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5 IN RE: PROPOSED ACQUISITION of the KANSAS CITY
6 SOUTHERN by CANADIAN PACIFIC
7

8 DOCKET NO. FD 36500
9

10 TRANSCRIPT FROM THE REMOTE
11 PROCEEDINGS via ZOOM taken before the Surface
12 Transportation Board by LORI ANN ASAUSKAS,
13 CSR, RPR, on December 9, 2021, at 6:00 o'clock
14 p.m.
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1 A P P E A R A N C E S:

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SURFACE TRANSPORTATION BOARD,
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10 BY: JOSHUA WAYLAND,
11 Appeared on behalf of the Surface
Transportation Board.
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(Various other participants were not identified
23 on the record.)
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1 MR. HOGAN: Okay. Good evening.

2 I'd like to welcome you to
3 the public scoping meeting for the proposed
4 acquisition of Kansas City Southern by
5 Canadian Pacific. The docket number for
6 this proposed merger is FD 36500. My name
7 is Matt Hogan with VHB. I'm helping
8 facilitate tonight's meeting.

9 Before we get started, I'd
10 like to go over a few logistics. I'm going
11 to start with a brief introduction to review
12 some of the meeting logistics. I have a
13 brief welcome. We'll review the project
14 presentation and then we will welcome
15 comments from the public.

16 This meeting is being
17 translated live in Spanish. If you'd
18 like to hear the audio of the meeting in
19 Spanish, toggle the interpretation button --
20 I'm sorry -- the interpretation button
21 at the bottom of your Zoom window.

22 We're utilizing closed
23 captions. To hear those closed captions
24 during the presentation, toggle the live

1 transcript button at the bottom of your
2 Zoom window.

3 Once we reach the comment
4 section at the end of the presentation, we
5 are first going to call on participants who
6 have preregistered to comment. After that,
7 if you did not preregister and would like
8 to comment, please toggle the Q and A button
9 and type your name. We'll add you to a queue
10 to speak.

11 If you're unable to use the
12 Q and A tool or prefer to speak on mic, you
13 can also raise your hand and we will reach
14 out, unmute your mic and allow you to talk.

15 Each speaker will be given
16 three minutes to comment and this meeting
17 is being recorded.

18 And with that, it's my
19 pleasure to hand things over to Josh Wayland
20 from the STB. Josh?

21 MR. WAYLAND: Thank you, Matt.

22 Hello, everyone. And thank
23 you for joining us this evening for this
24 public scoping meeting for the proposed

1 acquisition of Kansas City Southern by
2 Canadian Pacific.

3 My name is Josh Wayland
4 and I am an environmental protection
5 specialist with the Surface Transportation
6 Board's Office of Environmental Analysis.
7 And I am the project manager for the
8 Environmental Impact Statement for the
9 proposed merger of these two railroad
10 companies; Canadian Pacific and Kansas
11 City Southern.

12 We would much rather be
13 in -- there in person with you for these
14 public scoping meetings, but we're not
15 able to do so because of the ongoing
16 COVID-19 pandemic. However, we're very
17 glad to be able to meet with you all
18 through this online format and we're
19 looking forward to hearing your comments
20 a little later in the meeting.

21 I see that at this time
22 we have 25 people on the line tonight,
23 including VHB, our third party contractor,
24 as well as everyone from the public who

1 has called in or joined online.

2 I want to especially
3 recognize Vicki Rutson, also of the
4 Office of Environmental Analysis. Thank
5 you for attending, Vicki.

6 Thanks also to the
7 staff from VHB who are assisting us with
8 this Environmental Impact Statement.

9 And a welcome as well
10 to any representatives of other agencies
11 or any elected officials who might have
12 joined us tonight. Thank you for attending.

13 Matt of VHB just reviewed
14 the process for commenting and we'll review
15 that process again in -- a little bit later
16 in the meeting, but I wanted to just briefly
17 remind everyone that the main purpose of
18 tonight's meeting is to hear public comments
19 and we want to reserve as much time as
20 possible for people to be able to comment.

21 We will not be holding a
22 question and answer session tonight or at
23 any of our other meetings that we've already
24 held and that is to help ensure that everyone

1 who wants to speak has a chance to do so.

2 If you do have questions
3 about the proposed acquisition or about
4 the Board's environmental review process,
5 I recommend that you visit the Board's
6 sponsored project website. It's at
7 www.CP-KCSMergerEIS.com. We will put
8 that website address on the screen and
9 into the chat in a little while.

10 Through that website,
11 you can find all of the project-related
12 information that's available to date,
13 including descriptions of the proposed
14 acquisition, the notice of intent that
15 we issued to begin this scoping process
16 and an interactive map that shows how
17 rail traffic might change on various
18 rail lines if the proposed merger is
19 approved.

20 Before we move into the
21 comment portion of tonight's meeting, we
22 would like to play a presentation for you
23 that will provide a brief overview of the
24 proposed acquisition and an overview of

1 the Surface Transportation Board's
2 environmental review process.

3 This presentation will
4 be available on the Board-sponsored
5 project website that I mentioned in case
6 you would like to go back and watch it
7 again later.

8 So with that, I would
9 just like to welcome everyone once again
10 to the meeting. Thank you for your
11 participation in this process and I ask
12 Matt to please go ahead and start the
13 presentation.

14 (Whereupon, the video
15 presentation was shown
16 as follows:)

17 MR. WAYLAND: Hello and welcome
18 to this public scoping meeting for the proposed
19 acquisition of Kansas City Southern by Canadian
20 Pacific. The docket number for this proposed
21 merger is FD 36500.

22 This meeting is being hosted
23 by the Surface Transportation Board's Office
24 of Environmental Analysis, which is the lead

1 federal agency for the environmental review
2 of the proposed acquisition.

3 My name is Josh Wayland and
4 I am an environmental protection specialist
5 in the Office of Environmental Analysis.

6 In this presentation, I will
7 provide a brief overview of the environmental
8 review process for the proposed merger of
9 these two railroad companies, Canadian Pacific
10 and Kansas City Southern.

11 Here are the topics I will
12 be covering in this presentation. First,
13 I will briefly introduce the Surface
14 Transportation Board, the railroad applicants,
15 that's Canadian Pacific and Kansas City
16 Southern, and the applicants' proposed
17 acquisition of Kansas City Southern by
18 Canadian Pacific.

19 Second, I will provide
20 an overview of the environmental review
21 process.

22 Third, I will present some
23 of the details of the proposed acquisition.

24 Then I will cover the

1 preliminary list of impact topics that will
2 be covered in the Environmental Impact
3 Statement.

4 And finally, I will go over
5 the options for commenting during the scoping
6 process and for staying engaged during the
7 rest of the environmental review process.

8 Let's begin with an overview
9 of the federal agency. As I mentioned, I
10 work for the Surface Transportation Board.
11 The Surface Transportation Board, also
12 referred to as just the Board, or as STB,
13 is a federal bipartisan independent
14 adjudicatory board with broad economic
15 regulatory oversight of railroads, including
16 railroad rates and service as well as
17 abandonment, construction and operating
18 of railroad lines.

19 The Board is also the federal
20 agency that is responsible for reviewing
21 and authorizing proposed railroad mergers
22 such as the proposed acquisition of Kansas
23 City Southern by Canadian Pacific.

24 When considering whether

1 or not to authorize a proposed acquisition,
2 the Board considers both the transportation
3 merits of the proposal and the potential
4 environmental impacts of the proposal.

5 The Board's Office of
6 Environmental Analysis, or OEA, is the
7 office at the Board that is responsible
8 for conducting the environmental review.
9 And OEA does this under the National
10 Environmental Policy Act, or NEPA, and
11 related environmental laws.

12 For the proposed acquisition
13 of Kansas City Southern by Canadian Pacific,
14 OEA is preparing an Environmental Impact
15 Statement, or EIS, because the tracks
16 has the potential to result in significant
17 environmental impacts.

18 The proposed merger of
19 Canadian Pacific and Kansas City Southern is
20 not a project that is being proposed or
21 sponsored by the federal government. The
22 applicants in this case are two Class I
23 railroads that own and operate rail lines
24 in the United States, Canadian Pacific and

1 Kansas City Southern.

2 From here on out, I will
3 be referring to Canadian Pacific as CP and
4 Kansas City Southern as KCS. The acronym
5 CP refers to Canadian Pacific Railway, Limited,
6 Canadian Pacific Railway Company and their
7 U.S. rail carrier subsidiaries, Soo Line
8 Railroad Company, Central Main and Quebec
9 Railway, U.S. Incorporated, Dakota, Minnesota
10 and Eastern Railroad Corporation and Delaware
11 and Hudson Railway Company, Incorporated.

12 The term KCS refers to
13 Kansas City Southern and its U.S. rail
14 carrier subsidiaries, the Kansas City
15 Southern Railway Company, Gateway Eastern
16 Railway Company and the Texas/Mexican
17 Railway Company.

18 On October 29, 2021, CP
19 and KCS jointly filed an application seeking
20 authority from the Board for CP to acquire
21 KCS. If the Board authorizes the proposed
22 acquisition, the two companies and their
23 two railroad networks would combine and
24 they would form one system known as Canadian

1 Pacific Kansas City.

2 The proposed acquisition
3 would be an end-to-end merger because the
4 CP and KCS networks currently do not overlap.
5 The combined railroad system would be the
6 first to extend from Canada through the
7 United States and into Mexico.

8 The applicants, CP and
9 KCS, state that the combination would
10 provide benefits to shippers by creating
11 a more efficient transportation system.

12 The statute setting forth
13 the procedures for the Board's review of
14 acquisitions and the Board's own regulations
15 require that the Board complete its review
16 of proposed acquisitions within approximately
17 15 months after the application is accepted
18 and OEA must complete the environmental
19 review process before the Board issues its
20 final decision.

21 The proposed acquisition
22 would result in a number of changes,
23 including changes in rail traffic on portions
24 of the combined rail network. Rail traffic

1 would increase on some rail line segments
2 and it would decrease on others.

3 Levels of activity at
4 certain rail yards and certain intermodal
5 facilities could change as a result of
6 the proposed acquisition as well.

7 And the applicants plan
8 to make a number of capital improvements
9 in the rail right-of-way to support the
10 increased rail traffic on some rail lines.

11 These capital improvements
12 would include adding new passing sidings,
13 extending some existing sidings, adding
14 double track and adding a facility working
15 track at a couple of locations in the rail
16 right-of-way.

17 According to the applicants,
18 the purpose of the proposed acquisition is
19 to combine America's two smallest, but fastest
20 growing Class I railroads, CP and KCS, to
21 build a more efficient and more competitive
22 rail network.

23 The applicants state that
24 the proposed acquisition would further the

1 need for expanded and more capable and
2 efficient transportation infrastructure
3 while simultaneously advancing the interests
4 of current and future customers in more
5 reliable and economical rail transportation
6 options serving important north/south trade
7 flows.

8 The applicants also state
9 that the proposed acquisition would generate
10 environmental benefits by reducing truck
11 transportation on highways in North America
12 by more than 60,000 trucks annually. This
13 could result in less congestion, less
14 maintenance and improved safety on those
15 roads as well as less noise pollution in
16 the places where those trucks would have
17 driven and lowered air emissions, including
18 lowered greenhouse gas emissions.

19 Now, I will turn to the
20 environmental review process. As I have
21 mentioned, before the Board can authorize
22 the proposed acquisition, it must first
23 consider the impacts of the merger on the
24 environment.

1 This is a requirement
2 of the National Environmental Policy Act,
3 or NEPA. NEPA is intended to assist
4 the Board, that's the federal agency, and
5 the public in identifying and assessing
6 potential and environmental consequences
7 of a proposed action such as this proposed
8 acquisition of KCS by CP.

9 OEA is preparing an
10 Environmental Impact Statement, or EIS,
11 that will assess the potential environmental
12 impacts of the proposed acquisition. And
13 the EIS will also address related environmental
14 laws as appropriate such as Section 106 of
15 the National Historic Preservation Act and
16 Section 7 of the Endangered Species Act.

17 This slide shows the
18 generalized Environmental Impact Statement,
19 or EIS, process. OEA initiated the process
20 by issuing a notice of intent to prepare
21 an EIS on November 12, 2021.

22 The issuance of that
23 notice of intent began a scoping process,
24 which will continue until December 17,

1 2021.

2 During scoping, we are
3 requesting public comments on the scope
4 of the EIS, including issues to be analyzed
5 in the EIS.

6 At the end of the scoping
7 process, OEA will issue a final scope of
8 study and will then prepare a draft EIS.

9 After the draft EIS is
10 issued, there will be a public comment
11 period and additional public meetings.
12 OEA will then prepare a final EIS that
13 will address the public and agency comments
14 on the draft.

15 The Board will then issue
16 its final decision on the proposed acquisition
17 after considering the entire record, including
18 the draft EIS, the final EIS and public and
19 agency comments.

20 As shown on the previous
21 slide, we are currently in the scoping
22 process for the Environmental Impact
23 Statement, or EIS. Scoping is an open
24 process that is intended to involve

1 interested agencies, other stakeholders
2 and the public in helping the lead agency
3 to determine the range of issues to be
4 examined and assessed in the EIS.

5 As part of this process,
6 OEA is requesting your comments on the
7 scope of EIS, including the issues to be
8 analyzed.

9 OEA is also conducting
10 agency consultation during this time and
11 requesting comments from interested agencies
12 about impacts from the proposed acquisition
13 on resources under their jurisdiction.

14 Later in this presentation,
15 I will go over the ways in which you can
16 submit your written scoping comments. Written
17 comments must be sent by the end of the scoping
18 period on December 17, 2021.

19 Following the presentation,
20 there will be an opportunity for you to
21 deliver oral comments. Whether delivered
22 orally at a public scoping meeting or
23 submitted in writing, all scoping comments
24 will be considered equally and all comments

1 will be made available to the public on the
2 Board's website at www.stb.gov.

3 After the end of scoping,
4 OEA will prepare a draft EIS for the proposed
5 acquisition.

6 A draft EIS will identify
7 and analyze alternatives, including the no
8 action alternative. The draft EIS will
9 address issues and concerns identified
10 during scoping and it will focus on several
11 types of potential environmental impacts.

12 It will address impacts
13 from increases in rail traffic on rail
14 lines where those increases would exceed
15 the Board's thresholds for environmental
16 review.

17 These could include air
18 quality impacts, noise impacts and impacts
19 on traffic safety and delay at road
20 crossings.

21 The draft EIS will also
22 assess potential impacts at rail yards
23 where the Board's thresholds for environmental
24 review would be met.

1 And finally, the draft
2 EIS will assess potential impacts from
3 planned capital improvements within the
4 rail right-of-way, including adding new
5 passing sidings, extending existing
6 sidings, adding double track and adding
7 facility working track.

8 OEA at this time anticipates
9 issuing the draft EIS in the spring of 2022
10 and the draft EIS will then be made available
11 for public and agency review and comment for
12 45 days.

13 The draft EIS will assess
14 potential environmental impacts at locations
15 where the Board's thresholds for environmental
16 review would be met. The thresholds can be
17 found in the Board's environmental regulations
18 at 49 CFR 1107(e).

19 For rail lines, the threshold
20 for environmental review is an increase
21 in rail traffic of at least 100 percent
22 measured in gross ton miles annually or
23 an increase of at least eight trains per
24 day.

1 For rail lines in areas
2 that are in non-attainment under the Clean
3 Air Act, there is an additional threshold
4 for the analysis of air quality impacts,
5 which is an increase in rail traffic of
6 at least 50 percent measured in gross ton
7 miles annually or an increase of at least
8 three trains per day.

9 For rail yards, the
10 threshold for environmental review is
11 an increase in rail yard activity of
12 at least 100 percent measured by carload
13 activity.

14 And for railcars in
15 non-attainment areas, the threshold for
16 air quality analysis is an increase in
17 rail yard activity of at least 20 percent,
18 also measured by carload activity.

19 For affected railways, the
20 threshold for environmental review is
21 an increase in truck traffic of more
22 than ten percent of the average daily
23 traffic or 50 vehicles per day.

24 After issuing the draft

1 EIS and receiving public and agency
2 comments on the draft EIS during the
3 public comment period, OEA will prepare
4 and issue a final EIS that will address
5 those comments.

6 The final EIS will also
7 set forth OEA's final recommendations to
8 the Board regarding the environmental
9 impacts of the proposed acquisition,
10 including OEA's final recommended mitigation
11 measures.

12 This slide shows the
13 anticipated schedule for the EIS. As I
14 mentioned earlier, OEA issued the notice
15 of intent to prepare an EIS on November
16 12, 2021.

17 The public comment period
18 for scoping will last until December 17,
19 2001, (sic.) and OEA is holding six public
20 meetings during scoping.

21 At this time OEA anticipates
22 issuing a final scope of study for the EIS
23 in winter of 2022 and the draft EIS in the
24 spring of 2022.

1 We will hold a public
2 comment period and additional public meetings
3 following the issuance of the draft EIS in
4 the spring.

5 We anticipate issuing the
6 final EIS in the fall of 2022 and the
7 Board will make its final decision on the
8 proposed acquisition after the issuance
9 of the final EIS.

10 I will now discuss some
11 of the details of the proposed acquisition.
12 The map on this slide shows the current
13 CP and KCS rail networks.

14 On this map, the current
15 CP network is shown in red. In the U.S.,
16 CP connects to Buffalo and Albany, New York
17 and Searsport, Maine. It also runs south
18 into the midwest of the United States and
19 connects with KCS in Kansas City, Missouri.

20 The KCS network is shown
21 here in orange. It extends from Kansas
22 City, Missouri to the Gulf Coast and into
23 Mexico operating across ten states in the
24 midwest and southeast. The two companies'

1 networks connect in Kansas City, Missouri.

2 The map on this slide
3 shows the projected increase in freight
4 train traffic along the new combined
5 network with darker lines representing
6 larger increases in train traffic.

7 The darkest color represents
8 the rail lines where the increase would
9 exceed the Board's threshold for environmental
10 review of eight trains per day. Rail lines
11 that would exceed the Board's threshold
12 include the CP line extending westward from
13 Chicago, Illinois to Sabula, Iowa; the CP
14 line extending southward from Sabula to
15 Kansas City, Missouri; and the KCS line
16 extending southward from Kansas City toward
17 the Mexican border at Laredo, Texas.

18 The largest increase in
19 rail traffic would occur on the CP rail
20 line between Sabula, Iowa and Kansas City,
21 Missouri. On that rail line, the projected
22 increase in traffic could be approximately
23 14.4 additional trains per day on average.

24 The draft EIS will assess

1 the potential environmental impacts from
2 this increased rail traffic on those rail
3 lines where thresholds for environmental
4 review would be met.

5 For more information about
6 the potential train traffic increases,
7 please visit the Board sponsored project
8 website at www.CP-KCSMergerEIS.com. There,
9 you can view an interactive map showing
10 the projected traffic changes for every
11 individual rail line segment in the
12 combined system.

13 The map on this slide
14 shows the locations of planned capital
15 improvement projects along the rail
16 right-of-way.

17 The applicants have
18 identified 26 locations where capital
19 improvements would be made. Those projects
20 would include adding 11 new passing sidings,
21 extending 13 existing passing sidings,
22 adding approximately four miles of double
23 track and adding approximately five miles
24 of facility working track all within the

1 rail right-of-way.

2 For more information
3 regarding the planned capital improvements,
4 please visit the Board-sponsored project
5 website. Again, it's www.CP-KCSMergerEIS.com
6 where you can view an interactive map showing
7 the locations of each capital improvement
8 project.

9 This slide lists the types
10 of impacts that OEA will assess in the draft
11 EIS. The draft EIS will analyze impacts
12 related to freight rail capacity and safety,
13 passenger rail capacity and safety, grade
14 crossing safety and traffic delay, traffic
15 and roadway systems, air quality, noise,
16 biological resources, water resources,
17 hazardous waste sites, cultural resources,
18 environmental justice and cumulative
19 impacts.

20 At this time I would
21 like to discuss how you can submit your
22 comments. As I mentioned earlier, there
23 will be an opportunity following this
24 presentation for interested individuals

1 to deliver comments orally.

2 If you prefer to submit
3 written comments, there are several ways
4 in which you can do so. You can submit
5 written comments electronically through
6 the Board-sponsored project website.
7 Again, that's www.CP-KCSMergerEIS.com or
8 through the Board's website at www.stb.gov.

9 We do encourage you to
10 submit written comments electronically
11 through one of those websites. However,
12 if you would like to submit written
13 comments by mail, you can send them
14 to the address shown on this slide.

15 Please address mailed
16 comments to me, Joshua Wayland, Surface
17 Transportation Board, care of VHB 940,
18 Main Campus Drive, Suite 500, Raleigh,
19 North Carolina, zip code 27606, attention
20 environmental filing docket number
21 FD 36500. Please do be sure to refer
22 to docket number FD 36500 in any written
23 documents that you submit.

24 Please also note that

1 any comments you submit will be made
2 public on the Board's website and also
3 note that the scoping comments for this
4 product must be sent no later than
5 December 17, 2021.

6 The Board sponsored project
7 website at www.CP-KCSMergerEIS.com includes
8 project information, including project-related
9 documents and an interactive map.

10 This slide shows the public
11 involvement page on the project website. From
12 this page, you can submit your written scoping
13 comments directly into the comment box that's
14 shown at the right.

15 If you would like to upload
16 an attachment with your comments, such as a
17 letter, you can do so through the Board's
18 website at www.stb.gov.

19 This slide shows the Board's
20 environmental comment form. On this form,
21 there is an option to upload files such as
22 Microsoft Word documents or PDF files as
23 part of your scoping comments.

24 This slide shows how you

1 can stay informed and engaged throughout
2 the remainder of the EIS process. For
3 updates about the environmental review
4 process, you can review the Board-sponsored
5 website. One more time, that's
6 www.CP-KCSMergerEIS.com.

7 To view Board decisions,
8 filings or environmental comments related
9 to the proposed acquisition, please visit
10 the Board's website at www.stb.gov.

11 To receive updates by
12 email, sign up for the project email list
13 through the project website.

14 There are also resources
15 available in the online meeting room that
16 you used to enter this online meeting.
17 That meeting room will stay open for the
18 remainder of the scoping process so you
19 can come back to review the materials as
20 often as you like.

21 If you have questions
22 about the environmental review process,
23 you can also email the project to email
24 address at contact@CP-KCSMergerEIS.com

1 or you can call the information line at
2 (888) 319-2337. That's toll free (888)
3 319-2337.

4 This brings us to the
5 end of the presentation portion of today's
6 public meeting. I will now turn the
7 meeting back over to the facilitators
8 to begin the public comment portion of
9 the meeting.

10 Thank you for your
11 interest in the environmental review
12 process for this proposed acquisition.
13 We look forward to hearing your comments.

14 (Video concluded.)

15 MR. HOGAN: Okay. Everybody,
16 welcome back. We're going to get started
17 now with soliciting comments from the
18 public.

19 Once again, before we do
20 that, for those of you who may have joined
21 us during the video presentation, we'd
22 like to preview logistics. We are using
23 live Spanish interpretation tonight.
24 To hear audio of the meeting in Spanish,

1 look at the bottom of your Zoom window
2 for the interpretation button. Toggle
3 the button and you can choose the Spanish
4 audio channel.

5 We're utilizing closed
6 captions as well. To turn those on, look
7 at the bottom of your Zoom window, toggle
8 the transcript button and you can turn
9 on the transcript and the captions.

10 First, we're going to
11 call on participants who are preregistered
12 to comment.

13 Next, we'll call on people
14 who did not preregister. If you'd like to
15 comment and you did not preregister, please
16 toggle the Q and A button and just type in
17 your name and send that to us. We'll put
18 you in the queue and call on you when we
19 reach you.

20 You can also toggle the
21 raise hand button if you're unable to
22 use the Q and A or prefer to speak on mic.

23 Each speaker will be
24 given three minutes to comment. We ask

1 that you keep things civil with no
2 profanity and a reminder, we're only
3 accepting comments tonight. We cannot
4 answer questions.

5 One last reminder, this
6 meeting is being recorded.

7 So with that, let me
8 bring over our timer. And we are going
9 to start on our list of preregistered
10 speakers. If you're present and you are
11 not listed in our participant list, we
12 do have some people who called in on
13 the phone.

14 So if you're one of the
15 phone callers and you hear your name called,
16 please dial *9 to raise your hand and
17 we'll unmute you and allow you to speak.

18 One more request. Please
19 speak slowly for the sake of our Spanish
20 language interpreters. It will help them
21 process things and interpret a little more
22 clearly.

23 Our first registered speaker
24 is Evan Summers. Evan Summers, I do not see

1 you on the list, but if you're one of our
2 phone callers, please dial *9 and raise your
3 hand and we'll unmute you and allow you
4 to speak. Once again, Evans Summers, if
5 you're one of our phone callers, press
6 *9 to raise your hand and we'll allow
7 you to speak.

8 Okay. Moving along, up
9 next we have Jesse McKnight. I don't see
10 Jesse in our list. Jesse, if you're one
11 of our phone callers, press *9 to raise
12 your hand, please. Once again, Jesse
13 McKnight. I don't see you in the list
14 of attendees, but if you're one of our
15 phone callers, press *9 to raise your
16 hand.

17 Tim Dolan? I don't
18 see Tim Dolan in our list of attendees.

19 We have a raised hand.
20 Okay. We have a raised hand from Pam
21 Fraser. Pam, we'll get to you as soon
22 as we get through our list of preregistered
23 speakers, but thank you for raising your
24 hand.

1 One more call for Tim
2 Dolan. Tim, if you're out there on the
3 phone, please dial *9 to raise your
4 hand.

5 Okay. Jim Hull. I do
6 not see Jim on our list of attendees.
7 Jim, if you're one of our phone callers,
8 please dial *9 to raise your hand. One
9 more call for Jim Hull.

10 Okay. Moving along,
11 Sam Krieger. I don't see Sam in our
12 list of attendees. Sam, if you're one
13 of our phone callers, please dial *9 to
14 raise your hand. Once again, Sam Cregier,
15 if you're out there on the phone, please
16 dial *9 to raise your hand.

17 We have a Jake A., no
18 last name given. Jake, if you're one
19 of our phone callers, *9 to raise your
20 hand and we can unmute you. Once again,
21 Jake A., no last name given. If you're
22 one of our phone callers, please dial
23 *9.

24 Christopher Peterson.

1 I don't see Christopher in our list of
2 attendees. So if you're a phone caller,
3 please dial *9 to raise your hand. Once
4 again, Christopher Peterson. If you're
5 out there on the phone, please dial *9
6 to raise your hand.

7 Up next, we have Tom
8 Riggs. I don't see Tom in the list of
9 attendees tonight. Tom, if you're on
10 the phone, please dial *9 to raise your
11 hand. One more call for Tom Riggs.

12 Linda O'Neill. I don't
13 see Linda on our list of attendees with
14 us this evening. Linda, if you're on
15 the phone, please dial *9 to raise your
16 hand. One more call for Linda O'Neil.

17 Moving on, we have Holly
18 Kapsa Priestley. I don't see Holly with
19 us on attendee list this evening. Holly,
20 if you are a phone caller, please dial
21 *9 to raise your hand. Once again, Holly
22 Kapsa Priestley, *9 to raise your hand
23 if you're with us on the phone this
24 evening.

1 And our last preregistered
2 speaker is Scott Eaton. I do see Scott
3 on the list this evening. Scott, I'm
4 going to allow you to talk. Just click
5 the unmute button whenever you're ready.
6 Just a reminder, you have three minutes.
7 Okay. Whenever you're ready, unmute and
8 go ahead.

9 MR. EATON: Can you hear me?

10 MR. HOGAN: Yes, we can.

11 MR. EATON: Hi. Thanks for
12 the opportunity to call and discuss this
13 issue. I really appreciate it.

14 I live in Bartlett,
15 Illinois, which is west of Chicago on
16 the Milwaukee West Line. And this --
17 this merger is going to affect us rather
18 significantly.

19 Our rural village has a
20 train line running right through it and
21 that train line has about three to five
22 freight trains a day right now, but it
23 also has Metra commuter traffic and
24 those trains are about 16 trains going

1 east and then 16 trains going west.

2 And so at rush hour,
3 there's probably a train every half
4 hour between 5:00 and 8:00 in the
5 morning and then again between 3:30
6 and 6:30 to 7:30 at night.

7 That's a lot of trains,
8 but those go by fast and the cars are
9 short. These are freight trains. We
10 already have the three to five. And
11 now, you're proposing -- or CP is
12 proposing -- with this merger, to increase
13 that to anywhere from ten to 14 freight
14 trains a day. That's rather significant.

15 And then when you add
16 on top of that the Metra line and all
17 of those trains I just talked about,
18 that's significant.

19 So I'm really concerned
20 about the impact on our community, about
21 our property values, our quality of life.
22 This is going to increase noise and
23 pollution. This is going to affect
24 safety.

1 The fire department
2 that accesses our home lives on the
3 other side of the tracks. That could
4 potentially be a problem. I think
5 there is a potential impact on businesses.
6 I think there is an impact on the
7 desirability of our village.

8 I think this is a safety
9 issue with all of these additional trains
10 now on these rail lines. And then, of
11 course, the environmental issues of the
12 pollution, the noise, et cetera.

13 So I think this is a
14 really bad idea to increase this much
15 traffic in a highly populated suburban
16 residential community in the suburbs
17 of Chicago.

18 And so that's all I
19 have to say and I appreciate the time
20 to say it.

21 MR. HOGAN: Thank you, Scott,
22 for your time and for your comment.

23 Okay. At this time
24 we have gone through our list of

1 preregistered commenters.

2 Pam Fraser, I know you
3 had your hand up before. If you'd still
4 like that comment, go ahead raise your
5 hand again and I can allow you to unmute
6 and speak.

7 Okay. Pam, just a reminder,
8 you have three minutes. Whenever you're
9 ready, please go ahead.

10 MS. FRASER: Thank you so much
11 for the opportunity.

12 I am in Alberta, Canada
13 and I want to speak strictly to the safety
14 issues and make everyone aware of the
15 website www.thecp3.com.

16 On this website, you
17 will find an incredible amount of
18 articles, documentaries, news reports,
19 about specifically the CP3, who are
20 Daniel Waldenberger-Bulmer, Andrew
21 Dockrell and Dylan Paradis, killed in
22 the February 4, 2019, derailment over
23 the mountain in British Columbia, Field,
24 B.C.

1 It's been -- well, as
2 I said, since February 4, 2019, and
3 since that time there have been many,
4 many intimations, allegations, suppositions,
5 inferences on, first of all, the egregious
6 safety records of CP both regarding that
7 particular incident as well as many, many
8 more and all profit driven.

9 So if you go to that
10 website, www.thecp3.com, you can find as
11 much as was able to be found, all the
12 documentation regarding their safety
13 records and everything around that
14 incident.

15 But also it will show
16 you, too, I think, Twitter and Facebook
17 pages where there are even more and
18 different information on specifically
19 CP's safety issues and record.

20 And when everyone is
21 considering letting this Canadian-based
22 company, which is now, of course,
23 multinational run -- have the kind
24 of power and access to the U.S. and

1 Mexico, I'm just hoping that everyone
2 familiarizes and educates themselves
3 with everything they possibly can
4 information-wise.

5 I also -- just a quick
6 note that there are several lawsuits
7 on- -- ongoing with CP as well.

8 There are also shareholder
9 proposals coming up at their general
10 meetings and it all revolves around again
11 their egregious safety practices, but
12 also -- well, I don't -- allegations of
13 coverups and criminal activity and things
14 of that nature. And this will affect
15 shareholders greatly.

16 And lastly, I want to
17 just mention that CP and CN, by the way,
18 police -- they have their own police
19 force and they are beholden to no one
20 by the company itself. They have all
21 the powers of a federal police force in
22 Canada here, it's the RCMB, and none
23 of the accountability.

24 And so there's a

1 constitutional change being attempted
2 here in Canada as well -- excuse me --
3 to amend that and try and get this
4 private police force -- these private
5 police forces -- both railways have
6 them -- disbanded and that will -- that
7 will allow for proper accountability
8 with these big companies.

9 No huge corporation
10 should be allowed to police itself in this
11 matter and that's all I wanted to say.
12 www.thecp3.com.

13 And thank you very much.

14 MR. HOGAN: Thank you very much
15 for your time and your comments this evening.

16 At this point we remain
17 open for anybody who would like to raise
18 their hand or put their name in the Q and A
19 if they have a comment.

20 Okay. We have two raised
21 hands. First, is the phone number ending
22 in 1283. We do, please, ask you to state
23 your full name before you share your
24 comment.

1 And just a reminder, you
2 do have three minutes. Seeing as you are
3 on the phone and can't see the timer, if
4 we get there, I'll give you a 30-second
5 heads up.

6 Okay. Once again, phone
7 number ending in 1283, press *6 to unmute
8 when you're ready and just please go ahead
9 by starting -- by starting and stating your
10 name.

11 MR. SIGURIA: Hello. My name
12 is Finley Siguria. Every company on the
13 planet is going to try and spend as little
14 mon- -- money and possible. Every company
15 on the planet is going to try and cut
16 corners. That's just a part of what
17 capitalism is.

18 I want to speak today
19 not on negligence, but on intention
20 because there is, in my mind, a vast
21 difference between a company trying
22 to cut corners because they want to try
23 to cheap out because everybody wants to
24 save a buck and a company looking at

1 human lives and something that they can
2 factor into their balance sheet, a
3 company who not only has safety violations,
4 but repeated lethal safety violations,
5 which despite recurring constantly and
6 despite having killed multiple people,
7 they have still factored into their
8 decision-making that those lives were
9 fine them to lose because financially,
10 they weren't going to be impacted as
11 much as the cost of the repair was.

12 When you have a company
13 that is looking at human lives in terms
14 of their bottom line and in terms of
15 profit, you've skipped past the normal
16 capitalism problems and headed straight
17 into a nightmare of a morality where
18 people are deciding profits literally
19 on blood and human lives are an ac- --
20 an acceptable outcome.

21 You're talking about
22 a company where the single largest
23 accident that they had that killed
24 literally thousands of people and burned

1 an entire town to the ground was caused
2 because they didn't want to properly
3 fix their train and they used an epoxy
4 instead of an actual repaired part.

5 That's a company that
6 looked at the \$10,000 repair and thought
7 the chance of burning a town to the
8 ground outweighed -- did not outweigh
9 that.

10 And frankly, anybody
11 who can see that, and do they have moral
12 concerns around the choices that they
13 would make in the future, needs to
14 examine their own morality because that's
15 a company that is constantly playing
16 with fire and clearly doesn't mind burning
17 others down.

18 MR. HOGAN: You've got about 20
19 second left.

20 MR. FINLEY: I yield the remainder
21 of my time.

22 MR. HOGAN: Okay. Thank
23 you very much for your time and your
24 comment this evening. We do appreciate

1 it.

2 Up next we have a phone
3 number ending in 712. I'll go ahead and
4 allow you to unmute. And just a reminder,
5 you do have three minutes.

6 And please go ahead and
7 state your name before you start your
8 comment. Go ahead whenever you're ready.
9 You need to press *6 to unmute on your
10 phone.

11 MS. CAMP: Thank you. My name
12 is Linda Camp and I'm calling from LeClaire,
13 Iowa.

14 I have several concerns
15 most of which are environmentally related,
16 but all of which are related to human
17 welfare.

18 First of all, I am
19 concerned the large holding -- a critical
20 infrastructure that would be under foreign
21 owner- -- ownership and control and that --
22 that's specifically -- specifically
23 with regard to that section of the
24 track that runs between Canada and

1 Mexico.

2 Secondly, I question
3 the sale of water from agricultural areas
4 at a time when climate change is a serious
5 concern. Not much was said about this
6 in the newspaper that I read and I don't
7 know whether water is coming from an
8 aquifer, from a lake, from a river or
9 what, but I think the United States
10 government should be very concerned
11 about the distribution of that scarce,
12 and it's about to be more scarce,
13 resource.

14 The line -- this line
15 passes through many heavily populated
16 residential and industrial or commercial
17 areas running at high speeds and is a
18 threat to the safety of the residents
19 and workers on both sides of the tracks.

20 Increasing the numbers
21 of trains would increase the risk. By the
22 way, the number of trains passing through
23 this community, as reported in the
24 newspaper, is considerably lower than

1 reality.

2 This line carries hazardous
3 materials sometimes in trains two and three
4 miles long. In LeClaire, the daily -- the
5 daily number of trains exceeds what was
6 reported in the newspapers.

7 In one instance, there
8 are approx- -- approximately 50 residences
9 with just two crossings for residents to
10 use to access their homes.

11 Crossings close by a
12 train, moving or standing, are a danger
13 to anyone in need of emergency aid. Longer
14 and/or more frequent trains increase the
15 risk.

16 This community relies on
17 well water. The maintenance practices
18 of the railroad includes spraying chemicals
19 to control growth near the tracks. No
20 attention is paid by the railroad to the
21 weather conditions such as wind or to the
22 presence of people or animals in the
23 vicinity and this residential area is
24 within the city limits. These chemicals

1 kill lesser vegetation and exfoliate
2 trees as did Agent Orange.

3 Last summer --

4 MR. HOGAN: You have about 20
5 seconds left.

6 MS. CAMP: -- many trees and
7 desirable plants and notice the numerous
8 dead rodents along the roads. There are
9 reasons to the concerned -- concerned
10 about respiratory health, allergies,
11 asthma, edible foods grown near the
12 railroad property and the safety of our
13 wealth and the aquifer.

14 These tracks often run
15 close to the Mississippi River or their
16 tributaries and represent a threat to
17 the environment in case of an accident.

18 Such is -- several such
19 events have already occurred within a few
20 miles of this city. Increased traffic
21 would increase a number of such accidents.

22 Thank you four your
23 attention.

24 MR. HOGAN: Thank you for your

1 time this evening and for your comment.

2 We do have a few ways you
3 can keep in touch with what's going on and
4 submit comments. We'll put those in the
5 chat for everybody. I'm also going to put
6 those up on the screen now.

7 And once again tonight,
8 we're welcoming your comments. Are there
9 some -- sorry. You can either type your
10 name into the Q and A tool and we can
11 call on you or you can click the raised
12 hand button. For those of you on the
13 phone, dial *9. Raise your hand that
14 way.

15 And we do have a raised
16 hand from the phone number ending in 9465.
17 Once again, we do have three minutes
18 available.

19 And if you could, please
20 start off by stating your name. Once again,
21 the phone ending in 9465, I'm going to allow
22 you to unmute and talk. Press *6 to
23 unmute your phone. Whenever you're ready,
24 please go ahead.

1 MR. SUMNER: Okay. How's it
2 going? This is Alan Sumner. Umm, yeah,
3 umm, I -- I have some real concerns about
4 this merger. You know, Kansas City Railway
5 does not have and, you know, when you're
6 going to send, like, trains full of toxic
7 chemicals through some small towns,
8 especially when it's a foreign corporation,
9 sending that through small towns in a
10 foreign country is just asking for
11 problems.

12 They've had some train
13 accidents in the past where they were
14 simply basically too lazy to lock the
15 brakes on their trains and the crews left
16 the trains on the side of a mountain and
17 there was, like a gigantic pileup that was
18 short of town.

19 You know, one of the
20 things, too, is if you look at, like, the
21 violation trackers, there's, like, millions
22 of dollars of fines against Canadian
23 Pacific.

24 And the thing is when

1 a company gets bigger, a fine becomes
2 smaller -- comparatively smaller to
3 them and they're more willing to shrug
4 off those sorts of, you know, violations
5 and fines. It's just the cost of doing
6 business.

7 Yeah. I just think
8 it's a really terrible idea and I want
9 to go on the record as opposing it.

10 MR. HOGAN: Thank you for
11 your time tonight and for your comment.

12 And we do have a request.
13 From anyone else who's offering comment
14 going forward, if we could please have
15 everybody try to speak a little more
16 slowly. It'll help our interpreters
17 keep up.

18 And at this time the
19 floor is open for anybody who wishes to
20 submit and make a comment.

21 Okay. We have a phone
22 number ending in 6547. Once again,
23 please try to speak a little more slowly
24 and clearly for our interpreters. You

1 have three minutes and please start by
2 stating your name. Go ahead and press
3 *6 to unmute whenever you're ready.

4 MR. McMAHON: Yes, sir.
5 This is Les McMahon in Port Arthur, Texas.

6 Folks down here hate to
7 see our hometown railroad disappear under
8 another name. KCS started in Port Arthur
9 in 1898, but because this is a -- largely
10 a petrochemical area, I think the merger
11 is going to be a benefit to the economic
12 for not only Port Arthur, but Jefferson
13 County as a whole and certainly gives a
14 lot more opportunity for our ports to
15 export and import materials.

16 Right now, we're getting
17 a number of the oil products trains coming
18 through Port Arthur from Beaumont. So far,
19 there's not been any -- been any problems
20 in that regard, but certainly with increase
21 in traffic, as other people have said,
22 there, you know, will tend to be some
23 safety issues and we just hope CP/KC
24 will look into those matters, if the

1 merger is approved, and provide
2 appropriate safety measures not only
3 to our area, but all areas along the
4 railroad.

5 In Port Arthur, currently
6 there are only four places that you can
7 get under or over the KCS to avoid being
8 held up by trains and they're pretty
9 spaced fairly far apart. So that would
10 be something hopefully that the railroad
11 would look into and maybe providing
12 additional places within the city to
13 allow traffic to get across the railroad
14 if trains are imminent or in place.

15 And I appreciate the
16 opportunity to comment. Thank ya'll.

17 MR. HOGAN: Thank you very much
18 for your comment and for your time this
19 evening.

20 For those of you on the
21 phone who may be listening, if you would
22 like to submit comments after this evening's
23 session, there are two ways you can do
24 that.

1 By email, you can email
2 contact@CP-KCSMergerEIS.com. Once again,
3 that's contact@CP-KCSMergerEIS.com or
4 by phone on the EIS information line.
5 That's (888) 319-2337. Once again, on
6 the EIS information line is (888) 319-2337.

7 And we're going to keep
8 this meeting open for just about another
9 hour. The floor will remain open for
10 anybody who wishes to submit a comment.

11 And to anybody else who
12 has spoken and wishes to expand on a
13 previous comment, we do have time. So
14 if you would like to raise your hand
15 again or enter your name into the Q and
16 A again, feel free to do so.

17 Once again, we've had
18 everybody who preregistered for an
19 opportunity to submit a comment do so.
20 If you have already submitted a comment
21 and wish to expand on that comment, feel
22 free to raise your hand or put your name
23 in the Q and A again. And if you have
24 yet to speak and would like to submit

1 a comment, feel free to do so at any
2 time.

3 We will keep this meeting
4 open until 8:00 p.m. central time, 9:00 p.m.
5 eastern.

6 Once again, if you would
7 like to submit a comment, enter your name
8 into the Q and A box or click the raised
9 hand button. If you're on the phone,
10 please dial *9 to raise your hand.

11 And we have a raised
12 hand from the phone number ending in 0673.
13 Once again, if you could please start off
14 by stating your full name. Please try
15 to speak a little more slowly than usual
16 to make things a little easier for our
17 interpreters. And you'll have three
18 minutes. Press *6 to unmute whenever
19 you're ready.

20 MS. BULAT: This is Denise
21 Bulat. I'm the executive director of the
22 Bi-State Regional Commission. I serve
23 LeClaire, Iowa with the Women's of Just
24 Hope. And I also serve all of Muscatine

1 and Scott counties and the communities
2 within.

3 There's significant
4 concerns by our local governments about
5 the impacts of this. I understand that
6 there's business concerns, too, because
7 the increased traffic will separate
8 business's operations from one side to
9 the other especially on the riverside
10 of the tracks.

11 There's a lot of recreation
12 business and residential development who
13 will have virtually no access to their homes.

14 The woman who was from
15 LeClaire is correct. We see many more
16 trains than was identified and a triple
17 increase in those trains in our area,
18 which is we are in the area of significant
19 impacts, which is one of the reasons why
20 you're having this environmental impact
21 review and statement is very important.

22 We are concerned, too,
23 that the scoping will affect the area
24 of impact and what I call the footprint

1 of a -- of a project. Therefore, when
2 you conduct the environmental impact and
3 determine that scope, I believe -- I
4 sincerely believe additional time greater
5 than December 17th is needed for everyone
6 to have the opportunity to make their
7 comments because of the thrust of the
8 impact.

9 That December 17th
10 deadline -- deadline, when our communities
11 received letters in mid-November, is
12 extremely short, almost 30 days to read
13 over 4,000 pages. That's not fair to
14 residences, businesses and communities.
15 And I believe it should be extended so
16 that we truly investigate the whole
17 project impact through the environmental
18 impact process. Thank you.

19 MR. HOGAN: Thank you for your
20 time and for your comment this evening.

21 Once again, at this time
22 everybody who preregistered to submit a
23 comment has had a chance to do so. If
24 you would like to speak, please press

1 *9 on your phone. Click the raised hand
2 button in the Zoom or type your name
3 into the Q and A and we can call on you.

4 Once again, we're still --
5 we're still welcoming comments until 8:00
6 p.m. central, 9:00 p.m. eastern. You can
7 click the raised hand button, enter your
8 name into the Q and A tool or if you're
9 on the phone, press *9.

10 Okay. We have a raised
11 hand from the phone number ending in 2884.
12 Mr. Montree, you have three minutes to
13 submit your comment. Please start by
14 stating your name and please try to talk
15 slowly for the sake of our interpreters.
16 Go ahead. Press *6 to unmute whenever
17 you're ready.

18 Okay. For the phone number
19 ending in 2884, press *6 to unmute. We're
20 ready when you are.

21 MR. ZOOK: Yes. My name
22 is Greg Zook and I'm a resident of Orchard,
23 Texas, which is a suburb of Houston, Texas
24 about 40 miles west.

1 I actually live on six
2 acres on Highway 36, which Burlington
3 Northern Santa Fe runs about 100 yards
4 from my -- my residence.

5 And I think the merger
6 is a pretty good idea. Like the gentleman
7 from Port Arthur said earlier, we need
8 to distribute some goods and the way the
9 trucking industry is, it's getting pretty
10 slow down here.

11 And since I have lived
12 here, in 45 years, we've only had one
13 derailment here. And south of me, I see
14 Southern built a Toyota yard, which is
15 in Kendleton, Texas. They merged with
16 Mexico and it's doing very well.

17 And we're trying to get
18 the Galveston and the Matagorda Port and
19 distribution of goods through this community.
20 And I know everybody doesn't like a train
21 running through their town. I mean,
22 believe me, I get woke up at night at
23 2:00 in the morning by a train blowing.
24 I live right across from a cemetery,

1 which I don't understand why it blows
2 so many times, but that's beside the
3 point. But the train was there first
4 before the town.

5 That's what made the
6 town, the train tracks. So I do not
7 have a problem with it as long as there's
8 safety precautions. I think there's more
9 vehicle wrecks than there are train
10 wrecks.

11 And I appreciate it and
12 thank you for letting me comment.

13 MR. HOGAN: Thank you for your
14 time and for your comment.

15 Okay. At this time if
16 you'd like to comment, please click the
17 raised hand button, enter your name to
18 the Q and A tool or if you're on the
19 phone, press *9 to raise your hand. We're
20 here for about another 45 minutes or so
21 accepting comments.

22 Okay. We have a phone
23 number ending in 3491. I'll go ahead
24 and allow you to unmute. Mr. Montree,

1 you have three minutes. Please state
2 your full name and try to talk slowly
3 for the sake of our interpreters.
4 Whenever you're ready press *6 to
5 unmute.

6 MR. McROY: Yes. This is
7 Ed McRoy. I'm the development services
8 director for the city of Krum, Texas.

9 We understand that
10 there are tracking rights that go through
11 our community, currently a line utilized
12 by Burlington Northern and also Amtrak
13 utilizes the particular line passing
14 through our community.

15 Our concern at this point
16 is not necessarily -- we're not necessarily
17 in favor of or against the action at this
18 point. We're still trying to simply
19 determine any impacts that would be
20 applicable in our community particularly
21 in the number of trains that would be
22 going through and whether the length
23 of those trains would be greater.

24 We have no grade separated

1 crossings of the railroad track in our
2 community and our fire and police services
3 are on the west side of the track.

4 We have a significant
5 portion of our population on the east
6 side of that track. And so when trains
7 occupy the track, there is an impact on
8 emergency services.

9 So we would like to be
10 able to assess the proposed merger and
11 whether it would not -- it would have
12 any significant impact on that so that
13 we can make appropriate adjustments.
14 That's all have I to say.

15 MR. HOGAN: Thank you very
16 much. We appreciate your time and your
17 comment.

18 Up next we have a raised
19 hand from the phone number ending in 2315.
20 Once again, please state your full name
21 and then you have three minutes. Press
22 *6 to unmute whenever you're ready.

23 MS. CACCAMO: Hi. This is
24 Jenny Caccamo. I wanted to speak to

1 CP's safety record and give a quick
2 recap of activities I found in the news
3 since the merger announcement in March
4 2021.

5 On April 3, train derails
6 in Saskatoon. CP Rail says there were no
7 injuries and no concerns to public safety.

8 April 19, families of
9 railroaders killed in runaway train sue
10 CP Railway. The lawsuit alleges company
11 put profit before workers' safety and ran
12 a flawed police probe.

13 April 23, train collides
14 with semi in Sparwood, BC, dragging it
15 approximately 150 meters, resulted in
16 truck fire & train derailment. CP Police
17 and the RCMP are investigating.

18 May 6, engine derails at
19 Canadian Pacific Rail Yard. There is no
20 indication at this time if there were
21 any injuries or what the cause of the
22 derailment.

23 May 12th, CP freight
24 train derails near -- I'm sorry -- near

1 Nelson, BC. The cause of the incident
2 is under investigation.

3 June 8th, CP train derails
4 near Marina Park in Thunder-Bay. CP
5 spokesperson said the cause of the
6 derailment is under investigation.

7 Jun 21st, Article, "The lead
8 safety investigator for a deadly B.C.
9 derailment was pulled off the case after
10 Canadian Pacific Railway threatened to
11 sue him and his bosses for suggesting
12 the RCMP should look into potential
13 criminal negligence by the railway."

14 June 25th, Grizzly bear and
15 yearling cub killed by CP train in Banff
16 National Park.

17 June 30th, a small town in
18 Lytton, BC is almost entirely burnt to
19 the ground. Two people are killed.
20 Video footage of smoking train passing
21 through the town surfaced. The
22 Transportation Safety Board has yet to
23 receive reports from either rail
24 companies.

1 July 6th, the eighth
2 anniversary of Lac-Mégantic, Author Bruce
3 Campbell wrote an article titled "Eight
4 years later, no justice in Lac-Mégantic."

5 The article reads: "As
6 I wrote in my book on the disaster, 47
7 people died that night. Their hopes
8 and dreams obliterated. Futures wiped
9 out. Two more victims followed in suicides.
10 Twenty-seven children lost their parents.
11 Families lost their sons, daughters,
12 mothers, fathers, brothers, sisters,
13 cousins, aunts and uncles. Others lost
14 their friends, lovers, fellow coworkers,
15 classmates, teammates."

16 CP Rail continues to
17 deny any accountability for its role
18 in the disaster.

19 July 8th, a fire along
20 the CP railway tracks in the East Kootenay
21 region of B.C. forced an evacuation of a
22 mobile home park. B.C. Wildfire Services
23 said it is supporting the fire department
24 to fight the fire, which is estimated to

1 be a half an acre -- a half a hectare at
2 this time.

3 The services said there
4 is an initial attack crew currently on
5 the scene, but supported by a helicopter
6 bucketing and air tanker retardant drops.
7 More local support.

8 July 9th, crews investigate
9 CP train fire near Sparwood, B.C.

10 Also, on July 9th, Minister
11 of Transport announces Ministerial Order to
12 protect residents and railway operations in
13 the area of Lytton, B.C. For a period of
14 48 hours, CN and CP rails are to cease movement
15 of trains on its Thompson subdivision between
16 Kamloops and Boston Bar, B.C. The order
17 was being put in place in the interest of
18 safe railway operations and to protect
19 residents who are temporarily returning to
20 inspect their homes as safely as possible.

21 Also on July 9th --

22 MR. HOGAN: Very sorry to
23 interrupt. We have exceeded the allowed
24 time.

1 MS. CACCAMO: Thank you.

2 MR. HOGAN: We want to thank
3 you for your time for your comment this
4 evening.

5 Okay. If anyone else has
6 a comment they would like to make, please
7 go ahead raise your hand. Put your name in
8 the Q and A tool or press *9 if you're on
9 the phone.

10 We will be in the meeting
11 for be another 40 minutes until 8:00 p.m.
12 central, 9:00 p.m. eastern.

13 We do have a good amount
14 of time left in tonight's meeting. If you
15 have spoken once and would like to expand
16 on your comments, we do have time. Feel
17 free to do so. We'll be on until 8:00
18 p.m. central, 9:00 p.m. eastern.

19 We welcome your comments
20 and if you've already submitted a comment
21 and would like to speak again, we do have
22 time to expand on your original comment.

23 We have a raised hand
24 from the phone number ending 2315. I'll

1 go ahead and allow you to unmute by pressing
2 *6 on your phone.

3 If you could, please start
4 by stating your name, you'll have three
5 minutes for your comment. Please go ahead
6 when ready.

7 MS. CACCAMO: Hi. This is Jenny
8 Caccamo. I'll just continue where I left
9 off.

10 Also on July 9th, the
11 Transportation Safety Board in Canada
12 announced it will deploy team to Lytton,
13 BC. The Safety Board's investigation was
14 launched after evidence provided by the
15 RCMP and the BC Wildfire Service suggested
16 the fire that killed two people may have
17 been sparked by a train.

18 On July 10th, Oakville
19 woman struck and killed by freight train
20 in Milton. The collision reconstruction
21 unit assumed responsibility for the
22 investigation with the assistance of CP
23 police.

24 July 11th, woman dead

1 after train and SUV collide near Wetaskiwin,
2 Alberta -- sorry. The woman was pronounced
3 dead on scene while the child in the vehicle
4 was transported to Edmonton via ambulance.
5 The RCMP and Canadian Pacific Railway police
6 continue to investigate.

7 July 19th, CP reported they
8 had spilled 1,000 gallons of diesel fuel at
9 their rail yard in Pig's Eye Regional Park.
10 The article goes on to say, "City management
11 officials for years have complained that the
12 freight railroad companies that travel through
13 St. Paul have been less than trusting and
14 open with the city, even have failed to alert
15 the city when reporting incidences such as
16 partial train derailments."

17 July 22nd, a semi-trailer
18 and CP train collide near Yorkton,
19 Saskatchewan. No word on whether anyone was
20 injured in the crash.

21 August 1st, Regina Police
22 Service received a report from CP Rail
23 stating that one of their trains had
24 struck a pedestrian. They located an

1 adult male, who was pronounced deceased
2 by EMS. The Regina Police Service will
3 continue to assist the Coroners Service
4 and CP Rail in the investigation, as
5 requested.

6 CP trains carrying -- on
7 August 4th, CP train cars carrying hundreds
8 of used railway ties, which were coated in
9 creosote, caught fire in Port Hope. It
10 required firefighters from three stations
11 and its use of an aerial fire truck to
12 contain the blaze.

13 On August 5th, John Doe
14 case in Saskatchewan, man hit by train,
15 solved after 26 years. Regina Police
16 officer stated he never saw the train
17 conductor again or learned his name.
18 In Canada, railway companies have their
19 own police forces. Kemp and his partner
20 were not allowed to interview the
21 conductor or engineer of the train.
22 This was following the accident.

23 August 9th --

24 MR. HOGAN: You've got about

1 five seconds left, please.

2 MS. CACCAMO: I yield my time.

3 Thank you.

4 MR. HOGAN: Thank you very much.

5 We've got about 30 minutes

6 remaining in our scheduled meeting time.

7 We'll be here until 8:00 p.m. central, 9:00

8 p.m. eastern.

9 And for the remainder of
10 your time, we are welcoming your comments.
11 Please press *9 if you're on the telephone.
12 If you're using the Zoom client, press the
13 raised hand button or enter your name for
14 the Q and A and we can call on you.

15 Once again, we're going
16 to be here for about another 30 minutes.
17 Feel free to submit your comment by pressing
18 *9 on the telephone clicking the raised
19 hand button on the Zoom client or clicking
20 on the Q and A button and entering your
21 name. We'll reach out and allow you to
22 unmute and submit your comment.

23 We also have some other
24 ways you can stay engaged and participate

1 in the process. They're on the screen.
2 If you're on the phone, you can submit
3 comments by email at
4 contact@CP-KCSMergerEIS.com. Once again,
5 that's contact@CP-KCSMergerEIS.com or by
6 phone on the EIS information line at
7 (888) 319-2337. That number again for
8 the EIS information line is (888) 319-2337.

9 We have a raised hand
10 from the phone number ending 5365. I'll
11 allow you to unmute by pressing *6 on your
12 phone. Please start by stating your name
13 and a reminder to please try to speak a
14 little slowly for the sake of our
15 interpreters.

16 Go ahead whenever you're
17 ready. You have three minutes.

18 MR. EVANS: Hello. Hi. This is
19 Dan Evans calling. I just wanted to call and
20 state my opposition to the railroad merger
21 mainly because Canadian Pacific's safety
22 record and, yeah, I was reading more about,
23 like, just kind of the hauls that they
24 use for their oil tankers and apparently

1 they're not really up to -- they're, like,
2 an outdated standard and basically they're
3 just kind of a hazard more than anything
4 else. And I really don't want to see oil
5 spills happening on land. So thank you
6 for your time.

7 MR. HOGAN: Thank you for your
8 comment.

9 Okay. We have a raised
10 hand from Tim Dolan. Tim, I'm going to
11 allow you to unmute whenever you're ready.
12 Just a reminder, you have three minutes.
13 Go ahead whenever you're ready, Tim.

14 MR. DOLIN: Hey, thank you. I
15 just wanted to raise my voice again in
16 opposition to this merger. There's really
17 nothing that I could say that other people
18 in opposition haven't already said more
19 eloquently or powerfully than I can.

20 But I think the point
21 that I want to make is that this merger
22 puts lives at risk. It puts everyday
23 people, the citizens of Minnesota, the
24 citizens of every single state that the

1 line passes through and especially the
2 folks from Texas tonight, yeah, I mean,
3 we have to ask ourselves do the economic
4 benefits ever outweigh the cost of one
5 human life and the answer is no.

6 This just cannot go through.
7 The list of accidents, the epoxy being used
8 as a preventive measure when it -- when it
9 just required a part to save lives, that,
10 to me, is just unconscionable.

11 And, you know, maybe I'm a
12 simpleton, but I really just find it amazing
13 that a company would do something like that.
14 You know, I mean, we hear these things all
15 the time about what companies do in the
16 pursuit of profit. However, that particularly
17 is -- is truly awful.

18 I am strongly opposed to
19 this merger. I am strongly opposed to
20 Canadian Pacific. I am working hard and
21 my efforts are outweighed by everybody
22 around us online who is doing so much to
23 stop this merger.

24 Canadian Pacific is an

1 unsafe company that runs itself like a
2 syndicate and we cannot allow it to gain
3 more traction here in America. Thank you.

4 MR. HOGAN: Thank you, Tim,
5 for you time and for you comment this
6 evening.

7 We do have about 20
8 minutes left in our scheduled meeting
9 time and up until 8:00 p.m. central,
10 9:00 p.m. eastern, we will be accepting
11 comments.

12 And just a reminder, if
13 you already have offered a comment or
14 spoken, feel free to raise your hand again
15 or enter the Q and A to expand on your
16 original comment.

17 I have a phone number
18 ending 3491. Go ahead and unmute by
19 pressing *6 when you're ready. Just please
20 state your name and try to speak slowly
21 for the sake of our interpreters. You
22 have three minutes whenever you're ready.

23 MR. McROY: This is Ed McRoy
24 again from the city of Krum, Texas, spelled

1 K - R - U - M .

2 To expand on my earlier
3 concerns in relationship to trains that
4 may be passing through our small community,
5 my previous comment related to impacts on
6 emergency services given that there are
7 no grade separated crossings in our
8 community and our fire and police services
9 are on one side of the track and a large
10 portion of our population on the other.

11 Another impact we are
12 interested in is traffic congestion that
13 happens on one of the major thoroughfares
14 through our community, a road called
15 FM1173. Traffic is stopped on east/west
16 travel when there are trains passing
17 through our community.

18 We are a non- -- the
19 Dallas/Fort Worth area is a non-attainment
20 area in terms of air pollution and the
21 concerns would be -- we would be interested
22 in knowing the impact that this may have
23 on air quality in terms of additional
24 traffic congestion should travel in our

1 area or train traffic in our area be
2 increased.

3 Once again, we are at
4 this point neither in favor of or opposed
5 to the merger. We are simply seeking
6 additional information in terms of potential
7 impacts.

8 MR. HOGAN: Thank you very much
9 for your comment and for your time this
10 evening.

11 We've got about 15 minutes
12 left in this evening's scheduled meeting
13 time. We'll be accepting comments for the
14 remainder of the meeting.

15 And if you have already
16 spoken and submitted a comment, feel free
17 to raise your hand or send us your name
18 in the Q and A and expand on the original
19 commitment.

20 We've got about ten minutes
21 remaining in our scheduled meeting time.
22 We'll go until 8:00 p.m. central, 9:00 p.m.
23 eastern.

24 If you haven't yet

1 submitted a comment and would like to
2 do so here on the phone, you could
3 press *9 to raise your hand. If you're
4 using the Zoom Client a PC or a MAC,
5 click the Q and A button and enter your
6 name or click the raised hand button
7 and we'll reach out. Thank you.

8 We have five minutes
9 left in our scheduled meeting time. If
10 you have yet to submit a comment and
11 would like to do so, feel free to unmute
12 by pressing -- I'm sorry. Feel free to
13 raise your hand by pressing *9 on your
14 phone, pressing the raised hand button or
15 entering your name into the Q and A tool.

16 If have you already
17 spoken and would like to expand on your
18 previous comments, feel free to do so.

19 And it's 8:59 p.m. We
20 can have last call in case anybody would
21 like to submit comment.

22 Okay. Seeing no further
23 requests to comment, I'll thank everybody
24 for their time and their comments this

1 evening and I will hand things over to
2 Josh Wayland from the STB to wrap things
3 up for the evening. Josh?

4 MR. WAYLAND: Yes. I just
5 wanted to thank everyone once again,
6 including Matt, thank you again for joining
7 the meeting today -- this evening to learn
8 about the proposed merger of these two
9 railroad companies and for sharing your
10 concerns.

11 Your participation in
12 the environmental review process is critical
13 and we very much appreciate having had the
14 opportunity to hear from you.

15 This is our last public
16 scoping meeting, but we will be continuing
17 to accept scoping comments until the end of
18 the scoping period on -- on December 17th
19 and we will be holding additional public
20 meetings during the draft EIS phase of the
21 environmental review process.

22 Once again, thank you very
23 much and have a great evening.

24 MR. HOGAN: Thanks, everybody.

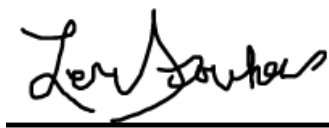
1 Good night.

2 (Whereupon, the remote
3 meeting was adjourned.)
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C E R T I F I C A T E

I, LORI ANN ASAUSKAS, a Shorthand Reporter,
and Notary Public, do hereby certify that I
reported the remote proceedings before the
Surface Transportation Board regarding
Docket FD 36500 and that the foregoing is
a true and accurate transcription of my
stenographic notes and is a true record of
the testimony given during the foregoing
hearing.

I further certify that I am not employed by or
related to any party to this action by blood or
marriage and that I am in no way interested in
the outcome of this matter.



Lori Ann Asauskas, CSR, RPR.
Notary Public, Cook County, Illinois
C.S.R. NO. 084-002890

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