

THE CITIZENS ADVISORY COMMITTEE FOR THE NORTH/SOUTH RAIL LINK PROJECT

December 18, 2007

Wendy Stern, Under Secretary
Executive Office of Transportation & Public Works
Commonwealth of Massachusetts
State Transportation Building
Boston, MA 02116

Dear Wendy,

The purpose of this letter is to update you on the significant progress that has been made on the two assignments that we were asked to undertake during our October 25th meeting, as part of our ongoing discussions of a proposed collaborative strategy on the North-South Rail Link (NSRL) Project. These recent developments should allow the EOT to now assume the role of sponsor for the NSRL Project, as we also then discussed, with confidence that such sponsorship will result in the successful completion of the environmental review of this critical and timely new element of our regional transportation infrastructure.

- ❖ **With Respect to Federal Agency Participation:** In our October meeting it was agreed that the most appropriate federal agency to pursue the NSRL Project at this stage would be the Federal Railroad Administration (FRA), which was originally designated by Congress to fund the initial Amtrak/EOTC NSRL contract, rather than the Federal Transit Administration (FTA), which was involved in the consequent MIS/DEIS/DEIR process. Such an approach would be supportive of FRA's responsibility for passenger rail services; and it would avoid the reality or appearance of competition between the NSRL and a variety of FTA transit projects that are also among EOT plans and priorities. Pursuant to our agreement that we would further explore this option, we can now report positive results on two fronts:
- ◆ **Indication of FRA Receptivity:** We spoke directly with Associate FRA Administrator Mark Yachmetz of the Office of Railroad Development in Washington, who indicated that the FRA would be interested in renewed involvement with the NSRL, if and when EOT were to become the federal sponsor for the project.
- ◆ **Available FRA Funding:** Related discussions also suggested a potential FRA funding source that could be well suited to the NSRL Project – i.e., the Railroad Rehabilitation and Improvement Financing (RRIF) Program. This relatively underutilized \$35 billion program can fund up to 100% of the cost of eligible projects, including development or establishment of new inter-modal or railroad facilities like the rail link. Direct loans are available with repayment periods of up to 25 years and interest rates equal to the cost of borrowing to the government.

❖ **With Respect to Required Funding for Resumption/Completion of the EIS/EIR Process:**

It was also agreed in our meeting that the required resumption and completion of the EIS/EIR process would be greatly accelerated by the continued availability of federal funds for this purpose, since available state funds in the current fiscal year have already been committed to other projects and processes. It was generally estimated that \$2.5 to \$3.0 million would be required to complete the suspended EIS/EIR process, which to date had been fully funded by \$4.5 million of federal funding that was facilitated by Senator Edward Kennedy and Former Senate Majority Leader George Mitchell of Maine. We further agreed that we would ascertain the likelihood of such continued federal funding.

To that end, Governor Dukakis and we specifically discussed this matter with senior staff in the Offices of Senators Kennedy and Kerry and Congresspersons Lynch and Tsongas. Each affirmed their continuing support for the NSRL Project; and all reiterated the readiness, willingness and expected ability of these elected officials to work with their colleagues in the Senate and the House to identify and make available the necessary planning funds – if and when EOT becomes the federal sponsor for the NSRL Project.

On that basis, we respectfully suggest that the next appropriate step in the process is for EOT to notify the FRA at the federal level and EOEEA at the state level that it has assumed the role of sponsor for the NSRL Project -- essentially as outlined in the requested strategy paper that we provided to Secretary Cohen on May 30, 2007. We believe that that document remains relevant and timely – with the one significant exception of substituting FRA for FTA therein; and we look forward to next critical step of EOT sponsorship notification, which will provide the catalyst for required FRA and Congressional response.

Sincerely,

Robert B. O'Brien
NSRL Project CAC Chair

John A. Businger
NSRL Project CAC Vice Chair

cc: Executive Office of Transportation & Public Works Secretary Bernard Cohen
Governor Deval Patrick and Lieutenant Governor Tim Murray
State Representative Mary Grant
Federal Railroad Administration Associate Administrator Mark Yachmetz
Tom Crohan of Sen. Edward Kennedy's Office and Drew O'Brien of Sen. John Kerry's Office
Jim Gordon of Cong. Steven Lynch's Office and Brian Martin of Cong. Niki Tsongas's Office
Former Governor and Amtrak Vice Chair Michael Dukakis
Other Members of the NSRL Citizens Advisory Committee