

## Meeting Notes

### Technical Advisory Committee

### Colorado Rail Relocation Implementation Study

CDOT – September 11, 2008

Tammy Lang, CDOT's Project Manager for the Rail Relocation Implementation Study, opened the meeting at 9:30 a.m. and asked those in attendance to make self introductions. A list of meeting attendees is included at the end of these meeting minutes.

Tammy welcomed those in attendance to the fifth meeting of the Technical Advisory Committee (TAC). She next introduced PB's Project Manager Randy Grauberger. He asked if there were any additions or corrections to the June 27 minutes. Randy noted that at the June 27 meeting a decision had been made by the TAC to no longer evaluate the Brush subdivision connection to Alignment B. Instead all future analysis of the B line will include only the Akron Subdivision connection; approximately 3 miles east of Brush. There was a motion and a second to have that decision included in these meeting minutes.

Tammy next introduced Becky Thompson, Secretary of Citizens Against Rail Relocation (CARR). The group was formed on July 30 and is concerned that the public isn't represented on the Technical Advisory Committee (TAC).

CARR believes that had it been represented on the TAC, the Spring Open House meetings would have been more successful. Becky stated that CARR does not support eminent domain and does not see any benefits for Eastern Colorado if a rail bypass is built. She stated the CARR group has determined that certain landowners along the bypass alignments stand to lose \$38,000 per year if a rail bypass is built, and some livelihoods will be taken away.

She stated that many facts are unknown such as the width of the right-of-way for the new rail line and also who would own the right-or-way. She stated that a previous Study done by CDOT, *The Eastern Mobility Study*, stated the right of way to be 660 feet wide. She said they now hear it may be 200 feet in width.

Randy Grauberger suggested to her that the project team is keeping the Frequently Asked Questions (FAQs) up to date on the CDOT project web site, and that these FAQs do contain the facts. Becky indicated that the CARR group was now directing its members to the FAQs.

Becky continued that CARR is very concerned about rail highway crossings, the maintenance of fences along the rail right of way, and the control of noxious weeds. She stated that large farm equipment will require extra wide crossings.

Ted Lyons, Lincoln Co. Commissioner suggested that 20 to 40 acres of pasture are required to support a cow and calf. He also noted that in his six years as County Commissioner, the UP has only this past month sprayed noxious weeds along the UP right of way in Lincoln County. He also said he was concerned that there would only be a highway crossing of the railroad every 15 miles. Ted invited members of the Project team to visit his ranch and take a tour to see what the impacts of a rail bypass might be.

Randy noted that the study was proposing grade crossings at every existing county road and grade separations at state highways; much closer than every 15 miles.

Joe Kiely next stated that he was removing his “TAC member hat” and was speaking for the Town of Limon when he discussed the CDOT response to the Town of Limon’s recent letter. He was disappointed that the CDOT response to most of the elements of the letter was “this is not a part of the economic analysis of this study”.

Gary Beedy, Lincoln County Commissioner wants fair and equitable treatment for the landowners. The study needs to address access and loss of production. Impacts to individual landowners lead to impacts to communities as a whole. Gary encouraged the installation of flashing lights at all county road crossings of the bypass. He also encouraged conduits put in place as a part of the Project in order to allow future utilities to cross under the rail line. Gary suggested that some wind farms may be postponed due to the uncertainties related to the possibility of this rail bypass.

Gary encouraged accountability at the local level for railroad fence maintenance and noxious weed spraying. He said it doesn’t make sense to have to contact Omaha to get this kind of maintenance work done. He encouraged that the right of way NOT be state owned; the counties need it to be privately owned so they will receive property taxes for the right of way. Also, there needs to be a commitment to provide access to water on both sides of the rail line if the bypass is built. Lastly, he encouraged the railroads to rethink their policy related to only loading grain in unit trains. This makes it very difficult for farmers along the UP that must truck their wheat to either Byers or Cheyenne Wells instead of their local grain elevator. He also encouraged the UP and BNSF to utilize the short line railroads more often.

Tony Carlson, Morgan County Commissioner also indicated he supports just compensation for the landowners and not the use of eminent domain. He also sees a benefit to the towns of Wiggins, Fort Morgan and Brush if Alignment B is built because the train noise and congestion at rail/highway crossings would be less in those communities.

David Foy, Washington County Commissioner indicated that for the most part, the BNSF is a good neighbor in Washington County. David noted that grain elevators in his county would benefit by a new north south line for their grain going south to the Gulf. However, he also suggested that citizens of Eastern Colorado get tired of taking on all of the problems of the Front Range without receiving significant benefits.

Randy next introduced Cassie Gouger, the rail Design Lead for the project team. Cassie discussed the latest cost estimates for Alignments A and B and also a handout that had been e-mailed to all TAC members showing the numbers and general location of rail/highway grade crossings and grade separation structures (overpass or underpass). Cassie indicated that all roads classified as collectors or higher would be grade separated. Paved county roads and gravel roads with a skewed approach angle (30 degrees off of perpendicular) would have active crossing protection (flashing lights, bells, and/or cross arm gates).

Joe Kiely asked if the State Highway 71 crossing in Limon was being shown for a grade separation. Randy noted that he didn't think that it was currently, but that it should be on the grade separation list. Also, Hugo should show a grade separation for the Alignment A scenario.

For the Fall Open House meetings, a board will be developed showing the estimated numbers of grade crossing and separations (and associated estimated costs) for both Alignments A and B.

Pam Fischhaber, of the Colo. Public Utilities Commission, was asked if the Commission uses specific criteria to determine what type of protection is required at grade crossings and when grade separations should be built. She indicated that the PUC does not want to bind cities and counties; therefore it does not use specific criteria; each case is determined based on its own facts.

Pam did indicate that state law puts a cap on the amount that the UP and BNSF can be required to spend annually for grade separations in Colorado. Randy suggested that this probably applied only to new structures required by increased traffic on a roadway where an at-grade crossing currently exists; not for new rail construction as is being proposed in this study. Pam mentioned that agencies currently apply to the PUC for cost allocation when a new road is being constructed and that it would be best to have a legal review of this question. BNSF's Colleen Deines suggested such interpretation "doesn't make sense" when the railroad is constructing new track.

Lastly, Pam Fischhaber was asked if the PUC might develop standards for crossings and separations for this type of major new rail construction. She suggested that for a "design build kind of project" it might be feasible to consider.

Jack Tone next discussed the handout related to the Rail Traffic Controller operations modeling. Jack noted that the return of the BNSF empty coal trains by way of Trinidad instead of returning by way of the Boise Sub from Dalhart Texas to Las Animas really impacts the amount of benefits that the BNSF would accrue from the construction of a bypass.

Adding Centralized Traffic Control (CTC) and 2 mile long sidings every 10 miles would increase the cost nearly \$300 million but it would also greatly increase the overall time

and fuel and time savings benefits to the railroads. BNSF did not agree that operations would benefit.

Jack stated that the UP switching movements appear to be an anomaly in the model. The model shows increased operating miles and fuel usage for UP's "local switchers" when a new bypass is built, even though the number of UP trains is unchanged. Bill Brunskill (UP) noted that currently some switchers cannot finish their work due to all the congestion that exists along the Joint Line. The model showing more fuel usage may be an indication that they are now able to get their work done without the congestion currently seen on the Joint Line!

Bill Moore asked if there would be an advantage to double tracking a bypass when it was originally constructed. He was told that it would nearly double the cost; and that the time value of money suggest you wouldn't double track "until you need it".

Mike Sickler of the BNSF stated that BNSF is currently returning empty coal trains with four locomotives; only two of which are powered. Mike was also concerned that the model might not have some of the new traffic included in it. Randy said that it was agreed by both BNSF and UP in the summer of 2007 to use the two week period of dispatch data from both railroads to populate the RTC model. Therefore, any new trains that are currently operating would not be in the models Draft findings. Mike also suggested that the Comanche Power Plant coal trains would use the Joint Line. Randy indicated he believed those trains to Comanche were routed onto the Bypass Alignments instead of using the Joint Line. Randy said he would check with members of the modeling team regarding this issue.

Nick Amrhein next briefly discussed the updated *Benefits Analysis Update*. Nick noted that the scope of work had asked that we update the methodologies in the *2005 Public Benefits Study*. Doing that is now leading to some results and findings that suggest we may need to revise some of those assumptions. Tim Larsen of the Colorado Department of Agriculture stated he would be providing several comments on the grain and agriculture related section of the economic benefits analysis. Both railroads said they have comments on the updated document. Nick said that there may be a need for a conference call with the primary author of this document, Ira Hirschman, after comments have been received and another draft of this document is released.

Cecelia Joy O'Connor distributed a handout related to environmental issues. She stressed that this study is not a NEPA process, which would occur if this study moves forward and a bypass project is in fact implemented. She described the environmental issues map and also highlighted specifics of the "other resources": hazardous materials, Mountain Plover Nesting Conservation Project, potential Conservation Areas, State Parks, 404 resources, and prime farmland.

She also noted a table showing historic and archeological sites. She closed by discussing noise related issues. Joe Kiely suggested that for Alignment A, the old historic roundhouse in Hugo should be evaluated. Also, Steve Rudy asked if the Beshoar Jct.

improvements northeast of Trinidad had been looked at for environmental issues. Randy said he didn't think so; but this would be done.

Cecelia was asked if any environmental "fatal flaw" has been found to date. She said that there will be some "challenges" in terms of natural resources; but nothing that would appear to stop the project.

At this point, the meeting adjourned for a break. The TAC meeting then moved to the Headquarters Building for lunch and to complete the items on the agenda.

After lunch Randy Grauberger distributed and discussed a draft of the PowerPoint presentation that will be given at the October Open House meetings. It was generally agreed to keep the slides simple and brief. There was very good discussion and comments on the various slides. Randy will be providing an updated copy back to the TAC in the near future for further comments prior to the Open Houses.

Tammy Lang indicated that Pueblo had set its meeting for October 23; site to be determined. All Open House meetings will be held from 4:30 to 6 p.m. with the PowerPoint presentation occurring at 5 p.m. In addition to Pueblo the schedule is as follows:

Limon	October 7
Colorado Springs (PPACG)	October 8
Las Animas	October 9
Fort Morgan	October 14
Denver (DRCOG)	October 15
Pueblo (PACOG)	October 23
(Strasburg	October 28 has been added)

There has also been a request from Adams County for a possible Open House in Strasburg. A determination as to whether or not that meeting will be held will be made in the near future.

It was agreed by the members of the TAC that the CARR group not be invited as a member of the TAC at this late point in the study. It was pointed out that there were many other agriculture related groups that have been existence for many years whereas CARR has only existed for less than 90 days.

Tammy Lang suggested that she and Randy would determine some possible dates for a future TAC meeting and circulate to TAC members for possible conflicts. The next meeting is likely to be held in early November.

Randy asked if any of the TAC members had additional comments they wanted to make. There were none, so the meeting adjourned at 1:20 p.m.

## Meeting Attendees

### TAC Members:

<b>Grant Janke</b>	<b>UP Railroad</b>
<b>Dick Hartman</b>	<b>UP Railroad</b>
<b>Bill Brunskill</b>	<b>UP Railroad</b>
<b>Colleen Deines</b>	<b>BNSF Railway</b>
<b>Steve Rudy</b>	<b>DRCOG</b>
<b>Pam Fischhaber</b>	<b>Colorado Public Utilities Commission</b>
<b>Joe Kiely</b>	<b>Town of Limon/Ports to Plains</b>
<b>Jim Orchard</b>	<b>Rio Tinto Energy America</b>
<b>Paul Westhoff</b>	<b>CDOT Region 2</b>
<b>Pete Graham</b>	<b>CDOT Region 4</b>
<b>Mehdi Baziar</b>	<b>CDOT Mobility Section</b>
<b>Mike VanWagenen</b>	<b>VST Railroad</b>
<b>Bill Moore</b>	<b>Pueblo MPO</b>
<b>Tim Larsen</b>	<b>Colo. Dept. of Agriculture</b>

### Other Meeting Attendees:

<b>Tammy Lang</b>	<b>CDOT Project Manager</b>
<b>Mickey Farrell</b>	<b>CDOT</b>
<b>Randy Grauberger</b>	<b>Parsons Brinckerhoff (PB) Project Manager</b>
<b>Jack Tone</b>	<b>PB – Implementation Team Lead</b>
<b>Cecelia Joy O’Connor</b>	<b>PB – Environmental Lead</b>
<b>Nick Amrhein</b>	<b>PB Strategic Consulting</b>
<b>Cassie Gouger</b>	<b>FHU – Rail Engineering Lead</b>
<b>Jerry Albin</b>	<b>FHU – Consultant Team</b>
<b>Michael Sickler</b>	<b>BNSF Railway</b>
<b>Gary Blundell</b>	<b>BNSF Railway</b>
<b>Jack Moy</b>	<b>BNSF Railway</b>
<b>Becky Thompson</b>	<b>CARR</b>
<b>Chris Mendez</b>	<b>Colo. Counties Inc.</b>
<b>Dwight Gardner</b>	<b>US Senator Ken Salazar’s Office</b>
<b>Ted Lyons</b>	<b>Lincoln Co. Commissioner</b>
<b>Gary Beedy</b>	<b>Lincoln Co. Commissioner</b>
<b>Tony Carlson</b>	<b>Morgan Co. Commissioner</b>
<b>David Foy</b>	<b>Washington Co. Commissioner</b>
<b>Jeanne Shreve</b>	<b>Adams County</b>