SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

August 19, 2026

RE: Docket No. FD 36873, Union Pacific Corporation and Union Pacific Company – Control – Norfolk Southern Corporation and Norfolk Southern Railway Company; Preliminary Consultation

Dear Elected Official:

On April 30, 2026, Union Pacific Corporation (UPC), Union Pacific Railroad Company (UP), Norfolk Southern Corporation (NSC), and Norfolk Southern Railway Company (NS) (collectively, Applicants) filed a revised application with the Surface Transportation Board (Board) in Docket No. FD 36873 seeking authority for (1) the acquisition of control by UPC of NSC, and through NSC of NS and NS's rail carrier subsidiaries, and (2) the resulting common control by UPC of UP and NS and the consolidation of the rail operations of UP and NS (the Transaction).

As part of the approval process, the Board must evaluate the potential environmental impacts of the Transaction in accordance with the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321–4370m-11, and the Board's environmental regulations, 49 C.F.R. part 1105. The Board, through its Office of Environmental Analysis (OEA), will prepare an Environmental Impact Statement (EIS) that will analyze the potential environmental impacts and assist the Board in making its decision about whether to approve with conditions or deny the Transaction.

The purpose of this letter is to request preliminary comments from your office on any environmental issues and/or concerns associated with the Transaction, including any information on resources that may be affected. Your comments will assist OEA in determining the scope of the environmental review under NEPA.[1]

Description of the Transaction

According to Applicants, UP's acquisition of NS would create the country's first transcontinental railroad. UP operates approximately 32,880 miles of rail line in 23 states in the western two-thirds of the United States. UP has eight principal routes: three anchored in Chicago, three anchored in Los Angeles, one between border crossings in Mexico and Chicago, and one between Seattle and Los Angeles. NS operates approximately 19,200 route miles in 22

[1] For the complete distribution list including agencies, organizations, Tribes, and elected officials, see https://www.stb.gov/upns-eis-fd36873/wp-content/uploads/sites/5/UP-NS_Preliminary-Consultation-Distribution-List.pdf.

eastern states and the District of Columbia. Four principal routes are the core of NS's network. Three run between Chicago, Atlanta/Chattanooga, and the Northeast, and a fourth runs from Chicago to Norfolk. If the Board authorizes the Transaction, UP and NS would combine into a single rail system to be known as Union Pacific. The Transaction would be mostly "end to-end" because the existing UP and NS systems only overlap in Missouri and Illinois.

The Transaction would involve: (1) changes in operations (e.g., an increase in average trains per day) on certain segments of the combined rail network that would exceed the Board's thresholds for environmental review, (2) changes in activity at some rail yards and intermodal facilities that would exceed the Board's thresholds for environmental analysis, and (3) capital improvements to increase capacity along the UP and NS mainlines and expand UP and NS yards and intermodal facilities.

The thresholds for assessing environmental impacts from increased rail traffic on rail lines in railroad acquisition proceedings are defined as an increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase in rail traffic of at least eight trains per day. 49 C.F.R. § 1105.7(e)(5)(i)(A). Rail lines located in areas classified as being in nonattainment or a Class I area under the Clean Air Act are also assessed if they would experience an increase in rail traffic of at least 50 percent (measured in gross ton miles annually)[2] or an increase of at least three trains per day. 49 C.F.R. § 1105.7(e)(5)(ii)(A).

The thresholds for assessing environmental impacts from increased activity at rail facilities, including rail yards and intermodal facilities, in railroad acquisition proceedings are an increase in rail yard activity of at least 100% (measured by carload activity) or an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment. 49 C.F.R. § 1105.7(e)(5)(i)(B), (C).

Based on a preliminary review, OEA has identified rail line segments, rail yards, and intermodal facilities in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Wyoming that could experience operational changes that would exceed the Board's environmental analysis thresholds.

To support increased rail traffic on the combined network, Applicants are proposing capital improvements along the UP and NS mainlines and expansions of the footprints at some yards and intermodal facilities as part of the Transaction. These transaction-related capital improvements would take place in Alabama, Arizona, Arkansas, California, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Ohio, Tennessee, and Texas. The EIS will analyze potential impacts to the environment and cultural resources from the proposed capital improvement projects, as appropriate.

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[2] Gross ton miles are calculated by multiplying the total weight of loaded and empty freight cars by the number of miles moved by a train.

The interactive map on the Board's project webpage (https://www.stb.gov/upns-eis-fd36873/maps/) shows the locations of the rail lines, rail yards, and intermodal facilities that would experience operational changes that would exceed the Board's environmental analysis thresholds, as well as the locations of the proposed capital improvements.

Request for Comments

OEA is requesting comments from your office by **September 21, 2026**. Comments submitted during preliminary consultation will assist OEA in defining the potential impacts to be considered in the EIS. Written comments can be submitted electronically on the Board's website, www.stb.gov. From the Board's homepage, click on the "E-Filing" link under the "Proceedings & Actions" dropdown, then click on "Environmental Comments." Alternatively, comments may be sent by mail to:

Elizabeth Webster
Surface Transportation Board (Docket No. FD 36873)
395 E Street SW
Washington, DC 20423

Please make sure to refer to **Docket No. FD 36873** in all correspondence, including electronic filings. We look forward to your participation in the environmental review process. If you have any questions, please feel free to contact us at UPNSMergerEIS@stb.gov or 888-533-6493.

Sincerely,

Danielle Gosselin
Director
Office of Environmental Analysis