



Virginia Department of Rail and Public Transportation

Special CTB Rail Subcommittee Meeting Minutes

November 9, 2017

9:00 am

Randolph Macon College-Blackwell Auditorium

204 Henry Street

Ashland, VA

The Meeting began promptly at 9:00 am.

CTB Members Present: Aubrey Layne, Charlie Kilpatrick, Jennifer Mitchell, Scott Kasprovicz, Shannon Valentine, Mary Hughes-Hynes (arrived late), Court Rosen, John Malbon, Greg Yates, Dixon Whitworth, Carlos Brown, Gary Garczynski, and Marty Williams.

Secretary Aubrey Layne opened the meeting and thanked everyone for coming. He described the meeting as a special meeting of the CTB Rail Subcommittee that all CTB members had been invited to attend. He said that the purpose of the meeting was to review DRPT's recommendations for the entire DC2RVA corridor, but said that this meeting would be the first time anyone had seen the recommendation for Ashland. He said that the opportunity for public comment after the presentation because he wanted everyone to hear the presentation first. He reminded the audience that there would be no vote at this meeting so that members will have a month to consider the alternatives.

The Secretary discussed the work and consideration that had gone into the recommendations. He said that more than six months of work had gone on in the community to try to come to a consensus on Ashland. The FRA was asked by DRPT if Ashland could be excluded from the DEIS and the FRA said no, that a recommendation had to be made for Ashland along with the rest of the corridor. He reminded the audience that the CTB had been tasked to make a decision by Governor McAuliffe and that someone would be impacted by their decision. More traffic is coming to the I-95 corridor and the Commonwealth has to decide how to deal with it. He said that CSX owns the tracks along the corridor and that they had to weigh in on the decision. There are many changes taking place at CSX. The management there that was on board when this process started is now mostly gone. He said that CSX has emphasized that they are concerned about freight rail and know that there will be significant impacts to freight rail but are not concerned about passenger rail.

The Secretary said that the dilemma with the alternatives for Ashland has pit neighbor against neighbor and so DRPT has tried to find the decision that will have the least impact. The decisions are based on the best analysis of the data and looking at the trends to see what traffic will look like 20-30 years down the road. He said that for those who are not in agreement with the Board's decision, there will be a similar process conducted when the time comes to secure funding. He said that property owners are at the top of the list of constituents in this process. The Board also has to meet the criteria of its Federal partners. At the end of the day the FRA could make a different decision than what will be recommended to them. He stressed that safety will also be a key part of the resolution and said that that the CTB will continue to measure safety going forward.

The Secretary said that with the amount of public comment received, he felt that this could be studied for another twenty years and that they would still come to the same conclusion. He said that the Board would not be making a decision on the trench option. Future technology may help in making a better decision but that currently the track runs through Ashland and that is what the decision has to be based on. He said that homeowners were aware when they made purchases about CSX's right of way. Operational issues north and south of town could mitigate issues but there would still be lingering issues. He said that political and personal details have been considered in this process in addition to technical details.

At 9:15 am Secretary Layne turned the meeting over to DRPT's Director Jennifer Mitchell. He told the Board that they can ask questions at any point during the presentation. He thanked the press for coming to the meeting and covering the story. He stressed that the process has been transparent and public. Jennifer began her presentation of the recommendations.

1. Presentation on DC2RVA Recommendations-Director Jennifer Mitchell

- a. Jennifer Mitchell said that the purpose of the project was to increase Amtrak trips by 9 round trips a day. The track runs parallel to the 95 corridor and all service utilizes this corridor. She said that the DEIS has been in the public comment period for the last 60 days and that 3,350 comments were received. The majority of the comments received were related to the Ashland alignment. The comments from Northern Virginia were related to noise and vibration. There were five public hearings held during the public comment period. The most common topic in Ashland-related comments was opposition to the Western Bypass and a concern for historic areas. The 3-2-3 alternative had the lowest number of opposition comments received.
 - i. The Secretary interjected to make a statement on the comments that were related to historic areas. He said that the Board does not make determinations on what is a historic area and that complaints regarding an area's lack of designation as a historic resource should be directed to the Department of Historic Resources.
- b. Jennifer Mitchell reviewed each slide and read off the recommendations that were being made.

- c. Jennifer Mitchell reviewed recommendations on the areas north of Ashland. She said that there would be no direct impact to buildings on campus. This includes construction impacts. She said that there would be parcel impacts at Vaughn and Ashcake. The next step is to look at a service development plan that would include Ashland and to continue to look at safety. This will be done independently from DC2RVA.
 - i. The Secretary said that addressing safety issues in Ashland would enhance both tourism and mobility.
 - d. Jennifer Mitchell reviewed the recommendations for Richmond and said that Richmond is severely constrained. In order for the recommendation to work the stations should remain at Staples Mill and at Main Street. These stations still serve the central business district and this is consistent with former studies that have been conducted. Main Street Station offers multimodal connections. Passenger service will run on the S-Line, which will free up the A-Line for CSX freight.
 - e. Jennifer Mitchell said that the project will be developed incrementally as the funding is made available. Ashland and Richmond will be the last areas for building.
 - f. Jennifer Mitchell said that the next step for the project is to distribute the recommendations report. That will be provided this month. In December DRPT will come to the CTB with these recommendations for a vote. The hope is to have a final EIS and record of decision by 2019.
 - g. The Secretary said he did not see funding for this project anytime in the near future. He said something would have to change at the Federal Level or with partners. This study is a planning document. There is no money currently available for construction. He said that the Commonwealth is behind on improvements that are needed to the north of Ashland. Long Bridge is the most important component of this corridor and that is not addressed in this study. The Secretary invites the Board to discuss the presentation.
 - i. Dixon Whitworth asked if there were 3 grade crossings in Ashland. Jennifer responded that there were 3 and that they would stay with the improvements.
2. Review of Draft Resolution-Director Jennifer Mitchell
- a. Jennifer Mitchell reviewed the draft resolution. She pointed out that it defers to Ashland and the Community Advisory Committee process that was undertaken in that area. She said that it lays out all of the recommendations that were just reviewed. More capacity is needed in Ashland and DRPT may be directed to do another study at some point. She said that DRPT will continue to work with the community and other stakeholders. This resolution will go to the Board in December.
 - i. Shannon Valentine asked when the Record of Decision could be expected. Jennifer Mitchell said that should come in early 2019. Shannon Valentine asked what would happen procedurally if FRA disagrees with the

recommendations. Jennifer Mitchell said that before the Record of Decision the FRA will be sent the Recommendation Report for comments. She also stressed that DRPT has been coordinating with FRA throughout the entire process

- b. The Secretary said that Randolph-Macon College is a big part of the Ashland community. He recommended that a statement be put in the resolution saying that there will be no taking of land from the University and that the project will stay within the current CSX right of way. He would like to be able to give the college assurances so that they can make long term plans. Jennifer Mitchell said that DRPT would have to work on that language.
3. Public Comment- The Secretary reviewed the rules of public comments. The Commonwealth Transportation Board uses the same rules that are used across the commonwealth. Commenters will have 3 minutes to make their comments. Commonwealth Transportation Board members will not respond back to the comments. The Board can discuss comments after the public comments have concluded. The Secretary said that he will call individuals names who have signed up for public comment. After those individuals have made their comments he will open it up to anyone else who did not have a chance to sign up.
- a. Bob Lindgren, President of Randolph Macon, stood for public comment. He thanked the CTB for allowing RMC to be a constructive part of the process and an active member of the Community Advisory Committee. He said that the college has educated thousands and has very strong alumni. The 125 acre campus spans both sides of the track. He said that the college opposed the third rail and the damage it would cause. They support the CAC's refusal of the 3rd track option. The college initially supported the western bypass but will now support the 3-2-3 option and safety improvements.
 - b. Mayor of Ashland, Jim Foley stood for public comment. He thanked the college for hosting the meeting and the CTB for coming to Ashland. He asked that something be added into the Resolution so that a future CTB would understand that the narrow right of way in Ashland cannot support a third track. He said that the town will being to work on safety issues and want to continue to partner after this work has concluded.
 - c. Carrie Carlyle, a member of the beloved western Hanover community stood for public comment. She thanked the group for their efforts and asked the board to formally approve the 3-2-3 proposal. She said this recommendation lifts a cloud from the community. She asked the board to formally put in the resolution that the western bypass will not be considered in the future.
 - d. Bucky Stanley of the Hanover Board of Supervisors stood for public comment. He thanked DRPT for educating community members and their patience with the community's concerns. He said that the 3-2-3 option has the least negative impacts and he hopes that the CTB will adopt the staff's recommendations.
 - e. Henry Wilton, a member of Families Under the Rail, stood for public comment. He said that he had bought his home from Carrie Carlyle and that the new tracks

would go through both of their homes. He thanked DRPT for recommending the 3-2-3 alternative and said that it is the least offensive alternative, but said that he still supports the trench option and thinks that this may be a better option in the future. He would like the western bypass to be removed from consideration for good. The area surrounding the western bypass should remain rural so he would like that alternative to be removed permanently.

- f. Paul Ring, a resident of the Town of Ashland stood for public comment. He said that he is generally supportive of the 3-2-3 recommendation. He said he has submitted a lengthy public comment but wanted to add an additional comment with an eye to the future. He said that the Buckingham Branch Railroad was entered as a strawman but that he thinks it should be considered as a legitimate option for removing train traffic. Regional passenger trains could be diverted to the Buckingham Branch. He said it seems like a waste of a right of way not to use it and that it could support 6-8 regular Amtrak trains. He said that it is a better option than a trench. If traffic increases in 20 years the Buckingham Branch could be used to help reduce it. He asked if there would still be an opportunity for public comment on the DEIS after it goes to the FRA. Emily Stock attempted to answer the question from the audience but did not have a microphone so her response was not audible.
- g. John Hodges from Ashland Town Council stood for public comment and said he was surprised by the recommendation. He asked what would happen if FRA doesn't follow the recommendation. He said that he could not hear Emily Stock's comment to the previous constituent's question. Director Jennifer Mitchell said that Emily Stock will come up for discussion after the public comments have concluded.
- h. Bandy Hodges stood for public comment and said she was happy to be in attendance and appreciated the process.
- i. Wayne Hazard from the Hanover County Board of Supervisors stood for public comment and said that he appreciated the time and effort from the CTB members. He said that even with the western bypass option, the grade crossing issues in Ashland would still exist. He said the town needs to work together for these things. The town is part of Hanover County and the relationship has struggled.
- j. Roseanne Shalf from the Ashland Museum and Ashland Historic District stood for public comment. She said she was relieved and that the recommendations give the CTB and FRA time to look into other ways to solve the problem. She asked the FRA to appoint a task force to look into new technology such as deep bore tunnels and hyperloops that may be less expensive in the future. Deep bore tunnels would reduce law suits, takings and use less real estate. Going under I-95 would be less expensive and is in the existing right of way. The recommendation from the CTB is a good solution but is only an interim solution. New technology needs to be used instead of using 19th century technology in the middle of the 21st century.

- k. Dr. Eugene Trani, President Emeritus of Virginia Commonwealth University, stood for public comment. He said he is an advocate of one Richmond station at the Boulevard. He said there was no discussion about the station location in the Richmond community. The Boulevard location is more convenient for the whole community. The area surrounding it has 300 acres of developable land. A station at the Boulevard would be important for a proposal to Amazon and other companies who might look at that area. He thinks that the Board just saying that the slave burial grounds are not designated historic areas is not enough. The 400th anniversary of the slave trade is coming up and there is a lot of work to be done and improvements to be made at Main Street Station. Main Street station is minimally tenable. More years are needed to study the slave trade site. Disney wanted to build a theme park several miles from the Manassas battlefield and this project was opposed and now the commonwealth is looking at a proposal within hundreds of feet of slave burial grounds. He asked the board to consider a single centrally located high speed rail station.
- l. After those who had signed up for public comment had finished, the Secretary invited anyone in the audience who would like to make a comment to stand up.
- m. Ian Sutton, a resident of the Town of Ashland, stood for public comment. He said that at a meeting Bucky Stanley had asked engineers for a solution. He said that new technology such as the hyperloop is needed. The questions he asks about new technology are will it work, is it safe, is it socially acceptable, and will it earn a profit? The answer to all of these questions is yes. Current transportation issues are based on real estate and politics. He asked to halt projects that are based on old technology.
- n. Bob Duell, and Ashland resident, stood for public comment. He said that he understood that there are no negative impacts downtown or on campus. He asked what the impact would be to areas south of town. He asked that this question be addressed after public comments.
- o. Phyllis Laidlow stood for public comment and thanked the CTB members for removing the bullseye from all of the homes along the western bypass.
- p. Public comment concluded at 10:12 am, and Emily Stock joined the CTB on stage to answer questions. The board discussed the comments.
 - i. The Secretary said that the Board takes resolutions very seriously. A board in the future could vote to change these recommendations. The CTB has been looking at old resolutions and has gotten rid of a lot of them. He said that a “whereas” clause could be added to address the impact of a 3rd rail on homeowners. He asked Director Jennifer Mitchell to put in the resolution that the project should stay in the right of way and address to future boards what the intention of this board is. Gary Garcyzinski said that language that addresses the taking of lands could help homeowners in future deals where there has to be full disclosure.
 - ii. Director Jennifer Mitchell addressed the process and recommendations. She said that DRPT has worked closely with FRA throughout the entire

process. They were briefed yesterday and that she could not speak to what they will choose. They have been on board with the decisions made throughout the process. The FRA process is still up in the air because they are going through streamlining. At the end of the day the decision will be FRA's. Once their decision is known there will be an opportunity to address deviations. Secretary Layne pointed out that just because a study is passed it does not mean that the administration will stay on that path. The Federal Government is pushing more decisions down to the state.

- iii. Carlos Brown said that at the end of the day the community doesn't have to build anything they don't want to build. Director Jennifer Mitchell said that is correct.
- iv. Dixon Whitworth asked what role CSX will play in the record of decision. He asked if the FRA will look at CSX's comments. The Secretary said that constituents always have an opportunity to take another bite at the apple with their comments and he expects CSX to go above and beyond with their comments.
- v. Emily Stock answered the question asked in regard to impacts south of town. She said that there will be 9,000 feet of two tracks through Ashland.
- vi. Mary Hynes arrived and apologized for being late. Interstate 95 was shut down. Had there been more passenger trains she would not have had to drive.
- vii. The Secretary asked the board if they were comfortable with what they had heard and the recommendations.
- viii. Carlos Brown thanked DRPT for its excellent work. He also said he wanted to acknowledge the work of leadership in the local communities and for making sure the board was fully informed. He said that something has to be impacted but thinks the recommendation is the least destructive and impactful course. It does not remove the cloud in its entirety because we can't bind a future board but this does provide some acknowledgment that the public has been concerned and that the board is sensitive to concerns.
- ix. Shannon Valentine said that she wanted to follow up on the comments that were all very thoughtful. She said that for those who had raised the issues of innovative technology that the board continues to investigate new technology options so that they are better prepared for future. This is part of the board's strategy.
- x. The Secretary said that he thought DRPT had what they needed to move forward and update the recommendation.
- xi. Jennifer Mitchell said that there will be a recommendation report coming and that if there is any new information that surfaces prior to the December CTB meeting that will be brought forth at that meeting.

- q. The Secretary concluded by saying that he hopes the local community can work together, move forward and come back to where they were prior to this decision. Transportation is supposed to make lives better and not just be done because government can. He said that the CTB will vote on these recommendations at the December 6th meeting and thanked everyone for their participation.
- r. The Board adjourned at 10:28 am.