

## BSPRA Members

Broadwater

Butte-Silver Bow

Carbon

Custer

Dawson

Gallatin

Granite

Jefferson

Mineral

Missoula

Park

Powell

Prairie

Rosebud

Sanders

Stillwater

Wibaux

## Ex Officio

Confederated Salish & Kootenai  
Tribes

Amtrak

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2022-0006]

### Request for Information for the Corridor Identification and Development Program

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT)

**ACTION:** Request for information (RFI)

The Big Sky Passenger Rail Authority (Big Sky Authority or Authority) submits for consideration the following comments in response to the Federal Railroad Administration's Request for Information issued under Docket No. FRA-2022-0006.

### Introduction—Goals for the Corridor Identification and Development Program

The Big Sky Authority recommends that the primary goal of the Corridor Identification and Development Program (CIDP) should be achieving transportation equity in federally supported passenger rail service for citizens across the nation. This goal should be pursued by creating a vision for a true National Passenger Rail Network that adequately serves all regions, states and categories of disadvantaged communities. A true National Passenger Rail Network would attain this measurable standard of success:

*With exceptions for major geophysical barriers, sensitive environmental areas, and the absence of historic rights-of-way, U.S. citizens should have access to federally supported passenger rail running both north and south and east and west ("four points of the compass service") within an hour-and-a half of their homes.*

Passenger rail service is typically the safest, most weather-resilient and environmentally friendly form of personal transportation. It also holds promise



for revitalizing rural communities. There is no justification whatsoever for denying approximately a fourth of the nation’s population passenger rail service of any kind and for leaving an even larger share of the population without “four points of the compass” service on at least a daily basis. Further, entire categories of communities—rural small towns and Indian reservations—are deprived of the benefits of passenger rail. When the Interstate Highway System was developed, no region or state in the nation was left behind. The same should be true for passenger rail service as its value to the future of this nation is becoming increasingly clear and vital.

Other goals should also be adopted for this program. As new, major routes are developed, Amtrak should be asked to innovate in the quality of its service along new routes to gain experience and learn lessons that could be applied throughout the Amtrak system. New routes should also be asked to become models of local engagement with Amtrak to increase ridership and adapt train services to reflect a local flavor. Service to disadvantaged communities should receive special attention and investment, including Indian reservations and tribal communities whose transportation needs of all kinds are sorely neglected. This is a vision of achieving transportation equity in passenger rail for all areas of the nation including rural and disadvantaged communities.

**1. What is the appropriate role for Amtrak, in the submission and development of proposals submitted by other entities, for corridors that currently are or would be intended to be operated by Amtrak?**

Amtrak should be asked to use its considerable technical knowledge and talent regarding passenger rail operations to support leadership by the Federal Rail Administration (FRA) in planning and developing passenger rail service that reaches all parts of the nation on an equitable basis. Amtrak should be prepared to respond on a priority basis to FRA’s requests for evaluation of operational issues that arise from FRA’s route planning and selection work.

Amtrak has not taken the opportunity to develop a vision for a true National Passenger Rail Network that serves the entire nation. Amtrak’s Connect US map leaves vast portions of the nation without four points of the compass rail service. Its plans for new or expanded rail service are concentrated in areas of the nation where citizens already have access to federally supported passenger rail service within an hour and a half of their homes. That map is obsolete given the establishment of the CIDP and Section 22214 of the Bipartisan Infrastructure Law (BIL). For these reasons, the Amtrak Connect US map should be retired, and any relevant components should be incorporated into a new FRA map displaying a vision for a true National Passenger Rail Network as further described in response to Question 2. Moreover, Amtrak should be given license to embrace this expansive vision of the National Network, recognizing it won’t be implemented immediately and may require additional appropriations. This contrasts with a philosophy of scarcity such that any expansion of Amtrak-operated passenger rail service is predicated on state-supported corridors, which are neither achievable in many regions of the country nor desirable from the standpoint of developing a true National Passenger Rail Network of long-distance routes.

Amtrak should also be prepared to develop innovations in the range and quality of its services—innovations that could be tried first on new routes and, as proven successful, extended to existing routes. Amtrak should welcome and work with local, tribal and state groups and disadvantaged communities to develop projects to enhance ridership and add a local flavor to passenger rail routes.

**2. What are the appropriate roles for FRA and other parties in the preparation of SDPs under 49 U.S.C. 25101(d), or in other Program activities?**

The Big Sky Authority calls upon the FRA to provide strong, dynamic and imaginative leadership to achieve the development of a true National Passenger Rail Network where citizens everywhere in the nation have adequate access to rail service. It should administer a transparent and participatory planning process that encourages people, organizations, state and local governments, businesses and others everywhere to participate in creating an expanded and enhanced passenger rail service. It should replace the Amtrak Connect US map with a map that inspires the aspirations and imagination of citizens across the nation to work for a true National Passenger Rail Network providing all Americans with passenger rail service within an hour and a half of their homes (with exceptions for certain major barriers to routes)—and do so through an open, participatory process. The map should include projected future routes and improvements, projects that are at various stages of planning and pre-construction work, and those that are under active construction and development. The FRA should regularly update this new map to incorporate the results of the BIL Section 22214 study and the ongoing evolution of the CIDP.

Further, the FRA should advise the Secretary of Transportation, and through the Secretary, the President on a target completion date for the true National Network, such as 2035. Providing a target date for completing the network will help focus national energy and resources on this effort.

The FRA should devote special expertise and resources to analyzing and reporting on how expanded passenger rail and increased connectivity will enhance ridership, financial returns, transportation equity, environmental, and socio-economic benefits across the entire national rail system. The FRA should effectively communicate the cumulative impact of increased connectivity to Congress, the media and the general public.

The FRA is uniquely positioned to integrate other planning activities mandated by the Bipartisan Infrastructure Law into the CIDP. One particularly relevant example: BIL Sec. 22214 directs the DOT to evaluate the restoration of daily intercity rail passenger service along discontinued Amtrak long-distance routes and any Amtrak long-distance routes that occur on a nondaily basis. The FRA should place a priority of effectively completing this study and fully integrating its Sec. 22214 findings into the CIDP project inventory and pipeline.

**3. Where permissible, should SDPs under the Program have the option to be prepared as longer-range planning documents, so that the implementation of the new or improved service (through the implementation of the projects included in the “corridor project inventory,” and advancement of such projects into the project pipeline) may be sequenced or phased over time?**

The short answer to this question is “yes.” The fundamental description and terms of the CIDP in Section 25101(a) specifically contemplates including planning activities within the funding for service development plans. See Section 25101(a)(4).

The initial projects recommended in the Corridor Identification and Development Program in the first pipeline should include three categories of projects—(a) those that are construction ready; (b) projects that develop keystone or anchor routes for achieving transportation equity through a true National Passenger Rail Network, even if such routes are not entirely construction ready; and (c) projects that are a high priority for serving disadvantaged communities (which may overlap with projects in the other categories). The funding for projects in categories (b) and (c) should include support both for known construction elements and accelerated planning and technical analysis activities. Until an equitable, true National Network is achieved, each subsequent pipeline should continue to contain a mix of construction-ready routes, corridors filling voids in passenger rail service nationally, and routes that serve disadvantaged communities.

If this type of well-structured mix of projects is not included each year, the risk arises that projects in areas that already have access to passenger rail (and established planning expertise) will continue to be funded in every pipeline, and the extension of the National Network to areas with no or inadequate service will continue to be deferred. If that occurs, the vision of a true National Network will become an empty promise—always deferred and never achieved. Stated differently, transportation equity will not be achieved unless a priority is placed on achieving equity at every point and time period in the decision-making process. That means including routes that achieve transportation equity in every annual pipeline even if additional planning is needed on such routes.

This approach has the further benefit of providing the public with an understanding of an orderly, coherent and well-phased process of expanding and enhancing passenger rail. At every stage, the public will have a multi-year view of a sequenced plan of passenger rail development. This transparent process will enable communities, state, tribal and local governments, host railroads, businesses, organizations, and the public to plan years ahead to harmonize and finance their own investments and activities in support of elements of this national effort. If each year’s project pipeline is a frenzied collection of “construction ready” projects, the process will be piecemeal and haphazard. Importantly, this approach will deny other public and private entities time to plan and finance complementary investments, thus diminishing the benefits to the public from passenger rail. The coherent and transparent process suggested here will ensure success in developing a true National Passenger Rail Network and will maximize its public and private benefits.

**4. Where permissible, should SDPs under the Program develop and narrow alternatives for implementing a new or improved service through the use of a planning process undertaken in advance of environmental review under the National Environmental Policy Act (NEPA) (e.g., in a manner similar to that applicable to highway and transit projects under appendix A to 23 CFR part 450—Linking the Transportation Planning and NEPA Processes)?**

**5. How should public involvement and environmental considerations be incorporated into the preparation of SDPs under the Program, and how might that vary depending on whether or not SDPs develop and narrow alternatives (as described in Question #4)?**

The Big Sky Authority agrees that the FRA should solicit public input at every major stage in the SDP process. In addition, the Authority recommends that the FRA provide public engagement grants to appropriate agencies of states, regional transportation or rail authorities, local and tribal governments. Through these grants, agencies would engage a wide range of persons and entities involved in major social and economic sectors to gather information, ideas and viewpoints relevant to an SDP. The process would, for example, include these sectors as may be relevant among other possibilities: health care, education, jobs and economic development, agriculture and rural community development, environment and conservation, and tourism and outdoor recreation. Through open meetings of advisory councils and focus groups and other public forums, the grantees would develop an organized body of information related to the SDPs for the FRA’s consideration. Funding for these grants can be provided through 49 U.S.C. 24911(k).

The Authority also recommends, consistent with the entities named for consultation in 49 USC 49 U.S.C. 25101 (e), that employee labor organizations and representing railroad and other appropriate employees and host railroads be invited to be partners in this public engagement process. To the degree feasible, FRA representatives should also participate directly.

**6. 49 U.S.C. 25101(e) requires that FRA consult with certain stakeholders in the preparation of SDPs under the Program. What approaches could FRA take to ensure the consultation process is effective and meaningful.**

The Big Sky Authority recommends that the Secretary determine that all tribal governments affected by or expressing an interest in any proposed passenger rail project be consulted in the preparation of the SDPs on an equal basis with the entities identified in 49 U.S.C. 25101(e).

The Authority also recommends FRA support for the public engagement process as described in its response to Question 5 as a means for the consultive entities to provide “effective and meaningful” information and input.

**7. Should capital projects identified in the project pipeline be required to be ready for immediate implementation (i.e., final design and construction), and be supported by a completed environmental determination under NEPA, completed preliminary engineering, and (as applicable) agreements with the relevant host railroad(s)?**

As described in detail in the response to Question 3, the Big Sky Authority recommends that the project pipelines include a mix of routes and projects that are at various phases of planning and development and that the pipelines not be limited to projects ready for implementation. This mix of projects at different stages of development provides a coherent, well-sequenced, and multi-year view of all relevant projects and their projected timing. The result is greater public transparency

and involvement in the development process. Further, it enables other affected public and private entities sufficient time to plan, organize and arrange financing in advance for activities and investments that support the development of the projects in the pipeline. Limiting project pipeline to projects ready for immediate implementation will discourage and diminish beneficial, complementary development by non-federal entities that would otherwise enhance passenger rail projects.

**8. If a capital project must be ready for immediate implementation in order to be included in a project pipeline (see Question #7), should FRA establish a “pre-Pipeline” of projects that have been identified in the “corridor project inventories” included in the SDPs prepared under 49 U.S.C. 25101(d), and that are in the process of implementation (e.g. in the process of environmental review under NEPA, undergoing completion of preliminary engineering, etc.) but which are not ready for implementation?**

The approach recommended here is a distant “second-best” approach to the Authority’s preferred approach described in response to Question 3 and referenced in the Question 7 response.

**9. Through what means, and in consideration of what factors (beyond those enumerated in 49 U.S.C. 25101 (g) (4)-(7)) should FRA establish the order (or prioritization) of the list of capital projects eligible for funding identified under the project pipeline, as called for in 49 U.S.C. 25101(g)(3).**

The Big Sky Authority recommends establishing priorities among capital projects eligible for funding. Moreover, the FRA should consider the relative degree to which the proposed projects contribute in effective and timely ways to the goal of providing all citizens with access to passenger rail service on the four points of compass within an hour and a half of their homes.

**10. What other Program activities should be undertaken with the support of funding provided under 49 U.S.C. 24911(k).**

The Big Sky Authority recommends that in addition to the significant items described in the statute, the public engagement process grants to public entities—states, regional authorities, local and tribal governments—as described in response to Question 5 should be the subject of funding under 49 U.S.C. 24911(k).

**11. Should the FRA consider readiness factors not otherwise described in the statute when evaluating proposals submitted for the Program, and if so, what factors would be relevant in assessing readiness**

**12. In determining the readiness of a proposal should FRA consider the degree of commitment to the eventual implementation of the proposal demonstrated by: (1) The entity submitting the proposal, (2) the proposed service sponsor(s) and/or (3) the proposed capital project sponsor(s).**

**13. Of the fourteen selection criteria enumerated in 49 U.S.C. 25101(c), are certain criteria of greater importance to the successful development of an intercity passenger rail corridor?**

The Big Sky Authority recommends that the most important criteria to the successful development of an intercity passenger rail corridor is number (12): *“whether the corridor would enhance the regional equity and geographic diversity of intercity passenger rail service.”* This criterion is the central purpose of the recommended goal of creating a true National Passenger Rail Network that provides four points of the compass service to all citizens within an hour and half of their homes, subject to only major geophysical barriers, sensitive environmental areas, and the absence of historic railroad rights-of-way.

The Authority also recommends that criterion (1) in BIL Section 22214(c), “link and serve larger and small communities as a part of a regional rail network” is a helpful dimension of the language of criterion (12) regarding enhancing “geographic diversity of intercity passenger rail service” and should be incorporated as an integral part of (12). (See the discussion in the final paragraph of this section.)

In addition to the criterion 12, the Authority also recommends following additional criteria as being of greater importance to the successful development of an intercity passenger rail corridor:

- (3) anticipated environmental, congestion mitigation, and other public benefits;
- (5) anticipated positive economic and employment impacts, including development in the areas near passenger stations, historic districts, or other opportunity zones;
- (7) benefits to rural communities;
- (9) whether the corridor serves historically unserved or underserved and low-income communities or areas of persistent poverty;
- (10) whether the corridor would benefit or improve connectivity with existing or planned transportation services of other modes;
- (13) whether the corridor is or would be integrated into the national rail passenger transportation system and whether the corridor would create benefits for other passenger rail routes and services.

The Authority is aware that All Aboard Washington (AAWA) has commented on some of the criteria that are problematic as decision-making tools. AAWA notes that criteria (4), “projected trip times and their competitiveness with other transportation modes” is less relevant and of limited value in mountainous circumstances—especially if the criteria would lead to no service in mountain terrain. The Big Sky Authority also notes that this criterion ignores two potentially more important competitive comparisons with other modes of transportation: traffic safety and weather resiliency. Passenger rail travel is much safer than motor vehicle travel as measured by injuries and loss of life per passenger mile. In addition, rail transportation is more weather-resilient, especially in winter, than motor vehicles and air transport. Trains can travel through storms that close highways and prevent motor vehicle travel. These additional “competitive factors” with other transportation modes highlights the overly simplistic nature of criteria 4 that focuses narrowly on trip times.

AAWA has also questioned the narrow emphasis of criterion 11, “whether the corridor connects at least 2 of the 100 most populated metropolitan areas.” They cite research by the Washington State Legislature’s Joint Transportation Committee to support the view that the most benefits arise from connections (a) smaller cities and towns and (b) larger metropolitan areas. The Big Sky Rail Authority concurs with this observation. Research by the Rail Passengers Association reveals that ridership response to passenger rail is greater in smaller communities because of the connections it provides to amenities and services in larger cities. With this background, the Big Sky Authority would note that Section 22214(c)(1) of the BIL understands this issue correctly by adopting a criterion for selecting routes that “link and serve large and small communities as part of a regional rail network.” This criterion can be considered as an elaboration and integral part of the language “enhance. . . geographic diversity of intercity passenger rail service” of criterion (12). It is the diversity of connections among communities of different sizes that maximizes passenger rail ridership and benefits, not the mere connection of two large metro areas.

**14. What other considerations may be appropriate in evaluating proposals for corridors to be developed under the Program?**

The Big Sky Authority recommends that the FRA consider and incorporate the conclusions of the study conducted under Section 2214 of the BIL into the recommended corridors under CIDP. That study will develop preferred options for restoring or enhancing service with respect to Amtrak long distance routes discontinued or diminished since the formation of Amtrak. Those options will likely make significant contributions to creating a true National Passenger Rail Network.

**15. In general, how selective should the Program be, particularly during the period directly following its establishment? Should all proposals that meet a minimum threshold be selected for development under the Program, or should only a limited number of top proposals be selected, and if so, why?**

The Big Sky Passenger Rail Authority strongly urges the FRA to establish for the CIPD a vision and goal of a true National Passenger Rail Network that provides four points of the compass service to all citizens within an hour and a half of their homes, subject to certain limited exceptions. As described in the Authority’s response to Question 3, the proposals under CIPD, including initial ones, should include all those that meaningfully and effectively achieve progress toward fulfilling the true National Passenger Rail Network goal. Additional proposals may be included to achieve other worthy passenger rail objectives. It is the relationship of a project, regardless of its stage of development, to the achievement of a desirable and measurable public goal (as advocated here) that should be the test of inclusion in a set of proposals. The relationship of a project to artificial numerical or administrative process limits is effectively meaningless and should be avoided as a means of selecting proposals. The rationale and enhanced public benefits from using this goal-attainment approach is explained in the responses to Question 3 and 7.