

**VERMONT RAIL COUNCIL
MINUTES OF MEETING
NATIONAL LIFE BUILDING
DAVIS 5th FLOOR CONFERENCE ROOM 1
MONTPELIER, VERMONT
February 28, 2018**

MEMBERS PRESENT: Carl Fowler Dave Wulfson
Rick Moulton Chris Andreasson
Charles Hunter Charlie Moore
Dave Allaire Jeff Munger

OTHERS PRESENT: Dan Delabruere, VTrans
Bob Atchinson, VTrans
Paul Libby, VTrans
Mark Fitzgerald, VTrans
Alan Franklin, VTrans
Erin Charbonneau, VTrans
Clem Bissonette, Legislature
MaryAnne Michaels, VRS
Bill Hollister, Amtrak
Chris Conatell, Amtrak
Kevin Chittenden, Amtrak
Jack Madden, Erdman Anthony
Chris Snyder, TransAm
Allison DeMag, Railroad Association of VT
Deb Fox, Vermont Rail Magazine
Aaron Guyette, VHB
Ryan Barnes, VHB
Chris Saunders, Sen. Leahy's Office
Jon Budreski, Air Shark
Kevin Geiger, TRORPC

1. Call to Order & Introductions

Dan Delabruere called the meeting to order at 1:07 PM. Introductions were done.

2. Public Comments

Air Shark

Jon Budreski with Air Shark said his company does drone mapping and inspection of critical infrastructure and has done rail inspections across the country.

3. Approval of Minutes

November 16, 2017

MOTION by Carl Fowler, SECOND by Rick Moulton, to approve the 11/16/17 minutes with the following correction(s)/clarification(s):

- **Page 3, paragraph beginning “There was discussion of being able to change the shape of the top structure....” – change “High Q” to “High Cube”.**
- **Page 4, paragraph beginning “Carl Fowler proposed a motion...” – note that the motion was withdrawn and there was a consensus, not a vote, by the Rail Council.**

VOTING: unanimous; motion carried.

4. HazMat Study

Kevin Geiger, TRORPC, briefed the Rail Council on the contract with the Department of Public Safety to study hazmat materials on rail lines in Vermont to ensure proper emergency planning. Any information that can be provided on placard numbers by line and quantities is appreciated. The data collected will be in the report to the State Emergency Response Commission and Department of Public Safety. The data will be marked “For Official Use Only”.

There was discussion of proprietary information being made public. Charles Moore suggested asked the two operating railroads in the state for the information. Dave Wulfson said VRS can tell where a train is leaving from, but the study group will not know whether the cars are full or empty. The railroad works well with Emergency Management already. Dave Allaire said the communities need to know the information, and have direct connection to Emergency Management. Chris Andreasson questioned spending money on a study that will not be able to produce public information. Rick Moulton added Emergency Manager already has the information.

Jeff Munger asked the history of hazmat spills with the railroads in the past, noting local response and Emergency Management response have always worked well. Dave Wulfson said VRS works with local fire departments and Emergency Management to have all the necessary protections in place. Charles Hunter added if there is a release NECR has contracts with special environmental firms.

Dave Wulfson suggested addressing the chemical inhalants shipped through Fort Ann - with prevailing west winds Vermont could be harmed.

5. FY19 Governor’s Recommended Rail Budget

Dan Delabruere reviewed the proposed FY19 rail budget recommended by the Governor and the map showing the rail projects. Most of the rail work is focused on the western corridor with the extension of the Ethan Allen Express to Burlington. There are many rail crossing projects. The public crossings in Burlington will have some version of an active warning system. The budget also includes bringing bridges around the state up to 286,000 pound capacity, starting with the worst cases first. Phase 4 of the rail work (removal of 90 pound rail) on the Green Mountain line and the 3-Way Program are still in the budget. The 3-Way Program was not used much last year and the hope is for more use this year. The Amtrak subsidy in the budget is \$8.3 million for two trains and there is money for annual bridge inspections.

Carl Fowler asked about the Middlebury platform location. Dan Delabruere said the location is not known at this time. Some of the projects in the budget will extend beyond FY19. Carl Fowler asked if the bike path by the station in Burlington will be relocated and the platform protection sheds removed. Dan Delabruere said the current design shows the bike path out of the existing alignment because the area is needed for rail use. Burlington may relocate the bike path to the west side of the track. The existing platform will be redone and a siding added on the Main Street Landing side. (Rick Moulton pointed out the siding cannot be on the Main Street Landing side because of the building.) Carl Fowler expressed concern about vandalism to trains parked by the Main Street station and not in a train yard away from the public.

Carl Fowler asked if there has been progress on transparency with Amtrak reporting on their cost structure. Dan Delabruere said Amtrak is doing reporting differently nationwide. Amtrak has provided what was asked by Vermont. The reports are better than in the past and mostly received on time. Carl Fowler pointed out according to the Amtrak financial report of September 30th the Vermonter train is showing a profit (the subsidy is included in the number) and the Ethan Allen Express is not far behind which shows Amtrak is interested in keeping the service so this is a good negotiating point.

6. Operation Lifesaver Update

Alan Franklin reported 6,000 people were reached last year through presentations, special events, and material handouts on Operation Lifesaver. More presentations are scheduled throughout the state at schools, events, and organizations. It seems that once a presentation is made the program is invited back the next year. Effort continues on increasing awareness of the emergency notification system and signs. There were no rail accidents in the state last year. Volunteers for the Operation Lifesaver Program are always welcome.

7. Grant Opportunities

Dan Delabruere reported VTrans applied for two grants of \$10 million each for bridge projects. No word yet on award of the competitive grants. VTrans is also working with NECR on a CRISSY safety grant to remove rock ledge on the Amtrak line. VTrans will continue to pursue grant opportunities.

Bill Hollister, Amtrak, said Amtrak is willing to write a letter of support for the CRISSY grant.

Charles Hunter said the Massachusetts Dept. of Transportation is upgrading 50 miles of track in Massachusetts to 286,000 capacity which will help NECR.

8. Passenger Topics

a) Amtrak Testimony: Positive Track Control (PTC)

Dan Delabruere reported on the testimony by Amtrak CEO, Richard Anderson, on the safety management system for Amtrak. There are different versions of safety controls on rails that are being grouped into PTC. The FRA extended the mandate for PTC from the December 31, 2018 date, and as of 12/31/18 Amtrak will look at each service and the

safety system needed to continue operation. The representative from Amtrak assigned to Vermont will be looking at train-to-train collisions, over-speed derailments, incursions into work zones, and misaligned switches. Amtrak will do a risk analysis, route by route, to identify issues. Vermont's trains are fully compliant with the FRA. Vermont has an exemption to run without PTC so it is not anticipated that Vermont trains will stop running, but there could be something yet unknown at this time that is needed. Conversations with Amtrak will continue. Amtrak has been a good partner with VTrans.

Bill Hollister, Amtrak, apologized for the angst caused by the testimony by Amtrak's CEO, but the message to the industry was that passenger rail safety is the #1 priority so Amtrak can run the safest possible service, no exceptions. Amtrak will be doing a risk assessment on each route across the country with a standard methodology and come up with a mitigating factor to reduce risk and run the safest, most viable service for customers. Data gathering is happening now. Amtrak will work with the states and the railroads. There will be more testimony in Washington, DC by Amtrak's CEO to clarify the message, but the statement on safety will remain strong. Amtrak will not be ceasing operations on any specific routes at this time but will analyze routes and consider appropriate strategies to enhance safety after the December 2018 deadline.

Chris Andreasson asked if new service, such as the extension of the Ethan Allen Service to Burlington, will be considered. Bill Hollister confirmed this is part of the analysis. Dan Delabruere reiterated Vermont has an FRA exemption for PTC, but Amtrak may propose something beyond the exemption. Also, the state does not have an exemption for the extension of the line to Burlington.

Charles Hunter noted Canada has not adopted PTC laws. Dan Delabruere said the extension of Amtrak service to Canada has been brought up in the conversations with Amtrak.

Dave Allaire said it will be helpful to clarify the strategy in response to recent accidents. The state has made significant investment in the rail lines and applied for grants so conversations between VTrans and Amtrak must continue. Bill Hollister said the CRISSY grant is a great example of a mitigating factor.

Carl Fowler provided the Rail Council with information on a railroad in Alaska in a similar situation as the railroads in Vermont. The information explained PTC and the associated costs. Alaska was installing PTC in the absence of signals. The cost is \$171 million for 525 miles of rail. With Vermont routes like the Ethan Allen Express the state will have to focus on remedies that fall short of PTC installation or else the cost will be staggering. It is good to hear an update on the matter from Amtrak because the initial message was delivered too late to be included in the budget. In addition the state is in full compliance with FRA regulations with only two consequential accidents of which one was due to a washed out culvert from a beaver dam break and the other from a rock slide. Neither event would have been prevented by PTC. Also, both northbound and southbound trains are not interacting with freight. The concern is how long Amtrak will take with the process and the level of mitigation to be required. Intervention by the

Congressional delegation and supporters may be necessary to argue for a reasonable time to accomplish what is instructed and to try to influence Amtrak's decision so Amtrak does not require that the only way to be safe is to signal the entire line (block signals) which is expensive and not needed for the volume of traffic in Vermont. PTC is not a panacea. It is not automatic train control, it is positive train control with the capability to take over bad decisions by the engineer. PTC cannot take over the operation of the train. The state must be ready to defend what is in place already. Dan Delabruere said the Governor, legislature, and Congressional delegation are all in tune and engaged. Bill Hollister assured Amtrak heard clearly from Vermont and is listening. Amtrak realizes the need to go beyond the December 2018 deadline. Carl Fowler volunteered to seek the support of the National Rail Passenger Association for the state's message. Dan Delabruere suggested the risk analysis be done first.

b) & c) Amtrak Ridership, Revenue, and On Time Performance

Vermont

Ridership in 2017 on the Vermonter was very good. The first quarter in 2018 was the best quarter to date. Ridership is up 11.7% and revenues are up 10.3%. Vermont stations are doing well. Essex Junction is up 25.4% for the quarter and St. Albans is up 22.7% for the quarter. On time performance has improved in the last few weeks because slow orders on the line have decreased.

Ethan Allen Express

Ridership in 2017 on the Ethan Allen Express was disappointing, but the first quarter of the year shows an increase in ridership of 5.7% and increase in revenues of 11.5%. On time performance is very good. Trains are even arriving early.

Carl Fowler asked about the train leaving from Brattleboro rather than Greenfield. Dan Delabruere said VTrans is aware of this option, but there is more involved to make the change.

9. Freight and Construction Topics

a) TIGER VII Update

Paul Libby gave an update on the TIGER VII projects on crossing upgrades and bridge work. Rail replacement from Rutland to Burlington is complete. The Middlebury tunnel project will begin in the spring. Green Mountain line upgrade to 105,000 pound capacity is ongoing. The Vergennes station will be out to bid in the spring for construction of the platform in the summer. Maintenance work is being done on crossings and bridges.

b) White River Junction Station and Main Street Landing

Mark Fitzgerald reviewed upgrades to the White River Jct. station owned by the state since 2013. The Amtrak waiting area has been improved. The welcome center has been moved next to the waiting area. A new loading platform will be built. Lighting improvements to the building have been done. The state has also purchased Main Street Landing in Burlington. Both buildings will be made fully ADA compliant.

10. Other Business/Next Meeting

Code of Ethics Acknowledgement Form

Members of the Rail Council signed the form.

VRAN Rail Safety Day

March 15, 2018 is Rail Safety Day. All are invited to the event in Montpelier hosted by VRAN.

Next Meeting

May 16, 2018

11. Adjournment

MOTION by Dave Wulfson, SECOND by Charlie Moore, to adjourn the meeting.

VOTING: unanimous; motion carried.

The meeting was adjourned at 2:45 PM.

RScty by tape: M.E.Riordan