

Ms. Cynthia T. Brown
Chief, Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings
March 6, 2018
Part of
Public Record

Re: FD 36164, Ulster & Delaware Railway Revitalization Corp.
Petition for Declaratory Relief

Dear Ms. Brown:

As you may know, Ulster County Government is ripping up 11.5 miles of railroad track along the Ashokan Reservoir for a trail. I would like to make the following points.

- 1) Ulster County is ripping up the first 1.1 mile of track leading up to the beautiful view of the Catskill Mountains at the Ashokan Reservoir. This eliminates the possibility of continuing the Polar Express Tourist Train from Kingston to the Reservoir for a 12-month tourist attraction to view the Ashokan Reservoir views. It also eliminates the possibility of tourists taking the Kingston train to use the new Ashokan trail.
- 2) The Ulster & Delaware Railway Revitalization Corp. (UDRRCORP.com) has taken legal action saying Ulster County began ripping up the tracks without getting approval from the Surface Transportation Board (STB), a Federal Agency in Washington, DC which has national oversight of railroads.
- 3) Ulster County Government said this Catskill line from Kingston to the Ashokan is "abandoned". However, we all know that each Christmas season about 24,000 people ride the Polar Express on this "abandoned" line.
- 4) We think the STB will find Ulster County Government in violation of Federal Railroad law because the rail line is NOT abandoned. They may require them to replace 12 miles of track at \$1 Million per mile at our taxpayer expense.
- 5) In addition, UDRRCORP.com has asked our local State Supreme Court Judge Christopher Cahill to issue a Temporary Restraining Order (TRO) asking the county to stop ripping up the final 5 or 6 miles of track until the STB issues a ruling. Initially, the judge has refused, but new evidence of track removal may change the ruling.

Ulster County Government should immediately stop ripping up the rails and should enter into the mediation offered by both the STB and the UDRRCORP.

Sincerely,



Ralph C. Mitchell
Ulster County Resident
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cc: All Parties of Record