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Surface Transportation Board

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Finance Docket No. 36025

RE: Texas Central Railroad Petition to Reopen

I am writing this letter in opposition to the recently reopened STB filing Docket #FD_36025_0 by Texas Central Railroad and Infrastructure, LLC. I am a landowner who is directly impacted by this project in Waller, Texas. We invested our life's savings into purchasing land to build a home and raise our autistic son in an environment conducive to his condition. Our families' financial livelihood is now at risk due to a private foreign based company threatening to seize our land without providing any evidence to the fact that they have this right. I implore the Surface Transportation Board to take a "hard look" at this project like our family has been forced to do. The ultimate insult to Texas is the threat of federal eminent domain, imposed for the benefit of a foreign corporation.

Rather than spending time with our family during the Christmas holidays, we were forced to go through the 5,647 page Draft Environmental Impact Statement that was released during the holidays which was no doubt a strategic move by Texas Central. We spent over forty hours putting together an interactive map into google earth so that we could aide our fellow friends and neighbors impacted by this project so they didn't have to go down to their local libraries to look at the one copy (maps pictured below) which was riddled with issues which I will detail below.



One of my concerns is the fact that this project will enable a private foreign backed company to utilize eminent domain if built. From the very beginning this project has been foreign backed as reported by Richard Lawless, CEO of the Texas Central High-Speed Railway.

"The Japan Bank for International Cooperation participated in "an exhaustive study" of the Dallas-Houston line, Lawless said, and is willing to back the project. It's expected to provide up to half the debt financing for the Texas line, with "extremely attractive" interest rates, he said."

At present, the United States is pushing to "Buy American" and this project does not coincide with this approach as its largest vested interest is Japan and all of the passenger rail cars will be manufactured in Japan which will create a monopoly as only the Shinkansen trains will be able to run on their proprietary tracks. This will permanently conjoin the State of Texas with this Japanese technology leaving us at the mercy of pricing and support structures when it fails. The lack of American manufacturers and competition along with the monopoly it will create should be a huge cause of alarm.

TCRR has continuously communicated to the public that very few to no roads would be closed as the HSR would be elevated and crossing over existing roads. However, below are the facts from the DEIS:

66 Private Rds. **Closed** out of 161 crossings.

43 Private Rds. **Re-routed**.

139 Public Rds. **Re-routed**.

And some of the Private Road closure might be left up to the landowner to remedy themselves.

Texas Central has NOT applied for a County Permit as required by eight of the 10 counties being negatively impacted by this Project. Those Permits also require Texas Central to provide PROOF OF EMINENT DOMAIN BEFORE A PERMIT CAN BE ISSUED. No work on any County Roads may be performed without that Permit. The FRA is silent on this issue and it should be displayed by FRA because it is the **LAW**.

Below is an excerpt from the DEIS (8.1 Roadway Categories) that I would like to bring to your attention:

- *Public Roads – Roads that would be accessible to the general public. Ownership and Responsibility for maintenance of these roads would be by the appropriate local, municipal, county, state, or federal authority. Design details, ownership, and maintenance responsibilities for these roads would be closely coordinated with the appropriate Project stakeholders during more advanced design.*

So now we are in a position where a private company is placing an undue financial burden on a public entity. Where are the funds for this maintenance supposed to come from? What's cheaper to maintain, the current paved road or a massive overpass? By naming Texas Central an Interstate railroad, you would be providing them with this exact power.

I would like to address the current Amtrak station in Houston, pictured below. This is an extremely small station that should not be the source of defining Texas Central as an "Interstate project" based on its size and ridership. Texas Central and Houston's Mayor Sylvester Turner have already named Northwest Mall as the preferred station location for the proposed rail which was clearly premature as only the FRA can select that based on the outcome of the EIS findings. This station is located approximately eight miles from the Northwest Mall location. What information that is not provided here is that the Northwest Mall is located in one of the heaviest congested areas in Houston. During peak congestion times, the drive from the Northwest Mall to Amtrak could exceed an hour and if more traffic is introduced then you would just be compounding the issue.



Lastly, I would like to address the lack of transparency by Texas Central in both their financial feasibility as well as their ridership calculations rather they have taken the "Trust Me" approach. In our research we have reviewed the similar private project completed by "All Aboard Florida" which as you are aware was another private project which provided the public with both their ridership calculations and studies as well as their feasibility studies. Texas Central continues to try to put "Lipstick on a Pig" so to speak and refuses to provide the public with any hard verifiable information. Why is that?

Many Texans have risen in opposition to this project because they know that it will destroy their homes, their communities, and their ways of life. The Declaration of Independence assures **ALL** Americans "Life, Liberty and the Pursuit of Happiness." We Texans have fought to protect these rights and stand ready to do it again. Despite communicating our opposition at every opportunity, the FRA has not listened. We implore the Surface Transportation Board to take a deep look at this project and ensure that the public is protected against a future bailout. This is not a true Interstate project as it will serve very few in an Interstate capacity. Thanks for your time.

References:

<https://www.dallasnews.com/business/business/2014/11/01/mitchell-schnurman-texas-bullet-train-plan-banks-on-japan>

<https://www.click2houston.com/news/northwest-mall-announced-as-preferred-stop-for-texas-bullet-train>

<http://mobility.tamu.edu/mip/corridors-pdfs/houston/HOU-11-US-290-101713.pdf>

I certify that I have this day served copies of the document upon the Parties of Record in this proceeding, by U.S. Mail or E-mail

Signature Kelly Martinek

Date 5/23/2018

CC: All Parties of Record