



## Passenger Rail Coalition

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June 8, 2009

Joseph C. Szabo, Administrator  
Federal Railroad Administration  
U.S. Department of Transportation  
Docket Operations, West Building  
Ground Floor, Room W12-140  
1200 New Jersey Avenue, S.E.  
Washington, D.C. 20590

Docket No. FRA-2009-0045

Dear Administrator Szabo:

On behalf of the States for Passenger Rail Coalition, I would like to provide input on issues that should be addressed in the interim guidance required by the American Recovery and Reinvestment Act of 2009 (ARRA) and to provide specific recommendations on the criteria to be used in evaluating grant applications.

At the outset, let me commend you, Secretary LaHood, President Obama and Vice President Biden for all of their actions on intercity passenger rail to date. The recent round of field hearings conducted by the Federal Railroad Administration is a perfect example of your desire to listen to the American people and state leaders. We thank you for your efforts.

The Strategic Plan is a concise document that describes a process for bringing intercity passenger rail to America. As the document itself states, it is a part of a "pipeline" of ongoing financial and legislative efforts to create and maintain a program construct. The states are totally supportive of this approach. Our most fundamental goal is a national, interconnected system that provides access throughout the nation. Toward that end, we believe that the National Highway System is a more relevant model than the cumbersome New Starts paradigm.

As you know, the interim guidance will address the high speed rail corridor program, capital assistance for intercity passenger rail service grants, and congestion grants. More specifically, the interim guidance to applicants will deal with grant terms, conditions, and procedures for applications that will govern the process until final regulations are issued. Needless to say, the interim guidance is vital to the states if for no other reason than the states will be responsible for preparing applications for funding.

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Based on President Obama's High-Speed Rail Strategic Plan, Vision of High-Speed Rail in America ("Strategic Plan"), the States for Passenger Rail Coalition respectfully submits the following comments and suggestions regarding the interim guidance:

- Support funding for shared-track operations.** The Coalition strongly supports the definitions for High-Speed Rail and Intercity Passenger Rail identified in the Strategic Plan – particularly, the speeds identified for shared track operations of up to 110 mph. Improvements in operating speeds and reduced travel times are critical elements of an overall service plan. Enhanced service frequency, reliability, on-board service and amenities all play vital roles.

It is important to note that the states share FRA's concern for system safety. We strongly support the rapid deployment of positive train control (PTC) systems as a means of safely increasing passenger speeds. Accordingly, the states call upon FRA to continue its leadership role in working with the industry to define and timely deploy PTC to ensure that the safest and most effective use is made of network capacity to operate co-mingled freight, intermodal and passenger trains.

- Provide direction to states on the distinction between submission of individual projects and programs of projects.** States already making progress in corridor development work under the federal designation may be prepared to submit a program of ready projects instead of a single or short list of projects. Guidance to enable this kind of submission should provide for program efficiency.
- Authorize timely and effective methods of moving projects forward quickly.** Where possible and appropriate, the Coalition suggests using the concept of "design-build." States and their federal partners in the Federal Transit Administration and the Federal Highway Administration have developed a useful set of practices that allow the productive use of this technique.
- Provide a funding strategy to assist states with cash management.** We urge that the interim guidance provide quarterly cash advances to the states similar to those available to Amtrak through its most recent grant agreement. These are financially challenging times and cash management is a major concern. In addition, we recommend that state project management costs be made an eligible expense under ARRA and other FRA intercity passenger rail grant programs.

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- **Provide ARRA funding to states to conduct preliminary engineering and NEPA documentation for intercity corridors throughout the country.** If the concept of a project pipeline is to take hold, expediting the environmental documentation process is essential. Development of this documentation can often take two or more years.
- **Provide adequate ARRA funding for “next generation” coach and locomotive equipment.** As the vision document notes, equipment is essential to the future of intercity passenger rail. Adequate and expedited funding is critical to meet the challenges. We are encouraged that Amtrak has begun to implement Section 305 of the Passenger Rail Investment and Improvement Act (PRIIA). This section provides a process for development of the next generation of passenger rail equipment. We urge FRA to work collaboratively with Amtrak and the states to expedite this process. One step could include providing Amtrak an advance of the \$5 million authorized in the legislation. Further, the states, Amtrak and FRA must immediately begin an expedited program to achieve economies of scale in the procurement of fully compliant equipment. In the longer term, the same trio must collaborate on the development of lightweight high-horsepower, next generation motive power.

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Thank you for the opportunity to comment on this vital program. I commend you and your team, once more, on all of your efforts. The states look forward to working with their federal partners on the National Rail Plan called for in PRIIA and on other initiatives key to bringing high speed intercity passenger rail to America.

Sincerely,

Frank J. Busalacchi  
Chair, States for Passenger Rail Coalition  
Secretary, Wisconsin Department of Transportation