



## Stimulus: \$9.3 Billion for Passenger Trains

*It has been said that until we change what we invest in, the way America travels or uses energy will not change much. We cannot continue to fund the same old things and expect different results. The new federal funding for intercity and high speed rail is a step away from investing in the same old things. It is a beginning.*

Here are some key facts about the American Recovery and Reinvestment Act (Public Law 111-5) which President Obama signed February 17:

(1) This is an appropriation, **\$9.3 billion in real money for intercity passenger train capital investments.**

(2) Moreover, **most of the \$27.5 billion in "highway" funds can be "flexed" to freight and passenger train projects** (and transit) that are on approved state or metro area transportation plans (p. 3).

(3) All forms of surface transportation are eligible to receive **supplemental discretionary grants. The DOT Secretary has \$1.5 billion** to distribute—no grant over \$300 million and no state getting over 20% of the total—and must develop project criteria by May 18.

(4) **Of the \$9.3 billion in (1), \$1.3 billion is for Amtrak** and must be obligated by March 19. Security and life safety get \$450 million. Of Amtrak's remaining \$850 million, no more than 60% can be used in the Northeast Corridor (NEC).

(5) **The remaining \$8 billion is for passenger train capital grants handled through three programs** authorized by the indicated sections of the 2008 rail law (Dec. News):

(a) High-speed rail corridor development grants for the 10 designated corridors plus #11 if it is designated (Sec. 501);

(b) Intercity passenger rail service corridor capital assistance grants (Sec. 301; this is the program through which \$30 million in FY 2008 grants were awarded—Oct. 2008 News—and which also gets \$90 million in the expected FY 2009 omnibus FY 2009 appropriation); and

(c) Congestion grants (Sec. 302).

(6) **Who can apply?** For (5) (a) and (b), eligible applicants are "States (including D.C.), groups of States, Interstate Compacts, and public high-speed passenger rail agencies established by one or more States." Amtrak can apply for (a). "States and Amtrak (in cooperation with States)" can apply for (c).

(7) These are 100% dollars—no state matching funds required, but States must complete projects and cover any cost overruns. Projects' chances improve if they have "non-federal matching contributions" and if sponsor(s) "identify and secure sources of funding that may be necessary to cover any operating expenses incurred once service commences."

(8) **The Secretary determines the balance** among the three eligible programs (see (5)), but the law gives "priority to projects that support the development of intercity high speed rail service."

(9) **What is high speed rail?** Section

501 of the 2008 law defines it as "service that is reasonably expected to reach speeds of at least 110 miles per hour." Federal Railroad Administration adds: "time-competitive with air and/or auto on a door-to-door basis for trips in the approximate range of 100 to 500 miles."

(10) Projects do not have to be on a state transportation improvement program to qualify for any of the \$8 billion, though projects funded under (5)(a) and (b) "must be compatible with plans developed pursuant to [federal] transportation planning requirements."

(11) **Will planning eat up these funds?** No; they are for "ready-to-go" projects. Funds cannot be used for planning; they are to create lots of jobs. Post-planning activities directly related to construction are eligible. [Planning can be funded through capital grants in the regular appropriations (\$30 million last year, \$90 million likely this year).]

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### New, \$9 Billion Dollar Tunnels These Trains Could Not Use



*—both photos, Alex Mayes*

Amtrak Acela at Seabrook, MD, and Regional at Bowie, MD, Mar. 2 after snow storm. New Jersey Transit's planned, \$9 billion Hudson River rail tunnels do not connect to Penn Station but moved forward with inclusion of up to \$1.5 billion in the economic recovery law. In a week of early-February Capitol Hill meetings, NARP Vice-Chair Al Papp and NARP staff found key Members and staff unaware of the problem. The new tunnels also could not be used by the half of NJT's Manhattan service that would continue to serve Penn Station after completion of the new tunnels and their 34th St. terminal. NJT would give Amtrak two more peak hour slots—for a total of six—but, as NARP said in a Feb. 18 letter asking DOT Secretary Ray LaHood to fix the problem, "these slots will be worthless whenever service is interrupted in the existing, 1910 vintage tunnels." Interruptions are frequent; Mar. 3 saw 60-90-min. AM peak delays due to single tracking (NARP News: May, June, Dec 08, Feb 09; see also www.narprail.org/arc).

# Central Florida Commuter Rail: Moving Ahead

"SunRail is just the kind of transportation project that Florida needs to create thousands of jobs and generate millions in additional revenue for Central Florida and all of Florida...SunRail will begin to create jobs and infuse much-needed money into our economy in only a matter of weeks after approval by the state legislature."

—Florida Gov. Charlie Crist (R)

Long-awaited commuter train service centered on Orlando seems poised to get a final go-ahead this year.

This is particularly good news since Florida may lead the nation in terms of unrealized potential for passenger train development.

As Rep. John Mica (R-FL) told NARP, Orlando and Cincinnati are the only metro areas among the nation's top 27 which lack rail transit.

Moreover, Tampa qualifies only due to its 2.4-mile, mostly single-track streetcar line to the Ybor City neighborhood.

Mica—the top Republican on the House Transportation & Infrastructure Committee—said he strongly supports Tampa rail development and has made that clear to state and local public officials, including Tampa Mayor Pam Iorio. The mayor is a rail supporter and is pushing for a referendum on the 2010 ballot that would ask Tampa voters to approve a sales tax to fund a new light rail line running north from Tampa to the airport.

Mica has played a key role in creating the SunRail deal and keeping it alive despite the state legislature's failure to approve it last year. He met December 18 with Gov. Crist and other state officials and later said, of Crist and the Florida DOT, "He's committed to help, and they've pledged to help...[Last year], there was confusion about [accident liability terms]...We surveyed all of the commuter rail deals in the country and most were more favorable to CSX than our deal" (*Winter Park Observer*, January 1).

Accordingly, "the Florida Justice Association, the state's powerful trial lawyer association, has agreed to drop its opposition to the...project in the upcoming regular lawmaking session" (*Orlando Sentinel*, Jan. 15).

SunRail has solid support from the region's business community in general, and Central Florida Partnership in particular. Overall, SunRail is projected to give the region 260,000 jobs and over \$8

billion in economic benefits.

The Florida legislature this year again is considering whether to support an agreement between CSX and the state under which the state would acquire 61.5 miles of CSX mainline centered on Orlando, from DeLand, about 39 miles north of the Amtrak Orlando station, to Poinciana, about 23 miles south of Orlando.

With Poinciana just 14 miles from Disney World, Florida views this line as the first step towards creating a multi-modal system encompassing Orlando's theme parks and educational centers.

### CSX/Florida Agreement

Florida would pay \$432 million to CSX: \$150 million to acquire the 61.5-mile rail line and \$282 million for rail freight infrastructure improvements. In addition, the state would spend \$209 million to grade-separate five "S" line highway crossings.

Florida in effect would pay for capital improvements to the freight-only "S" line through Ocala and Wildwood, and lines elsewhere in Florida. When these improvements are complete, freight traffic would increase on the "S" line and fall on the "A" line, which has 23 grade crossings within three miles in Orlando.

The \$198 million to grow "S" line capacity would remove long, slow freight trains from Orlando, freeing up capacity for passenger trains there.

CSX expects to remove eight freight trains a day from the "A" line, but not necessarily to add that many to the "S," which currently handles 11 to 20 a day.

In any event, CSX told NARP that, contrary to a *Lakeland Ledger* report, the planned S line work would not come close to supporting 54 trains a day. Also, Florida DOT is studying the need and potential options for rerouting freight in the Lakeland/Winter Haven area.

When relevant capital investment is complete in up to two years, the state could take over dispatching of each line it owns – the Miami-West Palm Beach route and the newly-purchased one through Orlando.

### New Freight Intermodal Facility

CSX plans an Intermodal Logistics Center (ILC) south of downtown Winter Haven on a 318-acre city-owned sludge field; the city gets more jobs plus cash to modernize its water treatment facility. Secondary, adjacent development could cover about 900 acres more.

There will be four miles of double-track



The Lakeland-Ocala-north freight-only line is the "S" line, the only solid line in this map which Amtrak does not use. The "A" line goes through Orlando; thicker blue line indicates proposed state purchase on which SunRail would run. —Map by David Johnson

### State One-time Expenses in pending CSX/Florida Agreement

Cost (in millions)	Project
\$150	Purchase of the "A" line
\$198	"S" line freight capacity improvements
\$209	"S" line highway overpasses
\$52	Other freight capacity improvements, CSX to match dollar-for-dollar
\$32	Support for CSX's planned intermodal logistics center south of downtown Winter Haven

Note: "Other freight capacity improvements" include 14 projects around the state; six are on the Panhandle route used by Amtrak's Sunset Limited until Hurricane Katrina.

along this facility, plus a third line for switching moves to serve it. This should benefit all Amtrak Miami trains.

The ILC would handle much of the freight now using Taft Yard, eight miles south of the Orlando Amtrak station, and is positioned to serve growth "moving toward the center" between Tampa and Orlando.

Some freight will remain at Taft Yard. Coal for Orlando Utilities near Taft will run via Wildwood, adding about 90 miles to the run. However, freight via Wildwood will have a shorter run than today both on state-owned and Amtrak-used tracks.

### Unfortunate Abandonment

The map shows the importance of retaining rail lines for rail purposes. If the dotted line abandoned in 1998 could be

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**(12) What is the timeline for action?** The Secretary must develop a strategic plan for implementation by April 18, and guidance to prospective applicants by June 17.

**(13) Why is this slower than for roads and transit?** The intercity passenger train programs were newly established by the 2008 law. Also, they are competitive grant programs not driven by formulas that guarantee specific amounts to states.

**(14) Can the NEC get any of the \$8 billion?** Not through Section 501 (high-speed), but possibly through Sections 301 or 302 if the application shows clear benefit to *intercity* passenger trains.

For more detail, go to [www.fra.dot.gov/](http://www.fra.dot.gov/) and click on *American Recovery and Reinvestment Act*, then (at left) on *FRA*. The "Frequently Asked Questions" is source of most quotes above.

#### Where the Money Might Go

Most funds may go to states with well-developed rail programs, if they submit good applications: California, Illinois, Maine, Michigan, Missouri, New York, North Carolina, Oregon, Vermont (but see *Ethan Allen* problems, below/right), Virginia, Washington, Wisconsin.

Most of these states also received federal grants out of the \$30 million announced by then-DOT Secretary Mary Peters on Sept. 30 (Oct. *News* page 3).

Arizona got \$1 million for the Phase I Environmental Impact Statement for Phoenix-Tucson "commuter rail" (the cities are 121 miles apart), but it is unclear whether Arizona DOT will follow through.

Ohio, Florida and Texas have no visible intercity passenger train programs. Ohio got \$60,000 in planning money in that first round. With aggressive work led by Gov. Ted Strickland (D) and Ohio DOT's new director (as of February 1), former Federal Railroad Administrator Jolene Molitoris, Ohio might qualify for a more meaningful sum in the \$8 billion round, though Republicans in the state legislature were resisting this at press time—and they control the Ohio Senate.

Similarly, Florida and Texas have tremendous untapped potential. Florida is reviewing the possibility of applying for these funds.

Even Austin might be waking up, considering rail bills covering coordination of a statewide passenger rail system and TXDOT supervision of federal money sent to the state for rail. ■

## Trains Eligible For Road Money; Will They Get Any?

"This is a once-in-a-lifetime opportunity that is being fumbled," said Greenpeace spokesman Ben Stewart, commenting on the small proportion of stimulus programs worldwide that increase greenhouse gas emissions.

An HSBC analysis says "about a tenth of the US's proposed tax breaks, extra spending and other incentives can be classed as green," compared to a fifth of the \$34 billion French package (both quotes, *Financial Times*, Mar. 4).

While \$27.5 billion in "highway" funds in the US package have been a lightning rod for environmentalists' criticism, passenger and freight railroad projects are eligible for most of these funds.

State DOTs are not advertising this, so rail proponents must work hard to get projects into approved state or metro area transportation plans and to see that the projects are done.

Funds were apportioned on March 2, with \$17.8 billion for states and \$8 billion directly to metropolitan planning organizations. Half the funds must be obligated by May 1 or the Secretary will redistribute funds to states that *have* obligated their funds.

Technically, the same drill applies to any second half funds that are not obligated by March 2, 2010. However, fast action by advocates is important because states and MPOs likely will approve the

### Vermont Rallies Around Ethan Allen Service

As part of the proposal to close a billion dollar budget gap, the Vermont legislature's Joint Fiscal Committee proposed eliminating Amtrak's *Ethan Allen* between Albany, NY and Rutland and replacing it with buses, saving Vermont \$800,000 a year.

With 24 hours' notice before the committee's December 17 hearing, many train supporters traveled through a snow storm to the state capital in Montpelier. Advocates noted the inferiority of bus service and the pending U.S. DOT capital grant to upgrade Vermont Railway tracks along the *Ethan Allen* route (Oct. *News*).

A January 21 hearing was scheduled to consider the train cut. In testimony, NARP Directors Circle and Vermont Rail Advisory Council member Carl Fowler said *Ethan Allen Express* ridership grew 17.5% in Fiscal 2008, capping 39 months of uninterrupted growth. He argued that the state should market the service more effectively, noting that an addition of 30

entire stimulus program in one step.

Getting projects into an approved plan can involve working with the state DOT and/or relevant metropolitan planning organization, shippers, and local interests including politicians, state legislators and the governor.

Building support among freight rail customers can be crucial in putting pressure on public agencies and officials.

The timeline for doing this will vary among states. The pressure to spend money quickly may speed up the processes.

The law gives priority to projects:

- in economically distressed areas "as defined by section 301 of the Public Works and Economic Development Act of 1965, as amended";
- projected for completion within three years; and
- that, if in a clean air non-attainment area, are part of a conforming transportation plan and transportation improvement plan.

**You can help by telling your governor and state officials that you know about the railroad flexibility feature and expect them to use it!** ■

More is at [www.transact.org/onerail](http://www.transact.org/onerail) click on "Understanding the Federal Programming."

passengers a day would cause a \$1.4 million revenue increase.

Over 200 people gathered to protest the train's cancellation at the Rutland train station on January 22. By this point, the plan had met resistance from state legislators, interestingly enough, even from members whose districts would gain service from the proposed bus.

On a positive note, talk of cutting the train has led to a serious discussion about extending it north to Burlington's Union Station, serving Brandon, Middlebury and Vergennes along the way.

It appears that, at least for now, train advocates have won. NARP has been told that the proposal is officially off the table for the remainder of Fiscal 2009 (through July 1), but may be part of the Fiscal 2010 budget. ■

NARP member *Christopher Parker* was at the forefront of these advocacy efforts. Thanks for your work, Chris!



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## SunRail

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reinstated, freight trains between Winter Haven and points north would not have to run through Lakeland, would have a 17-mile shorter run and would create less interference for passenger trains on the Auburndale-Lakeland segment that Amtrak's *Silver Star* uses and which will be critical for the future. Unfortunately, although the state is investigating this possibility, it appears that local interests no one wants to tangle with control part of that segment.

### Passenger Train Development

Likewise, CSX denied a *Tampa Tribune* report that the proposed agreement would forbid further development of Florida intercity passenger service on CSX tracks. CSX clearly would resist a resumption of Amtrak service on the "S" line, which ended in November, 2004, when Amtrak cut the New York-Miami *Palmetto* back to New York-Savannah.

At least since the mid-90s, Florida DOT repeatedly has advocated incremental high speed rail development. The draft agreement with CSX has been criticized for not implementing these plans.

NARP strongly advocates Florida intercity passenger train development, and Florida DOT is studying the possibility of applying for some of the new federal passenger train money (lead story).

However, *SunRail* and state ownership of this line arguably are building blocks towards that end. Bringing commuter rail to Orlando has been extraordinarily difficult. The search for fixed guideway transit started with consideration of monorail in the 1980s. Much of the 1990s were

spent developing and promoting a \$600 million light rail proposal, but this effort ended in 2003 when vocal opponents succeeded in narrowly defeating a 20-year tax that also would have accelerated road building and added controversial toll lanes to I-4.

The last thing Florida needs is another rail defeat. Moreover, successes of light rail in Charlotte and commuter rail in South Florida and New Mexico imply an even brighter future for *SunRail*, as Central Florida has some of the nation's worst road congestion. ■

## Shorts

- President Obama issued a general Fiscal Year 2010 budget Feb. 23 which shows \$1 billion a year for five years in high-speed rail, but was silent on Amtrak funding. His detailed budget is expected in April.
- For NARP's list of key committees in the 111th Congress, send us an s.a.s.e. or go to [www.narprail.org/committee](http://www.narprail.org/committee). The guide will be on-line by March 13.

## TRAVELERS' ADVISORY

**Starlight to Builder connection restored**—Direct connection at Portland from northbound *Coast Starlight* to eastbound *Empire Builder* was restored Feb. 23, replacing a long Klamath Falls-Pasco bus ride.

**Sanford Shuttle**—A free shuttle links Sanford's Auto Train Terminal and downtown Sanford, leaving the terminal every 20 minutes, noon to 2:40 PM. Passengers must drop their cars one or two hours before the train's 4 PM departure and this gives them something to do afterwards.

**Silver Star temporary change**—Northbound train modified March 2 - April 9 due to trackwork. Train will run two hours earlier Miami-Washington, one hour earlier Baltimore-New York. Also, on March 16-19, 23-26, March 30-April 2, and April 6-9, train will bypass Tampa due to location of

trackwork. Buses will link Tampa and Lakeland with train at Winter Haven.

**Two North Carolina service disruptions**—March 9-April 9, Monday through Friday, the *Carolinian* will run Charlotte-Raleigh only, with no alternate transportation Raleigh-New York. The *Palmetto* will operate, but with a Richmond-Rocky Mount bus bridge (trains New York-Richmond and Rocky Mount-Savannah). Both trains will run normally Saturday and Sunday. The *Silver Star* and *Silver Meteor* are not impacted, however they may experience delay due to speed restrictions.

On March 2, 9, 16, 29, 30, and April 6 and 20, the *Piedmont* and *Carolinian* are canceled with no alternate transportation. On March 29, the southbound *Carolinian* will run normally, while the northbound train will run only from Raleigh to New York.