



## Fuller Park Is Not the Right Place for a Train Station

A position paper by ProtectA2Parks, October 10, 2012

The City's parkland is under assault, but not from private developers. Instead it is the City government itself that proposes plans to use parkland for retail shops, private golf courses, and railroad stations.

The most imminent of these attacks is the City's plan to construct a new railroad station in Fuller Park. This project, first conceived in 2008, has undergone many changes in direction. The original concept was the construction of a 1000 space parking garage in the Park, primarily for the use of University of Michigan, together with a commuter rail station. The UM has withdrawn from this project, ending the plans for a parking structure. Despite this setback, the City has not abandoned its consistent and unchanging aim of building a new train station on this Park site.

**We support mass transit in Ann Arbor and SE Michigan. But Fuller Road Station\* (FRS) does nothing to advance rail transportation. If it were to be constructed, 10 acres of City parkland would be taken, for an unnecessary and costly project. In the following pages, we look at the questions:**

**Is FRS needed? Is it legal? What would we lose if FRS were built?**

**If the City wants a new train station, ProtectA2Parks is not against a new or improved Amtrak Station. It is opposed to the City's current position of building in Fuller Park.**

We urgently request City Council to reconsider this project. The City should not build a train station in Fuller Park.

\* aka initially as the Ann Arbor Multi-Modal Transit Center (AAMMTC), then the Fuller Intermodal Transit Station (FITS), then Fuller Road Station (FRS), and currently the Ann Arbor Rail Station.

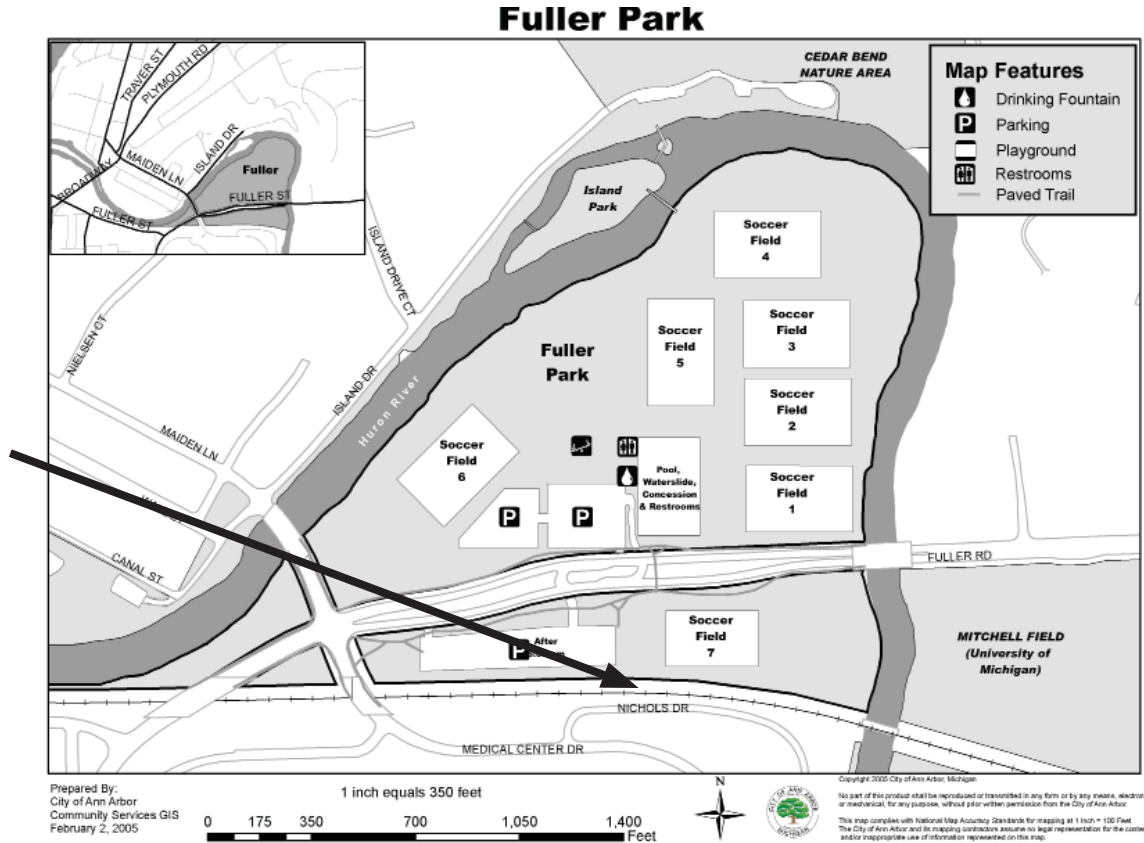
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# What parkland are we talking about?

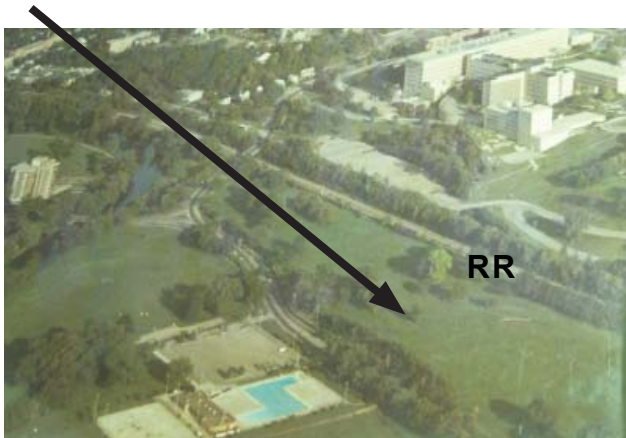
The proposed construction site is a triangle, bordered by Fuller Road, the Norfolk Southern rail line and the Huron River, near the intersection of Fuller Road and Maiden Lane. These ten acres of Fuller Park have been targeted for various iterations of a parking and/or rail station project.

For years (2008-2012), the City planned to build a 1000 space parking garage on this site. The structure would have been financed primarily by the University of Michigan, and 78% of the structure would have been leased to the University for its long-term exclusive use. This project collapsed in February, 2012. The City then announced its intent to construct a train station on the same site. (A chronology of these events is the Appendix.)

The dimensions of the Rail Station that the City hopes to construct in Fuller Park are unknown, since the City has not produced any plans for the project. However, we can assume that the rail station will occupy approximately the same area (10.3 acres) as the now-defunct parking garage.



The front page illustration is a view looking north from the river valley. It is taken from a small portion of a diaorama of the city circa 1960s. It shows the southern part of Fuller Park at that time. The straight line cutting diagonally across from the upper left to right is the railroad track. The winding road in the middle is old Fuller Road before it became a boulevard. The large green triangular area between the tracks and the road is the 10-acre area of south Fuller Park that has been proposed for a train station. It currently has a 3.4 acre surface parking lot on the west end that is available to park visitors weekends, holidays and evenings, and leased to the University of Michigan M-F 6am -4pm for commuter parking. This part of Fuller Park had the final holes of the first municipal golf course that opened in 1932 designed by Park Superintendent Eli Gallup (1919-1961). This park is central in the string of parks from Gallop to Barton that make up Ann Arbor's "Central Park".



## I. Do we need a new train station?

There is no legal basis allowing for construction on these 10 acres of parkland. This is especially true when the proposed construction – a new railroad station – is completely unnecessary. Supporters of the Fuller Road Station (FRS) project claim that a new station is needed for commuter service.

### **Let's look at that claim.**

Currently, two kinds of rail traffic pass through Ann Arbor on the East-West tracks between Detroit and Chicago: freight, and Amtrak's intercity service. However, the defenders of Fuller Road Station argue that a new station is needed to accommodate future commuter service between Detroit and Ann Arbor. This is extremely unlikely to be true.

Three possible routes to commuter rail have been part of the public discussion around the FRS project, 1) Amtrak, 2) the SEMCOG Project, and 3) High-speed (& Higher-speed) Rail. Taking them in turn:

### **1) AMTRAK**

In 1970, the federal government allowed US railroads to stop supplying passenger service, which had been in decline for decades. A new governmental agency, Amtrak, was formed to supply intercity rail service. After 1970, Amtrak continued to operate a commuter service between Ann Arbor and Detroit, but in the face of continuing deficits, this was ended in 1976. Amtrak currently has no interest in offering commuter service in Michigan.

### **Why can't commuters use Amtrak?**

Because the schedule and the expense make it impractical. This fact has been pointed out before, by the City of Ann Arbor in the *2009 Transportation Plan Update*. Prepared for: The City of Ann Arbor with the University of Michigan, the Ann Arbor Transit Authority (AATA), and the Washtenaw Area Transportation Study (WATS) as cooperating agencies.

On Page 95, the Report says: *Rail service to Ann Arbor is provided by Amtrak. The train station is located on Depot Street adjacent to downtown. The Amtrak Wolverine route provides service between Chicago and Detroit, with three eastbound and three westbound trains stopping in Ann Arbor each day. The trip to Detroit takes approximately one hour. However, the infrequency of service, the scheduling of trains during non-commuting times, and the relatively high fare makes commuting to downtown Detroit via Amtrak impractical.*

### **2) SEMCOG**

Starting about 12 years ago, the Southeastern Michigan Council of Governments (SEMCOG) sponsored studies of possible commuter rail in Southeast Michigan,

intending to apply for federal funding. However the predicted ridership for an Ann Arbor-Detroit Commuter Rail was too small to make it eligible for federal funding. The cost-per-ride would be \$70.

In response, SEMCOG in 2006 designed the Ann Arbor-Detroit Regional Rail demonstration project, hoping to show that potential ridership was higher and costs lower than their studies indicated. The project's plan was to operate four commuter trains a day, with five stops - at Detroit, Dearborn, a new station near Metro Airport with a connecting bus shuttle, Ypsilanti, and Ann Arbor. The project would run for three years, using the existing rail line belonging to the Norfolk-Southern railroad company, and the existing Amtrak stations.

**A serious difficulty** for the Demonstration is that the roadway between Detroit and Ann Arbor has heavy freight traffic and freight has priority. This makes the travel time unpredictable. To allow freight and passenger trains to pass each other on the single track railway, it is necessary to build sidings along the route. The estimated cost is \$60-80 million.

Since local governments cannot afford to pay for this, SEMCOG and MDOT made a request to the 2009 Federal stimulus program (American Recovery & Reinvestment Act), which had earmarked \$8.62 billion nationally for high-speed rail. Michigan, in a joint effort with seven other states, asked \$800 million for work on the Pontiac-Chicago route, which would have included elimination of conflicts between freight trains and passenger trains on the Detroit-Ann Arbor tracks. However, Michigan received only \$40 million, and none of the money was for the AA-Detroit roadway.

**As a result, the Demonstration Project is on indefinite hold.**

SEMCOG hoped to be able to run a few trains for special events only, beginning in October 2009. In fact, the "special events" trains have never run, and there is no indication that they ever will run.

Any commuter service between Detroit and Ann Arbor will require very large Federal support. In addition to \$60-80 million in capital costs, SEMCOG estimates that, even with good ridership, the service will require \$8-10 million/year to subsidize operations. But no federal funding will be granted until the three-year SEMCOG demonstration project (which now has no start date) shows adequate ridership to justify the support. It would be a waste of City dollars to build a train station on Fuller Road now for a commuter service that has NO start date and may never become operational.



### 3) High-Speed & Higher-Speed Rail

FRS is advertised as a stop on a future high-speed rail line. This is not a modality for commuter rail. Typical high-speed trains have stops in intervals of 50-100 miles. Nevertheless, the mirage of high-speed rail in SE Michigan has been used to justify FRS.

Since high-speed tracks cost between \$20 and \$25 million per mile, it is unlikely that the necessary \$7 billion or so dollars for high-speed rail between Detroit and Chicago will be available in the near future, especially since high-speed rail in California is a Federal priority. Building FRS in the unrealistic hope that it might be a high-speed rail stop sometime in the next decade would be a tremendous waste of Ann Arbor revenues.

In a tacit admission that true high-speed rail service will not happen in Michigan for the foreseeable future, Mayor Heiftje now speaks of bringing “**higher-speed**” rail to Ann Arbor. Because the exact meaning of “Higher” has not been defined, the concept allows the City government to claim that any improvement in train service is part of their Plan.

As part of this new suit of clothes for the Fuller Railroad station, the FRS has been recently renamed as the “High Speed Intercity Rail project”. This is rather grandiose, since the HSICR project has no members other than the City, and no source of funding.

## II. City parkland should not be used as the site of a railroad station.

### **The site of the proposed station is city parkland, a major portion of Fuller Park.**

This is clear in the City's Parks, Recreation and Open Space (PROS) Plan, a part of the City's Master Plan adopted in March, 2011. Fuller Park is referenced in many places in this Master Plan document.

Fuller Park is recognized as dedicated parkland by its listing in every parks master plan and on every city park map.

The land making up Fuller Park was acquired in many different transactions extending from 1926 to 1963, using both local millages and Federal Open Space funding, and has been city park land continuously ever since. It is questionable whether land so funded can legally be converted to a non-park use.

The City's Zoning Ordinance allows the construction on Public Land belonging to a park **only if** the structure serves a park use. Section 5:10:13(2)(a) of the zoning ordinance (“PL Public Land District” in Chapter 55 of Ann Arbor Code) states that “No structure shall be erected

or maintained upon dedicated parkland which is not customarily incidental to the principal use of the land.” The current surface lot serves as over low parking for Fuller Pool on evenings and weekends and thus serves a park purpose. The proposed rail station extends well beyond any park purpose.

The City Council ignored this Ordinance in its rush to build the Fuller Parking Garage and now for the projected train station.

The Mayor and Council recently repeated that they do not intend to follow the City's ordinance. In other words, ordinary citizens need to obey the zoning laws. The Council does not have to.

**If this project is built, it will set the precedent that the City can build whatever it likes in any of its parks.**

## III. Questions about the Environmental Assessment

### **Will the Federal Government fund a construction project in a park?**

As part of a state grant from the Federal Railway Administration (FRA), the City has received funding to complete an Environmental Assessment and preliminary engineering for the proposed rail station. A potential legal hurdle exists for the FRA funding which is intended to be used for the city's portion of funding for the project. For appropriate use of public lands, and in particular park lands, an Environmental Assessment must be completed, in order to evaluate the effect of this major construction proposal on the surrounding park land and the Huron River Valley. A NEPA (National Environmental Protection Agency) evaluation must be completed prior to any construction on the site. Section 4(f) of the USDOT Act of 1966 applies to the use of publicly owned parkland. A transportation project requiring the use of such land will be approved only if there is no prudent and feasible alternative to using that land and if the project includes all possible planning to minimize harm to the land or resources.

The draft Environmental Assessment for the original Fuller Road proposal (i.e., the parking garage) provided no analysis of alternative sites for placement of a train station; in fact, it appears from the map provided in the Environmental Assessment, that no sites other than parkland were ever considered.

The draft also lacks a review of measures to be taken to support the general protection of the Huron River Valley as a recreational resource, spelled out in park (PROS)

plans and the Natural Features Master plans. An adequate Environmental Assessment requires review of alternatives, the impact on city or loss of park land, changes in traffic, compatibility with the Border to Border trail, pedestrian and bicyclist access, and disturbance of the view-shed of the Huron River Valley. A thorough Environmental Impact study must be completed and available for public review before the city can receive federal funding.

#### IV. Current use of the south section of Fuller Park

Under the Site Plan approved by the Planning Commission in 2010, the Fuller Park commuter garage would have occupied 10.35 acres of Fuller Park, lying south of Fuller Road. At the present time, approximately 4.3 acres of this land are used as a surface parking lot for Fuller Park while the remaining 6 acres are open green space.

This parking lot, along with the two lots north of Fuller Rd close to Fuller Pool have been temporarily leased to the UM for parking on week days (Monday through Friday 6am-5pm). Weekends, holidays, and daily 5-10 pm the lots are open for Park users. The City granted 15 year leases in 1993 in exchange for the University's agreement to provide a road easement a short distance farther east so that a large grove of old burr oak trees next to the Veteran's Administration Hospital would not be destroyed. The VA Hospital was expanding and the original N-S road, Oakway, had to be vacated. The original leases provided that, with agreement of the City and the UM, the leases might be renewed in 5 year increments.

No 5-year extensions ever occurred. Instead new leases were signed by the City and UM on April 6, 2009 for a base period extending from September 1, 2008 to August 31, 2010, with Lessee options to extend the lease term for 2 successive 2-year periods. Similar leases for the three lots were signed in 2010 expiring August 2012, and another set of 2 years leases between the City and University were signed on July 2, 2012 and expire the end of August 2014.

It has been claimed that this southern Fuller parking lot is "no longer park" because it is currently leased for part-time surface parking use by the University.

##### **This argument makes little sense.**

There are parking spaces in many City parks, but no one would claim that these plots of land are therefore not parkland anymore, nor has it been suggested that the two lots by Fuller Pool are not parkland. **It is important to point out that the UM's use of the Fuller Park lots for staff parking was explicitly meant to be temporary and to have a fixed end point.** At no time did either the University or the City act as though the 4-acre lot was alienated from the Park system by this temporary lease.

This is stated explicitly in the lease itself. The document's title is "*Fuller Park Parking Lot Land Lease*", and the lease agreement specifies that the City of Ann Arbor's "Maintenance Issues" contact with regard to the land covered by the lease agreement is the City of Ann Arbor's "*Director of Parks and Recreation*"

#### V. Special qualities of Fuller Park

The approximately 6 acres of the proposed rail station site not used for parking is in parks use as open space, a soccer field, non-motor walkway along Fuller, and a part of it is to be the future Border-to-Border Trail. The eastern boundary is the Huron River, and the most eastern three acres are in the flood plain and therefore deserve special protection.

Were Fuller not already public parkland, it would be the highest priority for acquisition. Fuller Park and Island Park are part of the central planning area of the city that has by far the least amount of park and recreation acres per resident of any part of the city due to its proximity to the Main Street, the UM central campus, student housing, State St. district, and the medical campus. Additionally, the open space along the Huron River is recognized as Ann Arbor's Central Park with, from the west, Bird Hills, Barton and Argo parks and ponds, Riverview near Broadway and Lower Town, centrally Fuller/Cedar Bend/ Island Park complex at the oxbow of the Huron, continuing east UM Mitchell Field, Arboretum, Furstenburg, Huron Parkway and Gallup Bridge, Ruthven and Huron Hills, and Gallup Park and Pond, and South Pond.

#### VI. Financial issues

##### **How much has been spent so far on the FRS Project?**

We do not have a complete account. The City's favored consultant, JJR, has already received \$653,000, and the City Council has been recently approved a contract for an additional \$196,192, to be taken from the American Recovery and Reinvestment Act (ARRA) for a total of \$849,632.

Rebuilding the sewer and water lines on the site in 2011 cost \$1,421,632.67

Thus, at least \$2,270,824 has been spent so far for the Fuller Road Station Project.

There have been additional expenses, but a complete list has not been provided by the City.

In its 2009 grant request to the Federal Transportation

Administration, MDOT estimated the construction cost of the FRS project as \$65 million.

**How can the city commit millions to this project?**

Commuter rail is certainly years away, at best. SEMCOG, the lead agency for the Commuter rail effort, has been unable to obtain any federal funding for commuter service. The Federal funding agencies have not been convinced that adequate ridership will ever exist on the Detroit-Ann Arbor line. No regional governmental organization exists that is capable of building and supporting a service that will cost millions in capital costs and would not generate sufficient funds for operation after the initial investment.

Distance between support #3 and #4 (over existing track) 65 feet

Distance between support #4 and #5 (available for more tracks) 63.5 feet

**Fuller Road bridge**

Distance between supports for span over existing track 46.8 feet

**East Medical Center Drive bridge**

Distance between supports for span over existing track 47 feet

## VII. Alternatives

It is clear that there is no reason to construct a new railroad station anywhere in Ann Arbor, but especially not in a City Park. Relocating the train station was not one of the “to do” items listed in the May 2009 updated Transportation Plan.

**There is an excellent alternative to building in Fuller Park: renovation of the current Amtrak station.**

The existing station location probably is capable of having at least four tracks, with simultaneous service from trains on at least two of them. Until approximately 20 years ago, the existing Amtrak station did have two tracks and trains operating in opposite directions could serve it simultaneously.

Michigan law at MCL 462.339 requires that the distance between the centerlines of adjacent tracks be at least 14 feet and that the minimum distance from the centerline of a track and the closest structure be at least 8.5 feet. The requirements are somewhat greater for track that is curved at a radius of 400 feet or less. Thus, for track that is curved at a radius greater than 400 feet, the minimum width of an unobstructed right-of-way is as follows:

- 1 track 17 feet
- 2 tracks 31 feet
- 3 tracks 45 feet
- 4 tracks 59 feet, and so on

Distances have been measured between supports for the Broadway Street, Fuller Road, and East Medical Center Drive bridges over the railroad track used by Amtrak. The measurements are as follows:

**Broadway Street bridge**

Distance between support #1 and #2  
Not measured because this span straddles Depot Street.

Distance between support #2 and #3  
Not measured because this span is over a parking lot.

Measurements were made with a 100 feet long tape measure purchased at a hardware store. These measurements should be compared to the measurements shown on the as-built bridge construction drawings. In each case the bridge is city-owned and the drawings for the bridge are in the City’s of Ann Arbor’s files. Those files also contain relevant communications between the City and the railroad company that owned the right-of-way crossed by the city bridge.

In summary, the width of the right-of-way at the existing Depot Street location (128.5 feet) is enough for eight tracks, which require 115 feet. There is ample space at the existing rail station for additional sidings or tracks. It is extremely unlikely that eight tracks will ever be required for Amtrak’s Ann Arbor-Detroit service, and some of this right-of-way adjacent to the existing parking lot could be used to expand the parking area.

The space available for additional tracks at the proposed Fuller Road Station site is at most the width of the railroad right-of-way at that location (possibly 66 feet) or the narrower span width measurement for the two nearby bridges if the FRS site is to be located in close proximity to or under those two bridges.

The existing railroad right-of-way width at the existing station site is at least as wide as the existing railroad right-of-way width at the proposed Fuller Road site

There is ample space at the present Amtrak site for two way tracks and sidings. Moreover there is a heavily wooded lot located directly west of the of the farthest end of Amtrak's Broadway lot, extending as far west (towards Main Street) as the west end of the Depot Street metered lot directly across from Casey's Tavern. It is owned by the Norfolk Southern Railway, and may be available for use as additional parking for the existing station.

There is also a fair amount of land north of the current track (where the second track and the sidings used to be) and the fence along the Broadway Amtrak lot. There is enough right-of-way there for at least 4 more tracks. If a slice of this unused right-of-way were added to the Broadway parking lot, allowing for a double aisle of

parking along the track side portion of the lot, a substantial amount of **additional parking** could very easily be added to this present Amtrak station location and still leave plenty of room for an additional track.

At the present time, access to the long-term parking lot north of the tracks involves climbing a stairway to Broadway Street, walking along Broadway for about 30 yards and walking down another stairway. This is clearly unsatisfactory, but it is also easily remedied. A passenger bridge over the tracks can be constructed, modeled after the passenger bridge in the newly renovated Dearborn, Troy and Lansing stations.

The existing long-term parking lot north of the tracks is open and not monitored by Amtrak. The lot is often highly occupied, but it not clear that the cars parked there belong to actual travelers on Amtrak. If that were true, one would expect that traf c in and out of the lot would be con ned to those times of the day when Amtrak trains arrive at the Ann Arbor Station, but casual observation of entering and exiting times suggests strongly that many of the cars in the lot are not Amtrak passengers. Construction of a simple gate system for the lot, which would allow only Amtrak passengers to access the lot, would go a long way toward eliminating any crowding.

Thus, a relatively modest set of improvements in the access and monitoring would solve nearly all of the present inadequacies in Depot Street’s parking facilities.

The passenger improvements outlined above may be funded by the federal government, which has given Amtrak a deadline of approximately 2015 to upgrade all their stations and parking lots for ADA (Americans with Disabilities Act of 1990) compliance. The existing station is therefore very likely to be upgraded without requiring nancial support from the City of Ann Arbor.

## VIII. Transit-Oriented Development

Finally, the existing station is located within an existing, mixed use – residential and commercial neighborhood. There are many opportunities for transit-oriented-development (TOD) within this area, such as along North Main, Broadway and the Michcon site. The Fuller Park location in contrast, is completely surrounded by parkland and University property and offers no such development potential.

## IX. Conclusion

FRS (or the “High Speed Intercity Rail project”) would cost the City of Ann Arbor millions of dollars to build a railroad station for a commuter railroad service that does not exist.

The rail station in Fuller Park would represent a re-purposing of 10 acres of parkland to a non-parks use, in con ict with the City’s ordinances and the wishes of the citizens of Ann Arbor as expressed in numerous statements at City Council meetings.

**We urge City Council to reject this destructive and unnecessary project.**



# Appendix: Fuller Road Station Chronology

For specific documents [www.protecta2parks.org](http://www.protecta2parks.org)

**2008-January 2009** - The first public mention of FRS, the Fuller Road Station - aka the Fuller Intermodal Transit Station (FITS), or the Ann Arbor Multi-modal Transit Center (AAMMTC), or the Fuller Park Station - occurred on January 26, 2009 at a [meeting](#) at the Northside Grill for local residents.

However, in 2008, the City had already begun the process of construction by hiring JJR to do a feasibility study. JJR has performed many consultant jobs for the City. The [study group](#) included JJR, Quandel Associates and Walker Parking, and a number of City staffers. (Walker was later given the contract to design the garage.)

**March 10, 2009** - the resulting "[Issue Analysis](#)" by JJR was sent to the City Administrator. At this point in time, the design of FITS included a train station, a bike station, and walkways over the adjacent railroad tracks. Some of the recommendations in that report have since been carried out by the City, but many others have not.

**August 5, 2009** - JJR sent a proposal to the City to undertake the design of FITS, with a projected cost of \$835,471. It is surprising that such a large and important project was awarded non-competitively. No RFP was issued and no other firms were given a chance to bid on this project.

**August 17, 2009** - City Council was asked to fund the JJR proposal. The request for funding was not included on the publicly announced Council agenda, but was added at the last minute by Leigh Greden at the Council meeting itself. Council members did not see the proposal prior to the meeting. Nevertheless, Council [voted unanimously to fund](#) 3/5 of the work proposed by JJR at a cost of \$541,717. Fortunately, 75% of this was provided by UM.

At this meeting, Eli Cooper, the City's Transportation director, made a remarkable prediction -- "In October of next year [2010], we expect commuter rail, an entirely different type of service," Cooper said. "It will connect the city of Ann Arbor with the city of Ypsilanti, Metro Airport, Dearborn and Detroit on a very fast and frequent service."

Later, on November 5, the City Council added \$111,228 to JJR's pay, making the total City contribution \$325,202 for JJR's design work. Including the University's contribution, JJR received \$652,945 for designing FRS.

**October 9, 2009** - JJR finished the design project and submitted a "[Concept Plan Report](#)" to the City Administrator. This 37-page document, with four Appendices, describes the project to be built in considerable detail

In this Concept Plan, the train station, the bike station, and the pedestrian walkways were dropped from the project. That is, by October 9, 2009, the City had decided that the only thing that was going to be built was a parking garage.

The Appendix documents included:

- A. Detailed site plan
- B. Traffic Impact
- C. Geotechnical Evaluation
- D. Environmental Site Report

**November 5, 2009** - Although most of Councilmembers did not have an opportunity to read the document before the meeting, City Council unanimously approved a 6 page [Memorandum of Understanding](#) with the UM, which contained a summary of the JJR Plan (without any information about costs).

**January 21, 2010** - the UM Regents approved a [different](#) Memorandum of Understanding indicating their willingness to proceed with the FITS project. The project cost will be \$46,550,000. The parking structure will be built by the University. The design contract will be given to Walker Parking Associates.

**August 2, 2010** - The site plan is made public.

**September 21, 2010** - The site plan is approved by City Planning Commission, in a 7-2 vote.

**January 31, 2011** - A meeting with prospective contractors took place in City Hall. The minutes of the meeting say: "The purpose of the project was introduced with the primary need to relocate the sanitary sewer and install site utilities being the site preparation for the facilitation of the future Fuller Road Station, Phase I Intermodal Facility Project." [[pdf](#) page 200 of 209]



**June 17, 2011** - [Bids requested](#) for the beginning of Phase I construction. The bid description is ‘Re-Issue Fuller Rd. Station Phase I Sanitary Sewer Relocation Project’.

**June 20, 2011** - Three days later, one of the bids was accepted and *\$1.2 million* in funding for this project was approved by Council. Instead of the bid description, Council was asked to vote on the “Northside Interceptor Sanitary Sewer Relocation Project” with *no mention* of Fuller Road Station in the resolution or accompanying explanatory material.

**As of July 5, 2011**, City Council had not approved any site plan, but construction planning for Phase I has nevertheless continued. It is unprecedented for the City to begin work on a major construction project without a site plan.

**July 27, 2011** - Construction begins in Fuller Park.

**July 27, 2011** - Mayor John Hieftje sends letter to constituents defending Fuller Road Station.

**Oct 20, 2011** - Jim Kosteva, UM director of community relations, sends an email to the mayor and city administrator warning of the need for urgency.

**Jan 31, 2012** - Press release from Huron Valley Group of the Sierra Club calls for greater openness about plans for Fuller Road Station.

**Feb 10, 2012** - The city of Ann Arbor and the University of Michigan announce that the University [was withdrawing](#) from the project. While this eliminated the plans for a parking garage on the site, City planning for a rail station has continued.

**Apr 16, 2012** – The proposed 2013 budget presented to City Council includes a \$307,781 expenditure for the newly renamed project. It is no longer the Fuller Road Station, but has been renamed the High Speed Intercity Rail project.

What is this \$307,781? It is potentially part of the required local match for the FRA grant. The project has been awarded \$2.8 million by the Federal Rail Administration (FRA) – for site analysis and environmental assessment. (So from the point of view of FRA, it’s wrong to begin with the assumption that the preferred site will be the Fuller Road site.)

The FRA grant would cover 80% of the initial \$3.5 million environmental assessment project. That leaves the required local matching share (20%) at \$700,000. The University of Michigan’s participation in the amount of \$307,781 is assumed to help cover the local matching requirement. It’s not clear when or if that money would be contributed by UM, because on Feb. 10, 2012, UM and the city announced that the university was withdrawing from the project. Therefore the City budget includes this \$307,781 item, in case the UM does not contribute to the train station project.

To put the initial \$3.5 million environmental assessment in perspective, the rail station component of the project is estimated to cost about \$18 million, with necessary modifications and upgrades to tracks totaling an additional \$6-7 million.

**June 4, 2012** - The City Council accepted the grant made through the Michigan Dept. of Transportation (MDOT) for the initial planning and Environmental Impact Statement for the construction of FRS (renamed the Ann Arbor Rail Passenger Station). The federal grant is \$2,806,400, and requires a 20% local match of \$701,600. It is not clear where the City plans to obtain the \$701,600 match.

If conversations with UM do not yield a contribution of \$307,781 by June 30, 2012, then the budget resolution essentially says that the general fund will be tapped to make the major grants fund and the general capital funds whole. However, mayor John Hieftje has stated on several occasions, that the city will not use general fund money to pay for the Fuller Road Station project.

# Grant applications for project funding

There have been numerous grant applications for FRS funding. **All but one have been rejected.**

- 1) Bus livability grant application from AATA. Ann Arbor Transportation Authority Grant Application for the Fuller Road Station, FRA ID: 1220 \$10 million was requested in 2009. The request was rejected.
- 2) President Obama's 2009 stimulus program (American Recovery and Reinvestment Act of 2009, or ARRA) included \$8.62 billion nationwide for high-speed rail. The transportation component of ARRA was named TIGER (Transportation Investment Generating Economic Recovery). As noted above, the Michigan offices of SEMCOG and MDOT, in a joint effort with seven other states, asked \$800 million for work on the Pontiac-Chicago route, which would have included elimination of conflicts between freight trains and passenger trains on the Detroit-Ann Arbor tracks. However, Michigan received only \$40 million, and none of the money was for the AA-Detroit roadway. Instead, repair and renovation of existing train stations in Dearborn, Ypsilanti and Troy was funded.

Funding for FRS was requested as part of this application (on 10/29/2009), but the request was denied.

- 3) 2011 ARRA grant application from MDOT. The TIGER grant program awarded Florida \$2 billion for high-speed rail. Florida's governor rejected the funds, stating that Florida could not afford the operating costs if the rail line was built. ARRA funding specified that only capital costs were covered. The states would have to pay operating costs, either by running the high-speed train profitably (highly improbable) or by subsidizing the operations. The money was re-awarded in May, 2011, in a process called TIGER 2.

MDOT requested funding for five projects. Three were funded. Here are the responses to the MDOT requests:

West Detroit connection track and nearby crossover	\$2,287,916 requested;	nothing funded
Catch-up maintenance of Kalamazoo-Dearborn track	\$5,170,000 requested;	nothing funded
Purchase and rehab of Norfolk- Southern Kalamazoo-Dearborn right-of-way and track	\$196,506,208 requested;	\$196,500,000 funded
Next generation locomotives and passenger rail cars (Michigan's share is \$102M.)	\$806,845,000 requested;	\$268,200,000 funded
Ann Arbor Fuller Road Station design and engineering	\$2,896,400 requested;	\$2,800,000 funded

## What was funded in 2011:

There has been some confusion about what rail improvements were actually funded by the successful grant application in 2011. The details are given in the Appendix, but briefly,

- (a) \$188 million was awarded to aid MDOT in its effort to purchase the railroad tracks between Kalamazoo and Dearborn. The tracks are currently owned and operated by the Norfolk Southern Railway, a freight company.
- (b) \$65 million to rehabilitate these tracks
- (c) \$132 million to install new control and signaling on these tracks.

The work is being done in order to maintain Amtrak service between Dearborn and Kalamazoo. Norfolk Southern, the current owner of the right-of-way, is a freight company. Much of the track has deteriorated to point that train speed limits have been imposed. This is not as problem for Norfolk Southern, whose freight trains operate at speeds of 25-40 mph, and Norfolk Southern has declined to undertake the expense of upgrading their right-of-way for higher speeds that are required for Amtrak. Thus, MDOT has been granted federal funding to purchase and upgrade the rails between Kalamazoo and Dearborn to allow Amtrak trains to run at speeds up to 110 mph on that part of the right-of-way (the average speed will be 65 mph).. This will cut the Detroit-Chicago travel time from 4 hours and 30 minutes to 4 hours.

None of this work is meant to facilitate commuter rail. It is designed to facilitate Amtrak service.

- (d) part of the 2011 grant funding will pay for engineering and environmental studies for a new train station in Ann Arbor. This does not have to be the Fuller Park site, and the city is required to consider the alternative of rebuilding and renovating present Depot Street station.