

E/ - 1521
J

MOULTON LAW OFFICE

Daniel J. Moulton-Attorney*
976 14th Ave SW
Rochester, MN 55902

Phone No: 507.288.6334

moultonlawoffice@qwest.net

Fax No: 507.288.2048

April 20, 2005

CASE CONTROL UNIT
FINANCE DOCKET NO. 33407
SURFACE TRANSPORTATION BOARD
1927 KAY STREET NW
WASHINGTON, DC 20423-001



Dear Ms. Rutson:

I am writing this letter as a written comment regarding the release of the draft supplemental environmental impact statement and other documents that I received in my office.

It appears to me that two issues need to be addressed. Those issues are what are the needs that the Service Transportation Board to impose upon the DM&E Railroad when dealing with the Rochester, MN. area. The second issue is what are the benefits of it.

NEEDS

The DM&E needs to construct at least two overpasses in the city of Rochester, MN. These would have to be constructed in areas where it would create little to no hardship to the surrounding areas. One location would be at the railroad crossing near the Rochester Community and Technical College. It is a wide open space with enough room to develop a gradual grade to cross over the railroad. The second location could be adjacent to the power plant on third avenue near Silver Lake.

These two overpasses could be used in conjunction with the highway 52 overpass and county road 22 overpass, with all four overpasses used to accommodate ambulance traffic and emergency services.

One other alternative, would be to have some form of monitoring of the railroad crossings so as to allow law enforcement, the fire department, and the ambulance service to be alerted to the location of trains, in order to plan the most adventitious route.

The Surface Transportation Board needs to be aware of the fact that the City of Rochester, has fire halls located both north and south of the railroad. Police are also

positioned by car on both the north and south side. As to the ambulance, Mayo Clinic, who owns the ambulance service, could position part of its ambulance staff in one of its several buildings located north of the railroad. Presently, I believe that the ambulance service is located in part near the sixth avenue, NW, railroad crossing on the South side of the rail. This would allow them to either cross at sixth avenue NW or 11th avenue NW, depending on the location of the train, if any.

Another need to be addressed would be to continue speed limits on the present rail line in order to reduce vibration.

BENEFITS

I see the following benefits to the proposed plan by the DM&E. They are as follows:

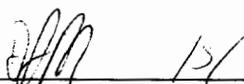
- A) With an updated system, one would expect less wreckage on the rail lines.
- B) With an upgrade, that provides for a more efficient transportation system to take coal, grain, iron products, lumber, and other items to markets.
- C) It benefits the local economy, especially with regard to farm products that leave our area heading east.
- D) It reduces the cost of energy due to the introduction of a third carrier. Historical examples in the past showed the reduced cost to transport from the Powder Horn river Basin occurred when Burlington Northern competed with the Milwaukee Railroad. Once the Milwaukee Railroad went bankrupt and out of business, the rates were increased dramatically.
- E) It supports a local carrier and allows the DM&E to financially grow strong.
- F) It creates no additional adverse effects on our environment due to the fact that there are no new alternative routes created.
- G) That with a shorter distance between the Powder Horn River Basin and the markets, less fuel is burned by the railroads and less pollution is being discharged from railroad equipment.

CONCLUSION

It is important for the growth of this region to have a project like this. Upgrades of railroad systems will eventually eliminate delays caused by train wrecks due to faulty rail. It will create a speedier system to get products to and from market places. The safety factors would also be enhanced.

Thank You for your time and consideration.

Sincerely,



Daniel J. Moulton