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Oscar Romero Catholic Worker House

1524 NW 21, Oklahoma City, Oklahoma 73106

August 13, 2008

Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re Finance Docket-35164-0 – BNSF Railway Company – Petition for Petition for Declaratory Order

To whom it may concern

My name is Robert Waldrop. I am the founder of the Oscar Romero Catholic Worker community, an organization which is dedicated to the works of mercy, justice, and peace. We deliver food to people in need who do not have transportation. I was one of the founders of the Oklahoma Sustainability Network, and presently serve as one of the co-moderators of the organization's discussion listserv.

I write to you to oppose the motion for an expedited declaratory ruling and order that BNSF Railway Company filed with the Surface Transportation Board on July 15, 2008, regarding the Chickasha Subdivision in Oklahoma City, Oklahoma.

If the construction of the I-40 Crosstown Freeway is allowed to proceed as currently planned, which would be the result of this order, the Surface Transportation Board will become a willing party to a grave mistake presently being made by the State of Oklahoma's Department of Transportation.

The rail yard at Union Station is the historic heart of our city- and state-wide system of rail transportation. It could be the central nexus of a cost-effective system of commuter rail transit serving central Oklahoma. But if the Surface Transportation Board allows BNSF to abandon this railway and thus permit ODOT to proceed with its plans, that rail yard will be buried under ten lanes of freeway that will be completed about the time that gasoline hits \$10/gallon.

I oppose this for reasons of social justice, economic and environmental sustainability, and national security.

I. Social Justice

Oklahoma City has a long history of acting with grave social injustice against communities of people of color. The I-40 Crosstown Freeway relocation project has already destroyed hundreds of homes in two low income neighborhoods, and African American and Latin American citizens have borne a disproportionate burden of this social injustice.

Previously, ODOT conspired with leaders of Oklahoma City, including the Chamber of Commerce, to destroy the historic heart of the African American community in Oklahoma City, known as the Deep Deuce, in order to grab the land for "economic development" and to build a freeway to allow white citizens who were leaving the area because of the racial integration of the schools to be able to get to their jobs in downtown Oklahoma City quickly. That is widely recognized today as a grave historical error that was made by our regional and state civic, business, political, and transportation leadership. Abandonment of this rail line, which will lead to the destruction of the rail yard of Union Station, is a similar historical mistake that we are trying to prevent.

Some might say that these allegations are beside the point. Yet, the Mayor, ODOT, and the Chamber of Commerce claim in their letters to the Surface Transportation Board that they are acting with the support of the citizenry and on behalf of the common good. As a fourth generation Oklahoman, who is intimately familiar with the history of our political classes, I tell you plainly that their claims must be taken with a strong dose of the hermeneutic of suspicion.

I think it is safe to say that the abandonment of this rail line, leading to the relocation of the freeway and thus the destruction of Union Station is greatly desired by downtown business interests allied with certain political factions in town, but to go from that indisputable fact to a claim of "overwhelming public support" is a bit ingenuous.

Last year, Oklahoma City went through a process of soliciting public input on what the city needed, and by a wide margin the number one suggestion from the citizens was better public transportation. Yet, Oklahoma City is presently doing nothing to increase public transportation and by the City's own admission, it will be years before we see any substantive improvements. Thus, any claim by Oklahoma City, its Chamber of Commerce, or ODOT regarding public support for the destruction of the Union Station rail yard is simply political propaganda.

BNSF, Oklahoma City, ODOT, and the OKC Chamber of Commerce, wish to marginalize opponents of the destruction of Union Station, because that it is in their interest to do so. Their reliance on this tactic is a typical response of Oklahoma politicians to opposition. ODOT would have us believe that the low number of responses to their environmental statement on the I-40 relocation is an indication of community support. In reality, it is a testimony to the obscure nature of their comment process and the general feeling that there isn't any point in going against ODOT because they stack the deck against opponents before going into hearings or accepting comments.

So it goes in the political culture on the ground here in Oklahoma, and you should keep this context in mind as you make your decision in this matter.

2 Economic and Environmental Sustainability

The recent spike in fuel prices is but a harbinger of higher fuel and energy prices. Rail transportation is the most efficient way to move both freight and people. Oklahoma City, the region of central Oklahoma, and the State of Oklahoma need strong rail networks that can take people and freight to where they want and need to go. At this time, Oklahoma City has only a rudimentary public transportation that contributes little to the transportation needs of the area. Thus, our local community remains hostage to the good will of fascist terrorists.

Going into the uncertain future, the rail yard at Union Station could make an important contribution to the economic and environmental sustainability of this city and state. Once it is destroyed, it is gone, and that will seriously impact the inter-connectibility of Oklahoma's system of railways. The possibility of rapid expansion of our rail system into a truly functioning, cost effective multi-modal transportation system anchored by commuter rail, will be gone forever. Allowing BNSF to abandon these lines, and thus permit ODOT to proceed with its construction plans, would be a tremendous step backward for rail in Oklahoma, at a time when we need to be moving ahead.

3 National Security

The peace and safety of the entire world is threatened by terrorists – and primary funding for the modern international terror networks comes from petrodollars. Thus, while people don't like to think about this, every tank of gasoline pays a terror tax that buys guns and bombs that kill innocent civilians caught in the crossfire.

Oklahoma City is doing nothing substantive on the home front to support the cause of world peace and security. While politicians of all parties throughout the state can be heard loudly proclaiming their support for the troops, they nevertheless support policies that increase our dependence upon Middle Eastern oil and thus assure terrorists a continued and safe source of funding for their operations. During World War II, people on the home front did their part by reducing their consumption of critical materials. If Oklahoma City and the state of Oklahoma really want to support our troops and do our part on the home front, we should be rapidly building out commuter rail throughout the state and working on an emergency basis to reduce our consumption of gasoline and diesel.

Instead, the end result of their proposals – the abandonment of this rail line to build a new ten lane highway – will be to make us more dependent on gasoline and diesel, and thus it will come to pass that Oklahoma will make an even greater contribution to the support of terrorism. Abandoning this rail line, which will lead to the destruction of Union Station's rail connections, is therefore in direct opposition to the cause of peace and safety throughout the world. Osama bin Laden would certainly approve of abandoning this rail line, destroying Union Station's rail yard, and finishing construction as designed of Oklahoma City's own ten lane freeway boondoggle. Every action, small or great, that makes us more dependent upon oil, undercuts the peace and safety of all Americans. In making transportation decisions, we ignore this reality to our mortal peril.

Conclusion

The rules and regulations interpreted and implemented by the Surface Transportation Board are there to prevent abuse of authority. The demand of BNSF, supported by ODOT, Oklahoma City, and its Chamber of Commerce, for expedited process is exactly the type of abuse of authority that the STB's rules and regulations are designed to prevent. I ask you to reject the BNSF application for an expedited declaratory ruling. You need to come to Oklahoma City for a public hearing on this matter that will be fair and open and held at a reasonable time and place.

If the Surface Transportation Board rejects this BNSF application, perhaps a compromise could result whereby the plans for the I-40 would be changed to avoid destroying the rail yard of Union Station and thus compromising the rail security of the entire state, e.g. by elevating a section of the proposed freeway relocation. ODOT has already reneged on its promise to bury the freeway in a ditch (they didn't do proper engineering studies before commencing construction, thus they made the promise to the *neighborhood that they have already broken*), so elevating a section to protect the rail access would not be impossible.

Sincerely,

Robert M. Waldrop
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405-613-4688

FD 35164

This is to certify that I have served the persons of record in this action with my comments

Edwin Kessler, via email on August 13, 2008,
BNSF Railway, attention Kristy Clark, General Attorney, via mail on August 14, 2008 to
their address at

BNSF Railway Company
POB 961039
Fort Worth, TX 76151

/e-sig/
Robert Waldrop
Oscar Romero Catholic Worker House Community