



Mid-Ohio Regional Planning Commission

An association of local governments providing planning, programs and services for the region.

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Mr. James Seney
Ohio Rail Development Commission
50 W Broad St
Columbus, OH 43215-3301

April 16, 2003

Dear Mr. Seney:

The Mid-Ohio Regional Planning Commission has recently passed Resolution T-2-03, "Ensuring the Inclusion of Appropriate Provisions Should the Ohio Rail Development Commission and Its Successors Elect to Sell the Panhandle Rail Line". I have enclosed a copy for you, along with a recent article from the front page of *The Advocate*.

Nancy M. White
Chair

Richard L. (Ike) Stage
Vice Chair

Virginia Barney
Secretary

The enclosed resolution supports the position of Licking County Commissioners and the Heath-Newark-Licking Port Authority that any sale of this important regional resource not impede future development efforts along the line or prohibit future passenger rail service along the corridor. Please contact me with any questions or concerns about this issue.

Sincerely,

Bill Habig
Executive Director

William C. Habig
Executive Director

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RESOLUTION T-2-03

**ENSURING THE INCLUSION OF APPROPRIATE PROVISIONS SHOULD
THE OHIO RAIL DEVELOPMENT COMMISSION AND ITS SUCCESSORS ELECT TO SELL
THE PANHANDLE RAIL LINE**

WHEREAS, the Mid-Ohio Regional Planning Commission (MORPC) has a long history of supporting freight efforts in central Ohio to promote a balance between the critical relationship of the quality of life in the region and the movement of goods into, out of, and through the region; and

WHEREAS, MORPC has pioneered freight efforts in central Ohio, namely taking a lead in the three Inland Port Studies; and

WHEREAS, MORPC has endeavored to educate the community on the challenges the freight community deals with on an ongoing basis through MORPC's Annual Freight Scanning Tours; and

WHEREAS, the Central Ohio Regional Rail Study completed in October 2001 has built a strong coalition among freight stakeholders in the region, and unanimity exists among all participants on the conclusions of the study to develop rail freight alternatives that increase the efficiency of freight operations, reduce grade crossing accidents and blocked crossings, enhance opportunities for rail passenger service within the region, encourage economic development in central Ohio, and reduce vehicular traffic congestion; and

WHEREAS, MORPC has pioneered its efforts to preserve regional railroad corridors for the purpose of promoting rapid public transportation in central Ohio; and

WHEREAS, both the Central Ohio Transit Authority (COTA) and MORPC are currently investigating the feasibility of using the Panhandle Rail Line for a rapid transit option under the Vision 2030 plan; and

WHEREAS, any attempt to dispose of this critical rail line without assurance for joint use for freight and rapid transit would be a detriment to the future transportation and economic needs of central Ohio; and

WHEREAS, ensuring the inclusion of appropriate provisions to preserve the freight and public transportation needs of central Ohio is critical should the Ohio Rail Development Commission (ORDC) elect to sell the Panhandle Rail Line; and

WHEREAS, the Citizen Advisory Committee at its meeting on March 3, 2003, and the Transportation Advisory Committee, at its meeting on March 5, 2003, recommend approval of this resolution by the Policy Committee; now therefore


BE IT RESOLVED BY THE POLICY COMMITTEE OF THE MID-OHIO REGIONAL PLANNING COMMISSION:

Section 1. That MORPC urges the state to retain ownership of the Panhandle Rail Line right-of-way, as is currently the status.

And, if ownership of the Panhandle Rail Line by ORDC is deemed not feasible,



- Section 2. That the ORDC and its successors establish a mediation committee prior to the sale to negotiate capital costs that any passenger entity would have to incur on the rail line so that it doesn't require excessive costs to begin operating over the new owner's property.
- Section 3. That the ORDC and its successors include language in the sale agreement that whatever entity purchases the right-of-way must provide access and the ability for passenger rail service to be initiated in the corridor.
- Section 4. That the ORDC and its successors include language in the sale agreement that requires the freight railroad purchaser to provide its own liability insurance and not hold the transit agency, or other passenger rail service sponsor, hostage to indemnifying the freight carrier from its own negligence.
- Section 5. That the ORDC and its successors include language in the sale agreement to protect not only the possibility of inter- and intra-city passenger service, but also to provide open access for another freight carrier to utilize the corridor if a business on that corridor elected to do so. And, that the owner of the right-of-way be able to charge a track usage fee to the other freight carrier that didn't own the right-of-way; this way the owner of the line could not inflate the transportation costs and hold the customers hostage on the line.
- Section 6. That the ORDC and its successors include language in the sale agreement that current and future local access freight needs of shippers be maintained.
- Section 7. That the ORDC and its successors will reserve the right to step in if the line would begin to fail to avoid it being abandoned again.
- Section 8. That the community's need would be met if access were needed for public utilities.
- Section 9. That this resolution be transmitted to ODOT and the Surface Transportation Policy Board for information and appropriate action.
- Section 10. That this committee finds and determines that all formal deliberations and actions of this committee concerning and relating to the adoption of this resolution were taken in open meetings of this committee.



R. Thomas Homan, Chair
Mid-Ohio Regional Planning Commission

4/18/03

Date

Prepared by: Erika Witzke, Intermodal Programs Engineer

