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## Freight **Railroads** Win Dispute With Cleveland; Federal Agency Rejects City's Plan to Route **Traffic** Around Poor Neighborhoods

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In the great battle between Cleveland and the major freight **railroads**, Cleveland has suffered its own form of a train wreck.

The Surface Transportation Board's final environmental **impact** statement in the country's largest **railroad** merger has rejected Cleveland's grand plan to reroute freight train **traffic** away from the city's poorest areas.

The statement, concerning a plan by Norfolk Southern Corp. and CSX Transportation to divide the northeastern **railroad** Conrail between them, has not been made public, but sources close to the city, the **railroads** and Congress confirmed its contents.

Although the board technically could overrule the recommendations of its Section of Environmental Analysis, it is not expected to make any major changes early next month when it considers the Norfolk Southern-CSX plan.

The Cleveland decision sends a strong message to cities and towns that are considering demands for protection from growing freight train **traffic**. In effect it says that the board will offer some help when a merger clearly has an adverse **impact** on a **community** by making **railroads** deal with problems caused by extra train **traffic**, including noise, grade-crossing safety and hazardous-materials spills. But the board will not throw a monkey wrench into **railroad** plans if changes would have a major **impact** on interstate commerce.

Mayor Michael White had staged a high-profile battle to prevent CSX from using a 19-mile **railroad** bypass of downtown Cleveland as its major route through town. This line, which under the merger plan would see tremendous increases in freight **traffic**, passes through poor **communities** on the eastern side of Cleveland that the city is working to rehabilitate.

The board, the successor to the Interstate Commerce Commission, said CSX must provide noise mitigation near the tracks through sound walls or additional building insulation, must provide training for local hazardous-materials response personnel and must provide access points along the line for emergency personnel. In areas of the city with road crossings, additional crossing protection must be provided if train **traffic** increases significantly.

It was a near-total victory for the **railroads**. The board's requirements mirror almost exactly what the **railroads** had already offered the city.

The mayor's office said only that negotiations with the **railroads** will continue.

CSX, which would have been affected more than Norfolk Southern by the mayor's plan, said the environmental **impact** statement is in line with the **railroad's** plan. Spokesman Rob Gould said it appears that the statement "does not order any operational changes and argues for reasonable mitigation, which coincides with our approach to date."

In the more affluent suburbs west of Cleveland, local politicians appeared to have fared better by not counting on relief from the board. Not only are **communities** such as Berea and Lakewood ahead of Cleveland in negotiating deals with

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the **railroads**, but local members of Congress succeeded in leveraging as much as \$ 34 million in recently passed highway legislation for highway-rail overpasses and underpasses.

Rep. Dennis J. Kucinich (D-Ohio), a former Cleveland mayor who now represents the western suburbs, said he was not surprised at the recommendations of the environmental **impact** statement. He said negotiations are continuing with the **railroads** on a final plan.

"We haven't succeeded yet, but we are talking," Kucinich said.

Cleveland is now the heart of the Conrail system and will be a major point on both CSX and Norfolk Southern, which would split Conrail main lines and yards in the area. Huge increases in the city's freight train **traffic** are expected because of both overall **traffic** growth and rerouting of routes to the south.

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**GRAPHIC:** Photo, scott shaw for The Washington Post; Photo, brynn shaw for The Washington Post, Mayor Michael White, shown in his office, tried to keep CSX from using a 19-mile bypass of the downtown area as its major route through Cleveland because it passed through neighborhoods the city is working to rehabilitate. The Surface Transportation Board's decision means Cleveland neighborhoods will still see freight train **traffic**.

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NOTE: Cleveland -- hints about what Surface Transportation Board will support

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