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Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, D.C. 20024

Re: Docket No. NOR 42176 *and* Docket No. FD 29761

To the Surface Transportation Board:

As you consider the request by Finger Lakes Railway to abandon its track corridor in the town and village of Victor, New York, laid out in the 1890s by the former Lehigh Valley Railroad, several larger considerations will argue against the narrow characterization presented by the applicant to justify an unjustified abandonment.

The Finger Lakes Railway / Ontario Central Railroad has a lease relationship with the rail corridor on land owned by the County of Ontario. I was a member of the Ontario County Board of Supervisors in 1979 who advocated and voted for the purchase of this very rail line when it was being abandoned by its then-owner. I chaired the board's Planning Committee at that time.

Separately, as Supervisor of the Town of Victor in 1979, I signed the town check to purchase for the town the rail corridor segment west from NYS Route 251 of the section sought today to be abandoned. This purchase protected that corridor as an entity, and prevented it from being sliced up by prospective purchasers who owned adjoining property.

My interest all these years later is to protect the rail trackage surviving in this corridor from being abandoned and therefore from seeing its viable future use being thwarted.

The instant application considers only the narrow issue of today's revenue vs. maintenance costs. Yet these dollar numbers seem to be unavailable for analysis by the public, who would bear the consequences of devaluation of this important community asset. Rail abandonment petitions in this region have traditionally followed this self-serving strategy of non-disclosures to the public for over a century.

The proposed road extension of Adams Street in Victor village should not be an obstacle to continuing the life span of today's rails. The width of the corridor is more than adequate for both uses to coexist.

There is an overlap of only 4,000 feet of rails where the rail line would share a portion of the ample corridor from the Victor Insulators factory spur to the east. Any track colocation is quite workable between Maple Avenue and the Victor village line, which is the only area of the proposed highway segment that involves a current rail line user.

The rail corridor to the east of the Victor village line is *not* proposed for abandonment, notwithstanding that we don't see an industrial belt *there* of rail users. Those tracks are proposed to remain, presumably because a 2005 contract specifies that a \$476,000 penalty would apply against the railroad if such abandonment were to occur.

As detailed further here, the rail abandonment presently being proposed should be disallowed by the Surface Transportation Board for the following reasons:

1. Well-considered regional planning presents considerations that favor retention of this rail corridor, quoted below from the *Long Range Transportation Plan for the Genesee-Finger Lakes Region 2045*, adopted in 2021 by the Genesee Transportation Council.

2. Present use of this rail line is critical to the survival of Victor's 130-year-old Victor Insulators industry, which is a growing mainstay of area employment.
3. Future use of this rail line has great potential for additional transportation-oriented development that benefits Victor and the Ontario County region.
4. As but one example, the economic investment being made in the 1916 Manchester Roundhouse will be more viable if rail excursions can be conducted between Manchester and the village of Victor.

Transportation-oriented development is an economic development strategy which relies on a certainty as to the future. Bus service does not inspire corridor development because of the ease of its abandonment. Railroad trackage in place has a greater future prospect and thereby gives stronger confidence for prospective transit-oriented development.

Here, Finger Lakes Railway has made it clear that it intends to abandon this rail corridor. It then asks possible rail users as to what interest they might have in using its rail service. Faced with that probability of no service guarantee, it is hardly surprising that the self-reported market "poll" by the railroad shows a lack of future interest.

If economic development is to be a viable strategy for Victor, this rail corridor must *not* be abandoned.

Victor already has an important rail customer. Victor Insulators, Inc. is the community's oldest industry and is an industry leader in its specialty. The proposed rail abandonment will inevitably lead to the closure of this important economic asset.

Victor Insulators CEO Ira Knickerbocker has separately testified to this undesirable outcome in correspondence on file with the Surface Transportation

Board. The company is represented by a Rochester law firm that is directly seeking to avoid this predictable factory closure.

Company History

Victor Insulators, Inc. was founded in 1893 by Fred M. Locke. Fred Locke was one of the great early contributors to the successful establishment and growth of the electric power industry in North America. In 1893 he developed and patented a process for manufacturing wet process porcelain for use in insulators for power lines. His accomplishment was in no small way a key contribution to the eventual growth of the electric power industry. Prior to Fred's accomplishments, insulators were at best unreliable for the demands of this growing industry.

— from the Victor Insulators, Inc. web site

With a major projected growth of the national electrical grid related to future increased use of electricity, such as for a nation-wide conversion to electric cars, one could easily see a strong increase in demand for power-line insulators.

Victor would lose this economic future if the railroad is abandoned.

Beyond today's rail corridor usage in the STB application, the larger issue of regional transportation-oriented development is addressed in the **Long Range Transportation Plan for the Genesee-Finger Lakes Region 2045**, adopted by the Genesee Transportation Council on June 10, 2021. This full plan may be viewed at:

https://www.gtcmppo.org/sites/default/files/pdf/2021/lrtp_2045_final.pdf

The carefully-thought-through recommendations in this report provide a regional context which ought to overshadow the narrow abandonment issue involved today.

The Council offers the following relevant statements, with the intention of broadening and raising the sights of all involved in policy and planning decisions affecting the future:

ENHANCING CONNECTIVITY AND ACCESS FOR FREIGHT MOVEMENT

Page 69:

The competitiveness of a region's economy is inextricably linked to the strength of that region's transportation network. Manufacturing and agriculture are both primary sectors of the regional economy which heavily depend on freight network and industry to function.

Connectivity and access for freight transported by truck, rail, air, and water is a primary economic need for the region now and in the future. Overall, the transportation system is reliable, and congestion is not a major barrier.

Consideration should be given to increasing the efficiency of the freight system along the road, bridge, railroad, and waterway networks through direct infrastructure improvements to strengthen last mile connections, expanding the use of existing and upcoming technologies, and promoting coordination among local, state, and federal partners.

Economic development opportunities should be sought for users of the freight network through the coordination and better utilization of the existing networks, potentially exploring opportunities for modal shifts of certain goods movement.

[The proposed rail abandonment goes precisely in the opposite direction from this planning recommendation.]

ECONOMIC DEVELOPMENT - Pages 109-113:

An efficient multimodal transportation system supports the region's economy and allows users to seamlessly experience all the region has to offer. Our region

benefits from low levels of congestion, quick travel times, a well-connected interstate system, and many natural and historic wonders. The transportation system as currently configured is not a barrier to economic development and growth.

As we look to the next 25 years, it is essential that the region continues to maintain the existing system in a state of good repair, augments last mile connections, and improves access to destinations. The COVID-19 pandemic taught the world just how fast the traditional way of doing business can change and evolve. The long-term impacts of the pandemic on everyday life have yet to be realized.

The shift to e-commerce had slowly been gaining ground over the last decade, only to take a massive leap due to the reluctance to shop in-person and stay-at-home orders. The future of work remains fluid as telework becomes a viable long-term option. LRTP 2045 acknowledges the uncertainties surrounding the impacts of the pandemic and provides flexibility in our response. The following recommendations lay out programs and policies that support economic development through the transportation system.

FREIGHT CORRIDOR DEVELOPMENT PLAN - Page 112:

D-4 Rights-of-Way

Preserve existing linear rights-of-way by following the preservation strategies identified in the 2015 Regional Rights-of-Way Study.

Coordinate with land owners to maintain potential future access.

Existing right-of-way offers options for future transportation needs that may not be currently realized. Procuring new right-of-way is difficult. Once right-of-way is disassembled, it is often impossible to restore.

[The proposed rail abandonment goes precisely in the opposite direction from this planning recommendation.]

ECONOMIC DEVELOPMENT



	Description	Importance	Partners	Timeline
ED-4 Rights-of-Way	Preserve existing linear rights-of-way by following the preservation strategies identified in the 2015 <i>Regional Rights-of-Way Study</i> . Coordinate with land owners to maintain potential future access.	Existing right-of-way offers options for future transportation needs that may not be currently realized. Procuring new right-of-way is difficult. Once right-of-way is disassembled, it is often impossible to restore.	Utilities Municipalities	 Ongoing
ED-5 Last Mile Access	Improve the ability of freight to move from expressways to local freight-related facilities via local roads and intersections, known as last mile access, and typically the most complicated move of a freight trip.	Freight facilities often lack properly designed ingress/egress points. Long queues may develop, including through incompatible residential areas, if operational needs are not properly planned.	New York State Department of Transportation County Departments of Transportation Municipalities	 Near-Term 1-5 Years
ED-6 e-Commerce Support	Ensure that last mile e-commerce deliveries can continue to be made safely and timely. Reconsider traditional commercial land use policy as brick-and-mortar retail demand evolves. Plan for future implications of autonomous delivery methods.	E-commerce's market share continues to grow, signaling a shift away from traditional retail. An evolving transportation system that meets the needs of a changing economy creates a regional competitive advantage.	New York State Department of Transportation County Departments of Transportation Municipalities	 Near-Term 1-5 Years

PROJECT SPOTLIGHT

Freight Corridor Development Plan

The 2017 Ontario County Freight Corridor Development Plan examined the opportunities for development of rail-oriented, freight businesses along the railroad corridor within the Town of Manchester and Farmington, and the Villages of Manchester, Shortsville, and Clifton Springs.



In 2019, Leonard's Express converted the former Great Lakes Kraut facility to a warehousing space. Interest continues in the redevelopment of the historic Lehigh Valley Railroad Roundhouse. A buildings assessment is underway to determine redevelopment viability while the Environmental Protection Agency has documented contamination and needed mitigation measures.



The project supports the following recommendations:

- ED-2 - Rail Enabled Business
- ED-3 - Rail Infrastructure
- ED-9 - Regional Destination Promotion

TOP: Potential Manchester Yard Redevelopment Plan
Source: Ontario County Railway Corridor Development Plan
BOTTOM: Lehigh Valley Railroad Roundhouse - Manchester
Source: Genesee Transportation Council

PROJECT SPOTLIGHT

Freight Corridor Development Plan Description Importance Partners Timeline ED-4 Rights-of-Way

Preserve existing linear rights-of-way by following the preservation strategies identified in the 2015 Regional Rights-of-Way Study.

Coordinate with land owners to maintain potential future access. Existing right-of-way offers options for future transportation needs that may not be currently realized. Procuring new right-of-way is difficult. Once right-of-way is disassembled, it is often impossible to restore.

The [Long Range Transportation Plan 2045] project supports the following recommendations:

ED-5 Last Mile Access

["Last Mile Access" already exists for Victor Insulators, Inc. The proposed abandonment would create the problem that the regional plan argues should be avoided.]

Improve the ability of freight to move from expressways to local freight-related facilities via local roads and intersections, known as last mile access, and typically the most complicated move of a freight trip. Freight facilities often lack properly designed ingress/ egress points. Long queues may develop, including through incompatible residential areas, if operational needs are not properly planned.

New York State Department of Transportation County Departments of Transportation Municipalities

SUPPORTING LEISURE TRAVEL AND TOURISM

The economic impact of tourism in the region is significant, totaling over \$3 billion in 2017 alone.

ED-9 Regional Destination Promotion

Portray the transportation system as a distinguishing feature in providing access to events, natural attractions, historically significant places, and nationally acclaimed multiuse trails. Affordable and easy access to an efficient transportation system

increases the attractiveness of regional assets as destinations to visit, generating economic activity.

New York State Department of Transportation County Departments of Transportation Municipalities

ECONOMIC DEVELOPMENT

Near-Term 1-5 Years Near-Term 1-5 Years Ongoing

Potential Manchester Yard Redevelopment Plan

Source: Ontario County Railway Corridor Development Plan

Lehigh Valley Railroad Roundhouse - Manchester

Source: Genesee Transportation Council

The historic 1916 railroad roundhouse at Manchester, with its footprint of 62,000 square feet, is being officially considered as a major tourism draw for Ontario County. It may be a railroad museum, or it may have a railroad-themed adaptive reuse.

During much of the 20th century, Manchester had multiple sidings for freight train reconfigurations, second in number only to Chicago. This rail yard was considered to be a prime target by Axis powers during World War II. The 30 bays of the roundhouse survive where individual rail cars were shunted as trains were separated and reconfigured.

Although the numerous tracks in the rail yard area are now gone, rail access still exists from the village of Victor via the current rail corridor now proposed to STB for abandonment in the Victor section.

Great economic tourism potential exists for rail tourists to visit Victor to then take a train ride from Victor to this unique facility in Manchester. Annual “Santa Trains” were run successfully for many years on this route by the Victor-based

Friends of the Railroad. Finger Lakes Railway then unilaterally halted them. Our heritage tourism market would support a major expansion of this train schedule.

FULL LIST OF OUR PAST EXCURSIONS

2008 Victor Rail Festival - 6 train excursions - (loading and unloading in Victor, NY)
2009 Mothers Day - 1 train excursion - (loading and unloading in Victor, NY)
2009 Victor Rail Festival - 6 train excursions - (loading and unloading in Victor, NY)
2010 Mothers Day - 1 train excursion - (loading and unloading in Victor, NY)
2010 Victor Rail Festival - 4 train excursions - (loading and unloading in Victor, NY)
2010 Halloween - 3 train excursions - (loading and unloading in Victor, NY)
2010 Blues & Brews - 1 train excursions - (loading and unloading in Victor, NY)
2010 Santa Trains - 3 train excursions - (loading and unloading in Victor, NY)
2011 Halloween - 3 train excursions - (loading and unloading in Victor, NY)
2012 Halloween - 3 train excursions - (loading and unloading in Victor, NY)
2012 Santa Trains - 3 train excursions - (loading and unloading in Victor, NY)
2013 Santa Trains - 3 train excursions - (loading and unloading in Victor, NY)
2015 Santa Trains - 3 train excursions - (loading and unloading in Victor, NY)
2016 Santa Trains - 3 train excursions - (loading and unloading in Victor, NY)
2017 Santa Trains - 4 train excursions - (loading and unloading in Victor, NY)
2018 Santa Trains - 3 train excursions SOLD OUT in only 10 days! - (loading and unloading in Victor, NY)

— Per Friends of the Railroad web site

Victor and Manchester should not now be deprived by the Finger Lakes Railway of expanding this good economic prospect, and replicating the successes of historic rail excursions elsewhere in the state.

Per the **Long Range Transportation Plan for the Genesee-Finger Lakes Region 2045:**

The 2017 Ontario County Freight Corridor Development Plan examined the opportunities for development of rail-oriented, freight businesses along the railroad

corridor within the Town of Manchester and Farmington, and the Villages of Manchester, Shortsville, and Clifton Springs.

In 2019, Leonard's Express converted the former Great Lakes Kraut facility to a warehousing space. Interest continues in the redevelopment of the historic Lehigh Valley Railroad Roundhouse. A buildings assessment is underway [for the 62,000 square-foot roundhouse] to determine redevelopment viability while the Environmental Protection Agency has documented contamination and needed mitigation measures.

For a descriptive newspaper story on this historic roundhouse, see:

<https://www.mpnnow.com/story/news/2020/11/27/future-of-manchester-lehigh-valley-railroad-roundhouse-hinges-on-study/6406670002/>

Executive Summary of the Ontario County-sponsored study of the prospect for roundhouse redevelopment, at:

<https://ontariocountyny.gov/DocumentCenter/View/34745/Part-1-Executive-Summary>

In Summary, the proposed rail abandonment should be disallowed by the Surface Transportation Board for the following reasons:

1. Well-considered regional planning presents considerations that favor retention of this rail corridor.
2. Present use of this rail line is critical to the survival of Victor's 130-year-old Victor Insulators industry, which is a growing mainstay of area employment and deserves a viable future.
3. Future use of this rail line has great potential for additional transportation-oriented development that benefits the Victor and Ontario County region.
4. As but one example, the economic investment being made in the 1916 Manchester Roundhouse will become more viable if rail excursions can be conducted between Manchester and the village of Victor.

Abandonment of the trackage at issue is detrimental to these issues. We are dealing with our future, and the focus here deserves to be the future.

Thank you for your consideration.

Yours truly,

s / Douglas A. Fisher

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Washington, D.C. 20024

Re: Docket No. NOR 42176 *and* Docket No. FD 29761

To the Surface Transportation Board:

I certify that I have this day served copies of document upon all parties of record in this proceeding, by electronic means, to the email addresses which the parties used in their filings with the Surface Transportation Board.

s / Douglas A. Fisher

Douglas A. Fisher