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FIELD HEARING

SURFACE

TRANSPORTATION

BOARD

DOCKET NO. AB-295 (SUB-NO. 7X)

DOCKET NO. AB-55 (698X)

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FIELD HEARING

The Field Hearing, taken in the above-styled matter at Washington County Annex-Community, 806 Martinsburg Road, Salem, Indiana, on the 5th day of March, 2009, beginning at 10:00 a.m.

1 FIELD HEARING  
2 SURFACE TRANSPORTATION BOARD  
3 MARCH 5, 2010

4 MR. DETTMAR: If I could ask everyone  
5 to find a seat, I think we have a few up here in the  
6 front, and we'll get under way. All set?

7 THE REPORTER: M-hm.

8 MR. DETTMAR: All right. I'd like to  
9 thank you all for coming this morning. My name is  
10 Joe Dettmar. I work for the Surface  
11 Transportation Board, an agency of the U.S.  
12 Department of Transportation that oversees the  
13 economic regulation of the railroad industry in the  
14 country.

15 With me today is Ms. Julia Farr, who is also  
16 an attorney at the board. On behalf of Board  
17 Chairman Elliott and the other members of the  
18 Surface Transportation Board, we'd like to  
19 welcome you to this hearing and to two separate  
20 but related proceedings before -- currently before  
21 the board.

22 One is the abandonment of a 22.8 mile rail  
23 line between Crane and Bedford. And that  
24 application has been filed by the Indiana Rail Road  
25 Company. And the second is a discontinuance of

1 operations, a petition to permit the discontinuance  
2 of operations filed by CSX Railroad. And that is to  
3 terminate service over a line beginning a little bit  
4 north of Mitchell, between Mitchell and Bedford,  
5 and running south to New Albany, Indiana, a  
6 distance of a little more than 62 miles.

7 So just a few notes on the procedure we'd like  
8 to follow to make this hearing run as smoothly as  
9 possible. All of the speakers, at least, I hope all  
10 of the speakers have signed in.

11 And if you haven't, just please see Ms. -- Ms.  
12 Farr and we will get you on the list. We want to  
13 hear from everybody. And I think in the group  
14 today we're going to be able to do that and not  
15 have to ask anyone to restrict your remarks. So  
16 feel free to say whatever you want.

17 The -- I'm going to call each of you by name.  
18 We're going to have the testimony presented from  
19 the table in front of us. I may call you forward in  
20 groups of three just to sort of hold down the  
21 getting up and sitting down, if that runs a little bit  
22 better.

23 If anyone has a plane to catch or some  
24 pressing engagement and needs to testify first,  
25 would you let me know now? Okay. Then

1 otherwise we'll just go down the list.

2 When -- before you present your testimony, if  
3 you would, would you clearly state your name and  
4 your organization for the benefit of our court  
5 report -- reporter and for the -- the benefit of the  
6 agency, which will be very interested in the  
7 transcript that is going to be produced as a result  
8 of this -- of this hearing.

9 This is what we call a legislative hearing in  
10 which we have -- it's certainly not a court hearing.  
11 We ask every person who is coming forward to say  
12 exactly what you want to say and in your own  
13 words.

14 We are not going to be entertaining questions  
15 of any speaker either from the floor, or certainly  
16 I'm not going to have any. There will be no  
17 cross-examination or anything like that. If any of  
18 you have any questions for me, I will do my very  
19 best to answer them.

20 And are there any questions about the  
21 procedures for the hearing before we get  
22 underway? I think we have a -- we're a little  
23 short -- I think we have a few seats up here in  
24 front if any of you in the back want to sit down.  
25 But if you're fine, that's -- that's great.

1 In that case, let's get started. In my first --  
2 in our first group, I will call Gene McCracken,  
3 Mayor Girgis -- do I have that --

4 MS. GIRGIS: Yeah.

5 MR. DETTMAR: -- pronounced correctly?  
6 Thank you. And Mayor Terrell of -- of Mitchell.  
7 Do -- do you have enough space there?

8 MS. GIRGIS: Oh, no. I'm fine.

9 MR. DETTMAR: You can just push that  
10 forward if you need -- need to. And, Mr. -- Mr.  
11 McCracken, I have you listed as going first.

12 MR. MCCRACKEN: Thank you. My name  
13 is Gene McCracken. I'm the Executive Director for  
14 the Lawrence County Economic Growth Council,  
15 and I'm here today representing the 78 business  
16 and governmental members of that organization.

17 Thank you for holding this hearing and  
18 allowing the group present, all of us who need to  
19 to speak on behalf of our region and the economic  
20 impact that the proposed filings could negatively  
21 affect upon us.

22 Humbly speaking, if these tracks proposed for  
23 abandonment and possibly discontinuance of  
24 service could but talk, imagine, folks, what they  
25 would bestow upon us. Their historical

1 presentations alone would produce volumes of  
2 information in regard to the golden age and how  
3 business was transported and passenger travel  
4 was accomplished.

5 The echo of those distant voices should not  
6 fall on deafened ears; rather, America should see  
7 the need to strengthen these available resources  
8 in order to properly take care of present and future  
9 anticipated growth opportunities. Especially if we  
10 need to consider the rising cost of oil production  
11 and the ever-increasing need to address more  
12 eco-friendly transportation opportunities.

13 In 1854, John Motley Morehead, the first  
14 president of the North Carolina railroad, gave a  
15 now famous speech referring to the railroad as the  
16 "tree of life" for North Carolina.

17 In fact, these rails once delivered our very  
18 own limestone to construct the home of Cornelius  
19 Vanderbilt now known as the Biltmore Estate in  
20 Asheville, North Carolina.

21 Lawrence County limestone has traveled over  
22 rails to produce other such beloved American  
23 structures as the Empire State Building, the  
24 Tribune Tower in Chicago, the Washington D.C.  
25 National Cathedral, the Pentagon, and 35 of the

1 nation's state capital buildings.

2 If I may, I would like to quote from a handout  
3 of the Policy and Economics Department of the  
4 Association of American Railroads September  
5 2009, and I quote, "From the food on our tables to  
6 the cars we drive to the shoes on our children's  
7 feet, freight railroads carry the things that  
8 America depends on. Railroads account for 43  
9 percent of intercity freight volume - more than any  
10 other mode of transportation.

11 "They form the most efficient and  
12 cost-effective freight rail system in the world,  
13 saving American consumers billions of dollars each  
14 year - while saving energy, reducing pollution and  
15 lowering greenhouse gas emissions, as well as  
16 cutting back on highway gridlocks.

17 "Each year, U.S. freight railroads pay some  
18 \$18 billion in wages and benefits to their  
19 employees; pay billions of dollars in taxes; and  
20 spend billions of dollars on supplies and services.  
21 Freight railroads are the transportation backbone  
22 of America.

23 "From one end of the country to the other, the  
24 United States is connected by the most efficient,  
25 affordable, and environmentally-responsible

1 freight rail system in the world. Without freight  
2 railroads, America's economy could not function."

3 "If it's on your table or in your pantry,  
4 railroads probably had a hand in getting it there,"  
5 unquote.

6 If these facts hold true, we can all be very  
7 proud of what the railroads have accomplished and  
8 take pride in where they are yet to take us in  
9 America.

10 We want the INRD and the CSXT to prove to  
11 us that what I just read is indeed their present  
12 policy. We need them to work with us in gaining  
13 new railroad users and in planning for future  
14 growth in usage of existing rail lines instead of  
15 rerouting and raising prices so that no locals can  
16 afford their services. We need to work together  
17 and create new economic development  
18 opportunities that would strengthen and grow the  
19 INRD and CSXT.

20 If the naval surface workers in Crane and the  
21 Crane region as a whole do not determine they  
22 need to utilize the line from Crane to Bedford,  
23 then that is up to them. But I want to stress the  
24 importance to the Surface Transportation Board  
25 that we all need to realize that Bedford must have

1 rail service as least south to Mitchell in order to  
2 keep us in the position to meet future economic  
3 development needs by having rail service available  
4 to current and future businesses.

5 Every time the State of Indiana sends out  
6 RFPs, which are requests for proposals, on the  
7 form it clearly states whether the rail is required,  
8 available, or not necessary. In February, we  
9 received two RFPs from the state. One stated rail  
10 is preferred, and one stated rail is required.

11 Also, we have some local businesses who I  
12 have letters from that can testify to the valuable  
13 service that railroad provides for them and how  
14 detrimental it would be if we were to discontinue  
15 or abandon that service.

16 The Growth Council, along with the City of  
17 Bedford and its fine mayor are also working with  
18 the new GM in attracting new business  
19 opportunities and believe we have a great chance  
20 of being successful in that endeavor.

21 The Growth Council, therefore, humbly  
22 requests the Surface Transportation Board to work  
23 along with us and the railroads in securing a  
24 viable future for both the railroad systems and the  
25 businesses along their lines whom desperately

1 need rail services now and into the future. I thank  
2 you.

3 MR. DETTMAR: Thank you very much.  
4 Mayor Girgis.

5 MS. GIRGIS: Yes. Thank you. First I'd  
6 like to thank the STB for allowing us to have this  
7 hearing today. As you know, several of us  
8 submitted letters opposing the abandonment and  
9 the discontinuance of service.

10 And just to reiterate a bit of what Mr.  
11 McCracken said, the main reason for that is the  
12 economic opportunities that rail creates and the  
13 fact that if we do not have rail access that we will  
14 not have the same economic opportunities.

15 We do appreciate the fact that CSX,  
16 representatives from both CSX and the Indiana  
17 Rail Road have met with us on several occasions  
18 to discuss the specifics of this issue, and we do  
19 understand their -- their economic situation as  
20 well and their business case. However, realizing  
21 that this issue has become pressing, the City of  
22 Bedford and the City of Mitchell have collaborated  
23 together to form a port authority in our community.

24 I know that Mayor Terrell is going to speak.  
25 He has had his members confirmed. Myself, a City

1 Council member Mark Scherschel, and a business  
2 owner, Larry Parsons, from our community have  
3 committed to participate in the port authority as  
4 board members. Our city council meets on  
5 Tuesday to confirm those appointments. And the  
6 name of our port authority is the Wright -- White  
7 River Port Authority.

8 We are currently waiting for cost estimates to  
9 pur -- purchase -- to explore purchasing portions  
10 of the lines that CSX and Indiana Rail Road  
11 currently own. It is for this reason that I still  
12 continue to oppose the abandonment and  
13 discontinuance of service at this time.

14 We are basically asking that the Surface  
15 Transportation Board would give us the time  
16 needed to acquire the information from the railroad  
17 companies as far as cost and allow us the time  
18 to -- to act accordingly so that we can ensure rail  
19 access to our communities.

20 I strongly believe, as do other community  
21 members and business owners -- Gene specifically  
22 mentioned the General Motors opportunity as well  
23 as those from Bedford Recycling and Indiana Steel  
24 that without rail it would be detrimental to their  
25 growth potential, and therefore, detrimental to our

1 community. Particularly an economic climate when  
2 the -- I think our current unemployment rate is at  
3 11.9%, and we need those opportunities for our  
4 communities. So the time to take the proper steps  
5 would be most appreciated. Thank you.

6 MR. DETTMAR: Your Honor, could you  
7 spell your name for the court reporter?

8 MS. GIRGIS: Sure. Shawna,  
9 S-h-a-w-n-a, Girgis, G-i-r-g-i-s.

10 MR. DETTMAR: Thank you very much.

11 MS. GIRGIS: Thank you.

12 MR. DETTMAR: Mayor Mitchell.

13 MR. TERRELL: Thank you. No, my name  
14 is --

15 MR. DETTMAR: I'm sorry. Mayor Terrell.

16 MR. TERRELL: Yes.

17 MR. DETTMAR: I'm sorry.

18 MR. TERRELL: My name is Dan Terrell.  
19 I'm a 35-year retired railroad conductor having  
20 worked for the Milwaukee Railroad, the Sioux Line  
21 Railroad and the Canadian Pacific Railroad. I  
22 never changed jobs or moved. I worked for  
23 different railroads because of bankruptcies,  
24 mergers, takeovers of the railroad industry.

25 After retiring in 2007, I was elected mayor of

1 my hometown, and that's why I'm here today. I'd  
2 like to thank the Surface Transportation Board for  
3 allowing us to speak and for literally coming to us  
4 to hear our concerns.

5 Since I wrote my letter of protest to the  
6 Surface Transportation Board, many things have  
7 evolved. Meetings with the Indiana Rail Road, the  
8 CSX Railroad, the formation of the White River  
9 Port Authority by the cities of Mitchell and  
10 Bedford, many meetings with state elected  
11 officials, U.S. Congressmen, U.S. Senators, and  
12 much appreciated help from our Lieutenant  
13 Governor, Becky Skillman.

14 I, personally, have no animosity toward the  
15 CSX or the INRD for wanting to put their company  
16 in a better financial position to -- to survive the  
17 economic downturn that the entire country is in.  
18 The INRD and the CSX have been more than  
19 cordial in addressing all of our concerns, in  
20 particular, John Rickoff with the INRD, and Larry  
21 Ratcliffe of the CSX.

22 However, I am concerned about the  
23 procedures and the laws that both INRD and CSX  
24 followed to get to this point. In early November,  
25 my building commissioner in Mitchell, Indiana

1 wrote a letter addressed to him concerning the  
2 discontinuance of service on the CSX from Yockey  
3 Road to just north -- just north of Mitchell to New  
4 Albany. This letter from Mr. Dave Geraci,  
5 manager -- manager of network rationalization for  
6 the CSX is dated October 29th, 2009.

7 This is where I have trouble agreeing with the  
8 system of laws that now are in place for railroads  
9 to follow. I am not suggesting that the INRD or  
10 the CSX have done anything contrary to law. But I  
11 believe the law on notification on abandonment or  
12 discontinuance of service should be modified by  
13 the Surface Transportation Board.

14 On the external distribution list distributed by  
15 the CSX, there was letters went to the  
16 Environmental Protection Agency of Chicago,  
17 Illinois. It went to the U.S. Fish and Wildlife  
18 office in Bloomington, Indiana, the U.S. Army  
19 Corps of Engineers, to the USDA NRC in Bedford,  
20 USDA in Salem.

21 It also went to the National Park Services in  
22 Omaha, Nebraska, Indiana Department of Natural  
23 Resources in Indianapolis, Indiana. And it also  
24 went to the National Geodetic Service. And I must  
25 tell you, I had to look that up to see what that

1 was. It -- it's -- they keep track of coordinates of  
2 latitude and longitude.

3 They did not include on the list not one U.S.  
4 Senator from Indiana, not one congressman from  
5 Indiana, not one state senator or state legislator,  
6 not one mayor or not one city councilman on the  
7 cities to be affected by the discontinuance of  
8 service by the CSX. The letter also dated that the  
9 CSX was only considering a discontinuance of  
10 service, not that they were going to.

11 We, as cities and towns, didn't know what to  
12 do at this point without hiring lawyers, which none  
13 of us have the money to pay right now. We of  
14 cities and towns started scrambling in every  
15 direction knowing only that every effort should be  
16 made to save the railroad.

17 If we, and that's local and elected officials,  
18 were given a few months notice, we could have sat  
19 down together and reasonably discussed the  
20 railroad and all of our options.

21 In Mitchell, we've been negotiating with the  
22 CSX on an overhead bridge for more than five  
23 years. Work on that project started in early  
24 October 2009. Had I known that the CSX was  
25 intending to file for a discontinuance that very

1 month a 4-million-dollar overhead bridge that was  
2 completed in December might have turned into a  
3 200,000 dollar-crossing at-grade.

4 Lawrence County, like many other counties in  
5 the state, has experienced many job losses and is  
6 mired in unemployment. The loss of railroad  
7 service is something we all believe will hinder our  
8 economic recovery. I cannot speak for them but I  
9 am sure this also applies for Orange County,  
10 Washington County, Clark County, and Floyd  
11 Counties.

12 When we read the filings that we only have 45  
13 days or 60 days or even 90 days to object to a  
14 petition and you have no prior knowledge of the  
15 procedures, it is more than difficult to respond in  
16 a clear and responsible manner. So this brings me  
17 to what I am asking the Surface Transport --  
18 port -- Transportation Board for today.

19 Extend the time lines for communities,  
20 counties and states to object. Give them time to  
21 put a plan in place that might save their railroad,  
22 if possible, more notification that would include  
23 public elected officials. This notification would  
24 also include long-range plans for any abandonment  
25 or discontinuance of service by the railroads.

1       As far the INRD, the Cities of Mitchell and  
2 Bedford have -- give us a verbal commitment that  
3 they will not take up the track around the  
4 industrial loop at Bedford and they will help the  
5 White River Port Authority gain the use of this  
6 track, if possible. So, as a Mayor of Bedford, I  
7 am -- or Mayor of Bedford.

8           MR. MCCRACKEN: [laughs] That was  
9 quick.

10          MR. TERRELL: So, as Mayor of Mitchell,  
11 I am withdrawing my objection to the abandonment  
12 of the removal of tracks between Crane and  
13 Bedford. For the CSX, since we all know a  
14 discontinuance of service is -- almost always lead  
15 to abandonment, we would like to ask them: Is  
16 this your plan? If it is, just tell us and let the  
17 cities along that line plan for future abandonment.

18       The cities of town -- the cities and towns of  
19 Bedford, Mitchell, Orleans, and Salem, Pekin, and  
20 Borden, and New Albany might all come together  
21 and save the Monon Railroad and our ability to  
22 move freight by rail.

23       We are reasonably sure that the CSX will be  
24 granted the discontinuance of surface by the  
25 transportation board. The White River Port

1 Authorities and cities along this corridor ask only  
2 that the CSX be up front and as truthful as  
3 possible for future plans of the -- along the  
4 Monon. Thank you.

5 MR. DETTMAR: Your Honor, thank you  
6 very much. I thank you.

7 Could I ask Mr. Thomas Cooley and Mr. David  
8 Umpleby, if I'm getting that --

9 MR. UMPLEBY: Umpleby.

10 MR. DETTMAR: Yes. I'm sorry to have  
11 done that. If you'll -- could you spell your name  
12 for the benefit of the court reporter here.

13 MR. UMPLEBY: Sure. U-m-p-l-e-b-y,  
14 Umpleby.

15 MR. DETTMAR: Umpleby?

16 MR. UMPLEBY: M-hm. Correct.

17 MR. DETTMAR: All right. Mr. Cooley, I  
18 believe you're --

19 MR. COOLEY: Yes, sir.

20 MR. DETTMAR: -- first. If you'll --

21 MR. COOLEY: Thomas Cooley, President  
22 Radius Indiana. I would like to give you a folder  
23 representing our area. We represent eight  
24 counties.

25 MR. DETTMAR: I thank you, sir.

1           MR. COOLEY: And I feel that all eight  
2 counties are affected one way or the other by  
3 these proceedings, even if the rail runs through  
4 those counties or not.

5           I think you've heard a tremendous story about  
6 the potential and the growth, promises have been  
7 made in the past, the strength of the railroads. I,  
8 personally, recognize that being 35 years in the  
9 economic development field and building two  
10 multi-million dollar port authorities.

11          The railroads themselves are crucial arteries  
12 to move commerce. We all know that. Site  
13 selectors have told us that 25% of the prospects  
14 that looked for sites consider rail a critical  
15 component. And so that's the reason we're coming  
16 before you today.

17          At this time, I would like to turn it over to our  
18 attorney to express our position, Radius Indiana  
19 representing the eight county area. Dave.

20           MR. UMPLEBY: Thank you. Again, I'm  
21 David Umpleby. I am legal counsel for Radius. In  
22 addition, I've recently taken on the White River  
23 Port Authority as well who's in negotiations with  
24 CSX and Indiana Railway.

25          I'll con -- I join all the comments that the --

1 that the mayors and Mr. McCracken and Mr. Cooley  
2 have made. In my capacity, I'll -- I'll -- I'll keep  
3 my additional comments to the technical aspects of  
4 where we're at and where we think things are going  
5 from there.

6 It is true we are in some negotiations with  
7 both Indiana Rail Road Company and CSX. Those  
8 have just begun. We have made some requests  
9 through outside counsel, Mr. Richard Wilson, for  
10 some net liquidation value information, additional  
11 information concerning the condition of the track  
12 assets, the bridge structures, et cetera.

13 We've yet to receive a response on any of  
14 those requests, although I'm told those are  
15 forthcoming. And I understand that does take a  
16 little bit of time for the railroads to produce that  
17 type of thing.

18 So, only once we are able to obtain that  
19 information and complete our negotiations will we  
20 be able to say definitely that we have any sort of  
21 agreement or deal to buy any portion of the  
22 railroad. The numbers are going to be pretty  
23 important, as, you know, some of the mayors have  
24 indicated previously from a financial standpoint.

25 Notwithstanding the section that the port

1 authority is in the process of negotiating, Mr.  
2 Cooley noted the additional impact that that  
3 discontinuance of service can have south of  
4 Mitchell. And that is completely outside the scope  
5 of what the port authority is looking at right now.

6 So, you know, as you move south, you go a  
7 few miles and you hit one of the few Indiana  
8 shovel-ready certified industrial sites. And then  
9 you move east a little bit further along that line,  
10 again within the Radius network, and you hit  
11 Washington County which also has an industrial  
12 park. None of that is going to be dealt with  
13 through the port authority in Lawrence County.

14 So I -- I don't want to present the feeling that  
15 because they're the port authority is negotiating  
16 something that that does away with the impact  
17 throughout the rest of the region. It's -- it's an  
18 isolated transaction that really is only germane to  
19 the Cities of Mitchell and Bedford and Lawrence  
20 County.

21 So I know those officials in those other  
22 counties have -- have a great deal of reservations  
23 about what's going on with the rail service that I  
24 can't address in -- in my capacity with the White  
25 River Port Authority. So please note that.

1       You know, I will also say there are some --  
2       there's some legislative activity in the State of  
3       Indiana to create an incentive package for  
4       reinvestment along these -- these rail corridors  
5       where discontinuation and -- and abandonment and  
6       so forth have been contemplated.

7       So the local communities are looking not  
8       necessarily at the current volume of rail along  
9       these lines, which I think anyone -- you know,  
10      that's just a strict matter of numbers. We know  
11      what those numbers are and they're not very high.

12      But once those services are discontinued,  
13      as -- as the economic development professionals  
14      have testified, they can't say that they have rail  
15      service anymore when they respond to these leads.  
16      So that's a -- that's a big issue for them. So  
17      that's all I have.

18             MR. COOLEY: All right. If I could make  
19      a few final --

20             MR. DETTMAR: Okay.

21             MR. COOLEY: -- concluding remarks,  
22      please. In going to China about two years ago as  
23      an economic developer and working with  
24      opportunities to -- to build some -- some potential  
25      for the United States markets, China is going full

1 game ahead on rail and positioning that. They're  
2 building their industrial nation. The same thing  
3 that we did in the past.

4 Now, during the great recession -- or is it a  
5 recession that's going to make us great -- it's  
6 easy, I guess you can say, to make a hard  
7 decision. It's hard to hold the right path that we  
8 need to hold to keep the infrastructure in place to  
9 give us the opportunity over time here to develop.  
10 The premier sites that a lot of time and effort on  
11 behalf of small communities to put into  
12 shovel-ready sites, certified sites with rail access.

13 As you've heard from the mayors, there's been  
14 a tremendous amount of local taxpayer support  
15 that's gone in to infrastructure support with not  
16 knowing that there was any intent going forward to  
17 either abandon the rails or discontinuance of  
18 service.

19 You can see the pro-business attitude that we  
20 have. We're committed and dedicated to the  
21 residents and to the workforce during hard times.  
22 Now that we are positioned to where we do not  
23 have the revenue that the railroads have picked up  
24 during the great times or the good times of  
25 carrying a lot of cargo, now the service has been

1 redrafted over to other lines. Now we're faced  
2 with a situation that's said that we're addressing  
3 where do we go from here to maintain those rail  
4 assets on behalf of industrial development.

5 But not only that is it so crucial, but our  
6 number one priority is business retention, holding  
7 on to what we already have and helping them to  
8 grow. This is a critical component of making that  
9 happen, as you've heard from previous testimony.

10 I also want to thank our federal  
11 representatives and senators, our state  
12 representatives and senators as well as the  
13 governor, and especially lieutenant governor who  
14 has done a tremendous support system in helping  
15 us to bring this forward. Thank you. Welcome to  
16 south-central Indiana.

17 MR. DETTMAR: Thank you very much.  
18 Gentlemen, thank you both.

19 MR. UMPLEBY: One last point. We filed  
20 the -- I think it's dated today and it was actually  
21 mailed yesterday, a letter in support of our  
22 appearance today. So I'll -- I'll tender some of  
23 those.

24 MR. DETTMAR: Okay. Thank you very  
25 much.

1 At this time, I would like to ask -- call Mr.  
2 Richard Vonnegut, and he's going to speak mostly,  
3 I gather, on the Trails Act.

4 MR. VONNEGUT: Yes.

5 MR. DETTMAR: Thank you very much,  
6 sir.

7 MR. VONNEGUT: Thank you. I'm  
8 Richard Vonnegut. I'm with the Indiana Trails  
9 Fund. The Indiana Trails Fund is a not-for-profit  
10 group which has applied to preserve the corridor  
11 on the Crane/Bedford line.

12 We at the Indiana Trails Fund have used the --  
13 the preserving corridors is -- is called "rail  
14 banking" or "interim trail use," but I'll call it  
15 preserving the corridor, a number of times in  
16 Indiana over the past ten years, and we wish to  
17 work with local communities in -- and individuals  
18 in trying to preserve the corridor.

19 But I need to say that in applying for this, my  
20 statements are directed to the Crane/Bedford line,  
21 not to the CSX or the Bedford/New Albany line  
22 because abandonment at this point only has been  
23 applied for by the Indiana Rail Road.

24 We recognize, the Indiana Trails Fund  
25 recognizes that the highest and best use of

1 corridors is railroads. And we want to see the  
2 rails, the railroad service preserved, if at all  
3 possible.

4 But that "if" becomes a major factor here in  
5 that if -- like providing a net under a tightrope and  
6 circus, if we can provide a net to save the  
7 corridor, we will help boost the economic values of  
8 the local communities, be it Bedford, or Williams,  
9 Coxton, Indian Springs, Cale. Because  
10 communities of whatever size have a higher  
11 economic value if a corridor is preserved than  
12 communities which let a corridor go.

13 And the benefits not only are of -- for the  
14 economic value in a large sense but also for  
15 individual citizens. Citizens who get out and walk  
16 and bicycle and hike are improving themselves and  
17 their health.

18 As people use corridors, and I'm thinking  
19 people not only locally but people who come  
20 from -- like myself from Indianapolis to -- to  
21 Bedford or to Williams to hike and bike, I'd be  
22 spending money in the -- in local restaurants,  
23 diners, an ice cream shop, or renting a bicycle,  
24 bed and breakfast, hotels, matters of this sort.  
25 And that's where the economic development and

1 the economic benefits come in.

2 I want to point out, to make matters somewhat  
3 clear, since you will -- you'll hear about the terms  
4 "rail banking" or "interim trail use." I need to  
5 explain that.

6 "Interim trail use" is a technical term and it  
7 refers to the time that rails occur and rails are  
8 taken out of a line. "Interim trail use" suggests  
9 that there's a time when rails be put back into  
10 service and used. And it's in this interim time  
11 when trails, walking and bicycling is a form of  
12 public transportation policy can be used and exist  
13 and promoted.

14 This comes about through the -- if there's a  
15 devolution of the corridor. And we're talking about  
16 the stages of devolution with the two lines right  
17 now. An active line has federal regulation. The  
18 Interstate Commerce Authority that came about  
19 under President Cleveland has track and has  
20 trains. An inactive line, which is what CSX is  
21 applying for, has federal regulations and track but  
22 no trains.

23 "Rail banking" has federal regulations, no  
24 track and no trains. And an abandoned corridor  
25 has no regulation, no track and no trains. And this

1 is put together by the Hoosier Rails and Trails  
2 Council and we attribute it to them. This is about  
3 the simplest way that I know how -- how to explain  
4 what rail banking is and its -- and its status in the  
5 community.

6 I want to suggest that I do not want to see rail  
7 lines go. The Indiana Trails Fund does not  
8 necessarily want to see rail lines go, but if there  
9 is a failure of the economic viability of a rail line,  
10 if rail banking can be sustained and if the Indiana  
11 Trails Fund works, we can work with local  
12 communities and work with adjacent landowners  
13 and work with citizens in trying to provide this  
14 backup situation. And I'll be around afterwards for  
15 questions. Thank you.

16 MR. DETTMAR: All right.

17 MR. VONNEGUT: And thank the Surface  
18 Transportation Board for this public meeting.

19 MR. DETTMAR: Thank you. I'd like to  
20 call Mr. -- Mr. McNichols forward. I believe he's  
21 representing the lieutenant governor. Is --

22 MS. MCNICHOLS: Miss.

23 MR. DETTMAR: Miss.

24 SPEAKER: Miss. She's not speaking.

25 MS. MCNICHOLS: It -- it's she.

1 MR. SPEAKER: It's Jamie. She's not  
2 speaking.

3 MR. DETTMAR: Oh, she -- Ms.  
4 McNichols. Sorry.

5 Then in that case, Mr. Robert Armstrong.

6 MR. SPEAKER: He's over there.

7 MR. DETTMAR: Are you going to testify,  
8 sir?

9 MR. ARMSTRONG: Yeah.

10 MR. DETTMAR: Okay. Please --

11 MR. ARMSTRONG: I've got two cents  
12 worth to put in. I'll sit down here. I kind of  
13 represent the tourism people down here to some  
14 extent. I'm vice president of the Bluespring  
15 Caverns Operating Company up in Lawrence  
16 County. Also, the official conservation watchdog  
17 for the National Speleological Society on issues  
18 involving --

19 MR. DETTMAR: M-hm.

20 MR. ARMSTRONG: -- lost river. I'm the  
21 chairman of that committee. Our goals and our -- I  
22 want to say I'm -- thank -- thank every -- you  
23 people for this opportunity. We look at the  
24 railroads as just part of the big picture in the  
25 middle of the tourism industry. We're interested in

1 tourism promotion throughout the entire south  
2 central Indiana. And if worse comes to worst, we'd  
3 like -- we fully want to see hiking trails and that  
4 sort of thing.

5 Further, as a -- as -- as a engineering  
6 graduate, I have worked in the defense supporting  
7 industries for 43-1/2 years at Allison Naval  
8 Avionics. And I'm kind of tuned into the worth of  
9 railroads in extreme emergencies.

10 MR. DETTMAR: M-hm.

11 MR. ARMSTRONG: So this is really my  
12 personal -- personal thing on that. I want to see  
13 the railroads conserved, because if the hammer  
14 ever comes down, we're going to need them bad.

15 MR. DETTMAR: Okay.

16 MR. ARMSTRONG: Thank you.

17 MR. DETTMAR: Thank you, sir. Next on  
18 my list is Mr. Dunn, Jim Dunn. And also to -- can  
19 we also call forward Judy Gray, Orange County  
20 Economic Development. Thank you very much.  
21 Mr. Dunn.

22 MR. DUNN: I'm -- I'm Jim Dunn. I live in  
23 Washington County. I'm a concerned citizen. I  
24 represent myself. I want to thank you, sir, and the  
25 opportunity for us to be able to speak.

1 I -- I bring here, I guess, my own opinion and  
2 some history. Many of you don't realize that the  
3 New Albany to Salem railroad was the first railroad  
4 in the State of Indiana. That rail line which runs  
5 there was instrumental in the leading of the --  
6 becoming the Monon Railroad.

7 I have with me something I've had for many  
8 years. I'm 66 years old, and when I was 4 years  
9 old, Monon celebrated their hundredth anniversary  
10 and I have the wooden nickel from that. So all of  
11 those years I've watched the railroad. I'm not a  
12 railroad enthusiast, but I've seen in my -- in my  
13 time -- also, I was an adjunction professor at  
14 Indiana University and did some history there, too,  
15 to see the importance of railroads in communities.

16 In the beginning, railroads were the difference  
17 of -- of tying these little, small communities  
18 together in commerce. And we saw if you looked  
19 at -- if you went up and down, some of the things  
20 were there. Campbellsburg had a -- had a  
21 cannery, and there were all of these little  
22 businesses there at the time that depended so  
23 much upon that. And as we saw, rail decline after  
24 World War II and trucks take over the  
25 transportation of many of our products. In that

1 decline, we also saw the purchasing and -- of many  
2 of the small railroads that were struggling into  
3 major corporations. CSX being one of those.

4 We've just gone through a downturn when a  
5 major -- major corporations, which were banks  
6 which have done the same thing, became too large  
7 to fail. And I think in -- in doing that, they've  
8 primarily looked at dollars only. You know, what's  
9 the best way that we can make money.

10 They failed to realize that in the rail situation  
11 and in the business as they do that, they lose the  
12 opportunity for communities like Salem, and Pekin,  
13 and Borden, Campbellsburg, Bedford, Mitchell and  
14 so forth to be able to look into the future.

15 At present, we know we're in a downturn. Lots  
16 of people are looking at ways to save as much  
17 money as they can. And as someone has said  
18 before, you know, when we -- we look at  
19 discontinuance, it's -- the next step after that is  
20 abandonment.

21 Bedford has some advantages in the fact that  
22 they and Mitchell, that they're one end of this line.  
23 Salem doesn't have. They're in the center, pretty  
24 much, of this line. For us to be able to purchase  
25 rail, to purchase the rail to keep things going for

1 this community I think would probably be  
2 financially impossible for us.

3 From a history point of view, I -- and I've  
4 seen what's happened, we see what's happening  
5 with our economy, we see what's happening with  
6 fuel prices, and we know the -- the importance of  
7 trucking is today.

8 But I listen to the advertisements on public  
9 radio and CSX says that they can move X amount  
10 of freight for -- so many tons of freight so many  
11 miles per gallon of diesel fuel. I think in a way  
12 that's probably our future because we see what's  
13 happening as we look in the future, the truck --  
14 the -- the problems with pollution and all the other  
15 things that we deal with. In eliminating rail  
16 service, I think we eliminate the future of a lot of  
17 small communities.

18 I am probably most concerned about little --  
19 little cities and little communities like Salem.  
20 We've seen our business tax base disappear as  
21 companies have closed. And I'm -- I'm concerned  
22 most of all that the decisions that are being made  
23 by the Surface Transportation Board and CSX and  
24 so forth are monetary only and they don't look at --  
25 at the future of -- of our communities and -- and

1 the existence of -- of those communities to be able  
2 to function independently in our state.

3 MR. DETTMAR: Jim, thank you very  
4 much. Ms. Gray.

5 MS. GRAY: Yes. Morning. Thank you.  
6 Judy Gray, Orange County Economic Development,  
7 I'm Partnership Executive Director. And I  
8 certainly want to say I concur with previous  
9 testimony that Mayor Girgis and Mayor Terrell and  
10 my peer Gene McCracken gave. So I won't  
11 continue with that.

12 Except I do want to say this is so important  
13 from an economic development point of view for  
14 our region in terms of competitiveness, because  
15 much of economic development today is focused  
16 from a regional perspective initially when they're  
17 wanting the whole idea is to eliminate you. So this  
18 would certainly be a negative impact for the  
19 region.

20 And for Orange County, in particular, when we  
21 developed our shovel-ready site in Orleans,  
22 Indiana, CSX wrote a letter of support for that. To  
23 become a certified shovel-ready site, there are  
24 many requirements, and one of those was for CSX  
25 to write a letter of support, which they did, and as

1 was previously mentioned, not knowing that this  
2 part of the CSX line was to be possibly  
3 discontinued.

4 So that is one of two sites that I have in  
5 Orange County for economic development. And we  
6 are a small rural county that, as you've heard  
7 previously, has had many economic development  
8 downturns. And so, to be able to market this one  
9 site with rail, I will not be able to do that with this  
10 discontinuance.

11 So it's so important for us. We have spent the  
12 money, as was mentioned earlier, to do a certified  
13 shovel-ready site. And now one of the key  
14 components of that site I will not be able to  
15 market.

16 And so I just want to thank the Surface  
17 Transportation Board for allowing us to testify  
18 today and for hearing our concerns. So I certainly  
19 am not for the discontinuance of this line. And I'm  
20 sure you'll hear from Washington County, but  
21 again you heard earlier that they also have an  
22 industrial site that is along this rail line. So I  
23 certainly want to support all of us along that rail  
24 line, not -- not just Orange County and Orleans.

25 But that's my interest. So thank you very

1 much.

2 MR. DETTMAR: Thank you. I'm going to  
3 get these names wrong, so please bear with me.  
4 Spencer, is that Wendelin, from Transmark  
5 Associates. And Jess Helsel --

6 MR. HELSEL: Yes.

7 MR. DETTMAR: -- from Washington  
8 County Economic Partnership.

9 MR. HELSEL: Economic Growth  
10 Partnership.

11 MR. DETTMAR: Economic Growth  
12 Partnership. And Mr. Wendelin, if you would spell  
13 your name for the --

14 MR. WENDELIN: Certainly. Thank you,  
15 Mr. Dettmar.

16 MR. DETTMAR: -- reporter.

17 MR. WENDELIN: It's Spencer,  
18 S-p-e-n-c-e-r, Wendelin is W-e-n-d-e-l-i-n. And I  
19 do represent Transmark Associates, which is a  
20 company that manages short line railroads. I just  
21 have a few comments. Again, I want to thank Ms.  
22 Farr and Mr. Dettmar for coming from Washington  
23 to hear the comments of myself and -- and others  
24 in the room today.

25 The STB has, I believe, a responsibility to act

1 as a good faith referee and judge in a process  
2 where we have railroad companies that are  
3 attempting to structure themselves so that they  
4 can provide the best service they can with the  
5 economics they have to face in the world.

6 On the other side of that, you've got a group  
7 of communities who you've already heard from  
8 some of the mayors and -- and economic  
9 development representatives of today, and I'm  
10 sure there will be more as the hearing goes on  
11 today.

12 Some of those have already stepped up to the  
13 point where they are interested in seeing what can  
14 be done to save this service. Port authorities  
15 have been formed. For you folks that are not  
16 familiar with the Indiana Port Authority law, I  
17 might just add a couple of comments about that.

18 The Indiana Port Authority law has been  
19 structured for a number of years in such a way that  
20 a port authority is formed by local government or  
21 governments. It has among its abilities the ability  
22 to acquire, operate, own rail properties. So it's  
23 not just a river port or a lake port, that sort of  
24 thing. The enabling legislation actually provides  
25 them with the tool to do this.

1 To the extent that the Surface Transportation  
2 Board can again act as -- under NOFA process or  
3 some other mechanism can act as a good faith  
4 judge and guide to all parties concerned, we  
5 certainly want to encourage that.

6 As is often the case where you've got larger  
7 railroad companies seeking to withdraw from  
8 service in an area, there are economic impacts.  
9 Those economic impacts are real. There are  
10 companies some of which you may be familiar with.

11 GM has a major foundry operation in Bedford.  
12 Indiana Steel is a structural steel and steel  
13 service center in Bedford. Bedford Recycling is a  
14 large iron and steel recycler in Bedford. There's a  
15 major building in Borden towards the south end of  
16 the line which parties have purchased, it has rail  
17 service now. They want to redevelop that.

18 You've got IMI Cement here in Salem and  
19 limestone operations in -- in various places.  
20 You've got a major furniture factory that's in  
21 operation that has rail service. Sometimes larger  
22 railroads are not able to provide the kinds of  
23 flexible service because of their economics and  
24 the kinds of local marketing that smaller railroads  
25 or railroads owned by port authorities can.

1       So I think my testimony today is to emphasize  
2       that we want to encourage the STB to do whatever  
3       it can within its framework and to add whatever  
4       flexibility it can to encourage parties to step  
5       forward and solve the issue of saving as much of  
6       this railroad for rail service, and more importantly,  
7       for the economic development of a major part of  
8       Indiana.

9       And I'd be happy to have a copy of the  
10       transcript of today's hearing sent, if that's  
11       possible. I've left my information with the -- with  
12       the sign-in sheet.

13               MR. DETTMAR: I'll direct you to the  
14       court reporter. You might want to ask her.

15               MR. WENDELIN: All right. Again --

16               MR. DETTMAR: Correctly.

17               MR. WENDELIN: -- I want to thank you  
18       for coming, you know, so far to have the hearing  
19       today and, again, certainly encourage STB to play  
20       its role to the fullest that it can.

21               MR. DETTMAR: Thank you very much.

22               MR. WENDELIN: Thank you.

23               MR. DETTMAR: Mr. Helsel, if you'll spell  
24       your name, also, for the --

25               MR. HELSEL: Good morning.

1 MR. DETTMAR: -- court reporter.

2 MR. HELSEL: I'm Jess Helsel,  
3 H-e-l-s-e-l, President of the Washington County  
4 Economic Growth Partnership. Our mission is  
5 the -- to enhance the economic well-being of the  
6 county. And you've heard from the directors,  
7 economic development directors of both Orange  
8 and -- Orange Counties and the Radius group, who  
9 we are a member of that. We work with them. And  
10 probably there's little I can add to what you've  
11 already heard from them.

12 One, rail is a -- is a tool that economic  
13 development people use. It needs to be available.  
14 It -- it is another method of economic  
15 transportation. And you've heard earlier about  
16 the -- the advertisement that says that rail can --  
17 can be handled freight at a lot lesser cost, which  
18 is true.

19 There is one thing that I would like to point  
20 out that I have -- and just reinforce what I've --  
21 what you've heard earlier. Washington County and  
22 Orange and Lawrence County are a part of the  
23 17 counties in the south -- southeastern part of  
24 the state which have traditionally been the lowest  
25 per capita income counties in the State of Indiana.

1 If you look at Orange and Washington County, we  
2 are near the bottom of that.

3 We need every bit of help we can get in the  
4 way of job creations. We've had two major plants  
5 close here in the past year or two. Not un -- not  
6 unlike what has happened in other counties. But  
7 rail is important to us.

8 Now, in the last two years, we have had two  
9 opportunities we worked on that involved rail. One  
10 of them involved ethanol, and I'm positive that's  
11 not going to go anywhere. The other one was a  
12 movement of large rolls of paper that -- I -- I'm not  
13 sure where that will go. But rail is an important  
14 segment of economic development and something  
15 we need to keep -- keep in -- in place.

16 I can understand why we're -- we're concerned  
17 about. If it's abandoned, we can -- hiking trails  
18 and that type of thing, and that's great. That's  
19 quality of life. I doubt it will support many jobs.  
20 But if, you know, push comes to shove, that's  
21 probably a good way to go.

22 I can only urge you to reconsider the plan of  
23 abandonment or the closing of the rails, which  
24 takes another tool out of the toolbox in economic  
25 development. Thank you.

1 MR. DETTMAR: Mr. Helsel, thank you  
2 very much.

3 Mr. Bower, Mayor Bower --

4 MR. BOWER: Yes.

5 MR. DETTMAR: -- are you here?

6 MR. BOWER: My city attorney is with  
7 me, as well. Would you --

8 MR. DETTMAR: Please bring -- come --  
9 come forward together. Thank you for coming.

10 MR. BOWER: Thanks --

11 MR. DETTMAR: If you'd state your --

12 MR. BOWER: Thanks for the  
13 opportunity -- David Bower. I represent the City of  
14 Salem as mayor. And I have with me today Drew  
15 Wright, our city attorney. I certainly want to  
16 welcome the mayors of -- of Bedford and Mitchell  
17 for coming down today. I appreciate their  
18 presence.

19 You know, certainly there's been a lot of  
20 compelling testimony and -- and good thoughts or  
21 concerns about why we shouldn't close or  
22 discontinue service, and I echo those and -- and  
23 certainly don't want to be redundant. So I don't  
24 think there's any need to continue with that  
25 testimony.

1       The other thing, though, that -- that I want  
2 you to emphasize or make note of before this  
3 decision is made is that the City of Salem in  
4 Washington County as a whole, the fate of our  
5 community is somewhat in your hands.

6       We don't have the capacity to purchase tracks  
7 or -- or initiate a port authority as -- as some of  
8 the other communities may have. So we -- we  
9 literally are out on our own. And certainly the  
10 compelling testimony that we had that -- that the  
11 loss of service or the abandonment of the tracks is  
12 a detriment to our community, and I'd certainly like  
13 that duly noted.

14       But I think the other thing that we should  
15 consider as well and one of my main concerns is  
16 what's going to happen to the safety of our  
17 citizens in regard to railroad crossings throughout  
18 our county. We're one of the largest counties in  
19 the State of Indiana. We have four railroad  
20 crossings within a quarter mile of our city square  
21 that is heavily trafficked.

22       And as history has shown, we've always had  
23 issues and problems with the safety of our track.  
24 There's been some -- some accidents in the past.  
25 The repair and upkeep of the tracks has always

1     been a concern.  And actually, we're going through  
2     that right now.

3         We had a meeting this morning with some  
4     representatives of the railroad.  And I do want to  
5     stay positive in that concern.  We are getting some  
6     positive feedback and I think we are going to  
7     initiate a -- a partnership as such that we can  
8     keep our tracks in good repair.

9         But what concerns me first and foremost is  
10    that with the possible discontinuance of use or  
11    abandonment, does that mean there's going to be  
12    less money spent on repair and upkeep and the  
13    safety of our citizens.

14        We have a tremendous amount of rural  
15    railroad crossings in our community that is  
16    frequented, obviously, by school buses, and we  
17    are very concerned about the amount of money  
18    that might be appropriated for future upkeep and  
19    repairs and safety issues.

20        So it is my wish and I ask you that before you  
21    grant any discontinuance or certainly abandonment  
22    that you initiate some parameters to the railroad  
23    that they will certainly agree to repair and keep  
24    the -- the crossings in repair and good working  
25    order and safety before you allow a

1 discontinuance.

2 MR. DETTMAR: Sir.

3 MR. WRIGHT: My name is Andrew  
4 Wright. I'm city attorney for Salem, Indiana, and  
5 I've held that position since 1976.

6 MR. DETTMAR: Excuse me. Is that  
7 W-r-i-g-h-t?

8 MR. WRIGHT: W-r-i-g-h-t.

9 MR. DETTMAR: Thank you.

10 MR. WRIGHT: And basically, I want to  
11 echo the comments of our local citizens, Mr. Dunn  
12 and Mr. Helsel, and of course our mayor. But the  
13 main concern of the City of Salem, we want to  
14 preserve the rail infrastructure that serves this  
15 community, and we certainly would oppose the  
16 abandonment of the right of way.

17 We understand it may be inactive for a period  
18 of time. But -- but if the right of way is  
19 abandoned, why, this community will have lost a  
20 resource that it probably could never regain.

21 In the 1980s, Salem has been active in trying  
22 to attract industry for many years and we were  
23 able to attract a Kimball plant to our community  
24 and it's now one of our largest employers, if not  
25 the largest employer. And a condition of their

1 relocating in Salem was rail access and rail  
2 service. And a -- a side track was built and that  
3 was part of that project.

4 And I will grant you that Kimball did not end  
5 up using it and we did not recover the cost on that,  
6 but on the other hand, they would not be here  
7 without that. And I'm sure that there are other  
8 industries that want rail access as a requirement,  
9 and if -- if that rail is not available then we're  
10 never going to see those industries.

11 The future mix of transportation is unknown.  
12 We've heard about the fact that, you know, rail has  
13 been in decline because of trucking and interstate  
14 transport -- transportation system.

15 But on the other hand, with the carbon  
16 footprint, we're concerned about global warming  
17 and these sorts of things, why, basically rail will  
18 be favored again in the future, and we want to  
19 make sure that if there is a future for rail that --  
20 that Washington County is a part of that.

21 MR. DETTMAR: Thank you, sir. Your  
22 Honor, Counsel, thank you very much.

23 Could I ask Cathy Hale, City of Madison Port  
24 Authority, and Becky Durbin, I believe,  
25 representing herself. Okay. Thank you very much.

1 Okay.

2 MS. HALE: I'd rather stand, if you don't  
3 mind. I've been sitting --

4 MR. DETTMAR: Oh, sure, please.  
5 Whatever --

6 MS. HALE: I'm Cathy Hale. I'm with the  
7 City of Madison Port Authority. We operate --  
8 and -- and I'm the CEO for the Madison Railroad  
9 which is owned and operated by the -- the city.  
10 The line was acquired through condemnation  
11 from Penn Central when we were in the same  
12 situation as a lot of you folks in this room. We  
13 were faced without rail service and what was going  
14 to happen to our community if rail went away.  
15 Because in our community at least 50% of the  
16 leads that come from the economic development  
17 director --

18 MR. DETTMAR: M-hm.

19 MS. HALE: -- asked if you have rail  
20 available. And in -- in our case, over 2,000 jobs  
21 between Madison and North Vernon have been  
22 created as a result of the perseverance through  
23 the leaders of our community.

24 And I'd like to commend Bedford and Mitchell  
25 for having the tenacity to form a port authority. I

1 won't make it sound like it's an easy road because  
2 it's not. And it took a lot of dedication from our  
3 community and tax dollars for a number of years  
4 under the form of what we call "rail availability  
5 surcharges."

6 But the community believed enough in saving  
7 that 25 miles of rail to put their money where their  
8 mouth was. And because of that, you know,  
9 there's been a number of industries that have  
10 come to the community.

11 And like the other gentleman just said, not all  
12 of them have used the rail, but you know, as a  
13 sidebar, it -- it doesn't matter that they're not  
14 using it for the community because the rail -- the  
15 jobs were created.

16 Now, that doesn't pay our bills at the railroad,  
17 which is another issue, so -- you know, but there  
18 are avenues through port authorities for grants  
19 and low interest loans. And so I would just like to  
20 commend them for that and the communities that  
21 are in the same position to where they -- you  
22 know, whether it's too many miles of rail or, you  
23 know, in the abandonment case where the rail --  
24 my understanding already has a place they want to  
25 put it to a coal company, remove the -- the

1 heavyweight rail. You know, I'm not sure that I  
2 have any guidance for that.

3 But you know, I would urge the Surface  
4 Transportation Board to take seriously -- you  
5 know, I have a passion for the rail miles in  
6 Indiana. Indiana has already lost tremendous  
7 amount of railroads.

8 The Madison Railroad is the first rail line in  
9 Indiana, the oldest west of the Alleghenies. So,  
10 you know, we fought long and hard, our community  
11 leaders, I think, knew what they were doing when  
12 they saved it.

13 And I would urge both CSX and Indiana Rail  
14 Road to realize that the local communities and the  
15 port authorities are not-for-profits and can accept  
16 donations.

17 So should the railroads in their negotiations  
18 want to consider, you know, lowering the cost of  
19 acquiring the rail or whatever kind of -- of items  
20 that they might want to donate, there is a tax  
21 write-off benefit for that.

22 And I would ask that you, in good faith, help  
23 the City of Bedford and Mitchell. That is a  
24 doable -- the six miles on CSX, I believe, and --  
25 and the Yockey Loop, that is a very doable

1 situation to put together if everybody puts their  
2 heads together and works together towards it.

3 And, you know, while most of my -- I mean,  
4 I'm a high school graduate and the school of hard  
5 knocks. I started out at the railroad 32 years ago  
6 just because I needed a better job. And, you  
7 know, I started out in accounting, accounts  
8 payable.

9 And so it doesn't take a genius. It just takes  
10 the tenacity and sticking to it and putting your  
11 mind to it and having the desire and -- to -- to dig  
12 in and figure out how you can make it happen. And  
13 I think our community is an example of that.

14 And unfortunately, several -- in 1995, the  
15 Jefferson Proving Ground through the base closure  
16 process shut down. Fortunately for the railroad,  
17 we were able through negotiated sale to a public  
18 entity to acquire an engine house and 15 miles of  
19 rail.

20 And as a result of that, it turned the whole  
21 nature of the railroad around in that we were able  
22 to do car storage in the -- in the Jefferson Proving  
23 Ground on those miles of track.

24 Just like you -- you lease a car from a  
25 dealership and once you turn that in off of lease,

1 that car has to have somewhere to be parked if it's  
2 not sold. Well, the rail cars are the same thing.  
3 There are leasing companies. Maybe say General  
4 Motors might lease 300 automo -- auto racks.  
5 Well, when those cars come off lease, they have to  
6 have somewhere to be parked.

7 And in our case, you know, we are -- we are  
8 sad for the downturn in the economy; however, our  
9 revenues have not gone down, they've stayed  
10 stable, if not gone up, because we do have the 15  
11 miles that we were able to gain to park those.

12 I would like to offer as a community service --  
13 I believe, you know, we are neighbors in the  
14 railroad industry, we're all friends, brothers and  
15 sisters.

16 And I'm here to offer my services free of  
17 service as a community service to those  
18 communities that could benefit from any of the  
19 knowledge that I've gained from the others before  
20 me that were kind enough to teach me.

21 MR. DETTMAR: Thank you very much.

22 Mr. John Misher, County Commissioner.

23 MR. MISHLER: Mishler.

24 MR. DETTMAR: Mishler. Mishler. I'm  
25 sorry.

1           MR. MISHLER: I'd just like to thank you  
2 for allowing all of us to speak our minds on this  
3 matter. I just want to reiterate -- there's so much  
4 that has been said about Washington County. But  
5 we have lost so many jobs.

6           It all -- when I first moved to Washington  
7 County, we had a company called Child Craft Smith  
8 Cabinet. There were over a thousand people that  
9 worked there. Two years -- two or three years  
10 ago, they had a devastating flood, and with the  
11 economy they had shut down.

12          Kimball had a -- office furniture, had a plant  
13 in Borden right along the rails which shut down.  
14 And many of the employees came to the Salem  
15 plant, and in the meantime with the economy, the  
16 Kimball office in Salem I know is struggling.  
17 They've had -- I think their workforce is probably  
18 down to half.

19          And I'm just very concerned of the economic  
20 impact that we can't attract industry without  
21 having some kind of infrastructure such as rail.  
22 We're -- we're 20 miles away from any in -- any  
23 interstate. It wouldn't be such a problem to us if  
24 we maybe were like Scottsburg and located on --  
25 on an interstate, which we're not. There's not a

1 very quick way to get to Salem.

2 And I think, you know, the future, as -- as it's  
3 been mentioned, we don't know what rail holds. I  
4 think that it could be a big thing again. But I just  
5 would -- would like to stress my opposition to try  
6 to get things worked out to make -- to keep this  
7 rail.

8 And if you decide not to, then, you know, we  
9 certainly would like the opportunity to maybe have  
10 the tracks donated where we wouldn't have to buy  
11 the right of way or maybe where we can try to  
12 maintain the track.

13 I don't know if that's even a possibility, but I  
14 just -- it's been brought up that we are one of the  
15 poorest counties in Indiana. I would say probably  
16 in the lower 10 -- lowest 10%. And we need  
17 something, we need a tool to attract industry.

18 So that's all I have to say. And I appreciate  
19 your time.

20 MR. DETTMAR: Thank you very much.

21 Rhonda Greene representing the Farm Bureau.

22 MS. GREENE: I'd like to go ahead and  
23 express just general concern from the Farm  
24 Bureau. Yeah. But I'd also like to speak to you as  
25 a -- as a small business owner. And having the

1 railroad go by my house for the last 20 years --

2 MR. DETTMAR: M-hm.

3 MS. GREENE: -- CSX has been a part of  
4 Washington County history. And everyone has  
5 expressed very effectively the -- the need for the  
6 railroad to come through our county and support  
7 our economic development.

8 But I wanted to go ahead and take a little bit  
9 of a different line. I'm kind of a busybody and I  
10 love business. And if I hear somebody -- a  
11 business having trouble, I'll pop in to see if I can  
12 do anything or lend support. And to take just a  
13 different line, I'd like to go ahead and say CSX  
14 has been a part of our community and a business  
15 in our community.

16 And I would like to see -- I would like to say --  
17 this is a little bit weird, but I'd like to say that this  
18 is my way of popping in and saying you are needed  
19 in the community, as far as CSX. And if there's  
20 anything we can do, please let us know. And I  
21 would hate to see CSX diminish by removing the  
22 tracks just because of a temporary economic storm  
23 that will end.

24 Once again, if there's anything we can do as a  
25 community, let us know.

1 MR. DETTMAR: Thank you very much.

2 Mr. Lehman, Larry Lehman, and Mr.  
3 Hockersmith. Okay.

4 MR. HOCKERSMITH: I prefer to stand, if  
5 it's okay.

6 MR. DETTMAR: By all means.

7 MR. HOCKERSMITH: Okay. For those of  
8 you who don't know me, I'm former congressional  
9 candidate Hockersmith. Ran against Baron Hill in  
10 2006 in the primary. And some of you I know by  
11 face, some of you I don't know. So I'm going to do  
12 a little survey here if it's okay because we're all  
13 Hoosiers and we're all in the same boat and we're  
14 all in the same state.

15 So, if you directly work for the State of  
16 Indiana and for Mitch, please raise your hand. I'm  
17 just asking as a courtesy. Okay. Well, then I  
18 know you're out there.

19 Anyway, what I have to say is a few years ago  
20 when the military was reporting equipment  
21 problems as far as repairing vehicles, so on and  
22 so forth, I sent communications to Mike Pence's  
23 office saying that we should work to develop  
24 military repair hubs in this area because of our  
25 industry base, such as Freeman Field, Columbus,

1 so on and so forth, and then use the railways to  
2 try and transport said vehicles back south to  
3 Louisville, Fort Knox, or wherever.

4 Now, the Washington Times this morning is  
5 reporting and voicing concerns by Pentagon  
6 officials of a shifting stance by the Chinese  
7 military towards the United States. They have  
8 even stepped up training exercises around Taiwan.

9 So, at some point in time, there may come a  
10 day that we're going to need those rail lines;  
11 okay? So I don't know how you-all are going to get  
12 it done, but you need to get it done because we're  
13 going to need them.

14 So that's pretty much all I've got to say.  
15 You-all have a nice day.

16 MR. DETTMAR: Thank you. Is there  
17 anyone else we haven't heard from who would like  
18 to testify? In that case --

19 MS. DURBIN: I think my name --

20 MR. DETTMAR: Oh, yes?

21 MS. DURBIN: I think my name was called  
22 when I was out.

23 MR. DETTMAR: Oh, please come.

24 MS. DURBIN: My name is Becky Durbin,  
25 and I live in Harristown here in Salem, the

1 Harristown Railroad crossing. And I have a  
2 petition from neighbors and friends from  
3 Harristown to protest the CSX parking the train in  
4 our neighborhood.

5 Not only is it unsightly, it also depreciates the  
6 values of our home and jeopardizes the safety of  
7 our neighborhood. And we feel that the children  
8 will be playing and climbing on them and possibly  
9 get injured.

10 And personally for me, I own property on both  
11 sides of the track and the train car sits right in the  
12 middle of my property, and this is a major  
13 inconvenience for my family and our home being on  
14 one side and our rental house and lawnmower  
15 business on the other side. Harristown welcomes  
16 the abandonment of the tracks if this means the  
17 train cars will be removed from our neighborhood.

18 Thank you.

19 MR. DETTMAR: Thank you very much.  
20 Anyone else? In that case, I'm going to conclude  
21 the hearing, and thank you all very much for  
22 coming, particularly those who testified. Thank  
23 you.

24 [WHEREUPON, Field Hearing concludes at  
25 11:10 a.m.]



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