

August 11, 2017

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Ms. Cynthia T. Brown

Chief, Section of Administration

Office of Proceedings Surface Transportation Board

395 E Street, S.W., Room 1034

Washington, DC 20024

Re: **Docket No. FD 36137**
City of Fishers, City of Noblesville, and Hamilton County, Indiana
Petition for Partial Revocation of Exemption

Dear Ms. Brown:

Enclosed for filing to the above-captioned proceeding are an original and ten copies of written comment regarding the "Petition for Partial Revocation of Exemption" filed on August 1, 2017 with the Surface Transportation Board (the "Board"). A copy of this comment has also been served on the attorney, Robert A. Wimbish, who is representing the collective owners, City of Fishers, City of Noblesville, and Hamilton County (the "Owners"), of a railroad line in Indiana.

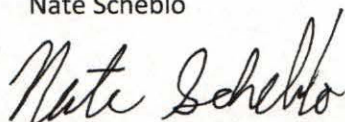
I am a civil engineer with an extreme interest in the transportation systems of Indiana. I do not see the benefit to railbanking this rail corridor, as the rail infrastructure is still in operational condition with financial reports to support the continued operation of rail traffic. I am a brand new resident of Fishers, IN wishing to express my opposition to the proposed railbanking and interim trail use of the subject railroad line (the "Line") from milepost 1-2.13 at Indianapolis, Indiana, to milepost 1-39.69 at Tipton, Indiana. The Owners have petitioned the Board requesting partial revocation extending "only so far as is necessary to facilitate the Owners' objectives" in order to permit them to expedite and simplify the process of railbanking the Line and converting it to a trail for interim use. Allowing the Owners to circumvent the full process of revocation, abandonment, and railbanking proceedings could potentially diminish the public's role and effect in this case. The city and county residents have not been afforded adequate opportunity to engage the Owners in genuine discussion or feedback regarding the plan to railbank this publicly owned Line. I have attended several public meetings held regarding the future of this rail line, and they all expressly denied the chance for public comments. **The Owners of the line are**

not acting in the best interest of the public good, and should not be awarded the request for railbanking. It is widely known that the area surrounding this Line has experienced exponential growth in recent years, and the highway systems in the area are jammed daily. This line has the potential to serve as an alternate mode of commuter transportation now and in the future. The leaders of the Owning bodies of the Line have silenced their opposition as much as possible, and choose to ignore the growing group of people who want to save the rail. Allowing railbanking to occur on the Line would be a mistake, as it is currently a well maintained line with ample support for future use and growth. The railroad has not seen any rail traffic in nearly two years, not because of a lack of support, but due to the political games being played to try and make the Line a trail. The Owners have wanted to make this Line a trail for years, the trail has been in the works while trains still ran and carried paying customers. The Owners should be using other routes to build trails to connect the cities. The STB should take a long look at this case before making a decision. The Owners are carelessly playing with public transportation infrastructure, and blatantly show a disregard for public involvement.

A general sense of the support for retaining the rail can also be obtained by viewing various online support platforms; most notable of which is the online petition hosted at www.change.org under "Save the Nickel Plate Road" and directly accessible via <https://goo.gl/mkFQ4s>. This petition contains over 6,200 signatures at the authoring of this letter. In addition, there are nearly 800 paper petition signatures collected directly within the affected communities. The railbanking decision should be guided by the residents since the Line is a public asset. Railroads petition the Board for an abandonment exemption when service on their line proves to be financially unsustainable. However, in this unique situation, the railroad is owned by municipal bodies and was operated by a third-party, non-profit railroad operator as a heritage railway. The railroad was sustained and maintained almost exclusively by ticket revenue and donations. While there is not presently a physical connection to the national railroad network, it is believed that the necessary Right-of-Way still exists to easily reconnect the Line with Norfolk Southern to the North or CSX to the South. The Owners, being governmental bodies, have not demonstrated a genuine interest or intent to consider the concerns and feedback of their residents or other rail service providers regarding the desires and intent for the future of this Line. It is my request that the Board not allow any action that would encumber or otherwise diminish the effect of public participation in the exemption revocation or eventual abandonment proceedings.

Sincerely,

Nate Scheblo

A handwritten signature in cursive script that reads "Nate Scheblo". The signature is written in dark ink and is positioned below the printed name.