

**BEFORE THE
SURFACE TRANSPORTATION BOARD (STB)**

248562

**Finance Docket No. 36025
TEXAS CENTRAL RAILROAD AND
INFRASTRUCTURE, INC. &
TEXAS CENTRAL RAILROAD, LLC AUTHORITY
TO CONSTRUCT AND OPERATE PASSENGER
LINE BETWEEN DALLAS, TX AND HOUSTON, TX**

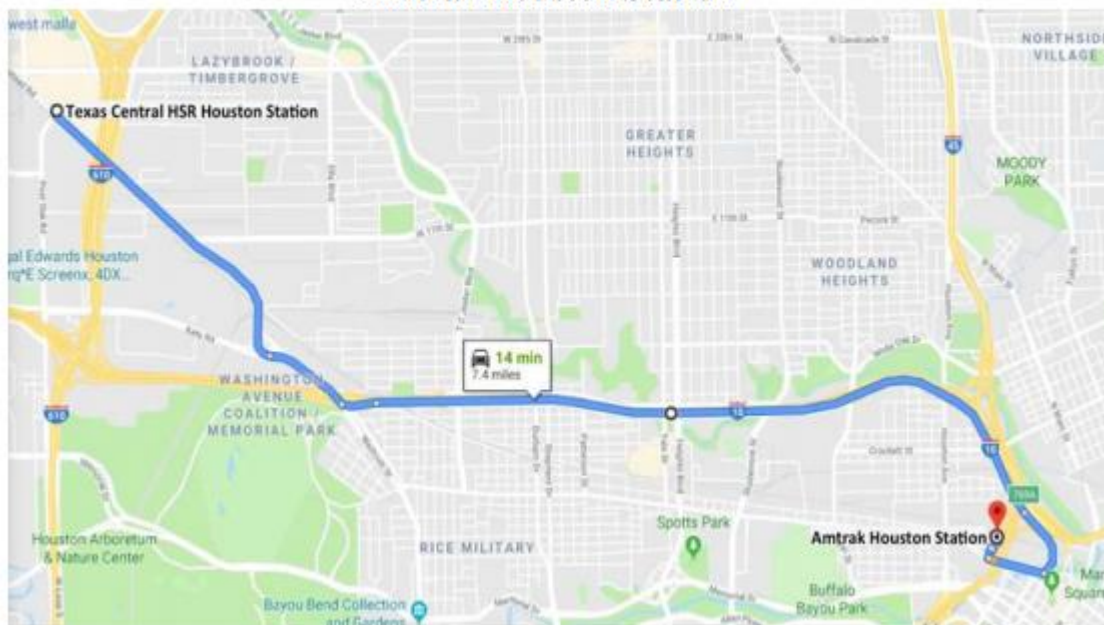
ENTERED
Office of Proceedings
October 8, 2019
Part of
Public Record

**Negatively Impacted Private Property Landowner's
Response in Opposition to Petitioner's Response to Surface
Transportation Board's Request for Additional Information
Dated June 20, 2019 Referencing Texas Central's May 4,
2018 Petition to Reopen Proceeding**

Donovan Wayne Maretick
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As a directly impacted landowner in Waller County, I have had to endure over four years of living under the shadow of this nightmare that threatens so many homes, businesses and land owners. Me and many others have committed ***thousands of hours*** (emphasis added) reviewing the marketing materials of Texas Central and its various other entities as well as the fatally flawed Draft Environmental Impact Statement. On February 5, 2018, within hours of the FRA's Harris County Public Comment meeting the Mayor of Houston along with a host of other Houston officials and Texas Central Representatives Carlos Aguilar (Texas Central's CEO) and Drayton McLane Jr. (Texas Central's Chair) announced that the Northwest Mall would be the preferred location of the Houston station (Lotz, 2018). The FRA's point of contact, Kevin Wright, had to formally announce at the beginning of the FRA's Public Comment Hearing that although the Mayor and Texas Central had picked the station location, it was up to the FRA to choose a final location. To this day, this station has not been chosen but is presented to the STB as the final selection in the reply 248366 presented to you by Texas Central on 8/21/2019 on page 16. This is a prime example of how this project's marketing has continued to skew the facts that are presented to the public.

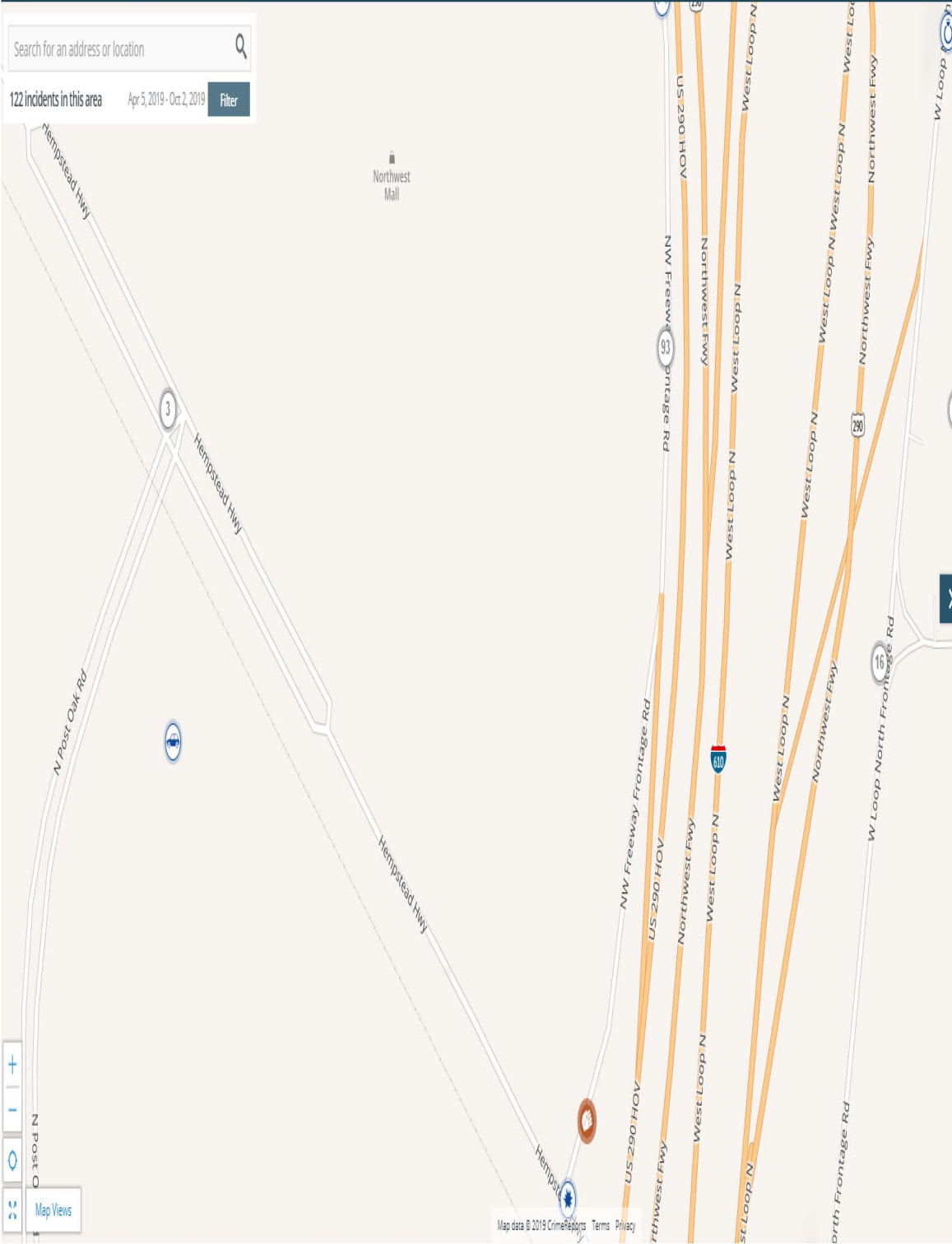
**FIGURE 2:
Route from Texas Central Houston HSR Terminal to
Amtrak Houston Station**



If they chose the Northwest Mall area to build in, according to ADT's figures one can quickly see that this area has an extremely high crime rate with over 38 violent crimes and 72 property crimes in just the past six months. When you compare this area to the national average a person is 2.13 times as likely to get robbed and 1.76 times as likely to get murdered than anywhere else in the nation (CrimeReports, 2019) (ADT Crime Map, 2019). I do not believe this area is a place where you would desire people to walk the 7.4 mile walk to the Amtrak station.

Search for an address or location

122 incidents in this area Apr 5, 2019 - Oct 2, 2019 Filter



AGENCIES INCIDENTS

Incident trends

Violent 38 Property 74

Assault with Deadly Weapon
1400 Block LOOP S Sep 22 around
Aggravated Assault
Description: Aggravated Assault
Case No.: 123848019
Agency: Houston Police Depart
[Share](#) [Center on Map](#)

Property Crime
3000 Block LOOP S Sep 21 around
Destruction, damage, vandalism

Assault
4000 Block LOOP S Sep 21 around
Simple assault

Theft from Vehicle
2600 Block LOOP S Sep 20 around
Theft from motor vehicle

Theft
6100 Block LOOP S Sep 20 around
Shoplifting

Theft from Vehicle
2600 Block LOOP S Sep 19 around
Theft from motor vehicle

Property Crime
3200 Block LOOP S Sep 19 around
Destruction, damage, vandalism

Houston (77055) Crime Index

Category	Local Index	Vs. National Index
Assault	105	1.05x more than average
Burglary	88	0.12x less than average
Larceny	72	0.28x less than average
Murder	176	1.76x more than average
Motor Vehicle Theft	144	1.44x more than average
Personal Crime	155	1.55x more than average
Property Crime	108	1.08x more than average
Rape	134	1.34x more than average
Robbery	213	2.13x more than average
Total Crime	137	1.37x more than average

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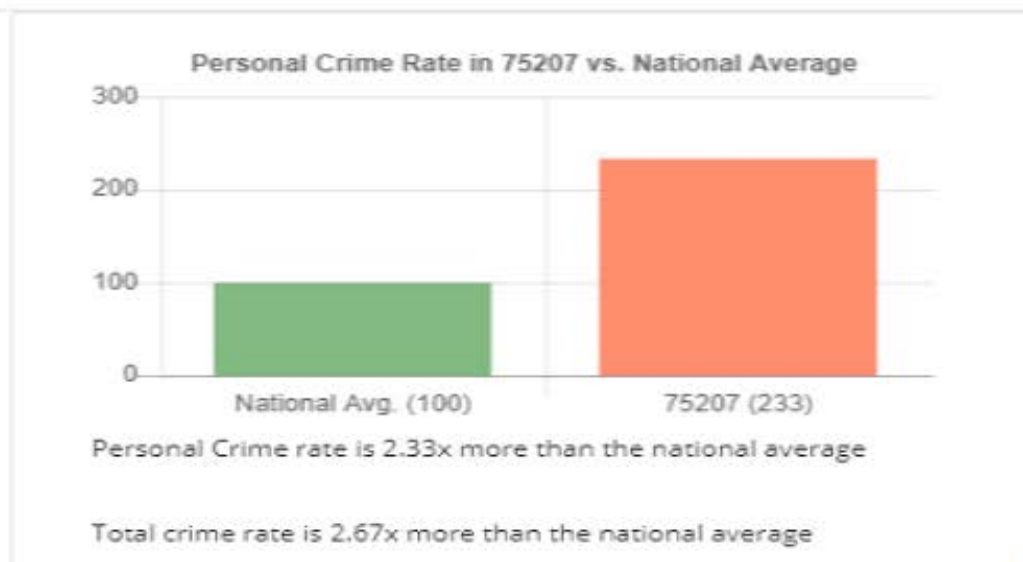


Now if we look at the same area in Dallas where the proposed station is, we can see a continuing trend of blatant disregard of public safety. So at the Dallas Station which is located closer to the proposed station, you are 3.28 times likely to be murdered, 5.73 more times likely to have your car stolen and 3.07 times more likely to be raped than the national average (ADT Crime Map, 2019). I am also including an article by Peter LaCody of Texas Rail Advocates that clearly demonstrates the obvious safety concerns of this area (LaCody, 2018). The fact that the Dallas Union Station has to close its doors at 5:30 over concerns about crime should be a huge red flag for the STB.

Dallas (75207) Crime Index

Category	Local Index	Vs. National Index
Assault	137	1.37x more than average
Burglary	116	1.16x more than average
Larceny	64	0.36x less than average
Murder	328	3.28x more than average
Motor Vehicle Theft	573	5.73x more than average
Personal Crime	233	2.33x more than average
Property Crime	278	2.78x more than average
Rape	307	3.07x more than average
Robbery	122	1.22x more than average
Total Crime	267	2.67x more than average

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Shameful! Dallas Union Station pulls the welcome mat for passengers and for parking

by [Peter LeCody](#) in [Texas Rail News](#)

June 9, 2018 – TRA Exclusive –

Rail passengers are denied access to Dallas Union Station after 5:30pm, according to a posted sign on the doors of the historic landmark. The station, owned by the city of Dallas and bound by a long term lease agreement with Woodbine Properties, is now shuttered between 5:30pm and 7:30am. Passengers waiting for a late-running Amtrak train have been forced to wait outside with their baggage as well as Trinity Railway Express passengers wanting a respite from the heat or cold for early morning or evening trains.

Dallas Union Station waiting room

“Sources have told me that the reason the waiting room is closed, except for bankers hours, is the area has been ripe with panhandlers and vagrants,” according to Texas Rail Advocates President Peter LeCody. “If there is a crime, solicitation, drug use or other related problem then it’s up to the landlord, the city, DART and DPD police forces to just fix it. This is a public gathering spot for people waiting for trains. It’s shameful that the public has to be shut out. It’s a real black eye for travelers and their first impression of Dallas when they come through Union Station. The station waiting room should be open for all train arrivals and departures.”

The ban on passengers occupying the waiting room apparently went into effect this past February. ***TRA member Rick Reynolds said that he and his wife were ushered out of the station at 5:30pm when waiting for a late-running Amtrak Texas Eagle train. They were forced to exit the building and stand outside as there are no outdoor seating areas.*** (Emphasis added)

“Union Station should be a useful public gathering spot like Fort Worth has done with their Intermodal Transportation Center”, according to LeCody. “There are zero amenities unless you consider a soda machine the best there is to offer. The front of the station is devoid of any shrubs, flowers or anything pretty to enhance this historic site. The city and landlord should be ashamed.”

In addition to shutting down the historic waiting room, it appears that five public parking spots for free short-term use, mainly for Amtrak customers purchasing tickets, meeting trains and requiring information from station agents, have been absconded by the company that runs the adjacent parking lot. The parking stalls are marked 129 to 133, on the outside of the paid lot.

“These parking spots are on the public side of the Union Station drive and for decades customers have had the use of them for short-term drop-off, pick-up and going into the station to get information from the Amtrak agents on duty”, according to LeCody. “We want to know who marked these spaces for longer-term paid use when these are clearly outside of the paid parking lot and in the public domain.” A similar issue occurred several years ago when the food concession operator at Union Station, Wolfgang Puck, put up signs that said ‘employees only’ to use the same five parking stalls. After city officials were notified, the signs came down and the parking spaces were returned to public use. <http://texasrailadvocates.org/2018/06/09/shameful-dallas-union-station-pulls-the-welcome-mat-for-passengers-and-for-parking/>

After reading the article, I was curious about the average temperature in this region. By pulling the last five years of data from Accuweather from zip code 75207 in Dallas it is clear to me that the extreme heat should be a serious concern (www.accuweather.com, 2019). Over the past five years this area has experienced over 150 days of temperatures exceeding 100 degrees. If you combine the high temperatures with the extreme humidity of both Houston and Dallas, you have a recipe for disaster.

Total # Days 90 degrees or above

Month	2015	2016	2017	2018	2019	5 Year Avg
June	25	25	19	28	20	23.4
July	30	31	30	31	27	29.8
August	30	25	25	27	30	27.4
Sept	28	24	20	13	29	22.8

The station locations are in high crime areas where the weather can be extreme and walking is simply not a reasonable or safe option. Texas Central lists that at start up, there will only be less than 1% of passengers transferring to the proposed line from Amtrak. The big question that Texas Central did not include in its response to the STB was the cost of a ticket. How can you possibly provide an estimate on the number of people who will purchase a through ticket from AMTRAK to the HSR without including the cost of a ticket? From the beginning, the ridership calculations and the financial feasibility has been hidden from us. This project started out in 2016 with Texas Central stating the cost to construct would be 10 to 12 billion and now we are at 18 to 20 billion and they have not even broken ground.

Table 3.14-22 in the DEIS states that the average one-way ticket cost is \$199. We pointed this out to Texas Central on their public forum and Texas Central states that this is the latest in the rumors spread by the opposition. How can they dispute what is in the document that they paid to have created? The frightening part is that these were in 2016 Dollars when the cost was supposed to be 10 to 12 billion to build. What is the price going to be now when we are almost in 2020 and the cost has almost doubled since creation?

Table 3.14-22: Annual Ticket Revenue Impacts for all Build Alternatives					
Mode	HSR	Car*	Air*	Bus	All Modes
Build Market Share	21%	73%	3%	2%	100%
No-Build Market Share	0%	89%	9%	2%	100%
Average Trip Price (2016\$)	\$199	***	\$199	\$25	



Karen Smith Hale So she can pay approximately \$199 each way each day to commute to teach classes. That is \$2000 per week just for the train if she teaches 5 days a week and she still has to pay for transportation from Roans Prairie to A&M and pay to park her car at the home station. I didn't realize professors made enough to afford that, or is she independently wealthy and teaching as a hobby?!!

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Texas Central - The Texas Bullet Train Hi Karen, that figure for ticket prices is one of the latest rumors making the rounds online. Ticket prices will be based on a variable, demand-based model, that will fluctuate based off of how far in advance you purchase, what day you're looking to ride, what time of day, what class of service you're interested in (first, business, coach, etc), what discounts you're eligible for (are you a frequent rider? Are you traveling with your family? Are you a veteran? a student?), and a variety of other factors.

On the high end, tickets will be competitive with the cost of an airline ticket, but on the low end, they will be competitive with the cost of driving. There is no one price point to describe the multitude of fare options that will be offered; there will be ticket prices offered to accommodate all travelers, regardless of budget!

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Texas Central has a history of misrepresenting the facts and it is quite alarming that the FRA seems to follow their lead by not conducting their due diligence as can be seen by the many flaws in the draft environmental impact statement. Through simple investigation, we have discovered that in order to shift the numbers in a direction that favored their position, the Vehicle Miles Traveled (VMT) was doubled. To add insult to injury, they also used a lower MPG than was available to calculate the 2040 MPG and gallons saved to reflect a 200 to 300% increase in gallons saved all in an effort to mislead the public. The DEIS also contains a 51-billion-dollar error in sales tax calculations. A simple phone call to the Texas Comptroller's office proved that there are no retail sales tax on ticket sales so this inclusion was a blatant misrepresentation of fact to make the project look good. The State of Texas does not levy sales tax on transportation.

When asked at a public forum on February 5, 2018, FRA's Kevin Wright stated that the public would not have a chance for another public comment period after the FEIS was released. In what world can you create an extremely flawed document and then trust the creator of the document to resolve all of the issues that it represented to the public as fact when it releases the corrected version. A version which we are told we will not even have a chance to comment on.

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 Intrastate capacity. Thanks for your time.

References

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Respectfully,
“/s/” Donovan Maretick

I certify that I have this day served copies of this document upon all parties of record in this proceeding, [by method of service consistent with 49 C.F.R. 1104.12(a)].

“/s/” Donovan Maretick, October 8, 2019