



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Denver Federal Center, Building 53
Post Office Box 25207
Denver, Colorado 80225-0007

IN REPLY REFER TO:
ER22/0360

September 13, 2022

Joshua Wayland
Surface Transportation Board
940 Main Campus Drive Suite 500
Raleigh, NC 27606

Subject: Department of Interior Comments on the Surface Transportation Board's Draft Environmental Impact Statement for The Canadian Pacific Railway Acquisition of Kansas City Southern

Dear Joshua Wayland,

The U.S. Department of the Interior (Department), including the Bureau of Indian Affairs Eastern Regional Office (BIA), has reviewed the Surface Transportation Board's (STB) Draft Environmental Impact Statement (DEIS) for the Canadian Pacific Railway Acquisition of Kansas City Southern Railroad.

As we understand it, this DEIS regards Canadian Pacific Railway's proposed acquisition of Kansas City Southern (KCS). CP and KCS are seeking authority from the STB for CP to acquire KCS (Proposed Acquisition). If the Board authorizes the Proposed Acquisition, CP and KCS would combine into a single rail system to be known as Canadian Pacific Kansas City (CPKC). The combined CPKC network would include approximately 20,350 miles of track in total, including approximately 8,600 miles in the U.S., and would extend from Canada, through the U.S., and into Mexico.

The Applicants expect that the Proposed Acquisition would create new operational efficiencies and would divert freight from other railroads and from trucks. As a result, rail traffic would increase on some rail lines in the combined CPKC rail network. To support this expected increase in rail traffic, the Applicants plan to make capital improvements within the existing rail right-of-way, which would include adding new passing sidings, extending existing sidings, adding a section of double track, and adding facility working track at a total of 25 locations along the combined CPKC network.

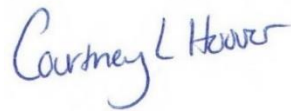
BIA notes that in addition to the American Indian tribes and nations listed on pages B-7 to B-9 in Appendix B, the following federally recognized tribes and nations may have an interest in National Historic Preservation Act Section 106 consultation: Delaware Tribe of Indians, Absentee Shawnee Tribe of Indians of Oklahoma, Eastern Shawnee Tribe, Oklahoma, Seminole Nation of Oklahoma, Thlopthlocco Tribal Town, and Kialegee Tribal Town. BIA reminds the STB that it has a responsibility to conduct complete tribal consultation before approving an undertaking per 36 CFR Part 800.2(c)(2)(ii).

Contact information for the tribes and nations mentioned above is included as an attachment.

For questions regarding these comments from BIA, please contact Mr. David Saunders, Eastern Region Archaeologist, at 615-564-6840.

If you have any questions for the Department, please contact me at (303) 478-3373, or courtney_hoover@ios.doi.gov.

Sincerely,

A handwritten signature in blue ink that reads "Courtney Hoover". The signature is written in a cursive, flowing style.

Courtney Hoover
Regional Environmental Officer
Office of Environmental Policy and Compliance

Attachment 1

Additional Tribal Consultation Contact Information for Docket No. FD 36500

The Honorable Brad Killscrow, Chief
Delaware Tribe of Indians
5100 Tuxedo Blvd.
Bartlesville, OK 74006-2838
Telephone: (918) 337-6590
Fax: (918) 337-6591
e-mail: bkillscrow@delawaretribe.org

Larry Heady, THPO
Delaware Tribe of Indians
125 Dorry Lane
Grants Pass, OR 97527
Telephone: (262) 825-7586
e-mail: lheady@delawaretribe.org

The Honorable John Johnson, Governor
Absentee Shawnee Tribe of Indians of Oklahoma
2025 S. Cooper Dr.
Shawnee, OK 74801
Telephone: (405) 275-4030
Fax: (405) 878-4543
e-mail: jjohnson@astribe.com

Devon Frazier, THPO
Absentee Shawnee Tribe of Indians of Oklahoma
2025 S. Gordon Cooper Dr.
Shawnee, OK 74801
Telephone: (405) 275-4030 x6243
Fax: (405) 878-4711
e-mail: 106nagpra@astribe.com

The Honorable Glenna Wallace, Chief
Eastern Shawnee Tribe of Oklahoma
P.O. Box 350
Seneca, MO 64865
Telephone: (918) 666-2435
Fax: (918) 666-2186
e-mail: gjwallace@estoo.net

Paul Barton, THPO
Eastern Shawnee Tribe of Oklahoma
70500 E. 128 Rd.
Wyandotte, OK 74370
Telephone: (918) 238-5151 x1833
Fax: (918) 533-4104
e-mail: PBarton@estoo.net

The Honorable Lewis Johnson, Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884
Telephone: (405) 257-7200
(405) 267-7209
Email: chief@sno-nsn.gov

Ben Yahola, THPO
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884
Telephone: (405) 257-7200
Cell: (918) 289-8389
Fax: (405) 267-7209
e-mail: yahola.b@sno-nsn.gov

The Honorable Ryan Morrow, Town King
Thlopthlocco Tribal Town
P.O. Box 188
Okemah, OK 74859
Telephone: (866) 988-8696
Fax: (918) 560-6196
e-mail: rmorrow@tttown.org

David Frank, THPO
Thlopthlocco Tribal Town
P.O. Box 188
Okemah, OK 74859
Telephone: (918) 560-6106
Fax: (918) 623-3023
e-mail: thpo@tttown.org

The Honorable Brian Givens, Town King
Kialegee Tribal Town
P.O. Box 322
Wetumka, OK 74883
Telephone: (405) 452-3262
Fax: (405) 452-3413
e-mail: brian.givens@kialegee.net