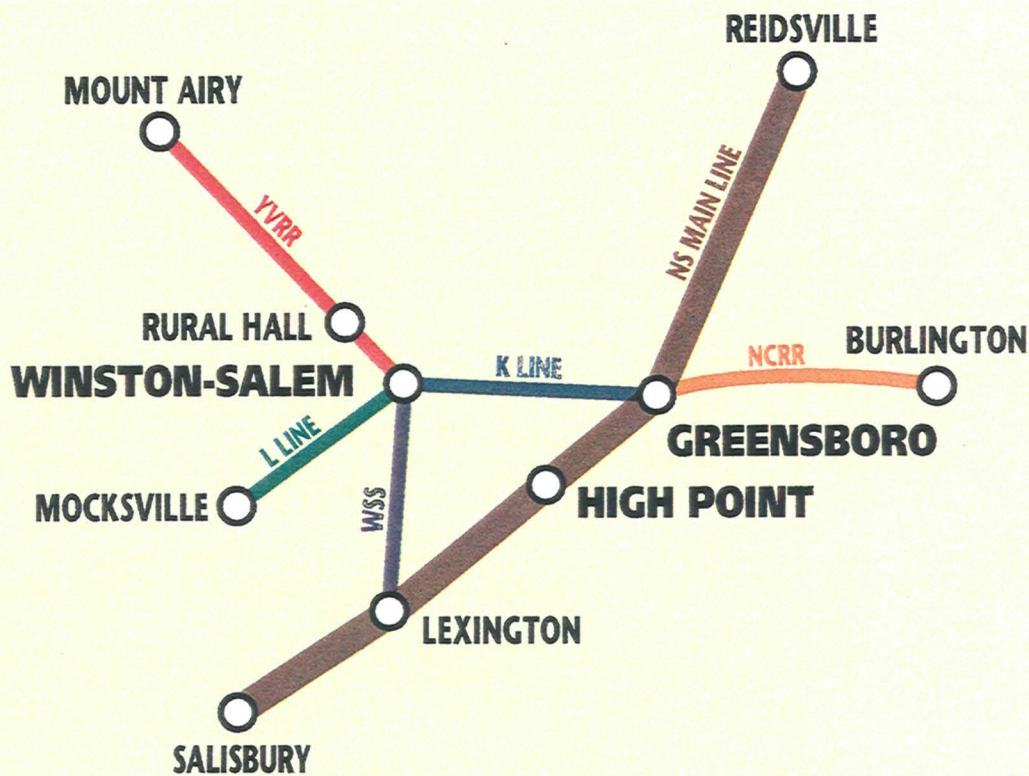


*A review of*  
**Potential Triad  
Commuter Rail Lines**



**RAIL DIVISION**

North Carolina Department of Transportation

Prepared in cooperation with  
HDR Engineering of the Carolinas.

Mike Easley, Governor  
Lyndo Tippet, Secretary

December 2002

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## Acknowledgments

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## ***I. Report Objectives***

In the last half of the twentieth century, North Carolina was transformed from a state consisting of regional centers, tall pine forests and agricultural fields connected by two-lane blacktop to a state with major metropolitan centers, sprawling suburbs, strip malls and international airports, connected by a web of Interstate highways. From 1960 to 2000, North Carolina's population increased 71%. In the 1990's the population of metropolitan Charlotte grew 29% to 1.5 million residents, the population of the Triangle area increased 39% to 1.2 million, and the Triad's population grew over 19% to 1.3 million residents.

This unprecedented population growth has seriously stressed the ability of the state's highway infrastructure to accommodate the increasing number of vehicles, especially during weekday rush hours in the metro areas. There is an increasing realization among North Carolinians that building more traffic lanes will not solve the problem in many cases and in fact may cause unacceptable levels of air pollution and lead to a decline in the quality of life in urban areas. In this context, the North Carolina Department of Transportation in 1990 identified certain rail lines as potentially strategic corridors for the future movement of freight and passengers. In the Triad area, nine critical rail corridors were listed, five corridors radiating out from Winston-Salem and four passing through Greensboro.

The purpose of this study is to revisit this list of strategic rail corridors in the Triad, and identify:

- 1) which rail lines are believed to have the greatest potential for commuter service,
- 2) the current level of use of these lines and,
- 3) which corridors, due to declining or non-existent traffic, are in the greatest danger of abandonment.

Ways in which endangered rail lines may be preserved for future use also will be discussed.



## ***II. Candidate Commuter Rail Lines***

In the 1990 compilation of strategic rail corridors in the Triad area, (also found in the North Carolina Rail Plan of 2001), five rail lines in the Winston-Salem area were identified, in clockwise order, as:

- the Norfolk Southern (NS) and Yadkin Valley Railroad (YVRR) lines from Winston-Salem and Rural Hall to Elkin and Mount Airy (along US 52);
- the ex-Norfolk & Western NS lines from Winston-Salem to Belews Creek and Madison and beyond to the Virginia state line, paralleling US 311 and US 220;
- the NS "K Line" from Winston-Salem to Greensboro along US 421 and I-40;
- the Winston-Salem Southbound Railway (WSS) line from Winston-Salem to Lexington along US 52; and
- the NS "L Line" from Winston-Salem to Mocksville and beyond to Barber Junction along parts of US 158, I-40 and NC 801.

In addition to the NS "K Line," passing through Greensboro were four other strategic rail corridors:

- the NS main line from Danville, VA, along US 29;
- the North Carolina Railroad (NCRR)/NS line to Burlington and beyond along US 70;
- the NS line to Climax along NC 22; and
- the NCRR/NS main line to High Point, Lexington, Salisbury and beyond along US 70 and I-85.

While these strategic rail corridors consist of nearly every rail line operating through Winston-Salem and/or Greensboro, not all of them have near term or even long term potential for supporting commuter rail service. Discussions with officials from the Piedmont Authority for Regional Transportation (PART) and the NCDOT Rail Division considerably narrowed the list of commuter rail candidates.

Six rail lines in the Triad area, according to state and regional officials, stand out as having the most potential for supporting commuter service, as well as certain higher speed services, in the foreseeable future. These six lines therefore formed the basis of this report's analysis of current use and future potential utilization of rail corridors in the Triad.

## Potential Triad Commuter Routes

ROUTE	K LINE	NCRR	L LINE	RURAL HALL	MT. AIRY	WSS
Segment (owner/operator)	Greensboro- Winston-Salem (NS)	Greensboro- Burlington (NCRR/NS)	Winston-Salem- Mocksville (NS)	Winston-Salem- Rural Hall (NS)	Rural Hall Mount Airy (NS/VVRR)	Winston-Salem- Lexington (CSX-NS/WSS)
In Service	Yes	Yes	No	Yes	Barely	Yes
Distance	30 Miles	23 Miles	25 Miles	11 Miles	30 Miles	23 Miles
Train Speed; (FRA Track Class)	35mph (CL III)	50-79mph (CL IV)	Out-of-Service	30mph (CL III)	10mph (CL I)	30mph (CL III)
Daily One-Way Trains (incl. Amtrak)	2-4	8-9	Out-of-Service	2-4 (5 days a week)	2 per week	2-3
Million Gross Ton Miles (MGT)	3.2 east 1.2 west	7.5 east 4.3 west	Out-of-Service	.9 east 1.9 west	524 Cars in 2001	.9 south .9 north
Amtrak Route?	No	Yes	No	No	No	No
SEHSR Route?	Yes	Yes	No	No	No	Yes

### FRA TRACK CLASSES

EXCEPTED TRACK  
CLASS I TRACK  
CLASS II TRACK  
CLASS III TRACK  
CLASS IV TRACK  
CLASS V TRACK

### Maximum Freight Speed

10 MPH  
10 MPH  
25 MPH  
40 MPH  
60 MPH  
80 MPH

### Maximum Passenger Speed

N/A  
15 MPH  
30 MPH  
60 MPH  
80 MPH  
90 MPH

Railroads can impose more restrictive speed limits on their tracks than those authorized by the FRA Track Class.



## WINSTON-SALEM – GREENSBORO

The 30-mile Norfolk Southern (NS) “K Line” is maintained to Federal Railroad Administration (FRA) Class III track safety

standards with freight trains permitted speeds of 35 mph along much of the line.

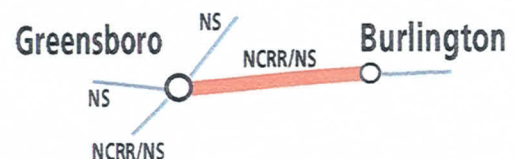
Approximately two – four NS trains a day traverse the line, hauling 4.4 million gross tons of freight annually, mainly chemicals, plastics and general merchandise. This route segment is currently being evaluated as part of the Burlington – Clemmons corridor in the Piedmont Triad Regional Mobility Major Investment Study (MIS). In the 1990 Census, it was estimated that of the 36,500 daily commuters coming into Forsyth County and 40,000 commuters coming into Guilford County, nearly 19,000 commuters traveled along this corridor. While there is no Amtrak service on this line, this corridor segment has been designated as part of the preferred routing for the Washington, DC – Raleigh – Charlotte Southeast High Speed Rail (SEHSR). Initiation of SEHSR service over this route will require extensive upgrading of the right-of-way, grade-separated entrances to the tank farm east of Piedmont Triad International Airport and dedicated high speed passenger tracks. Given the “K Line’s” current freight usage and the interest in the line for future high speed and regional passenger use, this line is not considered endangered.



## GREENSBORO – BURLINGTON

The 23-mile North Carolina Railroad (NCRR) main line segment between Greensboro and Burlington, operated by NS under long term trackage rights, is

currently being upgraded to Class IV standards and signalized to permit passenger train speeds of up to 79 mph. Approximately eight to nine daily trains, including four Amtrak services, operate over this line with 11.8 million gross tons of freight handled annually, mainly coal, grain, phosphate and general merchandise. Amtrak operates the state-supported New York – Charlotte *Carolinian* and the Raleigh – Charlotte *Piedmont* passenger trains over this route. The line also forms the eastern end of the Burlington – Clemmons corridor currently being evaluated as part of the Piedmont Triad Regional Mobility Major Investment Study and has been designated as part of the Washington, DC – Raleigh – Charlotte Southeast High Speed Rail (SEHSR) route. Given this line’s status as part of the state-owned NCRR main line, its designation as part of SEHSR, and its evaluation for future regional passenger rail use, this line is not considered endangered.





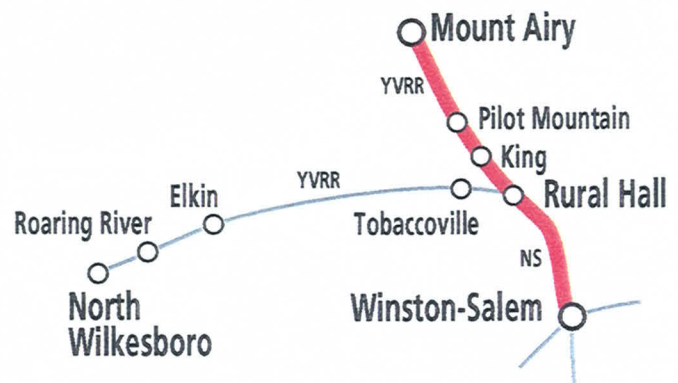
## WINSTON-SALEM – MOCKSVILLE

This 25-mile line segment forms part of the Norfolk Southern's "L Line" between Winston-Salem and Barber Junction, of which the first 14 miles to Clemmons are currently being evaluated as part of the Burlington — Clemmons corridor for the Piedmont Triad Regional Mobility MIS. The "L Line" was once an important freight and passenger line, carrying such long distance passenger trains as the New York – Asheville *Asheville Special* and the Asheville – Greensboro leg of the *Carolina Special*. The line is now out-of-service from the Hanes mill in downtown Winston-Salem to Mocksville, due to the deteriorated nature of the Peter's Creek trestle. The NS has no current plans to file for abandonment of the "L Line" since it has potential value as part of an all-NS routing between Greensboro and Charlotte. Nonetheless, with no traffic moving over the route, the "L Line" must be considered endangered.



## WINSTON-SALEM – MT. AIRY

The first 11 miles to Rural Hall of this potential commuter route are owned and operated by Norfolk Southern, which maintains the line to Class III track standards, with trains generally allowed 30 mph operation. Between two and four daily freight trains operate five days a week between Winston-Salem and the Yadkin Valley Railroad (YVRR) in Rural Hall, generating 2.8 million gross tons of freight annually, mainly coal, feed grain, fiberboard, woodchips and chemicals. In Rural Hall, the route divides into a line to North Wilkesboro and a little used 30-mile branch to Mt. Airy, both of which have been leased by NS to the Yadkin Valley Railroad since 1994. The vast majority of traffic beyond Rural Hall (some 14,000 carloads in 2001) is on the N. Wilkesboro route, with the line to Mt. Airy carrying only 524 carloads in 2001. Two principal customers keep the Mt. Airy line open, Wellington Leisure Products (a rope manufacturer) in Pilot Mountain and NC Foam Inc in Mt. Airy, which receives its manufacturing chemicals by YVRR. The line from Rural Hall to Mt. Airy is maintained to class I track standards, restricting trains to 10 mph, and sees approximately one roundtrip train a week. With only two on-line shippers north of Rural Hall, the Mt. Airy branch must be considered endangered.



## WINSTON-SALEM – LEXINGTON

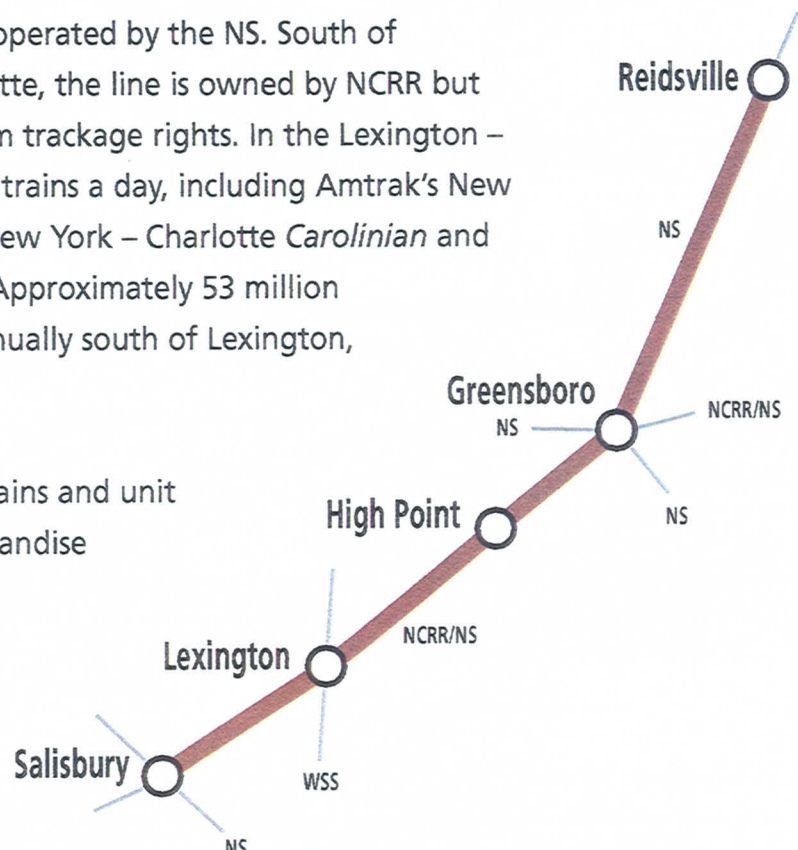
The Winston-Salem Southbound (WSS) connects Winston-Salem with Lexington, Albemarle and Wadesboro. While the WSS is independently operated, it is jointly owned by Norfolk Southern and CSX. Principal cargoes carried by the railroad include corn products, woodchips, paper, sand, gravel, coal, fertilizer and chemicals. The 23 miles between Winston-Salem and Lexington have been designated as a future routing for the Washington DC – Raleigh – Charlotte Southeast High Speed Rail (SEHSR). However the head-on connection from the NS "K Line" in Winston-Salem will necessitate construction of a tight curve over US 52. Additionally, the connection to the NCRR in Lexington will involve new track construction and a considerable elevation change. The WSS is maintained to track class III standards and trains are allowed 30 mph. Two – three trains a day use the line north of Lexington, carrying 1.1 million gross tons of freight a year. Given the WSS volume of traffic and its designation as a future SEHSR route segment, this line is not considered endangered.



## NORFOLK SOUTHERN MAIN LINE: REIDSVILLE – SALISBURY

The Norfolk Southern main line from Washington DC to Atlanta and beyond, is one of the most important heavy duty freight corridors in the nation. North of Greensboro this line is owned and operated by the NS. South of Greensboro to Salisbury and Charlotte, the line is owned by NCRR but operated by the NS under long term trackage rights. In the Lexington – Salisbury area, the line sees 29 – 36 trains a day, including Amtrak's New York – New Orleans *Crescent*, the New York – Charlotte *Carolinian* and the Raleigh – Charlotte *Piedmont*. Approximately 53 million gross tons of freight are moved annually south of Lexington, with 35.5 million gross tons carried north of Greensboro. The line sees numerous high value intermodal trains and unit coal trains as well as general merchandise movements.

The Greensboro – Salisbury – Charlotte segment of this route





has been designated as part of the main Washington DC – Raleigh – Charlotte SEHSR corridor. Additionally, the Greensboro – High Point section of the line is being evaluated for local passenger rail service as part of the Piedmont Triad Regional Mobility MIS. Given the line's importance as one of the nation's heaviest used freight routes, its frequent Amtrak service, its designation as an SEHSR routing, and its evaluation for a future commuter role, this NS main line is anything but endangered.

## **Possible Triad Commuter Routes on Norfolk Southern Main Line, Reidsville to Salisbury**

<b>Segment</b>	<b>Reidsville-Greensboro</b>	<b>Greensboro-High Point</b>	<b>High Point-Lexington</b>	<b>Lexington-Salisbury</b>
In Service	Yes	Yes	Yes	Yes
Distance	25 Miles	15 Miles	17.6 Miles	17 Miles
Train Speed; (FRA Track Class)	50-79mph (CL IV)	50-79mph (CL IV)	50-79mph (CL IV)	50-79mph (CL IV)
Daily One-Way trains (incl. Amtrak)	18-24	18-31	20-30	29-36
Million Gross Ton Miles (MGT)	15.3 east 20.2 west	19.5 east 20.7 west	20.1 east 21.0 west	26.3 east 26.8 west
Amtrak Route?	Yes	Yes	Yes	Yes
SEHSR Route?	No	Yes	Yes	Yes



### ***III. Endangered Lines***



*Rural Hall on YVRR.*

Of the six lines in the Triad area that have been identified as having potential for commuter rail service in the foreseeable future, as well the three line segments that have been designated as SEHSR routings, only two lines can be considered endangered rail segments. The Yadkin Valley Railroad line from

Rural Hall to Mt. Airy carries 524 carloads a year using one freight train a week. Should NC Foam Inc. in Mt. Airy close its facility or stop using rail to transport its chemicals, this YVRR line would face an uncertain future. The NS "L Line" from Winston-Salem to Mocksville, a vital link in the proposed Burlington to Clemmons PART commuter corridor, sits idle and unused. While Norfolk Southern states it has no intention to file for abandonment of the line given its potential value as an all-NS routing between Greensboro and Charlotte, this line must nonetheless be considered endangered.

Both the Rural Hall to Mt. Airy branch and the Winston-Salem to Mocksville line, as discussed earlier, were designated by the North Carolina Department of Transportation in 1990 as strategic rail corridors. Given this designation, should these lines be put up for sale or abandonment, it is highly likely the state would make every effort to secure the necessary funding to preserve the lines for future transportation purposes.

The Rail Corridor Preservation Act, passed by the General Assembly in 1988, gives the Department of Transportation the authority to become directly involved in preserving inactive railroads "for future rail use and interim compatible uses." Amendments to the Act in 1989 also declared it a public purpose for NCDOT to reassemble critically important lost portions of rail corridors by condemnation. Funding for rail acquisition and preservation is authorized by the Highway Trust Fund.



Rail lines that are normally acquired by the state for future transportation purposes include those that connect major metropolitan areas which could be used for freight service, conventional or high speed passenger service or commuter rail needs. Rail lines also may be preserved to ensure rail service to a city, port or other area of economic activity or preserved as a future pipeline or communications right-of-way.



*L Line along Stratford Road in Winston-Salem.*



## IV. Major Stations

The most useful urban rail stations are those that are located in the central business district or at the center of a city's economic activity. Commuters in Chicago, for example, coming in from surrounding suburbs, detrain at Chicago Union Station and North Western Terminal, then walk by the thousands across the Chicago River bridges to their jobs in the Loop and the Near North. In Los Angeles, San Francisco, Washington DC,



*Southern Railway Station, Greensboro, under reconstruction in 2002.*

Philadelphia, New York and Boston, commuters transfer to various subway and light rail lines for the last leg of their trips to work. While intercity rail passengers will often access a not quite centrally located facility to begin a trip of some distance, commuters generally will not. The station must be within walking distance or a short transfer ride from their jobs.

### Greensboro

The former Southern Railway Station in Greensboro is currently being extensively renovated and refurbished to serve as a major SEHSR station, intercity passenger facility and regional transit hub. Located at the edge of Greensboro's central business district it is within walking distance of many downtown businesses and government offices or just a short transit ride away. The station is in an ideal location to serve multiple passenger rail and transit functions since it sits at the junction of the NS main line from Washington DC to Atlanta and beyond; the NCRR main line from Raleigh to Charlotte; and the NS "K Line" to Winston-Salem.

### High Point

In High Point, the Amtrak Station at Main and High Streets on the NCRR/NS main line is undergoing major refurbishing to update and modernize the structure while preserving its traditional exterior. A pedestrian bridge to the city bus transfer facility will be replaced as part of the project. Due to the station's location in downtown High Point within walking distance of the transit transfer point and many of the furniture showrooms, the High Point station can serve both intercity and commuter rail purposes equally well.



## Winston-Salem

Winston-Salem presents a more difficult environment. Winston-Salem Union Station is well situated to serve high speed SEHSR trains arriving from the east on the NS "K Line" and then proceeding south over the Winston-Salem Southbound to rejoin the NCRR in Lexington. The connection between the east-west "K Line" and the north-south WSS over US 52 will present some engineering challenges but is generally agreed to be doable.

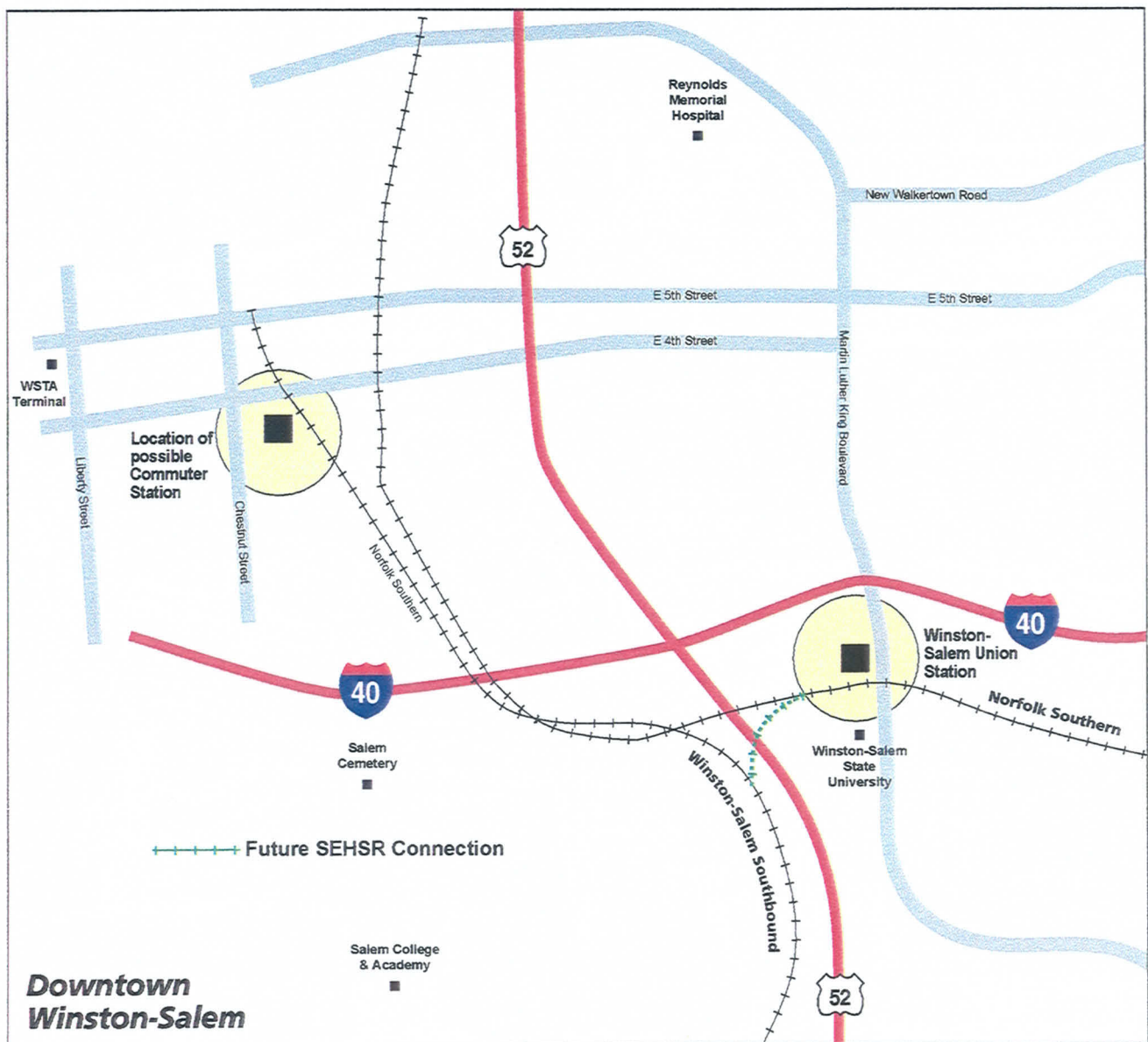
The station, located on Martin Luther King Blvd. across from Winston-Salem State University, also can serve commuter trains leaving Winston-Salem for Greensboro over the NS "K Line;" for Lexington over the WSS; for Rural Hall and Mt. Airy over the NS/YVRR; and for Clemmons and Mocksville over the NS "L Line." As a practical matter, all SEHSR services and PART commuter trains could and should serve Winston-Salem Union Station, providing an ideal transfer point.

Winston-Salem Union Station is, however, some distance east of the central business district and not within walking distance to downtown offices and businesses. To best serve potential commuters working in downtown Winston-Salem, a commuter platform should be established in an area bounded by Third and Fifth Streets and Chestnut and Patterson Streets. From such a location, commuters could easily walk to surrounding businesses and government offices as well as the Winston-Salem Transit Authority terminal at Fifth and Liberty Streets.



*Winston-Salem Union Station ca. 1926.  
Photo courtesy Forsyth County Library*

*Potential Downtown  
Commuter Platform Site.*





## ***V. Passenger Policies***

The existence of active rail lines along corridors that have strong potential for future commuter use should not be taken as indicating the rail lines availability for such use. All railroads mentioned in this report are for-profit businesses, not public sector agencies, whose lines are generally private property. As such, any future commuter or SEHSR use must be accomplished with the negotiated agreement of the owning or operating railroad companies. In general, the railroad companies feel strongly that their current and future use of their lines to grow their businesses and serve their customers should in no way be compromised or restricted by third party use of their rights-of-way. In particular, the railroads will not agree to assume any liability in regard to the operation of passenger and commuter services over their lines. Detailed statements of the passenger policies of Norfolk Southern and CSX can be found in the Appendix to this report. Such policies also would apply to the YVRR and WSS, owned by NS and NS/CSX respectively, and the NCRR, over which NS has long term freight operating rights.



Photo by Wingate Lassiter.



Photo by Jason Field.



## ***VI. Conclusions and Recommendations***

Given the growing congestion and overcrowding of major commuter highways in the Triad area, transportation planners are increasingly looking toward the use of rail corridors to move commuters to and from their jobs, to reduce air pollution along transportation corridors and to increase mobility for urban residents, especially the elderly and those without access to automobiles. Of the nine strategic rail corridors located in the Triad area, six routes have been identified by state and regional planners as having the most potential for serving Triad commuter needs within the foreseeable future.

Four of these strategic rail segments (Burlington to Greensboro; Greensboro to Winston-Salem; Winston-Salem to Clemmons; High Point to Greensboro) are currently being evaluated for commuter rail feasibility in the Piedmont Triad Regional Mobility Major Investment Study. And four somewhat overlapping strategic rail segments in the Triad area (Burlington to Greensboro; Greensboro to Salisbury; Greensboro to Winston-Salem; Winston-Salem to Lexington) have recently been designated as part of the preferred routing for the Washington DC – Raleigh – Charlotte Southeast High Speed Rail (SEHSR).

Given the current level of freight activity on the six potential Triad commuter routes, only two corridors should be considered endangered: Winston-Salem to Mocksville over the NS “L Line” since it is indefinitely out-of-service, and Rural Hall to Mt. Airy over the YVRR since there are only two shippers on the line generating or receiving just over 500 carloads of freight a year.

With the burgeoning suburban development in the Clemmons – Mocksville I-40/US 158 corridor, as well as the increasing residential densities found in the Rural Hall and Mt. Airy areas along US 52, these two rail lines have significant potential as future commuter routes. As such, the Norfolk Southern and Yadkin Valley Railroad’s plans for long term use of these routes should be closely followed. Should these lines be put up for sale or posted for abandonment, the state should make every effort to secure the necessary funding to preserve these lines as future transportation corridors in the fast-expanding Triad area.

## ***VII. Appendices***

- A. CSXT Passenger Policies
- B. Norfolk Southern Passenger Policies
- C. Senate Bill 166, Session Law 2001 -491 Part V, Section 5.1
- D. NCGS Chapter 136, Article 2D (Railroad Revitalization)
- E. NCGS Chapter 136 – 44.36A (Corridor Preservation)
- F. North Carolina Strategic Rail Corridors



## Appendix A. CSXT Passenger Policies

### Passenger Rail Policy CSX Transportation

With greater frequency, public officials at all levels of government are turning to passenger rail as a means of addressing the growing problem of congestion on America's highways. In order to ensure the maximum level of safety, efficiency and reliability of both freight and passenger operations, careful planning and execution is a must. Anything less will only serve to aggravate freight and passenger customers alike, forcing both back onto our nation's already overcrowded highways in even greater numbers.

It is important to note that every system, every proposal and every city are different. Given the safety and operational issues that are at the heart of every decision CSX Transportation (CSXT) makes, we have to look at the unique circumstances inherent in each proposal. There is no cookie-cutter approach that can be taken to commuter rail and rail transit. Projects that can be approved and constructed in one locale may not be approved and constructed in another.

In its consideration of existing or new passenger rail operations, including commuter, high speed and light rail, CSXT utilizes a fact-based, analytical approach focused on the company's guiding principles of safety, capacity, compensation and liability as outlined below.

1. First, any operation we are connected with must be safe. Put simply, the risks to our employees and the public must be no greater after a passenger rail system is put in place than the risks are today. As a result, we must object to any system that increases those risks. For this reason, we agree with those who maintain that the structural design of light rail equipment—with its lower static-end and rollover strength—is fundamentally incompatible with conventional rail equipment. It is for that reason that light-rail proposals as well as high-speed rail which has its own set of unique challenges, receive even more scrutiny from CSXT and require, in many cases, extraordinary, often expensive, precautions.

While complete separation of freight and passenger trains is preferred for speeds below 90 miles per hour, it is an absolute requirement where speeds exceed 90 miles per hour or where light rail operates regardless of speed. Further, CSXT alone will make the determination as to how best to configure track, signal and warning systems in order to accommodate passenger rail on CSXT-owned right of way. Equally important will be the need for a joint public-private strategy to address the issue of separation or elimination of highway grade crossings, particularly where train speeds exceed the 90-mile per hour threshold.

CSXT is committed to operating with the highest degree of safety for both our employees and the public. Since 1989, CSXT safety programs have yielded a decline in train accidents of 60 percent, and employee injuries of 69 percent. Our goal is zero injuries and fatalities and we will not participate in any proposal that moves us away from our safety objectives, regardless of the potential public transportation benefits.

2. Any relationship with passenger rail services must give CSXT the ability to effectively serve current customers and meet the demands of new and growing customers in the future. Freight transportation is our business and it is what our customers and shareholders expect us to do well. A cost-effective, reliable freight railroad system is vital to local and state economies and to job creation. Passenger rail projects that diminish existing and future freight rail capacity can be inconsistent with the true objectives of transportation planners, which is to move people and freight more efficiently through their communities. As freight rail capacity diminishes, more trucks are added to the highways. Given that an average rail car holds three tractor-trailer loads, moving freight by rail is an excellent way to ease traffic congestion.



3. The third guideline is fair compensation. The freight railroads are not public utilities. We are publicly held companies, operating on private property that has been purchased and maintained by private investment. For that reason, we simply cannot ask our shareholders and customers to subsidize the cost of commuter rail and rail transit operations. As freight rail assets being used. This is no different than a homeowner requiring from an interested buyer the market price for his or her home. Additionally, the passenger authority requesting access to the right of way must be willing to pay for the feasibility studies and internal staff resources necessary for the railroad to review the proposal. Finally, the full cost of any new facilities that are approved by the railroad will be borne by the passenger authority.
4. The final guideline is liability protection. Despite our record as one of the nation's safest railroads, accidents can and do happen. Although the likelihood of catastrophic derailment is low, the potential does exist for a freight accident to occur simultaneously with the passing of a commuter rail or rail transit operation. We absorb, but minimize, these risks today as part of freight train operations. However, the imposition of thousands of passengers into a freight rail corridor changes the risk factors substantially and creates the possibility of a catastrophic accident when no such potential exists today. It is simply not reasonable to ask that any freight railroad subject itself to new liability risks in today's increasingly litigious society. Consistent with sound business practices, CSXT requires substantial insurance coverage as a condition to any new use of its properties for passenger purposes.

Careful planning and execution allowing for the co-existence of freight and passenger trains on CSXT corridors – many of which are already congested – are prerequisites to preserving the safety, reliability and efficiency of both freight and passenger operations. To that end, no new passenger train starts will be permitted over and above pre-existing contractual agreements, though CSXT may consider the addition of passenger trains in cases where publicly funded capacity improvements are made to its right-of-way. Additionally, government-sponsored acquisition of rights-of-way as well as publicly funded improvements to the existing physical plant are essential prior to the introduction or addition of high-speed rail service.

Rail is a viable alternative to highway traffic congestion but it cannot come at the expense of CSXT's freight rail system. The United States has, in terms of performance and productivity, the best freight rail system in the world. But we are sure to lose this distinction, and we will never approach world-class status for passenger rail systems if each is forced to work within the confines of the other.



## Appendix B. Norfolk Southern Passenger Policies



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Director – Corporate Affairs  
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April 17, 2002

### To Planners of Passenger Train Projects:

Norfolk Southern welcomes the opportunity to work with state departments of transportation, high-speed rail advocates, and transit and commuter authorities to develop new or additional passenger rail services. We look forward to moving your projects forward as long as they remain realistic and include our concerns.

Because of the popularity of passenger train proposals, we believe that you should be aware of some of the principles that will underlie any discussions we hold with planners. These principles are intended to protect our “factory”, which is the track and right-of-way needed to produce our product – the present and future transport of freight – and to protect the interests of our owners and employees. We foresee major segments of our business – particularly the movement of truck trailers and containers – growing significantly in the coming years as highways become more congested.

These principles refer only to conventional intercity or commuter passenger services and high-speed rail projects. Additional conditions will apply to light rail and other public transit ventures. To discuss any of the following issues further, please call me at the number above.

### CONVENTIONAL AND HIGH SPEED PASSENGER

Passenger studies of emerging corridors by definition are conceptual. By this we mean that no funding exists for their implementation. Until serious money is available to construct infrastructure, we at Norfolk Southern will continue to regard passenger studies as hypothetical exercises.

Studies should put realistic costs on implementing rail passenger service. Understating costs misleads decision-makers and it places Norfolk Southern in the unfair position of appearing to inflate the costs of a project. Far from overstating costs, we ask public agencies and their consultants to include costs and factors that will be required, but are frequently understated or overlooked. Let's include items we know will be necessary to passenger rail now to avoid surprising everyone unpleasantly in the future.

Studies must acknowledge that NS owns its corridors and is entitled to fair compensation for their use. We maintain them and we pay taxes on them. Please don't assume that the use of our capacity and our asset is "free". Instead, please acknowledge in your studies and reports that we are entitled to a fair return if you want to use the corridor for passenger trains.

We will require new passenger train service to pay higher use fees than Amtrak pays today. Please do not use "Amtrak incremental cost" factors in estimating the operating costs of new passenger services. Amtrak was entitled to special rights in return for relieving the freight railroads of intercity passenger train operation over thirty years ago. There is no relationship between the Amtrak rates and a fair, commercial return for use of private assets.

Passenger train operation must be "transparent" to our freight operations. We define transparency as the provision of sufficient infrastructure for passenger trains and freight trains to operate without delay to either, and to allow for the growth of both.

Delay to freight trains by passenger trains, however minimal, is unacceptable. Sufficient infrastructure must be furnished so that each type of train can operate without getting in the other's way. The common assumption that a proposed passenger train will impose "minimal interference with freight operations" is a non-starter.

Liability will be a major issue. Based on our experience with commuter authorities, the cost to the passenger carrier for indemnifying NS is substantial. We will accept no new or expanded passenger operations without adequate liability protection.

Cab signals for freight locomotives will be required if the top speed for passenger trains is above 79 mph. Be prepared to equip the NS freight locomotive fleet with additional cab signal and other safety apparatus, and to pay for and maintain any additional signal infrastructure required by speeds in excess of 79 mph.

Dispatching will remain with NS for all trains operating over NS tracks after inauguration of passenger service.

## HIGH SPEED CORRIDORS

High-speed corridors require careful planning. If the federal government designates a corridor as "high speed", NS will automatically assume that mainline tracks dedicated solely to high speed trains will someday be built in the same corridor as our existing mainline tracks. Provisions must be made for the separate high-speed tracks throughout the corridor, especially in urban areas. Highway or railroad overpasses/underpasses, when built with public funds, must allow space for the additional tracks.

NS will require dedicated tracks for passenger trains operating in excess of 90 mph. No heavy-duty rail freight line has 110-mph passenger trains operating over it today. Where



freight trains do operate over 110-mph track (Northeast and Empire Corridors, for example), the penalties imposed on freight trains are substantial. In a heavy-duty freight environment (Cleveland-Chicago is one example), high-speed passenger trains must operate over tracks dedicated to their use.

Railroading is expensive. 110 mph railroading is very expensive. As most ridership analyses indicate, the greatest growth occurs with increases in frequency, not speed, which would seem to imply that four round trips a day at 79 mph are much more cost-effective than four round trips a day at 110 mph.

**Appendix C. Senate Bill 166, Session Law 2001-491 Part V, Section 5.1**  
**DOT Study of Piedmont Area Commuter Rail Line Acquisition (Garrou)**

The Department of Transportation Rail Division shall study the feasibility of acquiring rail lines or usage rights on rail lines in Forsyth County, Guilford County, and neighboring counties for commuter rail service operated by the Piedmont Authority for Regional Transportation. The Department shall consult with the Authority in conducting its study. The Department shall report its findings and recommendations to the Joint Legislative Transportation Oversight Committee by May 1, 2002.

**Appendix D. Article 2D. Railroad Revitalization**

**§ 136-44.35. Railroad revitalization and corridor preservation a public purpose.**

The General Assembly hereby finds that programs for railroad revitalization which assure the maintenance of safe, adequate, and efficient rail transportation services and that programs for railway corridor preservation which assure the availability of such corridors in the future are vital to the continued growth and prosperity of the State and serve the public purpose. (1979, c. 658, s. 1; 1989, c. 600, s. 1.)

**§ 136-44.36. Department of Transportation designated as agency to administer federal and State railroad revitalization programs.**

The General Assembly hereby designates the Department of Transportation as the agency of the State of North Carolina responsible for administering all State and federal railroad revitalization programs. The Department of Transportation is authorized to develop, and the Board of Transportation is authorized to adopt, a State railroad plan, and the Department of Transportation is authorized to do all things necessary under applicable State and federal legislation to properly administer State and federal railroad revitalization programs within the State. Such authority shall include, but shall not be limited to, the power to receive federal funds and distribute and expend federal and State funds for rail programs designed to cover the costs of acquiring, by purchase, lease or other manner as the department considers appropriate, a railroad line or other rail property to maintain existing or to provide future rail service; the costs of rehabilitating and improving rail property on railroad lines to the extent necessary to permit safe, adequate and efficient rail service on such lines; and the costs of constructing rail or rail related facilities for the purpose of improving the quality, efficiency and safety of rail service. The Department shall also have the authority to preserve railroad corridors for future railroad use and interim compatible uses and may lease such corridors for interim compatible uses. Such authority shall also include the power to receive and administer federal financial assistance without State financial participation to railroad companies to cover the costs of local rail service continuation payments, of rail line rehabilitation, and of rail line construction as listed above. This Article shall not be construed to grant to the department the power or authority to operate directly any rail line or rail facilities. (1979, c. 658, s. 2; 1987 (Reg. Sess., 1988), c. 1071, s. 1; 1989, c. 600, s. 2.)

**Appendix E. Article 2D. Railroad Revitalization**

**§ 136-44.36A. Railway corridor preservation.**

The North Carolina Department of Transportation is authorized, pursuant to 16 U.S.C.A. § 1247(d), to preserve rail transportation corridors and permit compatible interim uses of such corridors. (1987 (Reg. Sess., 1988), c. 1071, s. 2.)





## Appendix F. Strategic Rail Corridors



The North Carolina Department of Transportation has identified rail corridors that are strategic for future use in freight, passenger or commuter train service. If any of these corridors were to be offered for sale or considered for abandonment, the state should work to preserve them. Already the state has purchased several key corridors to preserve them.

- Strategic Rail Corridors
- State-owned Strategic Corridors
- Corridor preserved, tracks removed



