

FD 36137

FD 36137

245051

Government over stepping

Gary Gallinger

11908 Colbarn Dr

Fishers, IN 46038-

gary@connectivestar.com

City of Fisher Resident

ENTERED
Office of Proceedings
January 24, 2018
Part of
Public Record

From the get-go, I have felt that the City of Fishers has spear headed and "railroaded" the whole process - they have never asked what the public have wanted, it has always been this is what it will be and if you think that the public is so for this then you have not looked around. Throughout my neighborhood there are " Save the Train" signs. You can't turn a corner around here without seeing one.

I have been told by ITM crew that the city made idle threats that if they spoke up that they would be shut down. Then they shut them down any way. The city pulled the safety note out anyway and through ITM under the bus.

The reason I bring this up is this is the type of backroom, under the table, dirty dealings, that have been happening through the process for Rail to Trail. The Mayor of Fishers has go as far to say that even if the City Council wanted to veto this they could not (told to me by a city-councilman).

Also, removing the line would put a very long stretch of the rail-bed in a city that does not own it or have monies to convert it to a trail. The City of Indianapolis has about 10 miles of track in it. The City of Indianapolis has not wade in public (that I have seen) on any of this. What would happen to that track/right-away?

Thank you for reading my input.

My request is that you deny this request and return the operation of the Rail bed to train service. This would save a historical line and a tourist destination for the area.

Gary Gallinger

10+ year resident of Fishers

FD 36137

Train through Hamilton County
Rick

Owen
27702 Will Parker Rd

Arcadia
Indiana
46030-
loricko@live.com

A historic train and tracks is being destroyed by politicians to give way to money and land development against the public's will. The overwhelming majority favors keeping the train and developing it's future. Look at the polls that are being ignored and basically buried by the politicians so they can pad their pockets. This train can be used for all sorts of Holiday rides, rides to the Colts games, State Fair, Dinner rides, the future is unlimited and a huge draw to the County.

FD 36137

Save theTrain
Karen
Lynn
Williams
501 Lakeview Drive

Noblesville
IN
46060-
klw1719@yahoo.com

To: Ms. Cynthia Brown

Here are three attachments regarding the public's input in saving the train for Indiana Transportation Museum. (1). Two additional Petition pages that got separated for the Surface Transportation Board. (2). Letter to local Current newspaper that public input was completely ignored. (3). An article in The Times newspaper with support from the Noblesville Preservation Alliance giving detail that the citizens are being ignored and government bias against the train. Thank you for review and time.

FD 36137

Nickel Plate Railroad

John

Beaman
11941 Babling Brook Road

Noblesville
IN
46060-
jebeaman@att.net

I am very concerned about the Mayor of Fishers, and Noblesville, along with their staffs using all means to remove the railroad tracks. They are going against the public's wishes to not remove the railroad tracks.

I strongly support the Indiana Transportation Museum in an effort to utilize the railroad for trips down to Indianapolis for various events, not limited to the Indiana State Fair

FD 36137

Save the Nickle Plate
Alison Wilson
175 White Oaks St.
Fishers, IN 46038-46038
bockstaa@hotmail.com

Group/Affiliation:

Message: To Whom it May Concern:

I respectfully request that you do not remove the rail for the Nickle Plate Railroad south of Noblesville. I would love to see a trail that runs parallel to the rail and can exist in a symbiotic relationship with the rail, allowing passengers to travel to the fairgrounds on the rail or hike to fishers.

Respectfully,

Alison R. Wilson

Resident and Avid Nickle Plate Railroad Supporter

Save the Nickel Plate

Karen Miller

8940 E. Beechwood Dr.

Arcadia, IN 46030-

karen.miller007@frontier.com

As a resident of Hamilton County, I would like to ask that the concerns of the community be considered in these proceedings.

I had family visit from out of town. Riding the the Nickel Plate was part of their vacation plan during their visit to the Noblesville area. We cheerfully paid for our ride, but the limited range for the train ride demanded an explanation. The opportunity to experience the historical quality of the town was a disappointment. This was our introduction to the issue of the railbanking proceedings. We were saddened to learn that a historical attraction was about to be discontinued.

We had to ask directly for more information about this issue after this unhappy event. As local residents we were not informed about the plans for tearing out the rails and replacing them with a trail.

The community should be given an opportunity to contribute to plans for development in the local area. We are the people who live here, invite our families to vacation here, and use the facilities. Please give us a voice in what happens in our community.

I would like to see repairs made to the rails and the opportunity for a unique and rare experience to be developed and updated. Many people in this community care about the Nickel Plate line and want to see it preserved.

Karen Miller

FD 36137

City of Fishers, City of Noblesville, and Hamilton County, Indiana

John A Williams

1532 Clinton Street

Noblesville, Indiana 46060-2339

hockeyjohn17@att.net

Dear Ms. Brown:

I am a resident of Noblesville, Indiana wishing to express opposition to the proposed rail-banking and interim trail use of the subject railroad line from milepost I-2.13 at Indianapolis, Indiana, to milepost I-39.69 at Tipton, Indiana.

There are only two direct automobile routes from Fishers and Noblesville into Indianapolis: the State Road 37 / Interstate 69 corridor and Allisonville Road, a non-limited access road that goes through largely developed sections of Fishers that would be costly and difficult to add significant capacity.

Beginning next year, a five-year project to upgrade and reconstruct portions of the State Road 37 / Interstate 69 (including its junction with Interstate 465) begins which will likely create significant increases to travel times during this extended construction period. The increased travel times are apt to remain once construction completes, even with additional capacity and efficiencies, due to rapid growth in the population of southeastern Hamilton County and new business attracting people from the region.

As a person who works in downtown Indianapolis, I have seen my commute time increase by over 50% over the past ten-years. The cumulative impact of these commuter times wastes fuel and increases air pollution.

The leaders of the City of Fishers, the City of Noblesville and Hamilton County do not appear to consider these facts in their request to rail-bank the line between Indianapolis and Noblesville and convert it into a recreational trail. Instead, due to a lack of realistic alternatives for additional direct automobile routes between these cities and Indianapolis, these governments need to develop the rail line into a commuter option to provide relief to the automobile routes during construction and as traffic counts continue to increase over the coming years. It is also very reasonable that the commuter train option will also allow the continuation of the historic train presence in the area that many citizens in this region value. Other options for a recreational trail between Fishers and Noblesville exist that do not require the conversion of the rail line.

The estimated conversion cost of \$10-15M, cited by these governments to convert the rail line to a trail, will be wasted once it is finally realized that the line needs to be used as a major transportation option.

I request that the Surface Transportation Board deny the request by these governments so that more thoughtful planning over a longer duration can occur that provides citizens of this region with better transportation alternatives without unnecessarily spending money in the interim period.

Best Regards,

John A. Williams

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:

I am a resident of Noblesville, IN wishing to express my opposition to the proposed railbanking and interim trail use of the subject railroad line (the "Line") from milepost I- 2.13 at Indianapolis, Indiana, to milepost I-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.

My opinion in this matter is, the public was denied due process in expressing their concern for the removal of the train tracks. Up until last year the tracks were used infrequently, however, during those times there were substantial riders. While I am not opposed to trails, if one looked at the network currently in existence and those being created, we are close to a saturation level. Train tracks and trains are becoming fewer.

I would think the Transportation Board would be concerned that States are abandoning a viable system for moving people and goods. Surely the cost of maintaining tracks and trains must be less than the upkeep of highways and other roads. Less trucks and cars on the road would mean a reduction in accidents and the supply of our fossil fuels would be extended.

Please deny this petition until the public has had their say and vote on what should become of Nickel Plate line.

Kindest regards,

Lorianna Duncan

Nickle Plate Railroad

Douglas D Fick

11818 wedgeport lane

11 Fishers, IN 46037-46037

ddfick@gmail.com

I am a resident of Fishers and oppose the removal of the rail lines known as the Nickle plate railroad. This is an important regional transportation asset which can create a vital commuter connection from Noblesville to Downtown Indianapolis. I do not feel the City leadership has represented the citizens and the use of this railroad should be reconsidered in a greater regional context.

FD 36137

City of Fishers, City of Noblesville, and Hamilton County, Indiana Petition for Partial Revocation of Exemption

Jane C Wilson

8517 78th Ave. N.

Brooklyn Park, MN 55445-55445

jfvwilson@hotmail.com

Twice a year we visit Indiana relatives and we always look forward to a ride on the Fishers train, "the Nickel". There are many, many biking opportunities in Indiana, but few, if any, opportunities to ride a train. Please save this piece of Indiana heritage.

FD 36137

Save The Nickel Plate

Sally Knopp

1147 Logan Street

Noblesville, IN 46060-46060

sallyknopp@gmail.com

Please save the train, the nickel plate. We have lots of trails. This train, given the proper chance could be a tourist destination and a huge boost for our local businesses. I would hate to lose such an asset for another trail. thank you

FD 36137

Nickel Plate Trail

Matthew Kertes

10548 Greenway Drive

Fishers, IN 46037-9372

mskertes@gmail.com

As a resident of Fishers, IN, I am deeply opposed to the conversion of the property owned by the Hoosier Heritage Port Authority from a railroad to a trail. I have several concerns with this project that include the privacy of those living along the corridor, the lack of public information on the project, and the manner in which the three owners of the corridor conducted their business regarding the corridor.

The proposed trail section of the corridor passes through several neighborhoods yet nothing has been suggested to compensate for the obvious lack of privacy a trail would bring with it to the community. I believe it to be totally unacceptable to leave those living along the corridor ignored. There is also an obvious safety concern that comes with the lack of privacy. The Monon trail has had its share of crime related incidents and it is not a good idea to bring those to a new trail as well.

It has been very hard to find reliable information on this proposal in Fishers and Noblesville. I went to both community sessions that were held on the topic and it was not only extremely difficult to get reliable information, it was also astronomically hard to get your own opinion known to the politicians running the meetings.

The owners have not been at all transparent with the communities they represent on this issue. There has been no poll showing support for conversion. The previous rail operator was also removed from operating on the line due to "safety concerns" but the FRA found the railroad tracks to be compliant with FRA standards which is not what the owners are claiming. The selection process for selecting a new operator was also incredibly biased and skewed. There was no attempt to hide the obvious bias in the scoring of all rail operator proposals. The operator that they selected proposed to run on the portion of the corridor that has been proven to not be able to generate enough income to sustain itself. The owners intentionally picked an operation that will tank and not be able to maintain the corridor at all.

It is my request that the board prevent further action on this project until the owners have provided a plan to solve the privacy problem of a public trail as well as allowing for more influence from the public in this decision due to the owners being governmental bodies. Additionally, their process for selecting a rail operator must be reviewed because there was no attempt at holding a fair process for operator selection dating all the way back to 2016. I also request the board prevent further action until a fair, unbiased process is held to select a new rail operator.

FD 36137

The Nickle Plate Line

Ryan kruse
9265 andiron drive
Indianapolis, Indiana 46250-46250
rdkruse2002@aol.com
To Whom it may concern,

I'm writing you today in opposition of the Cities of Fishers and Noblesville's desire to remove 9 miles of the Nickle Plate Line between Pleasant St in Noblesville to 96th St in Fishers to build a recreational pathway. The line is needed for rail transit.

The main reason this line needs to be preserved in tact is because the population is aging, younger people don't want the cost of owning cars and most importantly, the need of an economical transit option to bring in low wage workers as the cost of living increases within the corridor. This increase is leaving less affordable housing for people willing to fill typical low wage jobs. These individuals come from Kokomo, Atlanta, Arcadia and Indianapolis. With the cost of owning a car growing and will continue to do so, most of these workers will likely use rail transit if available.

Carmel, IN redeveloped its rail line into the very successful Monon Trail that starts north of the city and ends 18 miles south at 10th St in Indianapolis. It has increased the quality of life, property values, economic development, and the cost of living. All positive impacts for the city but the increase of the cost of living has also increased the cost of labor because it's leaving less local labor available to fill low wage positions. This trail doesn't help bring down that cost and it doesn't bring in the much needed lower wage workers sought after by businesses. Carmel also understands that their population is aging and young people don't want the expense of a car and are seeking locations within the area that are connected to mass transit.

Carmel saw these trends and in November of 2016 had a referendum on the ballot asking residents to help fund a bus transit system. It passed and construction has begun making dedicated bus lanes within Meridian St./S.R.31 from Indianapolis to Carmel. Once completed it will lower the cost of labor and help draw younger professionals to help replace those retiring and moving on.

Unfortunately, the northeast corridor doesn't have a direct road coming from Indianapolis that cuts through areas where these workers live that is feasible to widen to allow for dedicated bus lanes.

Allisonville Rd does travel do so but widening it to allow for dedicated bus lanes would be extremely costly. There is no room to add two lanes from Benford Blvd to 82nd in Indianapolis. Benford Blvd/SR37 would be costly as well and it doesn't travel through areas easily assailable by low wage workers. Using the Nickle Plate Line is the most direct and cost effective way to shuttle workers into the Northeast Corridor.

There's a belief among those proposing the pathway that once driverless cars are available, people will use Uber to go places. This is true but cost of using that service increase the further you travel. Workers needing to travel from Indianapolis or Tipton to Fishers or Noblesville most likely wont be able to afford to use this service to get to the Northeast Corridor. However, they could afford to take a train then a driverless Uber to their job.

Jannotti Rail Consulting, Inc., the company that the Hoosier Heritage Port Authority hired to inspect the line back in October 2016 for the Hoosier Heritage Port Authority Railroad Track Inspection Report & Rehabilitation Plan, pretty much stated that they were impressed with how good the line is for as old as it was. (see attached report) There is nothing major wrong with the line and would cost \$3,715,000 to rehabilitate the 37 miles of track to the Class Two status. This would allow passenger trains to travel at 30mph. A light rail vehicle could most likely get a waiver to travel faster since these classifications are

established by weight and how safely the train can travel along the line. Since light rail vehicles use the same width of track, and the line is in relatively great shape, there's no reason to rip up the line to create a rail transit system. A viable rail transit system that runs from Union Station to Tipton can be created for \$26 million.

What's the \$26 million paying for?

1. 4 light rail vehicles/Streetcars for multiple stops. \$6 million. The line split in 3 sections. Indianapolis to 96th. 96th to downtown Noblesville. Noblesville to Tipton. The attached photo is a refurbished streetcar that cost \$1.5 million each. They're ADA compliant, have heating and air and are hybrids. no need for overhead lines.
2. \$4 million for repairs
3. \$6 million to lay new tracks from 30th St. to Union Station on the Nickle Plate right-of-way. Includes bridge over 10th St. The cost of the bridge could be reduced by reusing an abandoned steel bridge northeast of the Indianapolis Motor Speedway.
4. \$4 million for 4 park and ride facilities.
5. \$1 million for 10 basic platforms
6. \$3 million for 8 sidings.
7. \$2 million for storage and maintenance facility.

This basic system would easily fulfill the needs of the corridor and be easily expanded as ridership increased, using refurbished streetcars would save cost and draw in riders. Reestablishing the connection to Union Station would not only bring new life to the station but also increase tourism from visitors staying in Indianapolis that would like to visit the Indiana Transportation Museum or Conner Prairie.

The Northeast Corridor continues to grow with no signs of slowing. It's population is quickly aging and the younger generation is looking to lose the cost of owning a vehicle. Businesses are quite successful and for that success to continue it will depend on labor from outside the corridor. In order to accommodate the not so distant future transportation needs of the community, the Nickle Plate Line must be preserved. Turning it into a pedestrian pathway would be a nice feature for the cities of Fisher and Noblesville but doing so would hurt them in the future. I hope you deny their request to save themselves from themselves.

I thank you for your time and consideration.

Best Wishes,

Ryan D. Kruse
9265 Andiron Drive
Indianapolis, IN 46250
317-945-7001
rdkruse2002@aol.com

FD 36137

Petition for Partial Revocation of Exemption

Dorothy E Hagan
3420 Glenhurst Ave
Fort Wayne, IN 46805-
hagan9@aol.com

Northern Indiana Passenger Rail Association

I wish to express my opposition to the proposed

railbanking and interim trail use of the subject railroad line (the "Line") from milepost I- 2.13 at Indianapolis, Indiana, to milepost I-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. As an Indiana resident who utilized the services of the passenger rail operator prior to its suspension in 2016 by the Owners' representative body (the "Port Authority"), I object to the use of the Line as a trail.

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. Thank you for your attention to this matter.

FD 36137

Nickel Plate railroad

Rusty Silver

5815 milhon rd

Martinsville, Indiana 46151-46151

Sherrysilver2@yahoo.com

Why do we want to get rid of it such a great tourist attraction have you ever taken your children on the pumpkin train or the Christmas train

FD 36137

Opposition to Trail Use

Kristin Herrmann

5870 Lowell Avenue

Indianapolis, Indiana (IN) 46219-

herrmkr@hotmail.com

I am a resident of Indianapolis, IN wishing to express my opposition to the proposed railbanking and interim trail use of the subject railroad line from milepost I- 2.13 at

Indianapolis, Indiana, to milepost I-39.69 at Tipton, Indiana.

The railroad consistently served the adjoining communities as a valuable passenger

transportation and entertainment asset for more than 24 years. Prior to the suspension, my family utilized the State Fair train 2-3 times each year, riding the train just to ride it. Additionally, we took 2-3 train rides to participate in the other activities offered through the Indiana Transportation Museum. My family would make a day of the outings, eating and shopping in Fishers. We will not utilize the walking trail and will not be spending those dollars previously spent in the community. I know several other families in Indianapolis who have turned their attention and dollars to other train activities, even though the distance to travel is greater.

/s/Kristin Herrmann

FD 36137

Nickle Plate

Michael McNeely

481 Overland Drive

Greenwood, In 46143-

bigmac8@sbcglobal.net

For many years my family has enjoyed taking many train rides. Please don,t take this enjoyment away from us.

FD 36137

Do not remove the rails, Save the Nickel Plate line

Michael J Vittorio
2009 Seven Peaks Dr.
Cicero, IN 46034-
michaeljvittorio@gmail.com

Tax Payer and Voter, Cicero IN.

Hi,

I have great concern about the lack of public input regarding the trail plan. Plans were made without public input. Schools visit the rail museum and the rail system has been used for function during summers and dinners for students and families from Tipton to Fishers. It could become a regular transportation route for commuters, but Fishers is forcing it to become a trail without the public input.

I am concerned for the lack of train service and the for the impediment to rail service caused by the Port Authority's suspension of rail operations.

Please, be concerned about the history of the train. It is a important part of our history and can be used for future transportation. There are plenty of trails nearby without destroying the railway. Thank you taking my concerns and please save the railway for current and future use.

FD 36137

Save our History, Save OUR TRAIN

Michael A Adams
14447 Black Farm Dr
Noblesville, IN 46060-
Michael.Adams.Sr.ma@gmail.com

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 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 I- 2.13 at Indianapolis, Indiana, to milepost I-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.

As a resident who utilized the services of the passenger rail operator prior to its suspension in 2016 by the Owners' representative body (the "Port Authority"), I object to the use of the Line as a trail for the following reasons:

- The railroad consistently served the adjoining communities as a valuable passenger transportation and entertainment asset for more than 24 years.
- The Indiana Department of Transportation rated the roadway infrastructure near the center of the Line with the lowest Level of Service ("LOS") rating of "F" in 2008. An LOS rating of "F" is defined as "Capacity is exceeded and breakdowns in flow exist. Any

incident will add significantly to the existing congestion caused by normal operations.” While roadway improvements have been made in recent years, a new IKEA store and Top Golf recreation center are projected to bring over 2 million additional annual visitors, and therefore significantly increase passenger and commercial traffic in the Fishers area.

- The Owners have not shown any relevant evidence or data which suggests that they have polled the community or fairly considered feedback regarding conversion of the Line to a trail. Emails obtained through a request made pursuant to Indiana’s Access to Public Records Act indicated far more support for retaining the railroad than building a trail. 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.

- Data from a 2013 Transportation Plan survey of 590 Fishers residents leads to two significant findings:
 - 80.8% of respondents believe that “Improving connections to between Fishers and other Indianapolis metro areas” is important or highly important.

- 69.6% of respondents agreed or strongly agreed that if light rail were made available to them, they would use it.

- Residents and other potential future users of the Line have expressed their desire and intent to expand the railroad further into Indianapolis for commuter and additional entertainment and recreation purposes.

- Two track inspection reports and an email from the Port Authority President, secured via a request submitted pursuant to Indiana’s Access to Public Records Act, indicate that profitable passenger traffic on the Line was, arguably, unnecessarily impeded (suspended). While rail safety was cited as the primary cause for the suspension, the following evidence suggests that the rails were not in a condition warranting a suspension and eventually removal of the non-profit railroad company as the operator of the Line:

- Federal Railroad Administration Report OMB Approval No: 2130-0509 Inspector’s ID No: 11291 Report No: 84 No violations recommended.

- Private Report Commissioned by the Port Authority The consultant who authored the report made various statements affirming the condition of the track in the executive summary of the report: “The Consultant has never encountered a 37 mile length of track where there has been so little drainage issues for the majority of the trackage...There are isolated locations that must be corrected, but generally the Railroad is high and dry. The light rail, joints,

and turnouts are in surprisingly good to fair condition overall. Work regarding those items will be required to bring the track to a “reliable” Class Two level of service but overall the steel components of the track are in relatively good condition.

”

o Email from the Port Authority President “Today, I went on a hi-rail trip with a contractor from the Louisville area that our railroad consultant Ms. Hale secured to come give me an education on what inspectors look for and give us their “off the record” opinion of the current conditions. Both gentlemen that came are FRA Certified Inspectors. Although they said the track was in fairly good condition for a tourist railroad, they showed me several areas that should not have passed an FRA inspection or the inspections of ITM’s track inspectors. It is worth noting that the contractor said they would not recommend any speeds over 10 MPH, which is the limit for Class I rails, and what most tourist railroads run at or below, thus the opinion that they were in fairly good condition for a tourist railroad.”

This excerpt indicates that, with overall conditions being acceptable for Class I track and a tourist railroad, the Port Authority should have reasonably allowed for the repair of isolated defects by the operator and then lifted the suspension after the completion of repairs in order for rail operations to continue.

- The Port Authority published a Request for Proposal seeking a new rail operator of the line. A total of five (5) proposals were received. Four (4) proposals requested use of the entire line for various forms of heritage, commuter, and freight rail traffic. The winning proposal requested use of only the Northern portion of the line, allowed for trail conversion of the Southern portion, and was created by the President of Hamilton County Tourism Inc. in collaboration with the Noblesville Mayor’s office approximately five months prior to the announcement of a Request for Proposal by the Port Authority.

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,

Michael Adams

FD 36137

Nickle Plate R.R.

Lisa M Alexander
8525 Los Robles Rd
Fishers, In 46038-
hjalex60@hotmail.com

We the home owners & residents of Fishers by NO means accept your proposal. We will fight for our Rail Road. You have NO idea what you are up against!

FD 36137

Melinda Johnson

4730 Wanamaker Dr.

Indianapolis, IN 46239-

mjohnson@accountant.com

Save the Nickel Plate

I am writing to you, because I wish for the railroad to be left alone and for the local people to have more of a say in what happens to it in the future. Trains have brought people to major cities from many, many years and taking this away will not help the congestion on the roads. Meanwhile, there are many benefits historically for this particular train route to the people that have been a part of it. Please reconsider tearing it up.

Thanks. - Melinda Johnson

FD 36137

Rainroad Closing

Olivia Harris

11285 Fountainview Lane

Fishers, IN 46038-

Angelbaby9468@aol.com

I would be so sad to see the rails go! I think with some proper maintainance, these would be extremely useful again! Please look into other option before closing them down.

FD 36137

Save the Rails

Donald L. Stults

8033 Course View Ct

Noblesville, IN 46060-1054

donjudystults@ameritech.net

The Fair Train is a Hoosier tradition. It needs to be restored. Why not put a trail next to the rails and have both? If we can only have one or the other, I vote for the Train.

FD 36137

Transportation Museum

Gregory E Joslin

4945 South State Rd 13

Lapel, In 46051-

co_jos1@yahoo.com

The town's and Hamilton County are wrong in wanting to do away with this Rail Road. Seems to me this could do exist with the planned trail. After all the Nickel Plate is a part of Indiana history .b

FD 36137

Amanda Cassidy

211 Trailside dr

Aurora, IN 47001-

Amadthom@yahoo.com

I lived years in Noblesville and frequently visited the park and the Nickel Plate. I have a toddler now and he LOVES trains. Taking away heritage of trains and how transpiration first began in large transport ways, is simply put, a mistake.

I believe things have already been passed to proceed forward but we ask again that this be reconsidered. We have young children that need history these days.

FD 36137

Save the Nickel Plate

Kara Flegel

11543 Signet Lane

Indianapolis, IN 46235-46235

starrywar@yahoo.com

Dear Ms. Brown,

Please do not allow the Nickel Plate Railroad to be destroyed. My son and I had been going on the fair train every year until the station was removed and the fair train stopped a couple years ago. We had been waiting for the Fair train to start up again, but it hasn't yet.

We also visited the train museum on his birthday. The railroad has been an important part of this nation's history and my family's history as my grandfather worked on the railroad his whole life. Keeping a local passenger train makes Fishers, Noblesville and the Indiana State Fair a unique and fun family experience in Indiana. Please don't destroy such a timeless part of our local history.

Respectfully,

Kara M Flegel

FD 36137

Nickel Plate

Peter Knight

13972 Catalina Dr

Fishers, IN 46038-

peterknight@frontier.com

As a resident of Fishers, I object to the removal of the train tracks between Indianapolis and Noblesville because of the trains historical significance and practical utility. Based on polling, I also believe a majority of residents believe as I do. I think there are many opportunities for walking. As a frequent walker, I have no problem finding routed to walk. However, I believe not having access to a train at Fishers represents removal of a significant attraction.

FD 36137

save the rails

Debra Rich

7 Jacks St

Gas City, In 46933-46933

richgirl.1953@gmail.com

We recently took the wild west train ride and enjoyed it immensely. This was the 1st time ever on a train for me. We need to keep our heritage and protect it for our future generations

FD 36137

Noblesville train

Lela Armstrong

443 N 10TH ST

NOBLESVILLE, Indiana 46060-

lelaaes@hotmail.com

I am very:

A.) Concerned about the lack of public input regarding the trail plan.

B.) Concerned for the lack of train service

C.) Concerned for the impediment to rail service caused by the Port Authority's suspension of rail operations

D.) Concerned for the process of selecting a new railroad operator which only runs on the North portion of the railroad. Unfortunately, the STB is not as concerned about the history or personal stories of the train.

FD 36137

Nickel Plate Rail Line

Josh David Roller

8576 W 00 NS

Kokomo, IN 46901-

jroller25@gmail.com

I find it quite shameful that the Nickel Plate Rail Line between Indianapolis and Tipton, which passes through Fishers and Noblesville, is being considered for a Rail Trail. This line has had excellent runs as a tourist line and I believe has a major potential to be a successful commuter line between Indianapolis' Union Station and points north. I am deeply concerned about the rumors that this line will be converted to a trail. I hope this does not happen and I implore you not to let this become reality. All of this discussion is based on whether to upgrade the track and road bed or to turn it into a trail. With upgraded trackage there will be new possibilities which I believe will attract commuter rail service to Indy Metro area. Freight service may become a possibility and more attractive too if the line were upgraded as well.

Thank you.

FD 36137

Nickel Plate Rail Line

James Smock

11683 Shadowwood Ct

Zionsville, Indiana 46077-

jwsmock@smockmh.com

none

The conversion of this existing railroad to a trail is being done without proper public input. We have enjoyed traveling via these rails in the past and this corridor can one day be used to transport passengers from the N.E. Indianapolis suburbs to and from downtown Indianapolis.

FD 36137

Nickel Plate Rail

Andrew Davies

18521 Oakmont Dr

Noblesville, IN 46062-7567

ajdavies@sbcglobal.net

Save the Nickel Plate

Dear Ms. Brown,

I very much wish to urge retaining the rail track intact between Indianapolis and points north of Noblesville in order to take advantage of its current and future economic and transportation potential. Replacing the rail, if removed, would seem to be economically prohibitive, making any decision to remove it irrevocable. Please leave this infrastructure intact.

Respectfully Yours,

Andrew Davies

FD 36137

Opposition to Railbanking

Marie J Nagle

310 Scarborough Way

Noblesville, IN 46060-

marienagle@mac.com

Save the Nickel Plate

I am a concerned resident of Noblesville, IN. The decision to proceed with plans to railbank the Nickel Plate line south of Noblesville is not what is best for our community and it's continued growth. Eliminating any transit south of Noblesville destroys a landmark connection to Indianapolis as well as previous successful connections to the State Fair or future possibilities to travel into Indianapolis for events.

The process and selection of the new rail operator does. It fully take into consideration the full potential of this line.

Creation of a trail will also likely impact my taxes paid locally as the trail will require upkeep, landscaping, lighting and safety, or re-paving. The ITM operates the Nickel Plate rail with self funding and not my tax dollars.i

I hope that you will take into consideration my concerns and others and save the Nickel Plate rail line in its entirety.

Thank you!

FD 36137

Opposition to Railbanking

Emily Dilts

1811 Conner street

Noblesville, IN 46060-

Emilymdilts@yahoo.com

Save the Nickle Plate

Hello,

I'm writing today to share my concern on saving the railroad. At 34 years young I still find fun and excitement in riding the train and watching it go through historic downtown Noblesville. I would love to share this with my 3 year old son who's obsessed with trains. It saddens me that we haven't been able to enjoy the train since my son's been born. We just recently purchased tickets for the polar express and we now have to travel all the way to Chicago for this experience. I would've loved nothing more than to spend the money in my county and to enjoy the experience here in Noblesville.

It's truly unfortunate that anyone would even consider uprooting the train. You can feel the history when you look at the tracks and ride in them and theirs so many opportunities to use the rails in a positive way.

City and elected officials need to open their minds and their eyes to what the people want and are saying. Don't take this historic train out of our town keep it for those who've rode on it in the past and those that want to ride on it for the future.

Thank you!

Emily Dilts

FD 36137

Opposition to railbanking

Damon Hill

1188 Evans Ave

Noblesville, IN 46060-1818-46060-1818

damonhill1969@gmail.com

The rail in question was a vital asset for events like the Indiana State Fair, without which service my family will not attend. The financial potential and community reputation benefits light rail access to Indianapolis events would generate cannot be overstated. It seems the Port Authority in collusion with local leaders sought to misrepresent rail safety in an effort to achieve their desired outcome. This is not the first time local leaders have followed an unpopular agenda for suspect reasons. The mayors of Noblesville and Fishers apparently decided on an outcome, and attempted to manipulate events and public perception to achieve that goal, without adequately allowing for public debate or referendum. The decision to select the #2 operator bid that aligned with their predetermined outcome to railbank the south passage only further illustrates the lapse in ethical conduct. The rail line set our community apart from its neighbors, and represented much unrealized potential, potential that would likely be lost forever if a decision is made to approve railbanking.

August 4, 2017

Thomas and Connie Rich
8495 Molly Court
Fishers, IN 46038
tomrich1952@yahoo.com



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

Re: Docket No.: FD_36137_0

Dear Ms. Brown:

We are writing to you to express our support for the continuation of rail service for the entire 34-mile length of track, not just the proposed eight plus miles. The train supplies rail service between Indianapolis, Fishers and Noblesville. The line generates money from, not only the residents, but also from visitors seeking to be a part of the Fair Train, Dinner Train or North Pole Express.

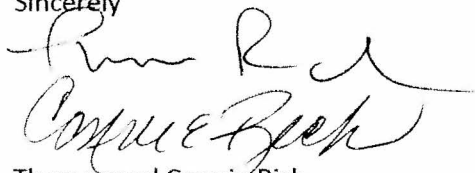
A path in lieu of the tracks adds cost to the taxpayers to remove the tracks and re-landscape the area. Walkers generate little, if any income. The train, while requiring upkeep costs does offset the cost with income from riders.

Having lived in D.C. metro (Fairfax) for 30 years, I witnessed the fight for Metro. It was a struggle for years to have rail service. We need the Nickel Plate Railroad right-of-way for current train use and for the possibility of future light rail.

The public has never truly been a participant in this process, in my opinion. We are hoping you will support those of us who, while wanting to maintain the history, want to have a rail corridor into the future.

Thank you for your consideration.

Sincerely


Thomas and Connie Rich

August 14, 2017

Ms. Roberta Hernandez Small

7454 Timberlane Place

Fishers, IN 46038

Robbiandmartin2004@yahoo.com

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:

I am a 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 I- 2.13 at Indianapolis, Indiana, to milepost I-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.

As a resident who utilized the services of the passenger rail operator prior to its suspension in 2016 by the Owners' representative body (the "Port Authority"), I object to the use of the Line as a trail for the following reasons:

- The railroad consistently served the adjoining communities as a valuable passenger transportation and entertainment asset for more than 24 years.
- The Indiana Department of Transportation rated the roadway infrastructure near the center of the line with the lowest Level of Service ("LOS") rating of "F" in 2008. An LOS rating of "F" is defined as "Capacity is exceeded and breakdowns in flow exist. Any incident will add significantly to the existing

congestion caused by normal operations.” While roadway improvements have been made in recent years, a new IKEA store and Top Golf recreation center are projected to bring over 2 million additional annual visitors, and therefore significantly increase passenger and commercial traffic in the Fishers area.

- The Owners have not shown any relevant evidence or data which suggests that they have polled the community or fairly considered feedback regarding conversion of the Line to a trail. Emails obtained through a request made pursuant to Indiana’s Access to Public Records Act indicated far more support for retaining the railroad than building a trail. 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.

- Data from a 2013 Transportation Plan survey of 590 Fishers residents leads to two significant findings:

- 80.8% of respondents believe that “Improving connections to between Fishers and other Indianapolis metro areas” is important or highly important.

- 69.6% of respondents agreed or strongly agreed that if light rail were made available to them, they would use it.

- Residents and other potential future users of the Line have expressed their desire and intent to expand the railroad further into Indianapolis for commuter and additional entertainment and recreation purposes.

- Two track inspection reports and an email from the Port Authority President, secured via a request submitted pursuant to Indiana’s Access to Public Records Act, indicate that profitable passenger traffic on the Line was, arguably, unnecessarily impeded (suspended). While rail safety was cited as the primary cause for the suspension, the following evidence suggests that the rails were not in a condition warranting a suspension and eventually removal of the non-profit railroad company as the operator of the Line:

- Federal Railroad Administration Report

OMB Approval No: 2130-0509

Inspector’s ID No: 11291

Report No: 84

No violations recommended.

- Private Report Commissioned by the Port Authority

The consultant who authored the report made various statements affirming the condition of the track in the executive summary of the report: "The Consultant has never encountered a 37 mile length of track where there has been so little drainage issues for the majority of the trackage...There are isolated locations that must be corrected, but generally the Railroad is high and dry. The light rail, joints, and turnouts are in surprisingly good to fair condition overall. Work regarding those items will be required to bring the track to a "reliable" Class Two level of service but overall the steel components of the track are in relatively good condition."

o Email from the Port Authority President

"Today, I went on a hi-rail trip with a contractor from the Louisville area that our railroad consultant Ms. Hale secured to come give me an education on what inspectors look for and give us their "off the record" opinion of the current conditions. Both gentlemen that came are FRA Certified Inspectors. Although they said the track was in fairly good condition for a tourist railroad, they showed me several areas that should not have passed an FRA inspection or the inspections of ITM's track inspectors. It is worth noting that the contractor said they would not recommend any speeds over 10 MPH, which is the limit for Class I rails, and what most tourist railroads run at or below, thus the opinion that they were in fairly good condition for a tourist railroad." This excerpt indicates that, with overall conditions being acceptable for Class I track and a tourist railroad, the Port Authority should have reasonably allowed for

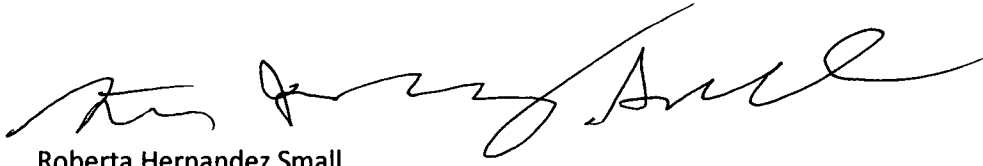
the repair of isolated defects by the operator and then lifted the suspension after the completion of repairs in order for rail operations to continue.

- The Port Authority published a Request for Proposal seeking a new rail operator of the line. A total of five (5) proposals were received. Four (4) proposals requested use of the entire line for various forms of heritage, commuter, and freight rail traffic. The winning proposal requested use of only the Northern portion of the line, allowed for trail conversion of the Southern portion, and was created by the President of Hamilton County Tourism Inc. in collaboration with the Noblesville Mayor's office approximately five months prior to the announcement of a Request for Proposal by the Port Authority.

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,

A handwritten signature in black ink, appearing to read 'Roberta Hernandez Small', written in a cursive style.

Roberta Hernandez Small

August 14, 2017

Ms. Roberta Hernandez Small

7454 Timberlane Place

Fishers, IN 46038

Robbiandmartin2004@yahoo.com

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:

I am a 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 I- 2.13 at Indianapolis, Indiana, to milepost I-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.

As a resident who utilized the services of the passenger rail operator prior to its suspension in 2016 by the Owners' representative body (the "Port Authority"), I object to the use of the Line as a trail for the following reasons:

- The railroad consistently served the adjoining communities as a valuable passenger transportation and entertainment asset for more than 24 years.
- The Indiana Department of Transportation rated the roadway infrastructure near the center of the line with the lowest Level of Service ("LOS") rating of "F" in 2008. An LOS rating of "F" is defined as "Capacity is exceeded and breakdowns in flow exist. Any incident will add significantly to the existing

congestion caused by normal operations.” While roadway improvements have been made in recent years, a new IKEA store and Top Golf recreation center are projected to bring over 2 million additional annual visitors, and therefore significantly increase passenger and commercial traffic in the Fishers area.

- The Owners have not shown any relevant evidence or data which suggests that they have polled the community or fairly considered feedback regarding conversion of the Line to a trail. Emails obtained through a request made pursuant to Indiana’s Access to Public Records Act indicated far more support for retaining the railroad than building a trail. 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.

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- Two track inspection reports and an email from the Port Authority President, secured via a request submitted pursuant to Indiana’s Access to Public Records Act, indicate that profitable passenger traffic on the Line was, arguably, unnecessarily impeded (suspended). While rail safety was cited as the primary cause for the suspension, the following evidence suggests that the rails were not in a condition warranting a suspension and eventually removal of the non-profit railroad company as the operator of the Line:

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OMB Approval No: 2130-0509

Inspector’s ID No: 11291

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No violations recommended.

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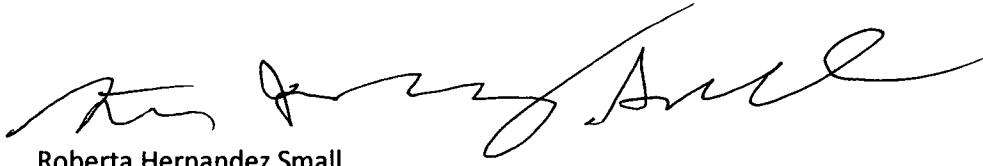
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The Owners, being governmental bodies, have not demonstrated a genuine interest or intent to consider the concerns and feedback of their residents or other rail service providers regarding the desires and intent for the future of this Line. It is my 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,

A handwritten signature in black ink, appearing to read 'Roberta Hernandez Small', written in a cursive style.

Roberta Hernandez Small

August 7, 2017

Weldon D. Greiger
3835 Cedar Lake Road
Howell, MI 48843

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 resident of **Howell, Michigan** wishing to express my opposition to the proposed railbanking and interim trail use of the subject railroad line (the "Line") from milepost I- 2.13 at Indianapolis, Indiana, to milepost I-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.

As a non-resident who utilized the services of the passenger rail operator **many times** prior to its suspension in 2016 by the Owners' representative body (the "Port Authority"), I object to the use of the Line as a trail for the following reasons:

- The railroad consistently served the adjoining communities as a valuable passenger transportation and entertainment asset for more than 24 years.
- The Indiana Department of Transportation rated the roadway infrastructure near the center of the Line with the lowest Level of Service ("LOS") rating of "F" in 2008. An LOS rating of "F" is defined as "Capacity is exceeded and breakdowns in flow exist. Any

incident will add significantly to the existing congestion caused by normal operations." While roadway improvements have been made in recent years, a new IKEA store and Top Golf recreation center are projected to bring over 2 million additional annual visitors, and therefore significantly increase passenger and commercial traffic in the Fishers area.

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OMB Approval No: 2130-0509
Inspector's ID No: 11291
Report No: 84
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○ **Email from the Port Authority President**

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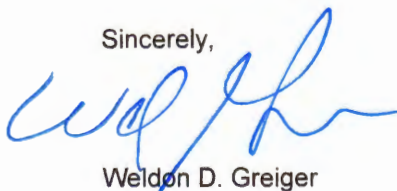
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Sincerely,



Weldon D. Greiger

Milford C. Hutsell III
8164 Sedge Grass Road
Noblesville, IN 46060
(574) 870-6855
milford.hutsell@gmail.com

August 7, 2017

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:

I am a resident of Noblesville, IN wishing to express my opposition to the proposed railbanking and interim trail use of the subject railroad line (the "Line") from milepost I- 2.13 at Indianapolis, Indiana, to milepost I-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" 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.

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- The Owners have not shown any relevant evidence or data which suggests that they have polled the community or fairly considered feedback regarding conversion of the Line to a trail. Emails obtained through a request made pursuant to Indiana's Access to Public Records Act indicated far more support for retaining the railroad than building a trail. 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.
- Data from a 2013 Transportation Plan survey of 590 Fishers residents leads to two significant findings:
 - 80.8% of respondents believe that "Improving connections to between Fishers and other Indianapolis metro areas" is important or highly important.
 - 69.6% of respondents agreed or strongly agreed that if light rail were made available to them, they would use it.
- Residents and other potential future users of the Line have expressed their desire and intent to expand the railroad further into Indianapolis for commuter and additional entertainment and recreation purposes.
- Two track inspection reports and an email from the Port Authority President, secured via a request submitted pursuant to Indiana's Access to Public Records Act, indicate that profitable passenger traffic on the Line was, arguably, unnecessarily impeded (suspended). While rail safety was cited as the primary cause for the suspension, the following evidence suggests that the rails were not in a condition warranting a suspension and eventually removal of the non-profit railroad company as the operator of the Line:
 - Federal Railroad Administration Report OMB Approval No: 2130-0509 Inspector's ID No: 11291 Report No: 84 No violations recommended.
 - Private Report Commissioned by the Port Authority The consultant who authored the report made various statements affirming the condition of the track in the executive summary of the report: "The Consultant has never encountered a 37-mile length of track where there has been so little drainage issues for the majority of the trackage...There are isolated locations that must be corrected, but generally the Railroad is high and dry. The light rail, joints, and turnouts are in surprisingly good to fair condition overall. Work regarding those items will be required to bring the track to a "reliable" Class Two level of service but overall the steel components of the track are in relatively good condition."
 - Email from the Port Authority President "Today, I went on a hi-rail trip with a contractor from the Louisville area that our railroad consultant Ms. Hale secured to come give me

an education on what inspectors look for and give us their "off the record" opinion of the current conditions. Both gentlemen that came are FRA Certified Inspectors. Although they said the track was in good condition for a tourist railroad, they showed me several areas that should not have passed an FRA inspection or the inspections of ITM's track inspectors. It is worth noting that the contractor said they would not recommend any speeds over 10 MPH, which is the limit for Class I rails, and what most tourist railroads run at or below, thus the opinion that they were in fairly good condition for a tourist railroad." This excerpt indicates that, with overall conditions being acceptable for Class I track and a tourist railroad, the Port Authority should have reasonably allowed for the repair of isolated defects by the operator and then lifted the suspension after the completion of repairs for rail operations to continue.

- The Port Authority published a Request for Proposal seeking a new rail operator of the line. A total of five (5) proposals were received. Four (4) proposals requested use of the entire line for various forms of heritage, commuter, and freight rail traffic. The winning proposal requested use of only the Northern portion of the line, allowed for trail conversion of the Southern portion, and was created by the President of Hamilton County Tourism Inc. in collaboration with the Noblesville Mayor's office approximately five months prior to the announcement of a Request for Proposal by the Port Authority.

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,



Milford Hutsell

Other Submissions

In order to process your filing, please fill out the following information. If you do not know the docket number, please leave it blank and we will fill it out for you.

Please fill out the following information to help us complete your filing:

Docket #: FD -36137 -0 -

Subject: * Nickel Plate railroad

First Name: * Karen

Middle Name:

Last Name: * Crusenberry

Address: * 1367 Wayne St

City: * Noblesville

State: * In

Zip Code: * 46060-

Email Address: * ksberry57@sbcglobal.net

Group/Affiliation: Save our train

Message: The city of Fishers and Noblesville valued the Nickel Plate Railroad as a asset in our communities enough to name art districts after it. Now they want to remove this very important historical icon. The process of making the Nickel Plate railroad a designated historical district has been started. If this rail road track is removed and our train can't run both north and south you will be removing a big part of our history. I don't understand why both Mayors are trying to do this. I think It could be a very big attraction and bring visitors to our area with economical \$\$\$ to both cites. The secrecy that went along with this announcement of replacing the rail with a trail shows just how little our elected officials think about the citizens of our city. We have and will continue to speak out against there plans to remove our track and train. Look at the documentation our group has sent you. If they can figure out a safe way to add a trail to our rail side by side fine if not I suggest they continue the trail from Noblesville to Fishers along the already existing trail that runs along the White river. I for one think that is better suited for a trail to link the two cities. Thank you Karen Crusenberry

August 14, 2017

Ms. Roberta Hernandez Small

7454 Timberlane Place

Fishers, IN 46038

Robbiandmartin2004@yahoo.com

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:

I am a 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 I- 2.13 at Indianapolis, Indiana, to milepost I-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.

As a resident who utilized the services of the passenger rail operator prior to its suspension in 2016 by the Owners' representative body (the "Port Authority"), I object to the use of the Line as a trail for the following reasons:

- The railroad consistently served the adjoining communities as a valuable passenger transportation and entertainment asset for more than 24 years.
- The Indiana Department of Transportation rated the roadway infrastructure near the center of the line with the lowest Level of Service ("LOS") rating of "F" in 2008. An LOS rating of "F" is defined as "Capacity is exceeded and breakdowns in flow exist. Any incident will add significantly to the existing

congestion caused by normal operations.” While roadway improvements have been made in recent years, a new IKEA store and Top Golf recreation center are projected to bring over 2 million additional annual visitors, and therefore significantly increase passenger and commercial traffic in the Fishers area.

- The Owners have not shown any relevant evidence or data which suggests that they have polled the community or fairly considered feedback regarding conversion of the Line to a trail. Emails obtained through a request made pursuant to Indiana’s Access to Public Records Act indicated far more support for retaining the railroad than building a trail. 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.

- Data from a 2013 Transportation Plan survey of 590 Fishers residents leads to two significant findings:

- 80.8% of respondents believe that “Improving connections to between Fishers and other Indianapolis metro areas” is important or highly important.

- 69.6% of respondents agreed or strongly agreed that if light rail were made available to them, they would use it.

- Residents and other potential future users of the Line have expressed their desire and intent to expand the railroad further into Indianapolis for commuter and additional entertainment and recreation purposes.

- Two track inspection reports and an email from the Port Authority President, secured via a request submitted pursuant to Indiana’s Access to Public Records Act, indicate that profitable passenger traffic on the Line was, arguably, unnecessarily impeded (suspended). While rail safety was cited as the primary cause for the suspension, the following evidence suggests that the rails were not in a condition warranting a suspension and eventually removal of the non-profit railroad company as the operator of the Line:

- Federal Railroad Administration Report

OMB Approval No: 2130-0509

Inspector’s ID No: 11291

Report No: 84

No violations recommended.

- Private Report Commissioned by the Port Authority

The consultant who authored the report made various statements affirming the condition of the track in the executive summary of the report: "The Consultant has never encountered a 37 mile length of track where there has been so little drainage issues for the majority of the trackage...There are isolated locations that must be corrected, but generally the Railroad is high and dry. The light rail, joints, and turnouts are in surprisingly good to fair condition overall. Work regarding those items will be required to bring the track to a "reliable" Class Two level of service but overall the steel components of the track are in relatively good condition."

o Email from the Port Authority President

"Today, I went on a hi-rail trip with a contractor from the Louisville area that our railroad consultant Ms. Hale secured to come give me an education on what inspectors look for and give us their "off the record" opinion of the current conditions. Both gentlemen that came are FRA Certified Inspectors. Although they said the track was in fairly good condition for a tourist railroad, they showed me several areas that should not have passed an FRA inspection or the inspections of ITM's track inspectors. It is worth noting that the contractor said they would not recommend any speeds over 10 MPH, which is the limit for Class I rails, and what most tourist railroads run at or below, thus the opinion that they were in fairly good condition for a tourist railroad." This excerpt indicates that, with overall conditions being acceptable for Class I track and a tourist railroad, the Port Authority should have reasonably allowed for

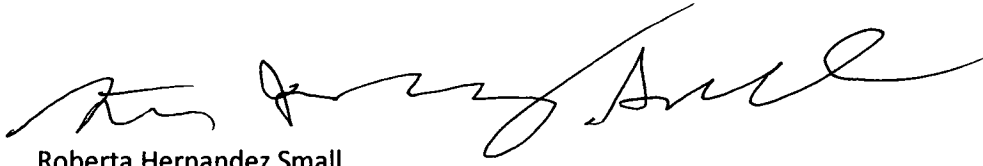
the repair of isolated defects by the operator and then lifted the suspension after the completion of repairs in order for rail operations to continue.

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Sincerely,

A handwritten signature in black ink, appearing to read 'Roberta Hernandez Small', written in a cursive style.

Roberta Hernandez Small