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November 18, 2026
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Public Record

BEFORE THE SURFACE TRANSPORTATION BOARD

Docket No. FD 36873

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

November 18, 2026

OPENING COMMENTS OF WASHOE COUNTY, NV

Washoe County submits these OPENING comments in connection with the proposed acquisition of Norfolk Southern Railway by Union Pacific Railroad.

The Union Pacific main line runs east and west through the Truckee River Corridor and through unincorporated Washoe County, including the community of Verdi. The Truckee Meadows Fire Protection District provides fire protection services in these areas. Washoe County therefore has a direct interest in how the transaction will affect rail operations, public safety, County infrastructure, and the environment in these communities.

1. **Environmental Impact Statement**

   Washoe County requests that the Surface Transportation Board include Washoe County as a commenting agency in the environmental review process. The county wishes for the items below to be addressed in the review:

   a. **Air quality**

      Evaluate air quality impacts along both the western and eastern Reno segments, which are expected to exceed the Board's threshold for air quality analysis based on projected increases in train frequency and tonnage.

   b. **Hazardous materials and water supply**

      Evaluate the potential for ground and surface water contamination.

   c. **Noise**

      Evaluate noise impacts on residential and recreational areas along the corridor resulting from increased train frequency, length, and tonnage.

   d. **Trail, Open Space, and Truckee River/Tahoe Pyramid Trail Access**

      Washoe County Community Services Department, Open Space and Regional Parks, requests that the environmental review evaluate how changes in rail operations could affect access to the Truckee River, Washoe County Open Space, and the Tahoe Pyramid Trail. The County requests that the Board evaluate the eight locations identified in the attached TPT-RRX Nevada 1–8 crossing maps and, where the transaction would adversely affect access, consider site-specific measures to preserve or replace that access safely.

      i. **Established Public Crossings**

Washoe County requests that the review distinguish among crossings with established public access rights, private crossings with documented agreements, and locations where public crossing rights have yet to be verified or secured. For established public crossings, lawful access must be maintained during and after any merger-related work or operational changes. If the applicants propose to close, consolidate, or materially restrict an established crossing, an equivalent or improved lawful connection must be available before the change takes effect. The evaluation should consider the destinations served, detour distance, accessibility, emergency and maintenance access where applicable, and continuity of the trail network.

ii. Private Crossings and Unverified Locations

For private crossings and locations without verified public crossing rights, Union Pacific should be required to work with Washoe County, affected landowners, and Tahoe-Pyramid Trail representatives to determine whether a public crossing agreement, easement, or alternative alignment could provide safe, durable access. Where an at-grade crossing is infeasible, Washoe County requests consideration of a grade-separated connection or a route to another authorized crossing that preserves a practical connection to the same destination.

iii. Site-Specific Environmental Review

For each of the eight mapped sites, the environmental review should compare current conditions with projected post-transaction conditions, addressing:

- Stopped train activity, including the frequency and duration of crossing blockages;
- Effects on trail and river access;
- Any proposed changes to crossing surfaces, warning devices, fencing, or approaches; and
- Access for people traveling on foot, by bicycle, or using mobility devices.

If a location is screened out of detailed review, the reason and any nearby crossing or route assumed to serve the same access need should be identified.

iv. Mitigation and Coordination

Where the review identifies adverse effects attributable to the transaction, Washoe County requests enforceable mitigation with a defined scope, schedule, funding responsibility, and long-term maintenance assignment. Washoe County also requests a joint records review and site meeting with Union Pacific and the relevant jurisdictions to verify crossing rights, identify access gaps, and determine which improvements can advance through separate agreements.

2. Local Public Safety Impact Assessment, Oversight and Ongoing Coordination

a. The proposed oversight and accountability measures largely focus on shipper service, economic benefits, and operational performance. These measures do not adequately address the public safety responsibilities associated with operating an expanded railroad network.

Washoe County requests that the applicants be required to include public safety performance and local emergency response coordination as measurable components of merger oversight, with defined reporting requirements and corrective actions when commitments are not met.

b. The applicants should be required to assess the potential public safety impacts of the merger on the communities and jurisdictions served by the affected rail lines. The filing does not provide a meaningful, Washoe County- or Reno-Sparks-specific assessment.

Washoe County requests a localized assessment of potential impacts on emergency response, hazardous materials transportation, grade crossings, and community preparedness.

c. Local fire departments and emergency service providers are essential partners in preparing for and responding to railroad incidents. The filing does not provide a clear framework for ongoing engagement with these agencies.

Washoe County requests that the applicants be required to establish and maintain formal coordination with local fire agencies, emergency medical service providers, emergency management offices, and other relevant public safety partners, including the Truckee Meadows Fire Protection District.

3. Emergency Response Access and Blocked Railroad Crossings

Train frequency, length, and operating patterns can affect access along railroad corridors. The filing does not adequately address how operational changes could affect emergency vehicle access or response times when crossings are occupied.

Washoe County requests that the applicants be required to meet with local fire and emergency medical service agencies, including the Truckee Meadows Fire Protection District, to identify critical crossings, evaluate potential response delays, and establish procedures for addressing blocked crossings during emergencies.

4. Emergency Response Costs and Railroad Financial Responsibility

Rail incidents can require substantial local resources, including fire suppression, hazardous materials response, evacuation, emergency medical services, and extended incident management. The filing does not adequately address the potential financial burden on local taxpayers when public agencies respond to railroad-related incidents.

Washoe County requests that the applicants document clear expectations for railroad reimbursement of reasonable emergency response, recovery, and related costs associated with incidents involving railroad operations.

5. Hazardous Materials Transportation and Response Preparedness; Truckee River Corridor Mitigation Plan

The filing acknowledges the transportation of toxic inhalation hazard and poison inhalation hazard materials but does not provide a localized assessment of transportation risks or of the preparedness requirements placed on communities along the rail network. Excluding certain hazardous materials from a shipper pricing program does not address the broader public safety implications of transporting them.

Washoe County requests an assessment of hazardous materials routes, shipment characteristics, emergency notification procedures, local response capabilities, training needs, and preparedness resources.

Washoe County requests a place-specific HAZMAT mitigation plan for the Truckee Meadows area, encompassing Reno, Sparks, and south Washoe County. The mitigation plan must evaluate the potential for ground and surface water contamination through operations, including oil and diesel fuel spills, given the proximity of the corridor to the Truckee River, which serves as the region's primary water supply.

Washoe County requests that Union Pacific be required to coordinate with Washoe County emergency services agencies, including the Truckee Meadows Fire Protection District, on incident response planning for the corridor and provide advance notification when the volume or type of hazardous materials moving through Washoe County changes significantly.

6. **Wildfire Prevention and Railroad Corridor Risk**

Railroad operations can pose ignition risks, especially in areas with dry vegetation and heightened wildfire risk. The filing does not provide a meaningful assessment of wildfire exposure or identify specific prevention and mitigation commitments for affected communities.

Washoe County requests that the applicants be required to perform documented vegetation management, ignition prevention measures, inspection protocols, and coordination with local fire agencies in wildfire-prone areas.

7. **Emergency Notification and Incident Coordination**

The filing does not adequately address how local emergency service agencies will receive timely notification of railroad incidents or coordinate with the merged organization during an emergency.

Washoe County requests that the applicants be required to establish emergency notification protocols, current points of contact, access to relevant hazardous materials information, and coordination procedures with local and regional emergency management agencies.

8. **Train Length, Volume, Capacity, and Operational Safety**

The applicants identify anticipated operational efficiencies, changes to train operations, and increased freight movement. However, the filing does not adequately link those anticipated changes to localized public safety considerations, including crossing delays, emergency access, incident consequences, and response coordination.

Washoe County requests that the applicants prepare and make available to public safety agencies in the region an evaluation of how changes in train volume, length, speed, and operating patterns could affect public safety and emergency response in impacted jurisdictions.

9. **Railroad Safety Performance and Transparency**

The filing cites improvements in Union Pacific's safety performance. However, historical performance metrics alone do not establish the safety implications of integrating two

large railroad operations or demonstrate how safety performance will be maintained following the merger.

Washoe County requests that the applicants be required to provide transparent, ongoing reporting of safety performance, including derailments, hazardous materials incidents, fires, grade crossing incidents, and other events with potential community impacts.

10. Union Pacific Real Estate Contact

Washoe County Planning Department enforces land use, building, business licensing, and nuisance codes within unincorporated Washoe County. Union Pacific owns real property within Washoe County, and the absence of designated, responsive contact within Union Pacific's real estate division creates a practical barrier to timely code enforcement on those properties.

The Planning Department requests that, as a condition of merger approval, Union Pacific provide Washoe County with an updated inventory of its real property holdings in Washoe County and a designated point of contact within its real estate division for purposes of code enforcement. Specifically:

- A named individual or office with authority to respond to code enforcement notices on Union Pacific-owned property in Nevada;
- Reachable by a direct phone number and email address that are kept current and updated whenever the contact changes; and
- Required to acknowledge receipt of code enforcement notices within a defined number of business days and to provide a written response within a defined

11. Follow-Up Questions for Union Pacific

Washoe County requests that Union Pacific respond to the following questions for each of the eight mapped locations (attached):

a. Existing rights. What rights exist at each mapped location? Please provide any agreements or easements on file. Who may cross, by what modes, and for what purposes? For a private crossing, who holds the agreement, and can it be amended to allow public trail use?

b. Post-transaction changes. For each existing crossing, what are the current and projected train counts, train lengths, and typical and longest expected blockage durations? Could fencing, signal changes, track work, or stopped trains affect a crossing even if it remains open?

c. Contemplated access changes. Identify potential closures, consolidations, relocations, restrictions, or temporary outages. Which are merger-related, and which are already planned? What lawful route would serve the same river, trail, or open-space destination during and after the change?

d. Establishing public crossings. For each private or proposed location, what records, design criteria, safety review, and agreements would Union Pacific require? Where would it consider an upgraded crossing, an underpass or overpass, or a connection to a nearby authorized crossing?

Respectfully Submitted,



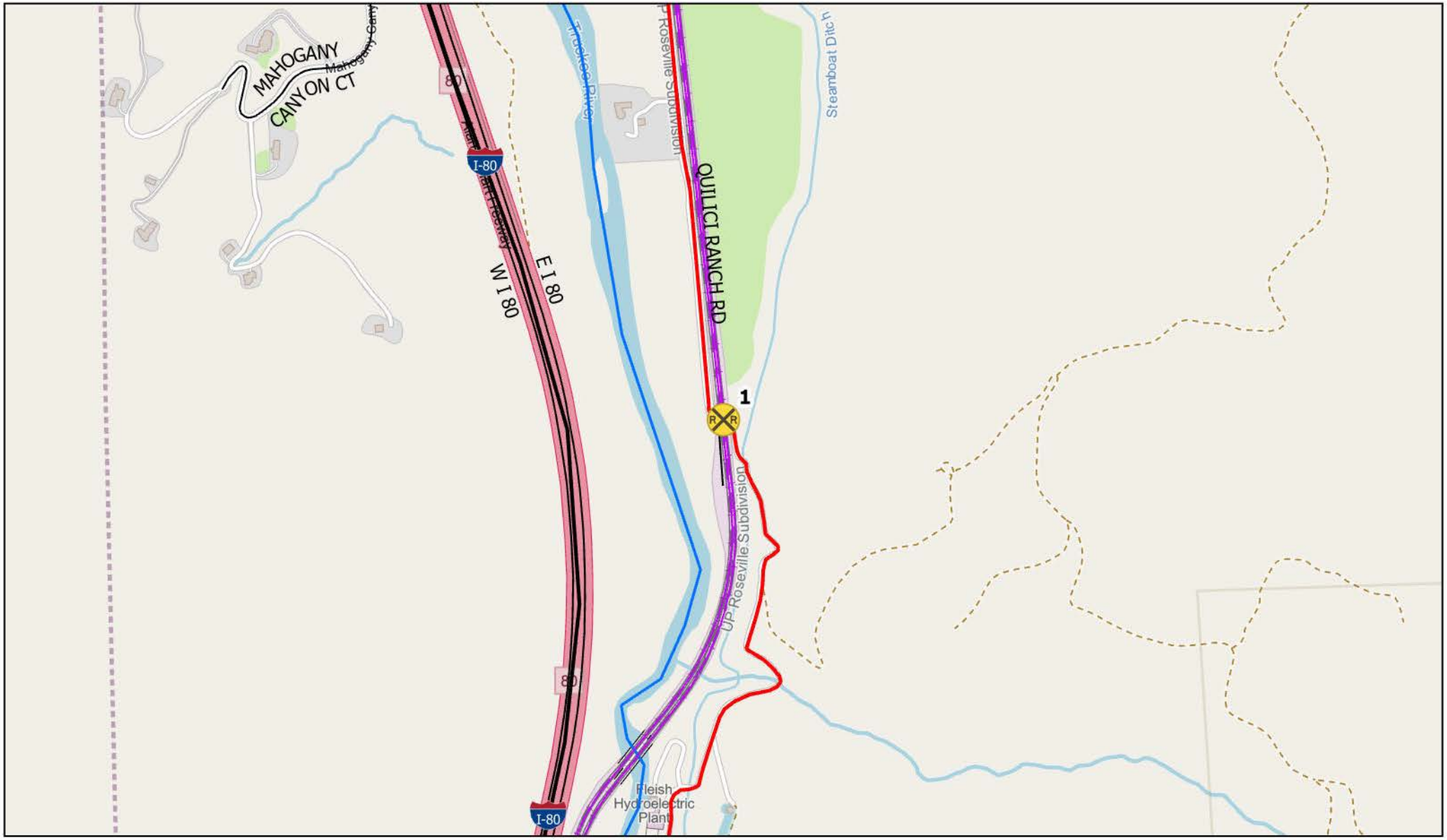
David Solaro, Assistant County Manager
dsolaro@washoecounty.gov

Attachments: Washoe County Railroad Crossing Maps #1 - #8

Certificate of Service

I certify that on November 18, 2026, I served a copy of these Opening Comments on all parties of record in Docket No. FD 36873 by email.

Cadence Matijevich, Government Affairs Liaison
cmatijevich@washoecounty.gov (via WashoeCountyUPNSMerger@washoecounty.gov)



Location: Quilici Rnch Rd South

RR Crossing Number: 1

NDOT Crossing ID: 740701F. Shown as Private Crossing

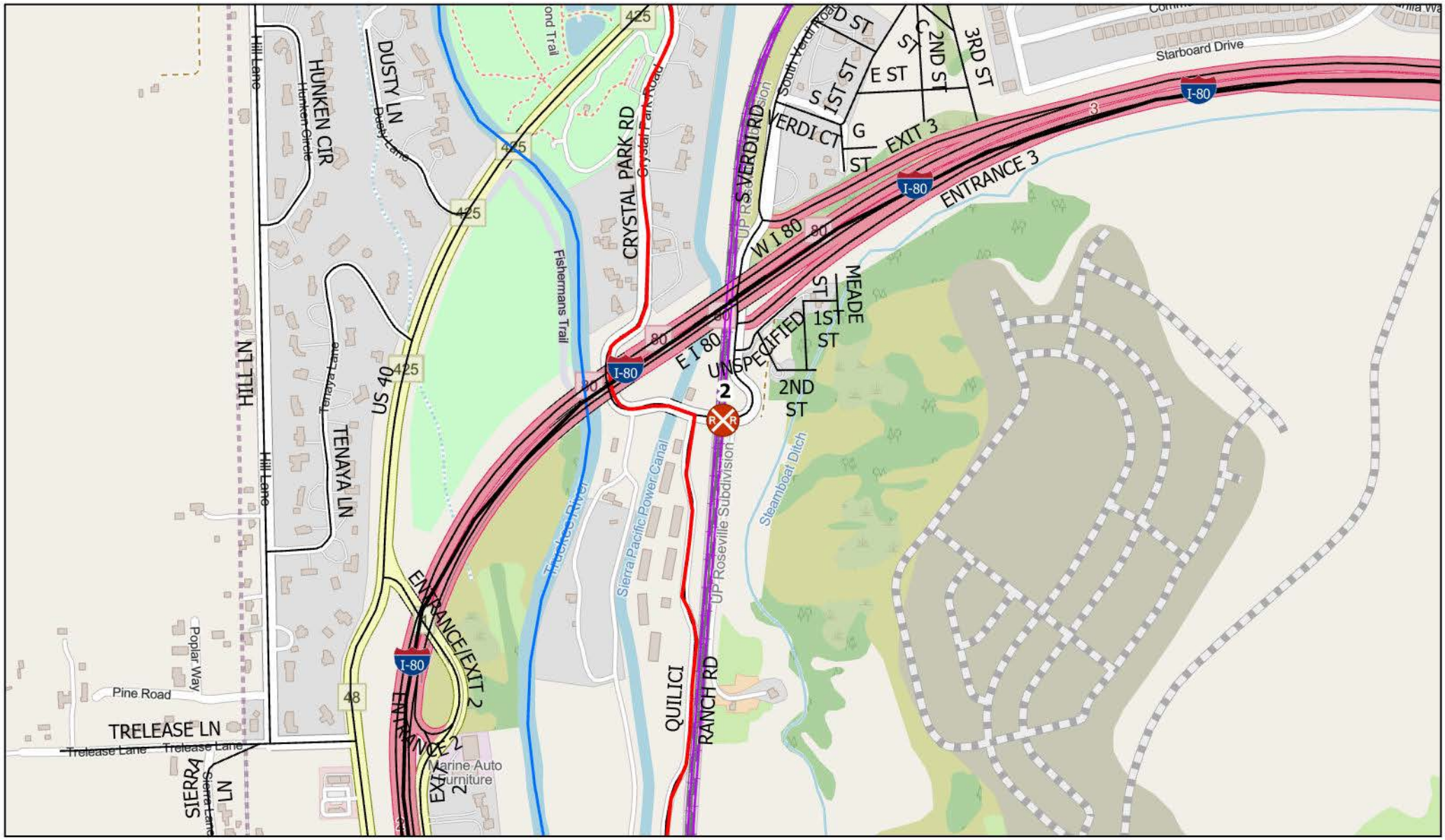
US Feet

0 250 500 750 1,000

N

Railroad Crossings by TPT

- Existing Crossing
- Tahoe-Pyramid Trail
- Railroad
- Truckee River
- Roads
- I-80



US Feet
0 250 500 750 1,000

N

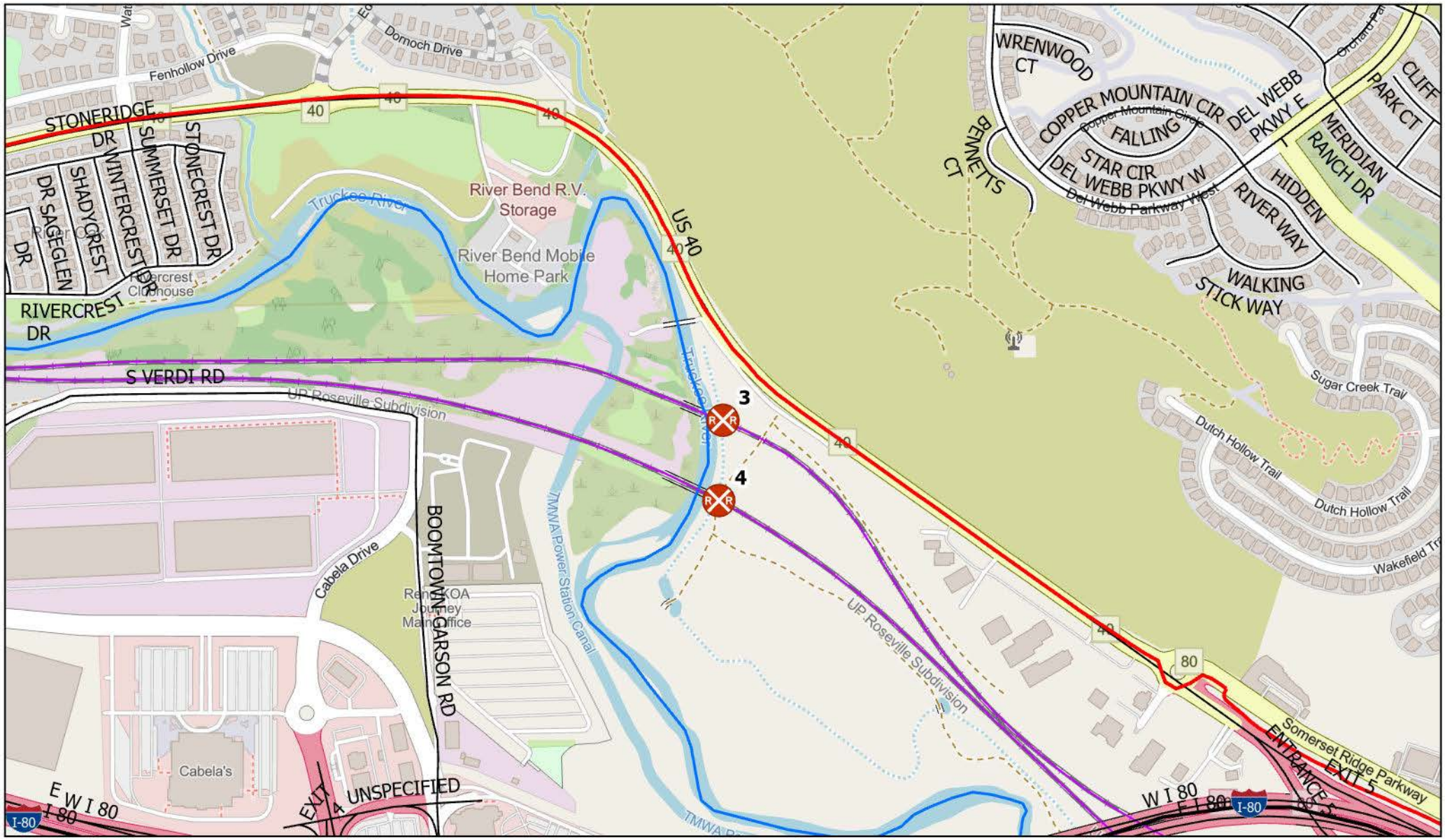
Railroad Crossings by TPT

- Proposed Possible Allignment
- Tahoe-Pyramid Trail
- Railroad
- Truckee River
- Roads
- I-80

Location: Crystal Pk Rd East

RR Crossing Number: 2

NDOT Crossing ID: 740703U. Shown as Public Crossing



US Feet
0 250 500 750 1,000

N

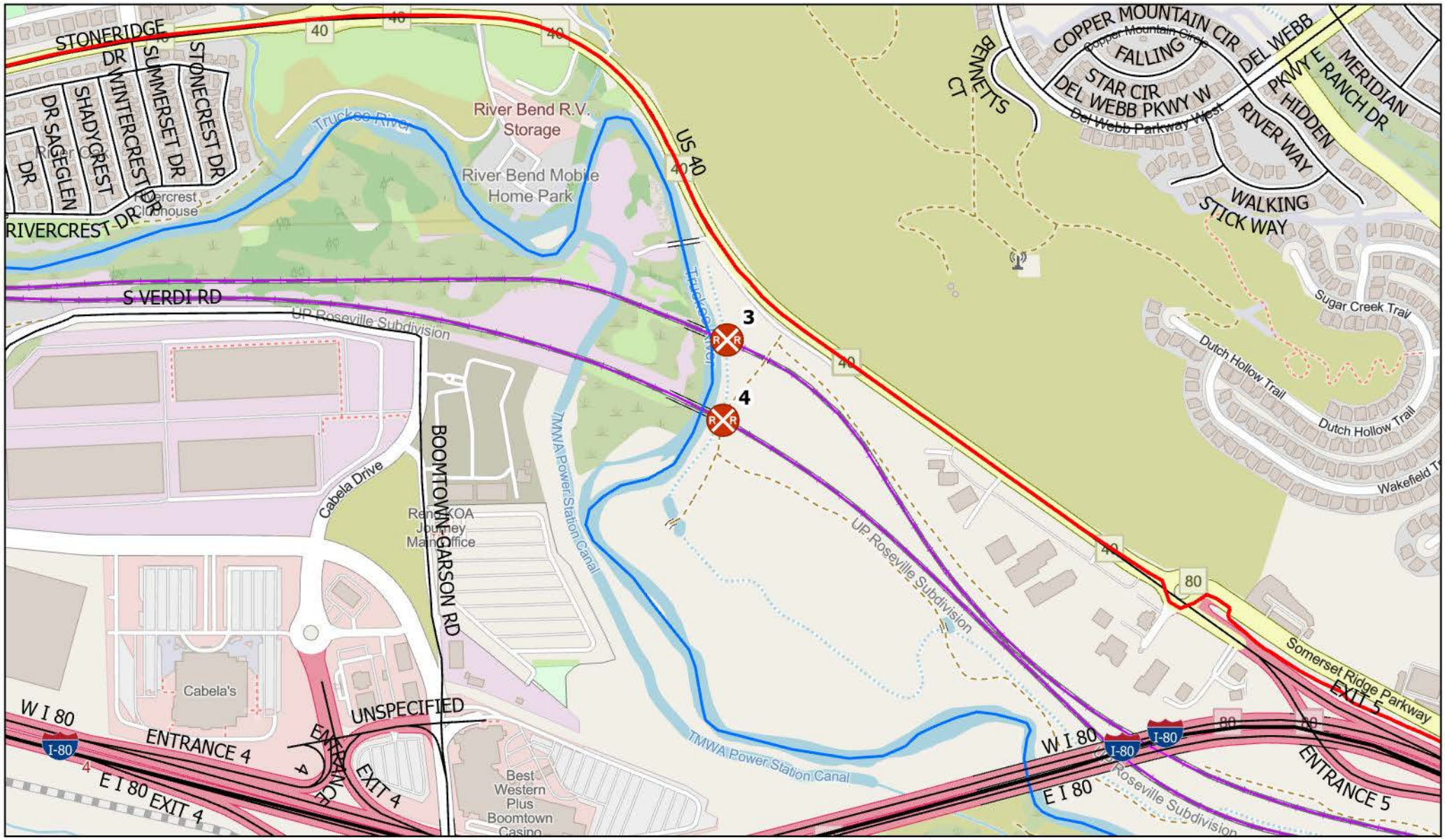
Railroad Crossings by TPT

- Proposed Possible Allignment
- Tahoe-Pyramid Trail
- Railroad
- Truckee River
- Roads
- I-80

Location: Riverbend S 1

RR Crossing Number: 3

NDOT Crossing ID: 740411L. Shown as Private Crossing



US Feet

0 250 500 750 1,000

N

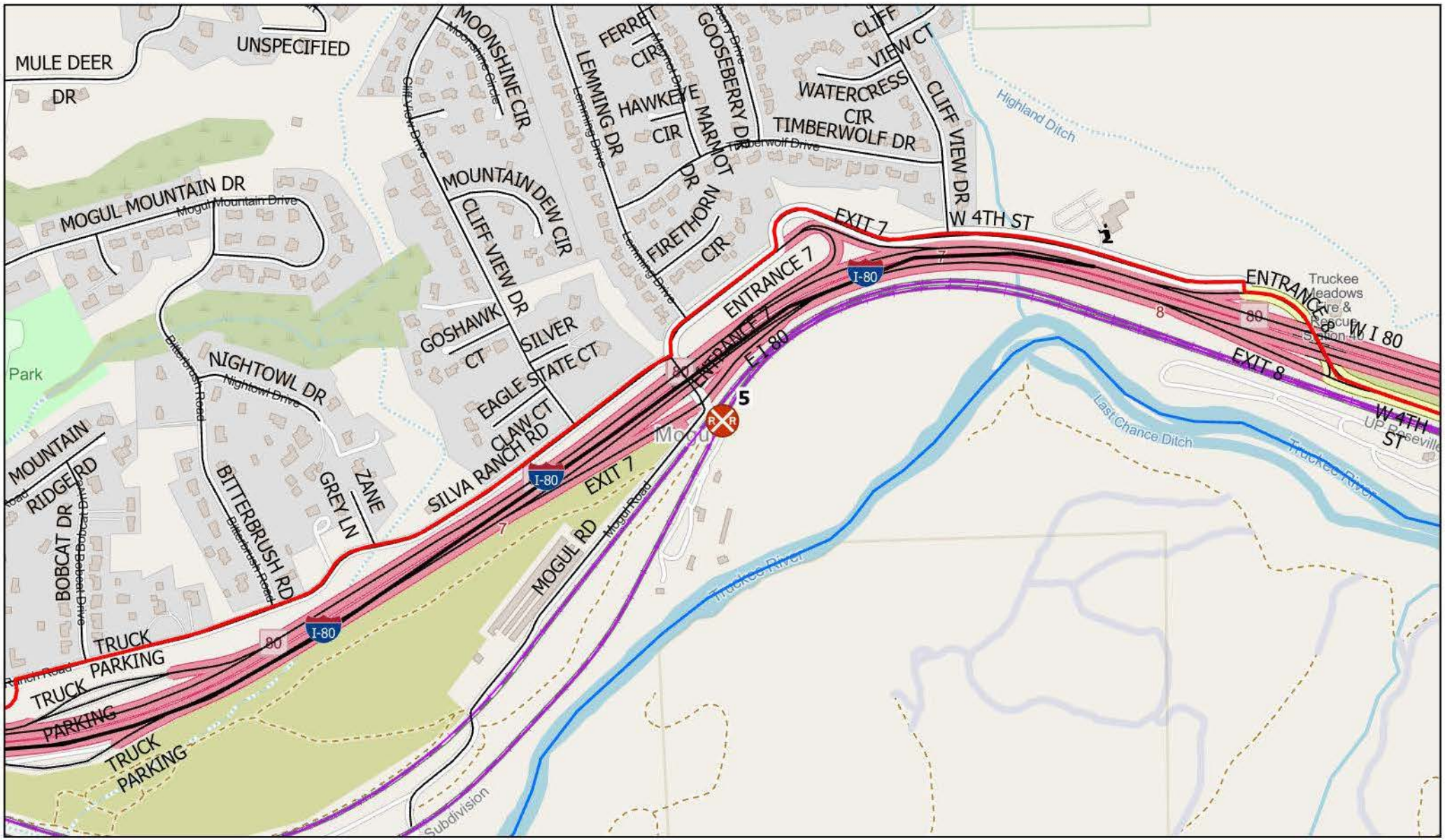
Railroad Crossings by TPT

- Proposed Possible Allignment
- Tahoe-Pyramid Trail
- Railroad
- Truckee River
- Roads
- I-80

Location: Riverbend S 2

RR Crossing Number: 4

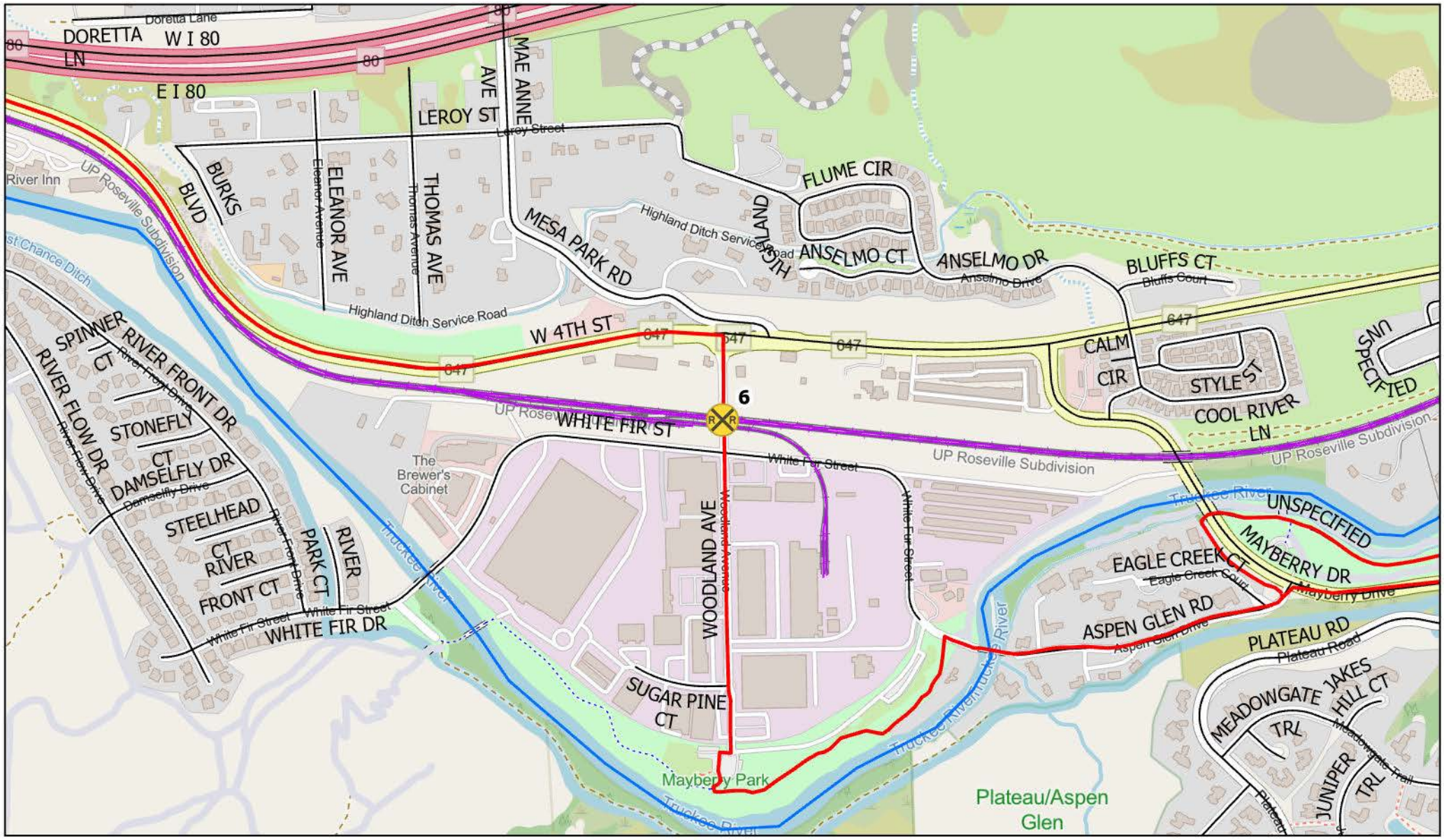
NDOT Crossing ID: Unknown/Unassigned



Location: Mogul- Carcione

RR Crossing Number: 5

NDOT Crossing ID: 740717C. Shown as Private Crossing



US Feet
0 250 500 750 1,000

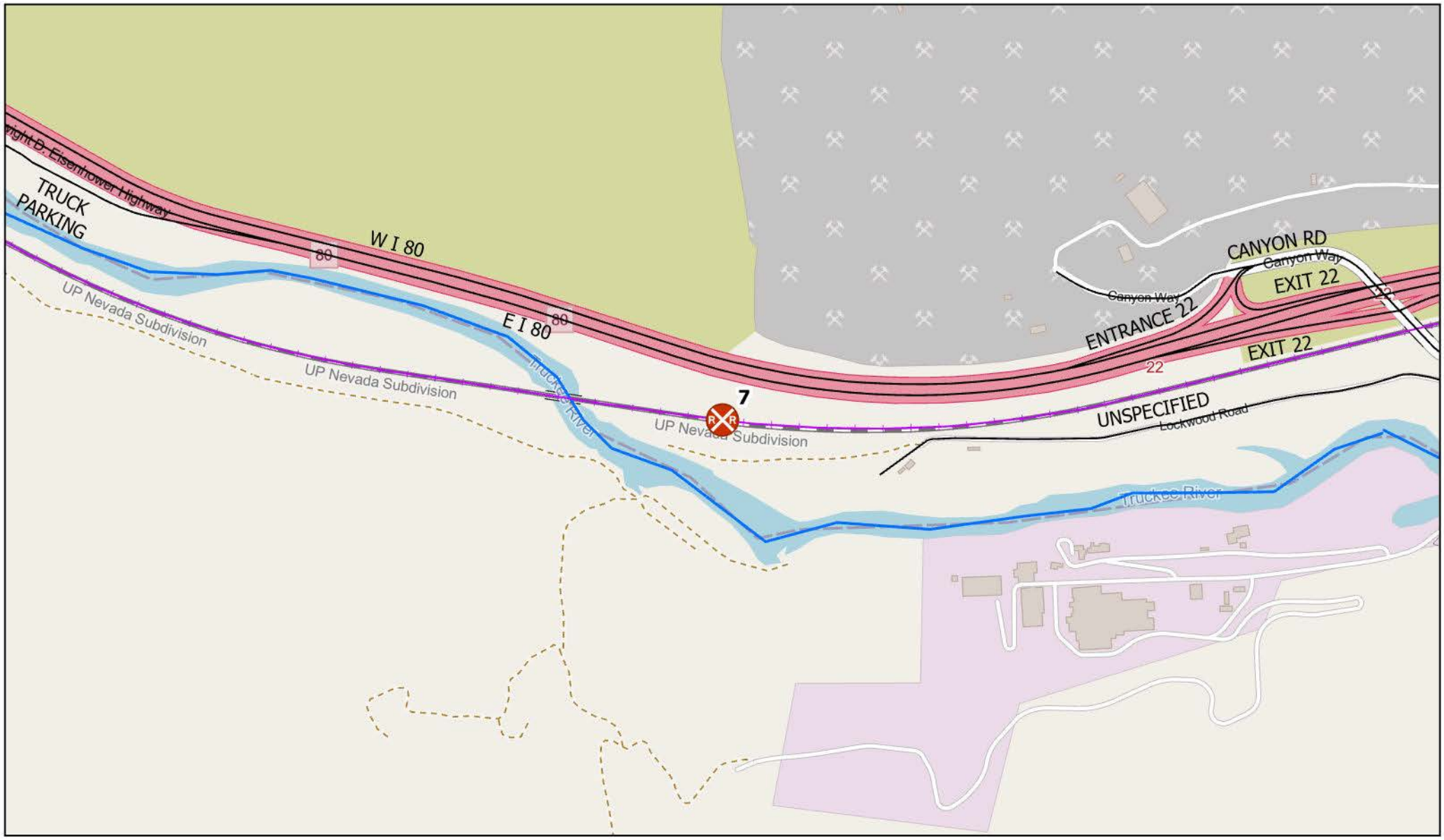
N

Railroad Crossings by TPT
- Existing Crossing
- Tahoe-Pyramid Trail
- Railroad
- Truckee River
- Roads
- I-80

Location: Woodland Ave

RR Crossing Number: 6

NDOT Crossing ID: 740719R. Shown as Public Crossing



Location: Lockwood Park West

RR Crossing Number: 7

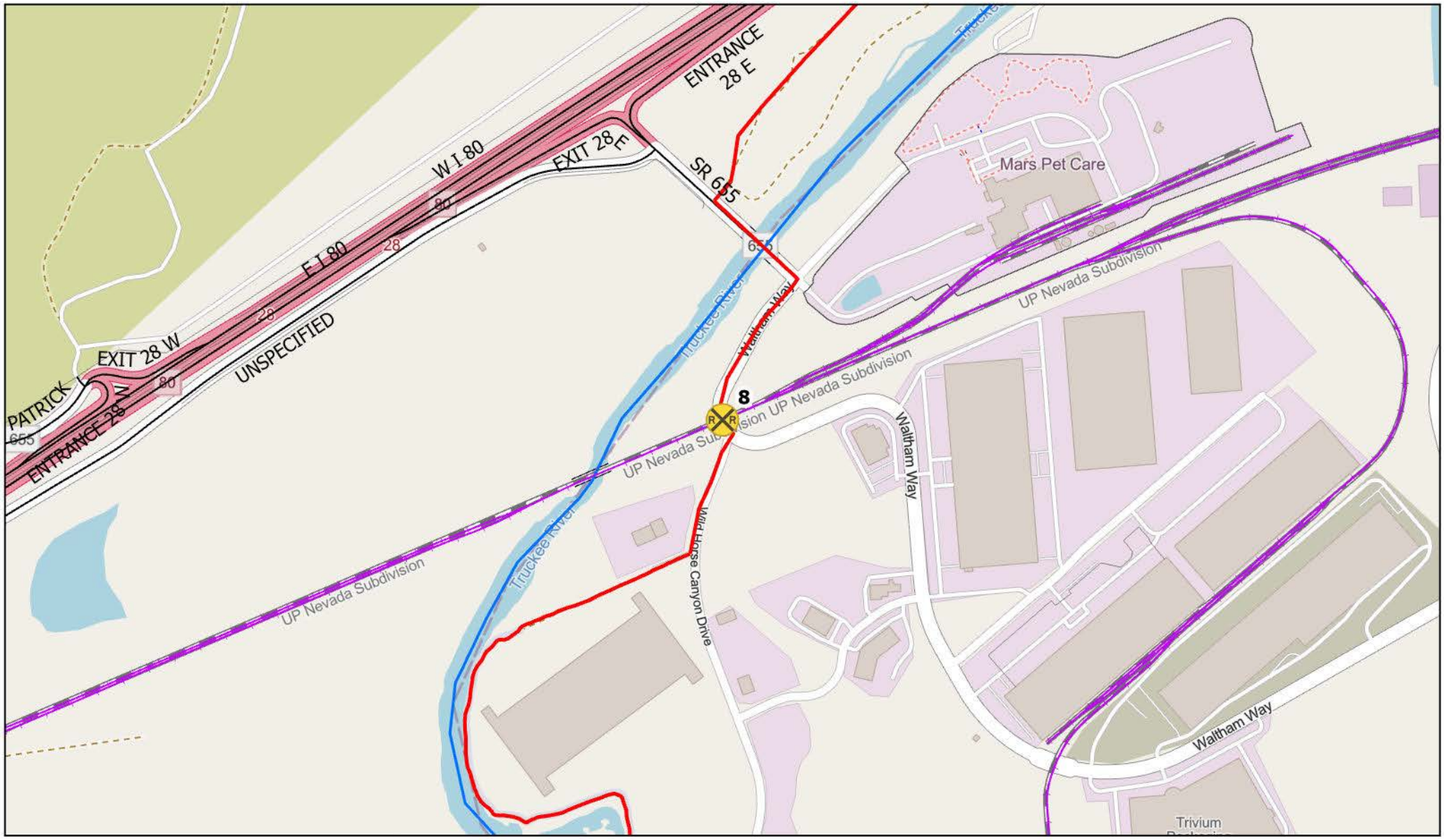
NDOT Crossing ID: Unknown/Unassigned

US Feet
0 250 500 750 1,000

N

Railroad Crossings by TPT

- Proposed Possible Allignment
- Tahoe-Pyramid Trail
- Railroad
- Truckee River
- Roads
- I-80



US Feet
0 250 500 750 1,000

N

Railroad Crossings by TPT

- Existing Crossing
- Tahoe-Pyramid Trail
- Railroad
- Truckee River
- Roads
- I-80

Location: Waltham Way

RR Crossing Number: 8

NDOT Crossing ID: 913207E. Shown as Public Crossing