

City of Columbus
Kristen Brown
Mayor



City of Franklin
Joe McGinnis
Mayor



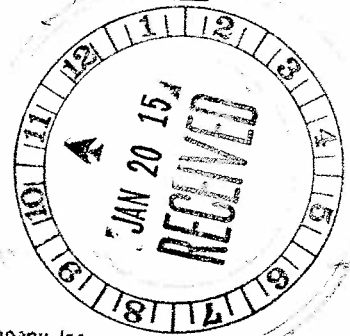
City of Greenwood
Mark Myers
Mayor



City of Seymour
Craig Luedeman
Mayor

January 9, 2015

Ms. Victoria Rutson
Director, Office of Environmental Analysis
395 E Street SW
Washington, DC 20423-001



RE: Finance Docket No. 35523, CSX Transportation, Inc. - Joint Use - Louisville & Indiana Railroad Company, Inc.

Dear Ms. Rutson,

We have reviewed the responses provided by the applicant in regard to recent letters of concern from the Cities of Columbus, Franklin, Greenwood and Seymour, as well as other interested parties dated December 15th, 2014 and believe we are due an explanation.

The general response provided by the applicant to several items of concern from numerous entities, the applicant indicates that, "Applicants do not believe that (concerned entity) has provided the necessary justification for any of the additional mitigation measures it has requested."

This seems to be a bit of a convenient attempt by the applicant to absolve itself of adequately responding to various concerns. It is not the municipality or the citizens who are wishing to improve the infrastructure for private enterprise and profit. We believe the burden of proof should fall on the applicant and not the municipalities that this development may negatively impact. All landowners within our communities are required to adequately address concerns of citizens and/or the municipality regarding their desires to move forward with any new development or infrastructure without burden to the citizens or the municipality.

Put more simply, the burden of proof should be on the applicant to provide adequate and acceptable evidence that their intent does not burden the concerned entity. As cities, it is difficult for us to see how the burden should fall on us as we truly have nothing to gain in the matter.

To be clear, we understand that the railroad already exists in all of our communities, and we hope (and will continue to strive for) a continued good working relationship with the applicants. However, given their response, it doesn't seem that they are being held to the same standard that we hold ourselves, our citizens, our businesses and our landowners.

We realize the period for public comment has closed and that it appears decisions have already been made. As we wait patiently for the final determination from the board, we hope that a decision of this magnitude is made while considering all the possible outcomes. We can offer the following in addition to our concern above:

- Traffic on the rail through our cities has already increased greatly over the past year well in advance of any additional CSX traffic that is currently under review by the Board. It has had a significant negative effect on all of us even without the compounding impact of an additional rail carrier.
- We are concerned that this transaction will more than double the speed of rail traffic through our cities. It would seem that a two-fold increase in anything would merit some additional effort in response. In addition, many of our crossings are in residential areas and do not have any safety features beyond pavement markings. Several of which are within a mandatory walk zones for our school systems.
- We are concerned about a **700% increase** in train volume and the effect it will have on our cities. It would seem this too would require some additional effort in response from the applicant.

Thank you for your time and consideration. Please feel free to contact us if you have any questions or concerns.

Sincerely,


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(317) 736-3602


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CC:

Senator Dan Coats, United States Senate (via email)
Congressman Todd Young, United States House of Representatives
Congressman Luke Messer, United States House of Representatives
Ms. Cynthia T. Brown, Chief of the Section Administration, Office of Proceedings
Governor Mike Pence, State of Indiana (via email)
Lt. Governor Sue Ellsperman, State of Indiana (via email)
Mr. Thomas Dunbar, INDOT (via email)
Mr. Lucas Mastin, Highway Director, Johnson County (via email)
Mr. Ron Hoffman, Council President, Edinburgh (via email)
Mr. John Drybread, Town Manager, Edinburgh (via email)
Ms. Anna Gremling, Executive Director, Indianapolis MPO (via email)
Mr. Laurence Brown, Director, Columbus Area MPO (via email)