



## Canadian Pacific (CP) and Kansas City Southern Merger (KCS)

MPO & RPA Quarterly Meeting  
March 23, 2022

# CP/KCS merger

- On October 29, 2021, Canadian Pacific Railway Limited, Canadian Pacific Railway Company, and their U.S. rail carrier subsidiaries Soo Line Railroad Company; Central Maine & Quebec Railway U.S. Inc.; Dakota, Minnesota & Eastern Railroad Corporation; and Delaware & Hudson Railway Company, Inc. (collectively, CP) and Kansas City Southern, The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and The Texas Mexican Railway Company (collectively, KCS) filed an application with the Surface Transportation Board (Board) seeking the Board's **approval of the acquisition of control by CP of KCS (Proposed Acquisition)**



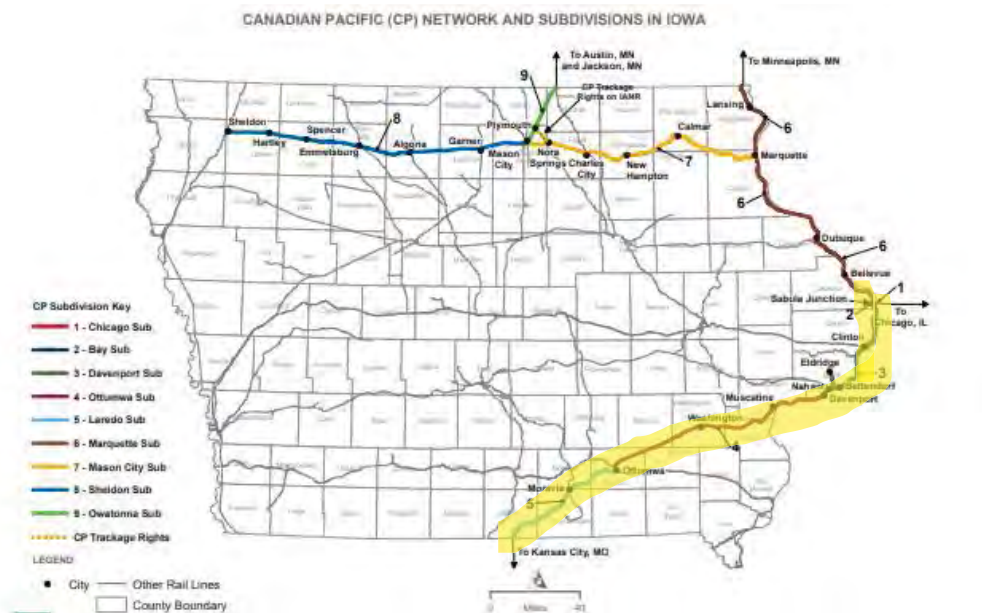
# Rail Lines Affected

Red = CP  
Black = KCS

# Rail Lines Affected



# Route affected in Iowa



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## Documents

- Notice of Intent
  - <https://cp-kcsmergereis.com/docs/CP-KCS-NOI.pdf>
- Scope of Study
  - <https://cp-kcsmergereis.com/docs/CP-KCS-Scope-of-Study.pdf>
- Surface Transportation Board Environmental Website for CP-KCS
  - <https://cp-kcsmergereis.com/>

# Procedural Schedule

Docket No. FD 36500

## APPENDIX

### PROCEDURAL SCHEDULE

October 29, 2021	Application filed.
November 26, 2021	Board notice of acceptance of Application to be published in the <u>Federal Register</u> .
December 13, 2021	Notices of intent to participate in this proceeding due.
December 28, 2021	Proposed Safety Integration Plan (SIP) to be filed with OEA and FRA.
January 12, 2022	Descriptions of anticipated responsive, including inconsistent, applications due. Petitions for waiver or clarification with respect to such applications due.
February 22, 2022	Responsive environmental information and environmental verified statements for responsive, including inconsistent, applicants due.
February 28, 2022	Comments, protests, requests for conditions, and any other evidence and argument in opposition to the Application due. This includes any comments from the U.S. Department of Justice (DOJ) and U.S. Department of Transportation (USDOT).  Responsive, including inconsistent, applications due.
March 30, 2022	Notice of acceptance of responsive, including inconsistent, applications, if any, published in the <u>Federal Register</u> .
April 22, 2022	Responses to comments, protests, requests for conditions, and other opposition due, including to DOJ and USDOT filings.  Rebuttal in support of the Application due.  Responses to responsive, including inconsistent, applications due.
May 23, 2022	Rebuttals in support of responsive, including inconsistent, applications due.
July 1, 2022	Final briefs due. <sup>12</sup>

<sup>12</sup> The Board will also determine the page limits for final briefs in a later decision after the record has been more fully developed.

# Environmental Schedule

## Steps of the Environmental Review Process

- NOI (Notice of Intent) – November 12, 2021
- Scoping – November 2021 – January 2022
  - Public Meetings - November 30 - December 9, 2021 [[Meeting details](#)]
  - Scoping Comment Period – November 12, 2021 – January 3, 2022
- Final Scope of Study – February 18, 2022
- Draft EIS – Spring 2022
- Public Comment Period on Draft EIS including Public Meetings – Spring 2022
- Final EIS – Fall 2022
- Board's Decision on Acquisition

*Note: Schedule subject to change as the project progresses. Please check back for current available information.*

# CP Website to Learn More

- <https://futureforfreight.com/>

## Quiet Zones

- [49 CFR Parts 222 and 229](#) guidelines require train engineers to sound the train horn when approaching railroad crossings. Included in the regulations are ways in which communities can make safety improvements to silence the horns through the establishment of a [quiet zone](#). The Federal Railroad Administration (FRA) has sole jurisdiction pertaining to the establishment of quiet zones.
- Railroad crossing safety enhancements that may justify establishing a quiet zone include construction of active warning devices such as lights and gates, medians, and other such safety treatments. (A typical two-quad gate and light system can cost \$250,000-\$350,000 per crossing.)
- Link to FRA quiet zone web page, "How to create a quiet zone"
  - <https://railroads.dot.gov/elibrary/how-create-quiet-zone>



# Section 130 Program

- **23 USC Section 130 Safety Program**
  - This is a Federally funded program, administered by states improves the safety at highway-railroad grade crossings. A 10% non-federal match is required from either the railroad company or public roadway jurisdiction.
  - The program is application based, whereas the railroad and roadway authority must submit an application to the program for funding consideration by July 1<sup>st</sup> of each year.
  - Projects are selected through the combination of an accident prediction formula as well as a [Benefit-Cost Analysis](#).
  - Projects that are solely for the establishment of Quiet Zones are not eligible for funding through Section 130.
  - Link to Iowa DOT program web page
    - <https://iowadot.gov/iowarail/safety/federal-aid-crossing-safety-program>

## Highway – Railroad Crossing Surface Repair Program

- This is a State funded program to replace railroad crossing surfaces and roadway approaches. The Iowa DOT pays 60% of the total project cost and each the railroad company and roadway authority pay 20%.
- The railroad is responsible for replacing the ballast, ties, rail, and surface through the railroad crossing and the roadway authority is responsible for removal and placement of the roadway approaches to match any track raise resulting from the railroad's replacement of the railroad crossing structure.
- Link to Iowa DOT program web page
  - <https://iowadot.gov/iowarail/safety/grade-crossing-surface-repair-program>

# Federal Funding Programs

- Railroad Crossing Elimination Program – Discretionary Grant Program for highway-rail or pathway-rail grade crossing improvements that focus on improving the safety and mobility of people and goods. Project eligibility includes grade separation or closure of crossings frequently blocked by trains, track relocation, installation of a bridge, protective devices, signals, technology, planning, PE, etc. Requires approval of the rail carrier or property owner (except for planning projects with an agreement for collaboration)
  - <https://railroads.dot.gov/elibrary/railroad-crossing-elimination-grant-program-fact-sheet>
  - [https://railroads.dot.gov/sites/fra.dot.gov/files/2022-03/RRCrossing-Elim\\_GradeCrossingSafety\\_March2022\\_PDFa.pdf](https://railroads.dot.gov/sites/fra.dot.gov/files/2022-03/RRCrossing-Elim_GradeCrossingSafety_March2022_PDFa.pdf)

# Federal Funding Programs

- **CRISI** – Discretionary Grant Program for improvements to safety, efficiency, and reliability of intercity passenger and freight rail.
  - <https://railroads.dot.gov/elibrary/consolidated-rail-infrastructure-safety-improvements-grant-program-fact-sheet>
- **INFRA** – Discretionary Grant Program for highway and freight projects of national or regional significance
- **RAISE** (previously BUILD) – Discretionary Grant Program for Surface Transportation Projects that will have significant local or regional impacts
  - NOFO was published in February, applications are due on April 14, 2022
  - <https://www.transportation.gov/sites/dot.gov/files/2022-02/FINAL-2022-RAISE-NOFO.pdf>

Communities that  
CP has met with  
or reached out to

- Dubuque
- Bellevue
- Clinton
- Princeton
- LeClaire
- Bettendorf
- Davenport
- Muscatine
- Fruitland
- Ottumwa
- Marquette
- Washington
- Camanche
- Riverdale
- Buffalo

## Contact information

### **CN Railroad**

Andy Cummings, Manager, Media Relations

- (612) 851-5616
- [andy\\_cummings@cpr.ca](mailto:andy_cummings@cpr.ca)

Larry Lloyd, Director of US State Government Affairs

- (224)373-1746
- [larry\\_lloyd@cpr.ca](mailto:larry_lloyd@cpr.ca)

EIS Information Line: [\(888\) 319-2337](tel:(888)319-2337)

[Contact@CP-KCSMergerEIS.com](mailto:Contact@CP-KCSMergerEIS.com)

### **Iowa DOT**

Amanda Martin, Rail Director

- (515) 239-1653
- [Amanda.martin@iowadot.us](mailto:Amanda.martin@iowadot.us)

Tammy Nicholson, Modal Transportation Bureau Director

- (515)239-1052
- [tamara.nicholson@iowadot.us](mailto:tamara.nicholson@iowadot.us)