easement to the Village of River Forest**

   - A common alley that serves dozens of homes in River Forest currently exists on Union Pacific Property. The Village is seeking an easement to protect access and parking.
   - Maintain public safety measures as it relates to ingress and egress of maintenance vehicles along the Lake Street Corridor.

CONCLUSION

The Village residents deserve assurances that their health, safety, quality of life, and local infrastructure will not be adversely impacted by a transaction of this magnitude. The Village therefore respectfully requests that the Board either deny the proposed merger or impose robust and enforceable conditions designed to protect the communities through which these rail operations occur. However, the Village remains open to discussions with UP to resolve its concerns about the transaction.

Respectfully submitted,

_/s/ Catherine Adduci_____
Catherine Adduci
Village President
400 Park Avenue
Village of River Forest, Illinois 60305

Daniel R. Elliott
GKG Law, P.C.
1055 Thomas Jefferson St., NW
Suite 620
Washington, DC 20007
(202) 342-5248
delliott@gkglaw.com

Attorney for Village of River Forest

Dated: November 18, 2026

CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing Comments and Request for Conditions to be served electronically on the Secretary of Transportation and the Attorney General of the United States, Applicants' representatives, Administrative Law Judge Jenifer Soulikias, and all parties of record in this proceeding.

/s/ Daniel R. Elliott
Daniel R. Elliott