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July 13, 2012

Joseph Szabo, Administrator
Federal Railroad Administration
U.S. Department of Transportation
Washington, DC 20590

Re: US DOT Docket No. FRA-2012-0016

Dear Administrator Szabo:

Thank you for the opportunity to comment on the proposed addition of seven new types of railroad development activities to the list of Categorical Exclusions (CEs) from environmental review under the National Environmental Policy Act (NEPA). The National Association of Railroad Passengers (NARP), representing over 22,000 individual members who believe passenger trains should play a much greater role in the national transportation system, fully supports the addition of these CEs as a common-sense way to achieve this important national goal efficiently, without expending resources on environmental reviews whose conclusions are predictable. NARP endorses the OneRail Coalition's comments, and wish to submit these additional thoughts:

Upgrading and rehabilitating tracks, signals, trains, stations and other railroad facilities (including building new locomotives and railcars and rebuilding existing ones), either within existing rights-of-way or in areas that are already developed and zoned for such facilities, are all cost-effective activities that go a long way towards making passenger train service safe, frequent and reliable, and thus able to attract greater number of travelers away from driving and flying. Not only does this generate many direct returns on the public's investment in rail (generating revenue, creating jobs and spurring economic activity), it also has a net positive environmental impact as trains are proven to be a less energy- and land-intensive way to move both people and goods, compared to cars and airplanes.

As FRA has found, previously completed environmental reviews of such projects invariably find that they have no significant impact on the human or natural environments. Similar types of upgrades of existing facilities in the highway and aviation universes are already categorically excluded from NEPA requirements for this reason, and treating rail differently would be patently unwise. Retaining FRA's authority to conduct additional environmental review on excluded projects if circumstances warrant, which follows common practice, adds an extra layer of protection to ensure that the CEs aren't misused to push through projects that would have a significant negative impact.

Federally-funded projects of the kind proposed to be excluded that have already been completed, and are nearing completion, are already making things noticeably better for the traveling public and local economies. These include the replacement of jointed rail with welded rail over much of the Amtrak *Vermont* route within Vermont, which has made the train one of Amtrak's best on-

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train network that provides a travel choice Americans want**

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time performers. Another is the track and station improvements that make possible the coming extension of Amtrak's *Downeaster* to Brunswick, Maine, which is already spurring new businesses to open up near the two soon-to-be Amtrak stations. A third is the next-generation fleet of bi-level passenger coaches that five Midwestern states are ordering to increase capacity and improve reliability on their corridor services -- all being built in existing facilities and being run on existing tracks. All of these projects had their environmental reviews done prior to the Recovery Act's passage, and more similar projects could have been completed by now had CEs been in place.

Categorically excluding work to make existing trains and station facilities compliant with the Americans with Disabilities Act particularly makes sense, as this work is legally bound to be done anyway, and delaying it in order to satisfy NEPA only leaves passengers with disabilities at a disadvantage.

\$8 billion was appropriated to the High-Speed and Intercity Passenger Rail grant program in the 2009 Recovery Act with the express intent of getting the money out the door quickly (the Act contains a project completion deadline of Sept. 30, 2017) to create jobs making infrastructure improvements to benefit the American people and revive the economy. Categorically excluding improvements to existing infrastructure that make better passenger train service possible makes it possible for FRA, working with its state partners, Amtrak and private host railroads, to achieve this goal within the prescribed timeframe, expeditiously, and with less cost to taxpayers.

Sincerely,

A handwritten signature in black ink that reads "Ross B. Capon". The signature is written in a cursive, flowing style.

Ross B. Capon

President and CEO