Appendix O
Response to Comments

O.1 Approach

In this appendix, the Surface Transportation Board (Board)'s Office of Environmental Analysis (OEA) responds to the substantive comments that it received on the Draft Environmental Impact Statement (EIS) and, when applicable, describes how and where those comments may have led to changes in the Final EIS. Overall, the substantive comments received only required responses that clarify or reiterate the information provided in the Draft EIS, and no comment warranted altering the conclusions OEA reached in the Draft EIS. If a comment resulted in a change to the text of the Draft EIS, the change can be seen in strikethrough or underlined text in the Final EIS.

Although OEA reviewed and considered all comments received, non-substantive comments are not addressed in this appendix. Comments unrelated to the environmental review include general opinions about the Puerto Verde Global Trade Bridge project without tying them to anything specific in the Draft EIS. For instance, many commenters opposed the project based on general concerns, issues related to project financing, or political considerations. Non-substantive comments also include concerns about potential impacts such as flooding, water shortages, or air pollution, but without linking them to any specific findings in the Draft EIS.

The comments and responses below are organized by resource area in the same order as they appear in the Draft EIS. **Table O-1**, at the end of the appendix, provides an index that allows readers to find excerpts or summaries of their comments and the associated responses. The table is arranged in alphabetical order by commenter last name or organization. The table lists the Board's environmental comment identification number (EI number), commenter type category (federal, state, and local agencies; elected officials; organizations; and individuals), a comment identifier (e.g., 32-1), topic, and location of the associated response.

Non-substantive comments are indexed in **Table O-2**, in alphabetical order by commenter last name or organization, along with the Board's environmental comment EI number and topic.

O.1.1 Methodology

OEA responded to substantive comments on the Draft EIS individually or in thematic groups. Interested parties can view the full text of all comments on the Board's website (www.stb.gov) by searching "Environmental Comments" using the docket number for this proceeding: Docket No. FD 36652.

The following bullets describe the approach OEA used to capture, track, and respond to comments on the Draft EIS:

- OEA received a total of 104 comment submissions (written and verbal; a single submission may contain several comments) from 92 unique commenters. Commenters included members of the public and representatives of agencies and organizations. Some individuals, agencies, or organizations commented more than once or in more than one format. OEA reviewed all comment

submissions and their attachments, as well as the public meeting transcripts to identify and extract substantive comments. In this appendix, OEA addresses 50 substantive comments from 41 commenters.

- For each substantive comment, OEA assigned a unique comment identifier. To find the source of a comment or to identify the location of a response to a particular comment submission, please refer to **Table O-1**.
- When multiple commenters raised identical or similar comments, OEA grouped the comments together and summarized the commenters' concerns or issues, making every effort to capture the crux of each.
- Each comment-response pair consists of three parts: (1) the comment or comment summary, (2) the assigned comment identification number(s), and (3) OEA's response.
- Written comments are cited without edits, additions, or format changes unless such revisions are necessary to understand the comment. Any edits or additions are bracketed. Bracketed ellipses ("[…]") indicate omitted text.
- OEA did not modify the transcripts of public meetings prepared by court reporters. However, some comments as cited in this appendix include corrections or minor edits (e.g., correcting misspelled names or words, or eliminating repeated words) that do not alter the meaning of the comment.
- Comments made in Spanish during public meetings were translated into English. For the purposes of the comment responses, OEA used the English translation.
- If the meaning of a comment was not clear, OEA made a reasonable attempt to interpret the comment and responded based on that interpretation.
- When a comment resulted in a revision (addition, deletion, correction, etc.) to the Draft EIS text, the response states that OEA made a change and directs the reader to the location of the edited text in the Final EIS.

The comments and responses below are organized by resource area in the same order as in the Draft EIS, except for the first section, which addresses general comments on OEA's environmental review.

O.2 Comments

O.2.1 Environmental Review

Comment Summary

Several commenters claimed that the Draft EIS unreasonably assumes all freight traffic via Eagle Pass will use the proposed line. (23-1, 32-1, 32-2, 44-2)

OEA Response

Green Eagle Railroad, LLC (GER) submitted comments on June 2, 2025, stating that, "If GER is unable to attract all cross border rail traffic through the prospect of a more efficient and safer cross border trade corridor, then the stated purpose of an economically viable solution to the problems that exist at Eagle

Pass/Piedras Negras border is not feasible, and GER would be unable to construct and/or operate the proposed line." Thus, GER would not construct and operate the proposed line if freight rail traffic would continue to operate on the Union Pacific (UP) mainline south of milepost 31 (other than an occasional local train, as noted in *Chapter 2*, *Section 2.3.2.5*, *Operations on the Proposed Line Under Both Build Alternatives*, of the Draft EIS). Therefore, OEA reasonably analyzed the impacts of the proposed line based on the assumption that, once complete, the proposed line would move all Eagle Pass freight traffic between Mexico and the United States. If this was not the case, GER simply would not construct the proposed line. To clarify this point, OEA has added a footnote to *Chapter 2*, *Section 2.3.2.5*, *Operations on the Proposed Line Under Both Build Alternatives*, of the Final EIS.

Additionally, the Piedras Negras Master Plan (2021) and the Piedras Negras-Nava Urban Development Program (2012) identify the Ferromex railway line, connecting freight rail traffic from Piedras Negras to Eagle Pass via the existing UP Rail Bridge, as a contributor to urban segmentation in Piedras Negras and envision rerouting rail traffic away from the urban core. In a letter attached to the Presidential Permit Application for the Puerto Verde Global Trade Bridge project, Norma Treviño Galindo, Presidente Municipal (Mayor) of Piedras Negras, indicated that GER's proposed line would benefit the city's new route for freight rail traffic proposed in the 2021 master plan. Thus, OEA's assumption that, once the proposed line is complete, all freight traffic would be rerouted toward the New Rail Bridge, away from the UP Rail Bridge and UP mainline south of milepost 31, also appears to be consistent with Piedras Negras's land use plans.

Comment Summary

The Draft EIS fails to consider the impacts of GER's proposed operations on Union Pacific and the impacts of Union Pacific's operations on GER's proposed operations. (32-4)

OEA Response

Because OEA reasonably assumes that all freight rail traffic would use the proposed line (see response to comment 32-2), there is no potential for conflicts between traffic using the UP mainline and traffic using the proposed line between milepost 31 and Clark's Park Yard. OEA recognizes that the relocation of crew transfers from the UP Rail Bridge to Clark's Park Yard may result in brief periods of idling at the yard (as well as at Ryan's Ruin Yard for BNSF Railway trains). The use of dedicated, local GER crews to shuttle trains back and forth would minimize such idling times. To clarify this point, OEA has added this information in the Final EIS in *Chapter 2*, *Section 2.3.2.5*, *Operations on the Proposed Line Under Both Build Alternatives.* (See also response to comment 32-5).

Comment Summary

The Draft EIS fails to consider reasonably foreseeable impacts of GER's operations in Mexico. (32-7)

OEA Response

The operations in Mexico are outside of the Board's jurisdiction, and such review is unlikely to yield information that would be useful to the decision-making process. See Seven Cnty. Infrastructure Coal. v. Eagle Cnty., 145 S. Ct. 1497, 1515 (2025). In determining not to examine impacts in Mexico, OEA has used its discretion to draw the line about how far to go in considering potential indirect environmental impacts from the proposed line subject to Board approval. Id. at 1513. Mexico participates and is involved in approving the proposed line and the associated Commercial Motor Vehicle (CMV) Facility through the Presidential Permit process, and it will be conducting

environmental review through its own permitting process, which is administered by the *Secretaría de Medio Ambiente y Recursos Naturales* (Secretariat of Environment and Natural Resources; SEMARNAT). Based on information provided by GER, the proposed bridges are subject to SEMARNAT's Unified Technical Document (Document Technique Unifié, DTU) process (SEMARNAT-09-001-B), which evaluates environmental impacts, land use changes, and mitigation measures. A new environmental analysis is not required for the Mexican portions of the project other than the bridges because of prior development and reclamation activity. In addition to the Mexican federal review, a state-level *Manifestación de Impacto Ambiental* (Environmental Impact Statement) will need to be prepared and presented to Coahuila's *Secretaria de Medio Ambiente* (Secretary of the Environment).

Further, OEA has analyzed impacts of the proposed line in Mexico on water quality and endangered species where those impacts overlap with the impacts in the United States. See *Chapter 3*, *Section 3.11.3.1*, *Southern Rail Alternative*; *Chapter 3*, *Section 3.10.3*, *Environmental Consequences;* and *Appendix L*, *Socioeconomics*, of the Draft EIS.

Comment

"Several of the beneficial environmental impacts identified in the Draft EIS are based on the shorter distance trains would travel in the United States. *See, e.g., id.* at S-6; *id.* at 3-7 (freight rail safety); *id.* at 3-44 (rail emissions); *id*. at 3-49 (energy). However, those analyses are incomplete and misleading because they fail to account for the longer distance trains would travel in Mexico. When total distance is considered, it becomes clear that the GER route between Union Pacific milepost 31 and Rio Escondido Yard would be approximately 5.3 miles longer than the current route. Operations over the longer route would produce reasonably foreseeable effects on emissions, fuel consumption, and freight rail safety incidents. In addition, certain other beneficial environmental impacts identified in the Draft EIS are based on the different route trains would use in the United States. *See, e.g., id.* at 3-10 (grade crossing safety); *id.* at 3-13 (grading crossing delay), 3-42 (rail operations noise). However, those analyses are also incomplete because they fail to account for the different route trains would use in Mexico." (32-8)

OEA Response

See response to comment 32-7, above.

Comment Summary

The Draft EIS fails to acknowledge that the few supportable benefits are greatly outweighed by the clear short-term and long-term negative impacts. (32-9)

OEA Response

The comment does not explain what long-term negative impacts the Draft EIS fails to account for when assessing the relationship between short-term uses and long-term productivity. As such, OEA cannot provide a specific response to the comment. To the extent that the long-term adverse impacts are those that would result from the continuation of rail traffic on the UP mainline south of milepost 31, OEA reasonably assumes that all rail traffic would be rerouted to the proposed line, as explained in the response to comment 32-2. Therefore, such adverse impacts would not occur.

Comment Summary

A commenter requested that OEA make available additional reports and studies related to the project, including a geotechnical report, hydrological and water flow study, additional air quality testing or monitoring, and a feasibility study with risk mitigation analysis. The commenter states that without access to these studies, "it is impossible for the public to provide informed and meaningful comment, in direct contradiction to the requirements of the National Environmental Policy Act (NEPA)." (45-1)

OEA Response

OEA considered the potential impacts of the proposed line and the associated CMV Facility on geology and soils, and documented this review in *Appendix I*, *Topography, Geology, Soils, and Hazardous Waste Sites*, of the Draft EIS. OEA found that there would be minimal impacts on those resources. GER may prepare an additional report as part of the design and engineering phase of the project, in compliance with the engineering standards established by the Federal Railroad Administration (FRA), as applicable.

OEA considered hydrology and water flow in *Chapter 3*, *Section 3.11*, *Water Resources*, and *Section 3.10*, *Biological Resources*, of the Draft EIS, based on available information, including preliminary floodplain boundary mapping prepared by GER. Additionally, in *Chapter 3*, *Section 3.11.1.2*, *Floodplains*, OEA explained that GER would be required to comply with the requirements of the International Boundary and Water Commission (IBWC), which has authority for the bed and bank of the international stretch of the Rio Grande River under the 1944 Water Treaty between Mexico and the United States, as well as responsibility under the 1970 Boundary Treaty Article IV, to ensure that construction projects do not obstruct the normal flow or flood flows of the Rio Grande River. OEA also explained that prior to any construction, the local floodplain administrator, as well as the Federal Emergency Management Administration (FEMA) and IBWC would require GER to provide detailed design plans and hydrologic and hydraulic modeling to ensure that the proposed line and the associated CMV Facility do not adversely affect the floodplain under the City of Eagle Pass Code of Ordinances, Section 13.5; FEMA regulations, 44 C.F.R. §§ 65.6, 65.12; and IBWC Directive SD.II.01031-M-1-H. Compliance with these requirements is part of the design and engineering phase of the project.

OEA considered impacts on air quality in *Chapter 3*, *Section 3.7*, *Air Quality*, and *Appendix H*, *Air Quality Analysis*, of the Draft EIS, consistent with the requirements of the Clean Air Act and the Board's regulations at 49 C.F.R. Part 1105. OEA found that construction-related emissions, in addition to being temporary, would be below *de minimis* thresholds, and that operation-related emissions would decrease compared to existing and no-action conditions. Therefore, no further studies, analysis, testing, or monitoring is warranted or required.

OEA did not identify any environmental issues in the EIS that would make the project infeasible. OEA recommended mitigation measures to address environmental impacts when warranted. Should the Board grant GER/PVH authority to construct and operate the proposed rail line, that authority would be permissive, and GER/PVH would not be required to construct the proposed rail line. Thus, no additional feasibility or mitigation studies are warranted.

OEA assesses the need for new studies when addressing comments on a Draft EIS "based on the usefulness of any new potential information to the decisionmaking process." See Dep't of Transp. v. Pub. Citizen, 541 U.S. 752, 767 (2004). In fact, "the question of whether [an EIS] is detailed enough in a particular case itself requires the exercise of agency discretion." See Seven Cnty., 145 S. Ct. at 1512.

OEA determined that because there would be minimal impacts to the above-discussed resource areas, additional studies would not be useful to the decisionmaker.

O.2.2 Purpose and Need

Comment Summary

Commenters questioned whether the purpose and need for the proposed line would be achieved. They stated that traffic volumes and congestion do not justify another rail line, which would be duplicative of other existing rail lines in the area. (6-1, 32-10, 44-2)

OEA Response

As explained in *Chapter 1*, *Section 1.2*, *Purpose and Need*, of the Draft EIS, the purpose and need for the proposed line and the associated CMV Facility is to address issues identified in the Texas Department of Transportation's (TxDOT) *Texas-Mexico Border Transportation Master Plan 2021* (BTMP). The BTMP found that the UP Rail Bridge is heavily used, with traffic projected to increase over the next two decades. The BTMP also identified challenges related to single tracking, which prevents simultaneous two-way operations and creates bottleneck with trains queuing in both directions.

O.2.3 Proposed Action and Alternatives

Comment

"Because the Draft EIS's analyses are all based on the unreasonable assumption that all freight rail traffic that passes through Eagle Pass will use the Proposed Line, they do not allow the STB to make a meaningful comparison among the two alternatives considered for the Proposed Line and the no-action alternative. *See, e.g., Wild Earth Guardians v. United States Bureau of Land Mgmt.*, 870 F.3d 1222, 1235-36 (10th Cir. 2017) (rejecting the "perfect substitution assumption" as "irrational" and explaining that it "does not provide 'information sufficient to permit a reasoned choice' between the preferred alternative and no action alternative")." (32-3)

OEA Response

OEA's assumption that all freight rail traffic between Mexico and the United States would relocate to the proposed line is reasonable, as explained in the response to comment 32-2 above. GER's comment letter submitted on June 2, 2025, stated that, "If GER is unable to attract all cross border rail traffic through the prospect of a more efficient and safer cross border trade corridor, then the stated purpose of an economically viable solution to the problems that exist at Eagle Pass/Piedras Negras border is not feasible, and GER would be unable to construct and/or operate the proposed line." Therefore, OEA analyzed the impacts of the build alternatives assuming that all freight traffic would relocate to the proposed line. Continuation of rail traffic on the existing UP mainline was analyzed as part of the No-Action Alternative. OEA's analysis provides sufficient information to permit a reasoned choice between the preferred alternative and the No-Action Alternative.

Comment Summary

Commenters stated that the Draft EIS fails to adequately consider or evaluate enough alternative routes or locations, in some cases mentioning specific locations outside of town, such as near the intersection of U.S. 277 and TxDOT State Loop 480 (SL 480); near the southern end of SL 480; south of the city;

north of the city; and "the Thompson Road alternative" that had been explored in a previous feasibility study. Their comments claim or imply that other alternatives would result in fewer impacts on noise, pollution, traffic, residential areas, and/or contamination of potable water sources. (2-2, 4-1, 12-4, 12-5, 21-6, 27-3, 28-1, 31-1, 35-1, 37-1, 38-1, 39-1, 40-1, 42-1, 43-2, 46-3, 47-1, 48-1, 49-1)

OEA Response

GER evaluated a range of potential alternatives for the proposed line and assessed their feasibility based on several factors, including commercial viability, operational compatibility with the UP mainline, reduction of grade crossings and grade crossing delays, ability to collocate the associated CMV Facility, and the ability to minimize environmental impacts. GER's alternatives evaluation also included consideration of potential southern routes. As explained in *Chapter 2*, *Section 2.4*, *Alternatives Considered but Eliminated from Detailed Study*, of the Draft EIS, OEA reviewed GER's alternatives evaluation and found that the alternatives dismissed by GER were not reasonable and feasible alternatives and, therefore, did not require analysis in the EIS because they were not commercially viable, not operationally viable, or would have greater impacts on residences through displacement, noise, or visual impacts. The Final EIS has been revised to clarify that the alternatives considered but dismissed from detailed study included potential routes to the south of the existing international bridges.

O.2.4 Public Engagement

Comment Summary

Commenters stated that the comment period was insufficient and requested an extension of the comment period to allow for more thorough public review of the Draft EIS. Some commenters recommended a 90-day extension of the comment period. (3-2, 9-2, 18-2, 20-4, 21-1, 45-2)

OEA Response

OEA provided ample time to review and comment on the Draft EIS in compliance with 49 C.F.R. § 1105.10(a)(4). OEA released the Draft EIS for public review and comment on March 14, 2025, with a comment deadline of May 5, 2025 (a total of 52 calendar days). OEA then issued a notice on May 5, 2025, extending the comment period through June 2, 2025, and stating that no further extensions would be granted. Thus, the Draft EIS was available for public review and comment for a total of 80 calendar days (two and a half months).

Comment Summary

Commenters stated that public engagement efforts for the EIS process, and the Draft EIS in particular, were inadequate. Commenters specifically raised concerns about a perceived lack of Spanish translation, reliance on online tools for meetings and comment submission, and location of public comment meetings away from affected communities. Commenters also raised concerns about the technical nature of the Draft EIS. Three commenters requested a "town hall meeting" with independent experts. (3-1, 9-1, 9-2, 11-1, 18-2, 20-4, 21-1, 29-1, 41-1, 44-4, 45-2, 45-3)

OEA Response

OEA's public engagement efforts through publication of the Draft EIS are described in *Chapter 1*, *Section 1.4*, *NEPA Process*, of the Draft EIS. This section has been updated in the Final EIS to reflect the public engagement efforts that occurred after OEA issued the Draft EIS.

On March 14, 2025, OEA emailed approximately 150 individuals and organizations to inform them of the Draft EIS's release and solicit comments. The email included, as an attachment, a flyer in both English and Spanish that explained how to comment on the Draft EIS and provided details on the upcoming public meetings. OEA also mailed postcards to approximately 680 addresses adjacent to the project area. The postcards were in English with a QR code linking to a Spanish version of the same document. Both versions of the postcard contained information on how to comment on the Draft EIS and announced the public meetings. OEA also ran digital advertisements targeted to the project area from March 15 through the end of the initial commenting period. The digital ads announced the availability of the Draft EIS and provided a link to the Board-sponsored project website.

OEA made the Draft EIS available in electronic format on the Board's website and on the Board-sponsored project website. A printed version of the Draft EIS was available for viewing at the Eagle Pass Public Library. OEA provided instructions for filing written comments through the Board's website and mailing comments to the Board. Commenters could also submit written comments at the in-person public meetings.

During the Draft EIS comment period, OEA hosted two in-person public meetings in Eagle Pass and one online public meeting, during which interested parties could make oral comments and/or submit written comments. The public meetings were held at the Eagle Pass International Center for Trade, a modern city facility with the room, equipment, and amenities needed to support large meetings. The online meeting provided an opportunity to comment for people unable to attend the in-person meetings; it could be accessed using a computer, a smart phone, or a regular phone. At all meetings, simultaneous interpretation and translation services from English to Spanish and from Spanish to English were provided, and participants could comment in Spanish.

Throughout the EIS process, OEA took a range of measures to facilitate communication with persons whose primary or unique language is Spanish, including making various public information materials available in both English and Spanish. OEA also set up and publicized a toll-free telephone line and project email address for members of the public to request information on the EIS process and help with participating in this process in either language. OEA wrote the main body of the Draft EIS in plain English and in compliance with statutory page count limits. A separate town hall meeting with independent experts is not warranted or required by NEPA.

O.2.5 Freight Rail Safety

Comment Summary

Commenters raised concerns regarding potential hazardous waste generation impacts during construction, operation, and maintenance activities. Specifically, the Environmental Protection Agency (EPA) recommended conducting a detailed assessment to identify potentially hazardous waste (fuels, solvents, lubricants, construction-related chemicals, etc.) that may be generated during site preparation and construction activities (bridge work, grading, equipment maintenance) and ongoing railroad operations and maintenance. EPA also recommended that the Final EIS should outline waste storage, transportation, and disposal plans with emphasis on containment measures, minimizing risks during transit, and evaluating potential spill risks; emergency response plans; and measures to protect sensitive environmental areas such as wetlands, rivers, and groundwater from contamination. Finally, EPA recommended addressing the applicability of state, federal and other relevant hazardous waste

regulations, ensuring full compliance with all regulatory requirements. An additional commenter raised concerns about potentially hazardous waste generated during construction. (10-5, 10-6, 10-7, 46-2)

OEA Response

The Draft EIS addresses pollution from hazardous waste during construction of the proposed line in *Chapter 3*, *Section 3.11*, *Water Resources*. As explained there, the Texas Commission on Environmental Quality (TCEQ) regulates pollutants generated during construction activities through the issuance of Texas Pollutant Discharge Elimination System (TPDES) permits with EPA approval. Any hazardous waste that GER might generate during operation would be regulated under existing federal and state laws and regulations, including the Resource Conservation and Recovery Act (RCRA) (40 C.F.R. Parts 260-273). GER would be required to comply with all applicable permitting requirements. Further, OEA believes that "conducting a detailed assessment," as requested by EPA, would not produce any useful "new potential information to the decisionmaking process." See Seven Cnty., 145 S. Ct. at 1513 (quoting Pub. Citizen, 541 U.S., at 767).

Comment Summary

Commenters expressed concern about the transportation of hazardous materials on the rail line and on railway and highway bridges. Commenters specifically asked about the consequences of potential spills, leaks, or explosions. Commenters stated that even if the probability of an event is low, it could have significant effects on the health and safety of the community and environment. A few commenters questioned the finding in *Chapter 3*, *Section 3.11*, *Water Resources*, of the Draft EIS, that, "if a release of hazardous materials were to occur, it would involve a relatively short duration of exposure and would be contained quickly." (1-1, 3-5, 3-7, 4-9, 5-2, 12-1, 15-1, 17-1, 17-2, 25-2, 26-1, 44-1)

OEA Response

OEA appropriately considered the potential impacts of accidental hazardous material releases from rail operations in *Chapter 3*, *Section 3.1*, *Freight Rail Safety*, of the Draft EIS. OEA has clarified in the Final EIS that the movement of hazardous materials by CMVs is regulated by the Federal Motor Carrier Safety Administration (FMCSA). TxDOT, Texas Department of Public Safety (DPS), and TCEQ also play a role in regulating hazardous materials transport and responding to incidents. In the Draft EIS, OEA reasonably assumed that an accidental release of hazardous materials would be addressed through emergency response actions by rail operators and by local, state, and federal agencies administering the laws and regulations that govern safe transport of hazardous materials. (*Appendix C*, *Freight Rail Safety Regulations*, of the Draft EIS, provides a description of the major applicable laws and regulations).

As explained in *Chapter 3*, *Section 3.1.3*, *Environmental Consequences*, of the Draft EIS, the risk of any incident along the proposed line is low, with an estimated incident every 25 to 50 years as opposed to every 8 to 16 years under the No-Action Alternative. Additionally, only a small proportion of incidents involve the release of hazardous materials. As reported in *Chapter 3*, *Section 3.1.2*, *Affected Environment*, of the Draft EIS, out of seven reportable incidents on the Eagle Pass Subdivision of the UP mainline between 2019 and 2023, only two involved trains that were carrying hazardous materials, and only one of the two involved a release of such materials. OEA's finding regarding the risk and duration of accidental exposure to hazardous materials is further based on (1) the low operating speeds at which trains would travel along the proposed line and at which trucks would pass through the associated CMV Facility, and (2) the reasonable assumption that regulatorily mandated actions intended to minimize and address the risk and consequences of a spill would be taken by the relevant entities in a

timely manner and would achieve their purpose. NEPA does not require OEA to evaluate the potential impacts of "worst-case scenario" events. Robertson v. Methow Valley Citizens Council, 490 U.S. 332 (1989).

Comment Summary

Commenters stated that the rail line and the associated CMV Facility are located north of the city of Eagle Pass's and other neighboring localities' primary water intake in the Rio Grande River and raised concerns about how potential hazardous material releases would be prevented and handled, and how spills might affect the water supply. Commenters asserted current drought conditions could amplify the impacts of a hazardous materials spill. One commenter referred to discussion in the Draft EIS of the Eagle Pass Water Works System's (EPWWS) responsibility to "have updated risk assessments and emergency response plans tailored to specific incidents" and stated that OEA is improperly placing the onus of planning for a potential emergency response to an accidental hazardous material release into the Rio Grande River on EPWWS rather than on GER. (4-4, 4-7, 5-1, 7-4, 12-2, 12-3, 15-1, 17-3, 19-3, 26-2, 27-1, 29-2, 46-1)

OEA Response

The Draft EIS addressed impacts on surface waters, including the Rio Grande River, which is the source of drinking water for Eagle Pass, in *Chapter 3*, *Section 3.11*, *Water Resources.* The Draft EIS addressed the risk of a spill that might affect the city's drinking supply in *Chapter 3*, *Section 3.1*, *Freight Rail Safety*. For the reasons presented in the Draft EIS and more briefly described in the response to summarized comments 1-1, 3-5, 3-7, 4-9, 5-2, 12-1, 15-1, 17-1, 17-2, 25-2, 26-1, and 44-1 above, OEA found that the risk of an incident along the proposed line is low.

The referenced statement, which is in *Chapter 3*, *Section 3.1*, *Freight Rail Safety*, of the Draft EIS describes EPWWS's current responsibilities under the American Water Infrastructure Act of 2018 (AWIA). AWIA requires EPWWS to develop and update risk assessments and emergency response plans that are tailored to specific incidents. GER would also be required to comply with the laws and regulations governing the transport of hazardous materials that are summarized in *Chapter 3*, *Section 3.1.1*, *Approach*, and in *Appendix C* of the Draft EIS. OEA reasonably assumes that regulatorily mandated actions intended to minimize and address the risk and consequences of a spill would be taken by the relevant entities in a timely manner and would achieve their purpose, regardless of weather conditions, including drought, at the time of the spill.

While planning for emergency is the responsibility of the EPWWS, federal and state regulations, including the Hazardous Materials Transportation Act (HMTA), RCRA, and the Oil Pollution Act of 1990 (OPA), would determine the parties' legal and financial responsibility in the event of a hazardous materials spill.

Comment

"Section 3.11.3 of the Draft EIS describes how the operation of the project would have minimal impacts on surface waters, including the potential for impacts to the municipal water supply intake in the Rio Grande River. GER/PVH [Puerto Verde Holdings] would like to reiterate that the design, construction, and operation of the project would comply with all applicable standards and laws concerning the safe transportation of hazardous materials as well as potential incidents, spills, and other unforeseen releases of pollutants or contaminants. GER/PVH are committed to working with all regulatory authorities to

ensure that all applicable standards and requirements are met to ensure continued drinking water safety." (14-3)

OEA Response

Comment noted.

Comment Summary

One commenter raised concerns about the potential for radiation exposure from inspection of freight trains. (26-3)

OEA Response

As discussed in *Chapter 2*, *Section 2.3*, *Alternatives Analyzed in the EIS*, of the Draft EIS, the non-intrusive inspection (NII) facility would not use an X-ray system for inspections. Instead, the NII facility would use electrons or other subatomic particles naturally generated by the cargo to generate images for inspection. This technology does not produce radiation and is safe for humans, plants and animals, and sensitive cargo.

O.2.6 Roadway Capacity/Roadway Safety

Comment Summary

Commenters stated that traffic is already a problem in Eagle Pass, and that the proposed project will exacerbate congestion and in turn increase roadway accidents and delays in emergency response. Commenters specifically referenced increased truck traffic on U.S. 277 and Farm-to-Market Road (FM) 1589 resulting from the associated CMV Facility and requested additional information about analysis of or mitigation for potential impacts, including new traffic signals. (3-4, 4-6, 5-3, 15-2, 20-1, 24-1, 25-1)

OEA Response

Chapter 3, *Section 3.4*, *Roadway Capacity*, of the Draft EIS describes operation of the associated CMV Facility's potential impacts on roadway capacity, which are also discussed in greater detail in *Appendix E*, *Roadway Capacity Analysis*. The Draft EIS appropriately examined potential negative impacts on traffic at the two existing intersections that could be affected by the truck traffic generated by the associated CMV Facility: U.S. 277/FM 1589 and U.S. 277/FM 1588. OEA reasonably assumes that, given the adverse impacts at the intersection of U.S. 277 and FM 1589, TxDOT would install a traffic signal to facilitate left turns. This signal would reduce delays at the intersection. TxDOT, not the Board, would authorize and install new traffic signals.

O.2.7 Noise and Vibration

Comment Summary

Commenters questioned whether the proposed noise barriers would fully mitigate noise from the proposed rail line and the associated CMV Facility, requested additional studies and analysis, expressed concerns about vibration, and asked about post-construction monitoring of noise levels. (3-3, 4-5, 7-1, 19-1, 20-3, 21-5)

OEA Response

Chapter 3, *Section 3.6*, *Noise and Vibration,* of the Draft EIS summarizes the modeling and analysis of noise levels under both the Southern and the Northern Rail Alternatives. *Appendix G*, *Noise*, describes this analysis in greater detail. Following Federal Transit Administration (FTA) impact guidance, OEA determined in the Draft EIS that the Southern Rail Alternative would result in "severe" noise impacts on three receptors, and the Northern Rail Alternative would result in "severe" noise impacts on 12 receptors. To reduce noise impacts to below "severe," OEA is recommending that GER extend noise barriers across the proposed Barrera Street Bridge and U.S. 277 Bridge for the Southern Rail Alternative (MM-Noise-01a); and across the proposed Barrera Street Bridge, the U.S. 277 Bridge, and along part of the south side of the New Rail Bridge to a point past nearby residential development, for the Northern Rail Alternative (MM-Noise-01b). Therefore, no further studies or analysis are warranted.

In addition, as explained in *Chapter 3*, *Section 3.6.3*, *Environmental Consequences*, of the Draft EIS, OEA found that because of the distance between the proposed line and the nearest receptors, there is no potential for structural damage to buildings or annoyance to humans from vibration from the operation of the line.

O.2.8 Air Quality/Energy

Comment

"On page 3-42, in the air quality analysis, the Draft EIS includes the sentence, 'OEA's analysis included emissions data generated from trucks, construction equipment, and idling at at-grade crossings.' Based on the information in Appendix H, OEA's analysis also includes the emissions generated from locomotives. GER/PVH suggest that the sentence on page 3-42 be revised to reflect that locomotives were also included in the analysis." (14-1)

OEA Response

OEA revised *Chapter 3*, *Section 3.7.1*, *Approach*, of the Final EIS, to clarify that locomotives are included in the list of sources of emissions data for the air quality analysis.

Comment Summary

Commenters questioned the adequacy of the air quality analysis and requested additional study or monitoring of air quality near homes and schools along the planned truck route and specifically in the Seco Mines and Cenizo Heights neighborhoods. Commenters also expressed concerns about emissions from diesel vehicles in their neighborhoods. (3-6, 4-8, 13-1, 20-5, 20-6, 21-2, 34-1, 35-1, 36-1)

OEA Response

The air quality impact analysis presented in *Chapter 3*, *Section 3.7*, *Air Quality*, of the Draft EIS is consistent with the requirements of the Clean Air Act (42 U.S.C. § 7401 *et seq*.) and the Board's environmental regulations (49 C.F.R. Part 1105) applicable to an attainment area such as Maverick County. OEA determined that operation of the associated CMV Facility would result in a net decrease in truck emissions because of shorter travel distances and reduced average idling times compared to existing and No-Action Alternative conditions. Trucks would travel through the associated CMV Facility, approximately 700 feet from the nearest residential area in Seco Mines, and the intersection of

U.S. 277 and FM 1589. Beyond that, trucks would travel along existing designated truck routes as they do currently. Therefore, no additional studies or monitoring are warranted.

Comment

"First, the Draft EIS implicitly and incorrectly assumes Union Pacific's operations in Clark's Park Yard would not be impacted by GER's operations. The assumption is clear from the Draft EIS's air quality and energy analyses, which conclude construction and operation of the Proposed Line would eliminate train idling time due to changes in train inspection technology and the location of crew change points. *See* Draft EIS at 2-21; *id*. at 3-45; *id.* at 3-49. However, even if all freight traffic via Eagle Pass used the Proposed Line, GER trains could not operate without idling unless Union Pacific restructured its own operations, so GER trains never had to stop between the border and Clark's Park Yard. Such an operational restructuring would produce environmental impacts relating to Union Pacific's operations that the Draft EIS fails to consider. […] Unless GER is required to construct additional facilities capable of supporting trains held between the border and the yard, Union Pacific will have to modify its own yard operations to accommodate arrivals and departures of GER trains. As a minimum, Union Pacific often would need to make extra movements to clear yard tracks ahead of the arrival of northbound trains and suspend yard work to accommodate departures of southbound trains, all of which would increase total Union Pacific locomotive operating time and thus increase emissions and fuel consumption in the yard, as well as increase delays to Union Pacific trains (and thus to shippers). The Draft EIS does not consider these environmental impacts. Union Pacific would potentially experience similar operational impacts, resulting in similar or greater environmental impacts, even if only some freight traffic via Eagle Pass used the Proposed Line. For example, if a Union Pacific train was moving northbound to Clark's Park Yard when a GER train was entering or leaving the yard, the Union Pacific train would have to stop and wait for the GER train to clear the connection with Union Pacific's mainline at milepost 31, resulting in increased emissions and fuel consumption and delays to the Union Pacific train. Likewise, if a Union Pacific train was ready to depart for the border when a GER train was entering the yard and another train was staged on the lead track south of the yard, the Union Pacific train would have to wait for the GER train to clear into the yard, resulting in increased emissions and fuel consumption and delays to the Union Pacific train. The Draft EIS does not consider these environmental impacts." (32-5)

OEA Response

As explained above in response to comment 32-2, OEA reasonably assumes that all freight rail operations would use the proposed line. Therefore, there is no potential for conflicts between traffic using the UP mainline and traffic using the proposed line between milepost 31 and Clark's Park Yard. Thus, the conflicts and resulting impacts raised by the commenter would not occur.

OEA does recognize that the relocation of crew transfers from the existing UP Rail Bridge to Clark's Park Yard may result in some brief idling at the yard. This has been clarified in the Final EIS, *Chapter 2*, *Section 2.3.2.5*, *Operations on the Proposed Line Under Both Build Alternatives*. As noted in that section, the use of dedicated, local crews to shuttle trains back and forth would minimize such idling time. Crew transfers currently take place at the border on the UP Rail Bridge and would continue to do so under the No-Action Alternative. While idling for crew transfers generates emissions, the relocation of crew transfers to Clark's Park Yard, a few miles north of the UP Rail Bridge, would not affect air quality, which is assessed on a regional basis.

Comment

"Second, even if the Draft EIS does not assume Union Pacific would be forced to accommodate GER's proposed operations, it still understates the environmental impacts of the proposed operations. That is, GER's northbound trains could hold clear of Clark's Park Yard on the Proposed Line to avoid interfering with Union Pacific operations, or if GER's southbound trains could clear out of the yard onto the Proposed Line even when they could not be processed at the border, then the Draft EIS's air quality and energy analyses would be flawed because they incorporate the expectation of reduced emissions and fuel consumption based on the assumption that GER train idling times would be zero minutes. *See* Draft EIS at 3-45. In any event, the Draft EIS overstates the air quality and energy benefits of the proposed operation by asserting GER's proposal to change crews in the yard rather than on the bridge would reduce train idling. *See* Draft EIS at 3-49. Altering the crew change location would shift the location of train idling time, but it would not reduce the total amount of train idling time and thus the related emissions and fuel consumption." (32-6)

OEA Response

In *Chapter 3*, *Section 3.7.3.1*, *Southern Rail Alternative*, the Draft EIS specifies that it is the idling time associated with inspection of trains at the border that would be reduced to zero. This is because the NII technology included in the Southern Rail Alternative does not require trains to stop while being inspected. As explained in *Chapter 3*, *Section 3.7.3.1*, *Southern Rail Alternative*, *Rail Operations*, of the Draft EIS, the anticipated reduction in air emissions and energy consumption described in the Draft EIS would result from shorter traveling distances as well as reduced idling times during border inspections. Emissions and energy consumption associated with crew transfers would be relocated a few miles, with no net effect on regional air quality compared to the No-Action Alternative. See response to comment 32-5 above. Therefore, no new impacts would occur under either the Northern or Southern Rail Alternative.

O.2.9 Cultural Resources

Comment

"The proposed rail line may potentially disturb culturally and historically significant areas, though no National Register-eligible properties have been identified in the EIS. Additional archaeological surveys are recommended, but we are concerned that important cultural resources may still be affected during construction." (7-5)

OEA Response

As discussed in *Chapter 3*, *Section 3.9*, *Cultural Resources*, of the Draft EIS, OEA determined, in consultation with the Texas State Historic Preservation Office (SHPO), that the Northern or Southern Rail Alternative and the associated CMV Facility would have no effects on any National Register-eligible properties. OEA identified and evaluated 16 architectural and four archaeological resources through comprehensive surveys of the Areas of Potential Effects (APE). As stated in *Chapter 4*, *Section 4.4*, *OEA's Preliminary Recommended Mitigation Measures*, of the Draft EIS, OEA recommended mitigation requiring additional archaeological surveys via deep mechanical trenching of floodplain areas that could not be surveyed at a sufficient depth during the archaeological survey (MM-Cultural-01). OEA also recommended mitigation requiring GER to provide a construction monitoring plan to OEA prior to the start of construction of the rail line and to abide by the provisions of the plan during rail

construction activities (MM-Cultural-02). The construction monitoring plan would include provisions for an unanticipated discovery of archaeological sites or associated artifacts during construction activities. The Texas Historical Commission concurred with OEA's findings on January 31, 2025. (A copy of the concurrence statement is in *Appendix A*, *Agency and Tribal Consultation*, of the EIS.) Therefore, no further surveys or mitigation are warranted.

Comment Summary

A commenter stated that the Draft EIS fails to require actions necessary to protect a historic African American cemetery in or near the project area. The commenter recommended additional archaeological surveys to locate the cemetery. (12-7)

OEA Response

As discussed in *Chapter 3*, *Section 3.9*, *Cultural Resources*, of the Draft EIS, OEA conducted a comprehensive archaeological survey within the project's 108-acre archaeological APE. The archaeological APE includes all areas within which construction-related ground disturbance would occur. The survey found no evidence of the historic African American cemetery referenced in the comment. As discussed in the response to comment 7-5, above, the construction monitoring plan that OEA is recommending (MM-Cultural-02) would include provisions addressing any unanticipated discovery of archaeological resources not previously identified. Therefore, no further surveys are warranted.

O.2.10 Biological Resources

Comment Summary

Replace 'Texas fawnsfoot' with 'Mexican fawnsfoot' on Page 3-61 (fifth paragraph). (33-1)

OEA Response

OEA has made the requested correction in the Final EIS.

O.2.11 Water Resources

Comment Summary

EPA recommends reviewing Section 402 of the Clean Water Act as well as the National Pollutant Discharge Elimination System (NPDES) regulations at 40 C.F.R. § 122.26(b)(14)(x) and 40 C.F.R. § 122.26(b)(15)(i) to determine when NPDES permit coverage is required for operators of construction activities to discharge stormwater from their construction activities. Because the overall earth disturbance involved in the Puerto Verde Global Trade Bridge project is greater than 1 acre, EPA states that the larger common plan of development or sale is triggered at each project location. Therefore, stormwater discharges from all construction activities or construction support activities (i.e., borrow pits, staging areas, material storage areas, stockpiles, temporary batch plants, laydown areas, workspace, parking areas, etc.) upland from a waterbody (e.g., ocean, river, creek, arroyo, etc.) and not considered a jurisdictional wetland area, are required to obtain NPDES permit coverage via the Construction General Permit (CGP) or an individual NPDES permit (except any portion of the project's construction activities that is covered by a CWA 404 permit or waived from permit coverage) regardless of whether the smaller project's earth disturbance is less than 1 acre at each location (i.e., pier, abutment, culvert, road/access,

fence, building, staging area, etc.). EPA recommends each entity associated with the project's proposed construction-related activities review the applicable definitions of "construction activities" and "construction support activities" for the TCEQ [Texas Commission on Environmental Quality] CGP and all CGP permit conditions, as TCEQ is the NPDES Permitting Authority for the state of Texas, except on Indian country. (10-1, 10-2)

OEA Response

OEA assessed impacts from both construction and operation of the proposed line and the associated CMV Facility on water resources based on reasonable assumptions, available data, and applicable regulatory requirements. Construction permit requirements are discussed in *Chapter 3*, *Section 3.11.3*, *Environmental Consequences*, of the Draft EIS. As explained there, GER/PVH would be required to obtain a Texas Pollutant Discharge Elimination System (TPDES) permit and associated Stormwater Pollution Prevention Plan prior to construction. TPDES permits are issued by the state with EPA approval to control pollutants generated during construction when land disturbance exceeds 1 acre. GER/PVH would be required to identify, obtain, and comply with all applicable permitting requirements prior to construction.

Comment

"EPA recommends that lead agencies include the assessment unit ID (AUID) and associated impairment information for each potentially impacted waterbody segment within the study area, which can be found in the applicable state's Integrated Report as well as EPA's *How's My Waterway*. In this case, the Rio Grande River has an AUID while Seco Creek does not." (10-4)

OEA Response

Chapter 3, *Section 3.11.2.1*, *Surface Waters*, of the Draft EIS explains that the impaired water segment closest to the proposed line and the associated CMV Facility is Segment 2304_7 on the Rio Grande River downstream of Eagle Pass International Bridge. OEA has clarified in the Final EIS that Segment 2304_7 is impaired for contact recreation use because of bacteria (*E. coli*) levels. There are no other impaired water segments near the proposed line and the associated CMV Facility.

Comment Summary

TCEQ recommends the environmental analysis address actions that will be taken to prevent surface and groundwater contamination. A commenter also recommended studies on water contamination risks. (21-3, 30-1)

OEA Response

Chapter 3, *Section 3.11*, *Water Resources*, of the Draft EIS contains OEA's analysis of potential impacts of construction and operation of the proposed rail line and the associated CMV Facility on surface waters and groundwater. Regarding impacts to surface waters, GER would be required to obtain a TPDES permit and associated Stormwater Pollution Prevention Plan. These permits would require installation of erosion and sediment controls, such as silt fencing, sediment traps, and stabilization of soils during the construction phase. Appropriate monitoring and corrective actions would also be required to ensure that erosion and sediment control practices are in place in accordance with the permit plans. GER/PVH would be required to identify, obtain, and comply with all applicable permitting requirements.

OEA also analyzed impacts to groundwater and determined that compaction and pavement associated with construction of the proposed rail line and the associated CMV Facility would reduce groundwater recharge. However, the size of the altered area would be very small compared to the size of the overall watershed, resulting in minimal impacts. No groundwater withdrawals would be needed during operation of the proposed line or the associated CMV Facility. Therefore, additional studies on water contamination risks are not warranted.

As noted above, OEA assesses the need for new studies when addressing comments on a Draft EIS "based on the usefulness of any new potential information to the decisionmaking process." See Pub. Citizen, 541 U.S. at 767. In fact, "the question of whether [an EIS] is detailed enough in a particular case itself requires the exercise of agency discretion." See Seven Cnty., 145 S. Ct. at 1512. OEA determined that because GER/PVH would be required to comply with other regulatory requirements and there would be minimal impacts to groundwater, additional studies would not be useful to the decisionmaker.

Comment

"GER/PVH are currently coordinating with the USACE [United States Army Corps of Engineers] and the U.S. Coast Guard (USCG) to comply with the requirements of the Rivers and Harbors Act and the General Bridge Act. During pre-application meetings with the U.S. Army Corps of Engineers Fort Worth District, the Applicant learned that the issuance of a Section 10 permit does not automatically trigger the need for a Section 401 Certification. However, the issuance of a Section 404 permit does require a Clean Water Act Section 401 Certification. Based on the information about wetlands and waters in the project area and the project design information shared by GER/PVH in a pre-application meeting, USACE has informed GER/PVH that a Section 404 permit will not be required for the Southern Rail Alternative and as such, USACE would not require a Section 401 Certification for that alternative.

GER/PVH have also engaged in consultation with the Texas Commission on Environmental Quality (TCEQ), which is responsible for administering the Clean Water Act Section 401 certification program in Texas. In consultation meetings, TCEQ indicated that because the project would not require a Section 404 permit from USACE, TCEQ will not require GER/PVH to obtain a Section 401 Certification.

GER/PVH understand that bridge permits from the USCG typically require a Section 401 Certification; however, the USCG will accept a waiver or statement that a Section 401 Water Quality Certification is not required from the appropriate state agency instead of a Section 401 Certification. As such, GER/PVH anticipate that a Section 401 Certification will not be required. If later it is determined that a 401 Certification is required, GER/PVH would work with TCEQ to obtain the certification and would follow all applicable regulatory requirements." (14-2)

OEA Response

Comment noted.

Comment

"On page 1-5, in the Other Federal Agencies section of the Draft EIS, the Draft EIS states, '[the proposed line and the associated CMV Facility may require an individual permit from USACE if not covered under a current Nationwide permit.' As noted above, the USACE has explained to GER/PVH that the Southern Rail Alternative would not require a Section 404 permit." (14-4)

OEA Response

Comment noted.

Comment Summary

One commenter questioned the effect that construction of the proposed project may have on the flow of the Rio Grande River. (22-1)

OEA Response

OEA considered hydrology and water flow in *Chapter 3*, *Section 3.11*, *Water Resources*, and *Section 3.10*, *Biological Resources*, of the Draft EIS, based on available information, including preliminary floodplain boundary mapping prepared by GER.

The New Rail Bridge would not involve placing any structures on the U.S. side of the Rio Grande River. GER would construct the one pier that would lie within the Rio Grande River in Mexico using access from the Mexican shoreline, which would involve temporary fill in the riverbed from the shoreline to the pier. Construction of this pier would also involve installing a temporary jetty in the river, entirely on the Mexican side. OEA concluded that construction activities on the Mexican side of the Rio Grande River could lead to erosion of sediments into the Rio Grande River and Seco Creek, but that such temporary impacts would be addressed through other regulatory processes, including the TPDES permitting process and the preparation of a Stormwater Pollution Prevention Plan, as explained in *Chapter 3*, *Section 3.11.3.1*, *Southern Rail Alternative*, of the Draft EIS.

In *Chapter 3*, *Section 3.11.1.2*, *Floodplains*, of the Draft EIS, OEA explained that GER would be required to comply with the requirements of the International Boundary and Water Commission (IBWC), which has authority for the bed and bank of the international stretch of the Rio Grande River under the 1944 Water Treaty between Mexico and the United States, as well as responsibility under the 1970 Boundary Treaty Article IV, to ensure that construction projects do not obstruct the normal flow or flood flows of the Rio Grande River.

Comment Summary

Commenters questioned the construction flooding impacts and recommended including flood impact mitigation strategies. Specifically, EPA states that the proposed rail line is located partially within a 100-year floodplain that intersects a residential area. EPA recommends OEA "address if construction of [the proposed line and the associated CMV Facility] could potentially increase any flooding risks to the nearby residential and commercial properties and discuss how it would be mitigated." Other commenters raised questions about the potential impacts of project construction on flooding and requested that GER provide plans for avoiding impacts from flooding and implement hazard mitigation strategies such as reducing floodplain development. (2-1, 10-3, 27-2, 44-3)

OEA Response

Chapter 3, *Section 3.11*, *Water Resources*, of the Draft EIS addresses potential impacts on the floodplain and describes the regulatory requirements that would apply to the proposed line and the associated CMV Facility in compliance with Federal Emergency Management Administration (FEMA), IBWC, and local standards for construction in the floodplain.

Both alternatives would require construction within GER's estimated 100-year floodplain boundary, an area that presently also includes residential and commercial development. Under the Southern Rail

Alternative, the only encumbrance within the floodplain would be the vertical support piers for the bridge and the embankment where it would run through low-lying ground identified as the floodplain south of Seco Creek. The Northern Rail Alternative would disturb a greater area of the floodplain, but would require less fill because more of the line would be elevated on bridges.

FEMA requires that any increase in flood elevation between existing conditions and proposed conditions be coordinated with the local floodplain administrator and that analysis be provided to demonstrate that flood elevations do not increase by more than 1 foot (City of Eagle Pass Code of Ordinances, Section 13.5; 44 C.F.R. § 60.3). IBWC separately requires that flood elevations do not increase by more than 6 inches (IBWC 2023). Prior to any rail construction, GER would need a local floodplain development permit (City of Eagle Pass Code of Ordinances, Section 13.5), a Conditional Letter of Map Revision (CLOMR) from FEMA, and a permit from IBWC. Following construction, GER would need approval of a Letter of Map Revision from FEMA to verify that the proposed line meets the conditions approved in the CLOMR. 44 C.F.R. § 65.6. The required FEMA and IBWC approvals would ensure that there are minimal effects on the floodplain, and residences or businesses within, resulting from construction of the project.

Because the regulatory processes described above require that GER design its project such that the potential increase in base flood elevation (BFE) would be limited, additional analysis of the incremental impacts of flooding on residential or commercial properties is not necessary.

Comment

"The 100-year baseflood elevation (BFE) used in the Draft EIS has the bridge and embankment 14.5 feet above the BFE. Pursuant to Article 8 of the Presidential Permit issued May 2024, the proponent GER will be required to obtain concurrence from IBWC for the design of the bridge over the Rio Grande River, including, as noted in Section 3.11.1.2, providing more detailed design plans and hydrologic and hydraulic modeling. The proponent should coordinate with USIBWC Realty Chief John Claudio (Email: john.claudio@ibwc.gov) for Article 8 concurrence." (16-1)

OEA Response

Comment noted.

Comment

"Recommend the following: 'Green Eagle Railroad (GER) acknowledges in Chapter 3, Section 3.11.1.2, Floodplains, Page 3-68, that prior to construction, GER must provide detailed design plans and hydraulic modeling to ensure that the proposed line and the associated CMV Facility do not adversely affect the floodplain under IBWC Directive SD.II.01031-M-1-H.att.'" (16-2)

OEA Response

Comment noted.

O.2.12 Land Use

Comment

"The construction of the Green Eagle Railroad would require significant rezoning of residential areas to industrial use, displacing both businesses and residences. These changes would disrupt the social and

economic fabric of our community, especially for those who rely on the area for housing or livelihood." (7-2)

OEA Response

Chapter 3, *Section 3.12*, *Land Use*, of the Draft EIS describes the need for potential changes to zoning within the city of Eagle Pass if the Board authorizes the proposed line. The affected areas are currently undeveloped. Three properties (one residential and two commercial) would be displaced by the proposed line; all three properties are outside the city limits and not subject to zoning. During the rezoning process, the City's processes and procedures for rezoning would apply.

Comment

"We expressed concern that GERR [Green Eagle Railroad, LLC] plans included a secure rail right-of-way (ROW) that would cut off access along Dr Gates Road. The Draft Environmental Impact Statement (DEIS), dated March 14, 2025, shows that the GERR plan was changed to remove secure ROW roadway obstructions around Dr Gates Road and dIP Company property. We have had subsequent communication with Puerto Verde Holdings representatives requesting that an existing dIP Company driveway that passes under the proposed Seco Creek trestle be preserved during proposed construction. Attached are maps and a conceptual design showing the areas of concern and conceptual GERR plans for the driveway replacement. We believe that the Puerto Verde Holdings plan modifications adequately respond to our concerns regarding roadway access to the dIP Company property […]." (8-1)

OEA Response

Comment noted.

O.2.13 Visual Quality

Comment

"The visual intrusion of the proposed rail line and the 23-foot proposed [noise] mitigation wall, particularly under the Southern Rail Alternative, would dominate two key observation points, detracting from the natural beauty of our community. Though mitigation measures, such as the planting of native trees, are proposed, the scale of the rail line would still have lasting, negative effects on the aesthetic value of these areas. The proposed noise barriers and non-intrusive inspection facilities further exacerbate the visual impact." (7-3)

OEA Response

Chapter 3, *Section 3.13*, *Visual Quality*, of the Draft EIS presents OEA's conclusion that, while GER proposes to use tree plantings to screen the proposed line from adjacent viewsheds, there is no reasonable and feasible mitigation for OEA to recommend that would reduce visual impacts caused by construction of the proposed rail line and the associated CMV Facility. The visual impacts are difficult to mitigate because parts of the proposed project, such as the location of the non-intrusive inspection (NII) facility and the height of the noise barriers, cannot practically be changed. However, the National Environmental Policy Act (NEPA) does not require an agency to mitigate or eliminate all potential adverse impacts resulting from a proposed action. Rather, agencies are required to consider any significant environmental consequences when taking a major federal action. OEA has fulfilled that responsibility through its analysis of visual quality.

Comment Summary

A commenter requested that OEA provide additional information about the proposed noise barriers along the rail line, including the location and visual impacts. (18-1)

OEA Response

Chapter 3, *Section 3.13*, *Visual Quality*, of the Draft EIS contains information about how OEA evaluated impacts on visual quality from four key observation points (KOPs) and includes renderings of the noise barriers post-construction. Additional visual representations of the noise barriers from the KOPs are located in *Appendix M*, *Cross Sections and Visualizations*, of the Draft EIS.

O.2.14 Mitigation

Comment

"GER/PVH appreciate OEA's evaluation of the feasibility and reasonableness of extending noise barriers across elevated structures as described in Appendix G, Section G.4.2.2 of the Draft EIS. However, GER/PVH believe that OEA's calculation of $700,000 to extend noise barriers across both bridges along the Southern Alternative is an underestimate of the likely cost. GER/PVH have conducted additional investigation and determined that the cost to extend the sound barriers would be approximately double that estimated in the Draft EIS." (14-5)

OEA Response

GER provided no supporting evidence for their alternative estimate. Thus, OEA is not able to evaluate its validity, and OEA stands by the estimate presented in *Appendix G*, *Noise*, of the Draft EIS. Further, OEA notes that even if the estimate it developed were doubled, the cost of the recommended mitigation would remain a small part of the overall cost to build the line (approximately 0.35% for the Southern Rail Alternative and 1.25% for the Northern Rail Alternative). Therefore, OEA's conclusion that the recommended mitigation is feasible remains unchanged.

Comment

"Rather than extend the noise barriers across bridges, GER/PVH propose the following voluntary mitigation: GER/PVH will pay for costs necessary to hire a residential noise mitigation specialist to inspect the structures at Receptors 38, 41, and 42, and design and install noise mitigation measures necessary to reduce the level of anticipated noise at these receptors to below the 'Severe' classification using the Federal Transit Administration's guidance, such as sound dampening windows and doors, and sound insulation in walls. GER/PVH believes this mitigation will be equally as effective as extending the noise barriers across the bridges and would not be cost prohibitive." (14-6)

OEA Response

OEA does not find that the proposed voluntary mitigation would adequately address the anticipated noise impacts of the proposed line on the three receptors for the following reasons:

1. OEA estimates that noise mitigation for specific receptors, such as building sound insulation, is likely to result in a noise reduction of less than 5 dBA. Noise reduction of less than 5 dBA may be barely perceptible, if at all. For this reason, transportation noise mitigation is always based on a 5-10 dBA reduction design goal. The mitigation preliminarily recommended in the Draft EIS

would result in noise reductions of approximately 11 to 12 dBA when compared to existing noise levels.

2. Noise mitigation for specific receptors, such as building sound insulation, would only affect indoor noise levels. The FTA standards, which OEA uses for its noise analyses, apply to outdoor noise levels. Therefore, the commenter's assertion that residential applications could reduce impacts to below "severe" is inconsistent with FTA methodology and OEA's approach to the analysis and mitigation of adverse impacts. Further, noise mitigation for specific receptors, such as building sound insulation, would not mitigate noise when residents are outside of their house in their front or back yards, for instance.

Therefore, OEA continues to recommend that GER install noise barriers on both sides of the proposed U.S. 277 and Barrera Street bridges under the Southern Alternative, OEA's preferred alternative, in its final recommended mitigation to the Board.

Comment Summary

Commenters requested that OEA require construction of an emergency water intake upriver from the two new bridges to protect the local water supply in the event of a hazardous material spill into the Rio Grande River as mitigation for the proposed project. (12-3, 17-1)

OEA Response

The Draft EIS addressed the risk of a spill that might affect the city's drinking supply in *Chapter 3*, *Section 3.1*, *Freight Rail Safety*. As explained in *Chapter 3*, *Section 3.1.3*, *Environmental Consequences*, the risk of any incident along the proposed line is low, with an estimated incident every 25 to 50 years as opposed to every 8 to 16 years under the No-Action Alternative. Additionally, only a small proportion of incidents might involve the release of hazardous materials. As reported in *Chapter 3*, *Section 3.1.2*, *Affected Environment*, of the Draft EIS, out of seven reportable incidents on the Eagle Pass Subdivision of the UP mainline between 2019 and 2023, only two involved trains that were carrying hazardous materials, and only one of the two involved a release of such materials. OEA's finding regarding the risk and duration of accidental exposure to hazardous materials is further based on (1) the low operating speeds at which trains would travel along the proposed line and at which trucks would pass through the associated CMV Facility, and (2) the reasonable assumption that regulatorily mandated actions intended to minimize and address the risk and consequences of a spill would be taken by the relevant entities in a timely manner and would achieve their purpose. As OEA explained in *Chapter 3*, *Section 3.1*, *Freight Rail Safety*, of the Draft EIS, the American Water Infrastructure Act of 2018 requires Eagle Pass Water Works System to develop and update risk assessments and emergency response plans that are tailored to specific incidents. Additionally, GER would be required to comply with the laws and regulations governing the transport of hazardous materials that are summarized in *Chapter 3*, *Section 3.1.1*, *Approach*, and in *Appendix C, Freight Rail Safety Regulations*. Based on these findings, OEA does not find it warranted to recommend the construction of an emergency water intake upriver of the proposed new bridges.

O.2.15 Topography, Geology, Soils and Hazardous Waste Sites

Comment Summary

Commenters raised concerns about the potential for underground coal mines in the vicinity of the proposed rail line to affect soil stability. These commenters requested additional studies to determine

whether the site's geology is suitable for construction of a rail line and associated bridges. (12-6, 19-2, 21-4)

OEA Response

As discussed in *Section I.2.1*, *Topography, Geology, and Soils*, of *Appendix I*, *Topography, Geology, Soils, and Hazardous Waste Sites*, available historic information and field observations do not indicate the presence of historic coal mines in the vicinity of the proposed line. However, FRA regulates track design under 49 C.F.R § 213.103, which requires that "all tracks shall be supported by material which will transmit and distribute the load of the track and railroad rolling equipment to the subgrade" and "restrain the track laterally, longitudinally, and vertically under dynamic loads imposed by railroad rolling equipment and thermal stresses imposed by the rails." Accordingly, the final engineering for rail lines and any other transportation facilities and structures would address soil stability. A professional track design engineer cannot certify design drawings without having assessed soil stability. In addition, track design engineers follow the guidelines of the American Railway Engineering and Maintenance-of-Way Association (AREMA) when designing track and roadbed. Because the concerns raised by the commenters would be addressed by GER later as part of project design and engineering, no additional studies are warranted.

Comment Summary

Several commenters discussed seeing a hazardous materials holding pit in previous maps associated with the project and questioned why it is not represented on project maps in the Draft EIS. (4-2, 4-3, 20-2, 25-3, 29-3)

OEA Response

During the public scoping process, OEA made available maps that depicted a "hazardous materials drip pit," a structure designed to contain certain types of hazardous materials in the case of a spill or leak, as part of the associated CMV Facility. These maps were consistent with U.S. Customs and Border Protection's (CBP) general design requirements for Ports of Entry and, therefore, included in PVH's plans for the associated CMV Facility at the time. After scoping, however, PVH determined that a drip pit was not needed and deleted it from its plans for the associated CMV Facility (see GER's June 2, 2025, letter to OEA). Accordingly, the associated CMV Facility analyzed in the EIS does not feature a hazardous materials drip pit.

O.2.16 Socioeconomics

Comment Summary

Commenters stated that the City of Eagle Pass relies heavily on revenue associated with tolls and associated commercial activities from the existing international bridges and that the diversion of commercial motor vehicle traffic to the New Road Bridge could lead to job losses, reduced municipal services, and broader economic instability. (7-6, 43-1)

OEA Response

As described in *Appendix L*, *Socioeconomics*, *Section L.1*, *Approach*, of the Draft EIS, OEA conducted a qualitative socioeconomic analysis that considered, among other factors, the proposed project's relationship to economic activity in Eagle Pass and Maverick County, Texas, and the associated impacts

on the physical and natural environment. *Section L.2*, *Affected Environment*, of *Appendix L* specifically highlighted the importance of Eagle Pass's three international bridges on the local and national economy — showing steady, long-term growth in international trade over the past decade. OEA found that the proposed line and the associated CMV Facility would not generate substantial economic effects because they would relocate, rather than generate, commercial train and motor vehicle traffic. The existing rail bridge is already privately owned by Union Pacific, and, therefore, the potential relocation of train traffic to a new privately owned bridge would not result in any reduction in toll revenue. OEA understands that, with the relocation of truck traffic to the new Road Bridge and private CMV Facility, the City of Eagle Pass would lose revenue associated with tolls and commercial activities. However, multiple factors—including general and local economic and demographic conditions as well as fiscal policies—affect public revenues and public expenses from year to year. It would be too speculative for OEA to analyze the impacts associated with the loss of bridge revenue in 2031 (the analysis year for the EIS) because these impacts would also depend on other, unrelated fluctuations in revenue and expenses that are not reasonably foreseeable at this time. For instance, an increase in City revenue from global or regional economic growth could offset the loss and reduce its impacts; conversely, a decrease in revenue from a global or regional economic downturn could compound the loss and its impacts. Even if the impacts from the loss of bridge revenue could be evaluated, the Board lacks jurisdiction to require mitigation for the impacts associated with the CMV Facility, as explained in *Chapter 4, Mitigation*, of the Draft EIS.

Comment

"Include all affected Texas Colonia communities in the EIS." (21-7)

OEA Response

Appendix L, *Socioeconomics*, *Section L.2*, *Affected Environment*, of the Draft EIS describes the demographics and housing characteristics of the area potentially affected by the proposed line and the associated CMV Facility and identifies the presence of Colonia communities in that area. OEA's analysis determined that the project would not result in adverse impacts to demographics, housing, or disruption of the local economy, housing stock, or public services. The analysis included the colonias that are in the study area; therefore, OEA did not conduct a separate analysis of project-related impacts specifically on Colonia communities. A separate analysis of impacts to Colonia communities would be redundant and would not produce any useful "new potential information to the decisionmaking process." See Pub. Citizen, 541 U.S., at 767, as quoted in Seven Cnty., 145 S. Ct. at 1513.

Table O-1. Substantive Comment Index - Organized Alphabetically by Commenter Last Name or by Organization

Commenter	Comment Number	STB Comment ID	Topic	Appendix Section Number
Federal Agencies				
EPA Region 6, Environmental Review Branch	10-1	EI-33939	Water Resources	O.2.11
EPA Region 6, Environmental Review Branch	10-2	EI-33939	Water Resources	O.2.11
EPA Region 6, Environmental Review Branch	10-3	EI-33939	Water Resources	O.2.11
EPA Region 6, Environmental Review Branch	10-4	EI-33939	Water Resources	O.2.11
EPA Region 6, Environmental Review Branch	10-5	EI-33939	Freight Rail Safety	O.2.5
EPA Region 6, Environmental Review Branch	10-6	EI-33939	Freight Rail Safety	O.2.5
EPA Region 6, Environmental Review Branch	10-7	EI-33939	Freight Rail Safety	O.2.5
IBWC, Environmental Management Division	16-1	EI-33892	Water Resources	O.2.11
IBWC, Realty Department	16-2	EI-33886	Water Resources	O.2.11
USFWS, Texas Coastal and Central Plains Ecological Service	33-1	EI-34097	Biological Resources	O.2.10
State Agencies				
Texas Commission on Environmental Quality (TCEQ), External Relations Division	30-1	EI-33887	Water Resources	O.2.11
Local Agencies				
City of Eagle Pass, City Manager's Office	7-1	EI-33946	Noise and Vibration	O.2.7
City of Eagle Pass, City Manager's Office	7-2	EI-33946	Land Use	O.2.12
City of Eagle Pass, City Manager's Office	7-3	EI-33946	Visual Quality	O.2.13
City of Eagle Pass, City Manager's Office	7-4	EI-33946	Freight Rail Safety	O.2.5
City of Eagle Pass, City Manager's Office	7-5	EI-33946	Cultural Resources	O.2.9

Commenter	Comment Number	STB Comment ID	Topic	Appendix Section Number
City of Eagle Pass, City Manager's Office	7-6	EI-33946	Socioeconomics	O.2.16
Local Organizations				
Eagle Pass Border Coalition	19-1	EI-34040	Noise and Vibration	O.2.7
Eagle Pass Border Coalition	19-2	EI-34040	Topography, Geology, Soils and Hazardous Waste Sites	O.2.15
Eagle Pass Border Coalition	19-3	EI-34040	Freight Rail Safety	O.2.5
Private Citizens				
Alonzo Corpus, Jose	17-1	EI-34040	Mitigation	O.2.14
Alonzo Corpus, Jose	17-2	EI-34040	Freight Rail Safety	O.2.5
Alonzo Corpus, Jose	17-3	EI-34040	Freight Rail Safety	O.2.5
Alonzo Corpus, Jose	20-1	EI-34040	Roadway Capacity/Roadway Safety	O.2.6
Alonzo Corpus, Jose	20-2	EI-34040	Topography, Geology, Soils and Hazardous Waste Sites	O.2.15
Alonzo Corpus, Jose	20-3	EI-34040	Noise and Vibration	O.2.7
Alonzo Corpus, Jose	20-4	EI-34040	Public Engagement	O.2.4
Alonzo Corpus, Jose	20-5	EI-34040	Air Quality/Energy	O.2.8
Alonzo Corpus, Jose	20-6	EI-34040	Air Quality/Energy	O.2.8
Alonzo Corpus, Jose	21-1	EI-33928	Public Engagement	O.2.4
Alonzo Corpus, Jose	21-2	EI-33928	Air Quality/Energy	O.2.8
Alonzo Corpus, Jose	21-3	EI-33928	Water Resources	O.2.11
Alonzo Corpus, Jose	21-4	EI-33928	Topography, Geology, Soils and Hazardous Waste Sites	O.2.15
Alonzo Corpus, Jose	21-5	EI-33928	Noise and Vibration	O.2.7
Alonzo Corpus, Jose	21-6	EI-33928	Proposed Action and Alternatives	O.2.3
Alonzo Corpus, Jose	21-7	EI-33928	Socioeconomics	O.2.16
Alonzo Corpus, Jose	45-1	EI-34037	Environmental Review	O.2.1
Alonzo Corpus, Jose	45-2	EI-34037	Public Engagement	O.2.4
Alonzo Corpus, Jose	45-3	EI-34037	Public Engagement	O.2.4
Baxter, George	11-1	EI-33933	Public Engagement	O.2.4
Baxter, George	12-1	EI-33933	Freight Rail Safety	O.2.5
Baxter, George	12-2	EI-33933	Freight Rail Safety	O.2.5
Baxter, George	12-3	EI-33933	Freight Rail Safety Mitigation	O.2.5 O.2.14
Baxter, George	12-4	EI-33933	Proposed Action and Alternatives	O.2.3

Commenter	Comment Number	STB Comment ID	Topic	Appendix Section Number
Baxter, George	12-5	EI-33933	Proposed Action and Alternatives	O.2.3
Baxter, George	12-6	EI-33933	Topography, Geology, Soils and Hazardous Waste Sites	O.2.15
Baxter, George	12-7	EI-33933	Cultural Resources	O.2.9
Benjamin Palmer, Jason	41-1	EI-33980	Public Engagement	O.2.4
Brandon Balderas, Lynn	24-1	EI-34040	Roadway Capacity/Roadway Safety	O.2.6
Cantu Jr., Heriberto	15-1	EI-33948	Freight Rail Safety	O.2.5
Cantu Jr., Heriberto	15-2	EI-33948	Roadway Capacity/Roadway Safety	O.2.6
Cary, Thomas	31-1	EI-33954	Proposed Action and Alternatives	O.2.3
Cruz, Monica	40-1	EI-33978	Proposed Action and Alternatives	O.2.3
De Los Angeles Cantu, Maria	26-1	EI-33949	Freight Rail Safety	O.2.5
De Los Angeles Cantu, Maria	26-2	EI-33949	Freight Rail Safety	O.2.5
De Los Angeles Cantu, Maria	26-3	EI-33949	Freight Rail Safety	O.2.5
Diaz, Enriqueta	9-1	EI-34040	Public Engagement	O.2.4
Diaz, Enriqueta	9-2	EI-34040	Public Engagement	O.2.4
dIP Company	8-1	EI-33938	Land Use	O.2.12
Glammeyer, Mary Ann	27-1	EI-34040	Freight Rail Safety	O.2.5
Glammeyer, Mary Ann	27-2	EI-34040	Water Resources	O.2.11
Glammeyer, Mary Ann	27-3	EI-34040	Proposed Action and Alternatives	O.2.3
Gonzalez, Alicia	2-1	EI-34040	Water Resources	O.2.11
Gonzalez, Alicia	2-2	EI-34040	Proposed Action and Alternatives	O.2.3
Gonzalez, Alicia	44-1	EI-34033	Freight Rail Safety	O.2.5
Gonzalez, Alicia	44-2	EI-34033	Environmental Review Purpose and Need	O.2.1 O.2.2
Gonzalez, Alicia	44-3	EI-34033	Water Resources	O.2.11
Gonzalez, Alicia	44-4	EI-34033	Public Engagement	O.2.4
Green Eagle Railroad, LLC	14-1	EI-33940	Air Quality/Energy	O.2.8
Green Eagle Railroad, LLC	14-2	EI-33940	Water Resources	O.2.11
Green Eagle Railroad, LLC	14-3	EI-33940	Freight Rail Safety	O.2.5
Green Eagle Railroad, LLC	14-4	EI-33940	Water Resources	O.2.11
Green Eagle Railroad, LLC	14-5	EI-33940	Mitigation	O.2.14
Green Eagle Railroad, LLC	14-6	EI-33940	Mitigation	O.2.14

Commenter	Comment Number	STB Comment ID	Topic	Appendix Section Number
Grewal, Amerika	3-1	EI-34040	Public Engagement	O.2.4
Grewal, Amerika	3-2	EI-34040	Public Engagement	O.2.4
Grewal, Amerika	3-3	EI-34040	Noise and Vibration	O.2.7
Grewal, Amerika	3-4	EI-34040	Roadway Capacity/Roadway Safety	O.2.6
Grewal, Amerika	3-5	EI-34040	Freight Rail Safety	O.2.5
Grewal, Amerika	3-6	EI-34040	Air Quality/Energy	O.2.8
Grewal, Amerika	3-7	EI-34040	Freight Rail Safety	O.2.5
Grewal, Amerika	4-1	EI-34040	Proposed Action and Alternatives	O.2.3
Grewal, Amerika	4-2	EI-34040	Topography, Geology, Soils and Hazardous Waste Sites	O.2.15
Grewal, Amerika	4-3	EI-34040	Topography, Geology, Soils and Hazardous Waste Sites	O.2.15
Grewal, Amerika	4-4	EI-34040	Freight Rail Safety	O.2.5
Grewal, Amerika	4-5	EI-34040	Noise and Vibration	O.2.7
Grewal, Amerika	4-6	EI-34040	Roadway Capacity/Roadway Safety	O.2.6
Grewal, Amerika	4-7	EI-34040	Freight Rail Safety	O.2.5
Grewal, Amerika	4-8	EI-34040	Air Quality/Energy	O.2.8
Grewal, Amerika	4-9	EI-34040	Freight Rail Safety	O.2.5
Guerrero, Rafael M.	42-1	EI-33990	Proposed Action and Alternatives	O.2.3
Lina, Jose	22-1	EI-34040	Water Resources	O.2.11
Lindsey, Buddy	6-1	EI-33923	Purpose and Need	O.2.2
Maldonado Jr., Joaquin	34-1	EI-33969	Air Quality/Energy	O.2.8
Maldonado, Anita	35-1	EI-33968	Proposed Action and Alternatives Air Quality/Energy	O.2.3 O.2.8
Maldonado, Graciela	13-1	EI-33935	Air Quality/Energy	O.2.8
Maldonado, Graciela	36-1	EI-33967	Air Quality/Energy	O.2.8
Maldonado, Maria G.	37-1	EI-33966	Proposed Action and Alternatives	O.2.3
Martinez, Rolando	39-1	EI-33984	Proposed Action and Alternatives	O.2.3
Mendoza, Alexia	1-1	EI-33947	Freight Rail Safety	O.2.5
Mendoza, Blanca	5-1	EI-33942	Freight Rail Safety	O.2.5
Mendoza, Blanca	5-2	EI-33942	Freight Rail Safety	O.2.5

Commenter	Comment Number	STB Comment ID	Topic	Appendix Section Number
Mendoza, Blanca	5-3	EI-33942	Roadway Capacity/Roadway Safety	O.2.6
Mendoza, Marcos	25-1	EI-33929	Roadway Capacity/Roadway Safety	O.2.6
Mendoza, Marcos	25-2	EI-33929	Freight Rail Safety	O.2.5
Mendoza, Marcos	25-3	EI-33929	Topography, Geology, Soils and Hazardous Waste Sites	O.2.15
Mery, Norma	28-1	EI-33924	Proposed Action and Alternatives	O.2.3
Mery, Norma	43-1	EI-34035	Socioeconomics	O.2.16
Mery, Norma	43-2	EI-34035	Proposed Action and Alternatives	O.2.3
Morales, Jerry	18-1	EI-34040	Visual Quality	O.2.13
Morales, Jerry	18-2	EI-34040	Public Engagement	O.2.4
Ochoa, Ivan	47-1	EI-34040	Proposed Action and Alternatives	O.2.3
Romo, David	38-1	EI-33974	Proposed Action and Alternatives	O.2.3
Salinas, Rolando	29-1	EI-34040	Public Engagement	O.2.4
Salinas, Rolando	29-2	EI-34040	Freight Rail Safety	O.2.5
Salinas, Rolando	29-3	EI-34040	Topography, Geology, Soils and Hazardous Waste Sites	O.2.15
Sanchez, Laura	23-1	EI-34040	Environmental Review	O.2.1
Valdez, Mario	49-1	EI-34040	Proposed Action and Alternatives	O.2.3
Villarreal, Mario	46-1	EI-34034	Freight Rail Safety	O.2.5
Villarreal, Mario	46-2	EI-34034	Freight Rail Safety	O.2.5
Villarreal, Mario	46-3	EI-34034	Proposed Action and Alternatives	O.2.3
Villarreal, Mario	48-1	EI-34040	Proposed Action and Alternatives	O.2.3
Union Pacific Railroad Company	32-1	EI-33945	Environmental Review	O.2.1
Union Pacific Railroad Company	32-10	EI-33945	Purpose and Need	O.2.2
Union Pacific Railroad Company	32-2	EI-33945	Environmental Review	O.2.1
Union Pacific Railroad Company	32-3	EI-33945	Proposed Action and Alternatives	O.2.3

Commenter	Comment Number	STB Comment ID	Topic	Appendix Section Number
Union Pacific Railroad Company	32-4	EI-33945	Environmental Review	O.2.1
Union Pacific Railroad Company	32-5	EI-33945	Air Quality/Energy	O.2.8
Union Pacific Railroad Company	32-6	EI-33945	Air Quality/Energy	O.2.8
Union Pacific Railroad Company	32-7	EI-33945	Environmental Review	O.2.1
Union Pacific Railroad Company	32-8	EI-33945	Environmental Review	O.2.1
Union Pacific Railroad Company	32-9	EI-33945	Environmental Review	O.2.1

Table O-2. Non-Substantive Comment Index - Organized Alphabetically by Commenter Last Name or by Organization

Commenter	STB Comment ID	Topic
Anonymous	EI-33991	General Opinion
Alonzo Corpus, Jose	EI-34067	General Statement Impact Concern
Antonio Tovar Jr., Juan	EI-34067	General Opinion
Apolinar, Alicia	EI-34019	Impact Concern
Apolinar, Juan	EI-34018	Impact Concern
Ballesteros, Martha (represented by Javier Riojas)	EI-34040	General Statement Impact Concern
BP Agent	EI-34041	General Statement Impact Concern
Carlos	EI-33930	General Opinion
Casillas, Juan	EI-34028	Impact Concern
Casillas, Patricia	EI-34010	Impact Concern
Castillo, Lisa	EI-34067	General Statement Impact Concern
Cruz, Jessica	EI-34001	Impact Concern
De Hoyos, Clemente	EI-34014	Impact Concern
De Los Angeles Mendoza, Maria	EI-34025	Impact Concern
De Luna, Lula	EI-34003	Impact Concern
Díaz, Enriqueta	EI-34067	General Opinion
Flores, Daniel	EI-33941	Impact Concern
Fuentes, Jesus (Jesse)	EI-34067	General Statement Impact Concern

Commenter	STB Comment ID	Topic
Garcia, Biridiana	EI-33925	General Opinion
Garcia, Biridiana	EI-33964	General Opinion
Garcia, Isaura	EI-34027	Impact Concern
Garcia, Jesus M.	EI-34026	Impact Concern
Garza, Juan	EI-34000	Impact Concern
Glammeyer, Mary Ann	EI-34067	General Opinion
Gomez, Diana	EI-33934	General Statement Impact Concern
Gomez, Diana	EI-33989	General Opinion
Gonzalez, Alicia	EI-34067	General Opinion
Grewal, Amerika	EI-33955	General Statement Impact Concern
Grewal, Amerika	EI-34067	General Statement Impact Concern
Gyillot, Leslie	EI-33979	General Opinion
Hernandez II, Juan J.	EI-34038	General Opinion
Herrera, Giselle	EI-33995	Impact Concern
IG	EI-34012	Impact Concern
Kraus, David	EI-34040	General Opinion
Leticia Silva, Alma	EI-34005	Impact Concern
Lina, Jose	EI-34067	General Opinion
Lombrana, Carmen	EI-34004	Impact Concern
Maldonado, Amanda	EI-34007	Impact Concern
Maldonado, Eduardo	EI-34020	Impact Concern
Maldonado, Evangelina	EI-34021	Impact Concern
Maldonado, Karina	EI-34011	Impact Concern
Maldonado, Karla	EI-34009	Impact Concern
Maldonado, Saul	EI-34008	Impact Concern
Margarita	EI-33932	General Opinion
Martinez, Adriana	EI-33922	General Opinion
Martinez, Juanita	EI-34040	General Opinion
Martinez, Victoria	EI-34016	Impact Concern
Medrano, Rosalinda	EI-34067	General Opinion
Mery, Norma	EI-34067	General Opinion
Morales, Jerry	EI-34067	General Opinion
Moses, Lilia	EI-33943	General Statement Impact Concern
Olvera, Daisy	EI-33982	General Opinion
Palomo, Sonia	EI-33931	General Opinion
Pete Rodrigues, Orlando	EI-34013	Impact Concern

Commenter	STB Comment ID	Topic
Piña Jr., Horacio	EI-33996	Impact Concern
Piña, Alma A.	EI-33999	Impact Concern
Piña, Angel	EI-33997	Impact Concern
Piña, Aracely	EI-33998	Impact Concern
Prdaz, Karla (sic)	EI-33983	Impact Concern
Rios, Andrea	EI-33919	Impact Concern
Robles, Natatly (sic)	EI-34015	Impact Concern
Rodriguez, Natalie	EI-34002	Impact Concern
Rodriguez, Patricia	EI-34022	Impact Concern
Salazar, Maria	EI-34024	Impact Concern
Salazar, Manuel	EI-34023	Impact Concern
Salinas, Juan C.	EI-33936	Impact Concern
Salinas, Lizet	EI-33981	General Opinion
Sanchez, Alfredo	EI-34040	General Opinion
Silva, Carlos A.	EI-34006	Impact Concern
Tan, Rosemarie	EI-34017	Impact Concern
Torres, Maria	EI-34067	General Opinion
Torres, Maria	EI-34040	General Opinion
Torres, Sophia	EI-34067	General Opinion
Turner, Dylan	EI-34067	General Opinion