

# Local Railway Items from Ottawa Papers - 2013

**Thursday 10/01/2013 Ottawa Citizen Otrain**

Ottawa police and the Transportation Safety Board of Canada are investigating after an O-Train struck and killed a person who was on the tracks. The rail accident happened around 7:20 p.m. Ottawa paramedics referred inquiries to police. Police said they were in the very early stages of the investigation but are saying they had no reason to suspect foul play. The Transportation Safety Board is an independent agency that investigates marine, pipeline, railway and aviation transportation incidents. All O-Train light rail transit service was suspended on Wednesday evening, with operators hoping to resume service by Thursday morning.

**Thursday 21/03/2013 Ottawa Citizen Winchester Smiths Falls**

OTTAWA Via Rail says that, if the track between Ottawa and Toronto is still blocked Thursday because of Wednesday's CP derailment, passengers with Thursday tickets will be put onto buses. Via spokesman Jacques Gagnon told the Citizen late Wednesday night that the rail company will honour Thursday tickets that way if need be, adding that it was still not clear whether CP would have the track cleared. The Transportation Safety Board said Wednesday afternoon that five cars derailed on a CP Rail freight train about 1:30 p.m. near Smiths Falls. One car carried some form of hazardous material, but it is still not clear what the material was. However a board spokesman in Ottawa said there was no leak, and the TSB considered there to be no danger to the public. There were no injuries, the spokesman said. The TSB sent two investigators to the scene. Passenger David Gonczol was on the 12:30 train from Ottawa to Toronto. At 3:45 p.m. he sent an email to the Citizen saying he had been "sitting near Smiths Falls for two hours waiting for buses to Toronto." First-class passengers had left an hour earlier, he noted. The rest were waiting for more buses to arrive. A photo posted by another passenger on Twitter showed train wheels just a few centimetres off the track. A CP spokesman put the figure at eight cars derailed, and said it occurred where the main line passes the CP yard. CP also says there was no leak, but it also denied knowing what the material was. Gagnon said that it took until about 6 p.m. for Via to get all its passengers onto buses.

Read more: <http://www.ottawacitizen.com/Train+derailment+near+Smiths+Falls+halts+Ottawa+Toronto+service/8127309/story.html#ixzz2OB5thtYm>

**25/07/2013 Transport Pontiac Renfrew Beachburg**

The Last Railway Spike to be Removed in the Pontiac (Maybe)

Campbell's Bay Quebec - Despite documented proof that substantial business opportunities exist, CN has announced plans to remove one of the last sections of the Beachburg Subdivision from Portage du Fort, Quebec, to a point east of Fitzroy Harbour, Ontario.

According to Harry Gow and Terry Gibeau, Co-chairs of Transport Pontiac-Renfrew (TPR), "The region has worked long and hard for the re-creation of a shortline railway that would convey the products and the commuters of the upper Ottawa Valley to destinations outside the region, but current developments are making this hard to achieve."

The first section of CN line removal was completed this spring as the section from Pembroke to Portage du Fort was lifted cutting off the struggling-to-reopen ATC panel board plant in Pembroke. The ATC facility has rail infrastructure into the plant and shipping literally from the plant's back door would have been cost-effective.

An advisory of CN's latest intentions from Francois Hebert, Vice President Network Strategies, was received by TPR on 22 Jul 2013. The letter states in part, "CN held off removing the remaining 40 miles of rail because there were indications that a new customer would begin transporting aggregate over this portion of the line but we have been advised by the customer that this business opportunity will not materialize."

Gow commented that "while TPR is not a party to the details of these negotiations, the freight rates charged by CN are in our experience are significantly higher than those charged by a shortline railway, such as the former Ottawa Central Railway which operated the line before CN bought it back, and that is what keeps shippers from using this line."

Gibeau added that "CN had ignored pleas to keep the line to Pembroke as ATC Panels will restart production there, and needed the line to move its products to market. TPR then worked on an alternative for ATC, which would have given it an opportunity to use the railway from Portage with a transfer from trucks." The letter contained no reference to ATC's planned ramp-up and new business potential.

Both Gow and Gibeau have asked the three levels of government to intervene. Of these, only the municipal level has so far acted with the municipalities in MRC Pontiac zoning the land of the railway as for railway use only.

TPR urges the municipalities to ensure that their zoning is respected by CN. This measure had previously saved the CPR line from Hull to Montreal, when the municipalities of MRC Papineau zoned the line, now operated by the Quebec Gatineau Railway, a regional line.

Gow and Gibeau reiterated that "Concerted action can save the Pontiac's railway, but it will require swift and decisive action by all concerned."

Municipalities in Quebec's Pontiac region have banded together to stop a plan by Canadian National Rail to remove the last train tracks connecting them to Ottawa, but in a situation they describe as "life or death," there's been little support south of the provincial border.

"For us, the rail line is a lifesaver," said Michael McCrank, mayor of Litchfield, Que. and a municipal warden for Quebec's Pontiac region. "You only have to look at any gas station where the price of fuel is going through the roof. Down the road, manufactured goods won't be affordable if there isn't an efficient way to get them to the market.

"It's a life-or-death scenario for us."

In early January, CN Rail received permission to remove the roughly 110-kilometre Beachburg Subdivision that connects Pembroke to Ottawa. CN has already removed the near 50-kilometre stretch of rail between Pembroke and Portage du Fort, Que., but held off from stripping the remaining portion of the track. According to CN spokesman Jim Feeny, there had been discussions for a third party to buy what was left of the rail line, but those talks broke down in the past month.

"We worked with a local interest trying to attract more business or to find persons or agencies that might have wanted to take over the rail line from CN," Feeny said. "A lot of work, a lot of effort, but none of those were successful."

Feeny said CN had targeted the railway for discontinuation because there was insufficient traffic on the line and there was no longer any "economic justification" for operating the line. He said the removed tracks would be used elsewhere on the CN network but could not say where.

But there's one small hiccup in CN's plan.

The municipalities in the Pontiac region joined in April to pass a bylaw that designates the land within the railway's vicinity for "rail use only," which effectively prevents CN from removing any tracks in Quebec.

Feeny said he could not comment on the actions taken by the municipalities.

"We are operating under federal regulation and we are abiding by those regulations as we proceed," he said. "If there are other measures or other factors that come into play, we will have to deal with them as they come."

While CN cannot begin track removal in Quebec, there are no bylaws preventing it from stripping rail from the track that runs from Fitzroy Harbour to Ottawa. For those in the Pontiac, it creates a situation where their line is on an island — it's usefulness is dependent upon the ability to transport material into Ottawa and from there, to Montreal and the St. Lawrence River.

But the City of Ottawa hasn't made a move to protect the line.

"Ottawa is a big bureaucracy," said McCrank. "We've had active discussions with the previous mayor and with the present mayor, but there are a lot of people around the table, and not everybody loves rail. Some people can't understand the concept."

According to West Carleton-March Coun. Eli El-Chantiry, through whose ward the railway runs, the fate of the rail line depends on a different government institution in Ottawa.

El-Chantiry has worked with lobby groups in the Ottawa Valley and the Pontiac since 2006 to help to preserve the line. He's skeptical the bylaw in Quebec will protect the railway as CN could appeal to the Quebec government to have it overturned. And he said the price CN was asking for when the line was put up for sale, \$21 million, was simply too steep for the city's coffers. (While CN wouldn't comment on the price tag for the remaining rail, an expert familiar with the company and the railway estimated its value at \$5 million to \$10 million.)

El-Chantiry said the only hope the rail line has left is with the federal government.

"There is a viable economic future for the remainder of the line," he said. "Why are they rushing to take it out of the ground?"

He cited the potential for making it a commuter line or for tourism use. And without a railway, he said, there is little hope for any new heavy or light industry to start in the Ottawa Valley or Pontiac.

He said the municipalities need the weight of the federal government to stop CN.

"Our only hope right now is for our members in the federal government, especially Conservative members, to stand up to CN and say, 'Stop what you are doing,'" he said. "Just say that. Give the business people, and those in tourism and all of the local municipalities a chance."

Mathieu Ravnignat, the New Democratic Party MP for the Pontiac region, said he's reached out to CN to ask them not to remove the rails in Quebec but has yet to receive a response.

"I'm hoping for a positive response and will take further steps if not," he said.

Ravnignat said he's willing to reach out to Conservative Party MP Gordon O'Connor, through whose riding the rail runs on the Ontario side, to reach a solution.

"He ultimately has to decide where he stands on the issue," Ravnignat said. "This government, if they believe in the economic development of Canada, then they will ensure that investments are in place for rail." O'Connor was not available for comment

PORTAGE DU FORT, Que. Tensions in Quebec's Pontiac region are rising after mayors from the area gathered to blockade a railway from which they said Canadian National Rail attempted to illegally remove tracks on Tuesday morning.

In early January, CN received federal permission to remove the roughly 110-kilometre Beachburg Subdivision rail line that ran from Pembroke through Quebec's Pontiac region and then to Ottawa. CN removed the nearly 50-kilometre stretch of rail between Pembroke and Portage du Fort, but held off from stripping the remainder of the line as it worked with municipalities to find a new owner for the railway.

In April, fearing that no buyer would materialize, the Quebec municipalities took the initiative and passed a bylaw, approved by the Quebec government, that designated the land within the railway's vicinity for "rail use only," which legally restrains CN from removing tracks in the Pontiac.

But on Tuesday morning, Pontiac officials were alerted that CN crews were in Portage du Fort and about to begin stripping tracks.

Michael McCrank, mayor of Lichfield and a municipal warden for the Pontiac, rounded up other mayors in the area and drafted a cease-and-desist letter immediately.

McCrank said that when they arrived in Portage du Fort and displayed the letter to the CN contractor in charge, the contractor told him he had direct orders from CN headquarters in Montreal to begin removing the railway.

"We were given a stop work notice earlier today by the municipalities," said CN spokesman Jim Feeny. "We have temporarily halted the work while our law department assesses the situation."

Feeny explained that CN had worked with the municipalities to find a buyer to save the line and had acted in accordance with federal guidelines when it came to the lengthy policy process attached to removing a railway.

He said CN had targeted the subdivision for discontinuation because there was "insufficient traffic" on the line and there was no longer any "economic justification" to continue operating it. The rails would be used elsewhere on the CN network.

"CN is ripping the hearts out of rural Canada," said McCrank. "This is just one line out of dozens they've taken out over the years."

McCrank said the future of the Pontiac's economy is dependant on keeping the rail line. Without it, he said, no heavy or light industry would ever return to the region.

After CN crews went home on Tuesday, McCrank, two other mayors from the area and about a dozen other supporters joined to create a barricade on the tracks.

McCrank parked his pickup truck across the rail line and said he wasn't removing it.

While CN workers abided by the cease-and-desist letter, Feeny said, crews have been told to stop working temporarily, not indefinitely.

"I wouldn't go as far to say that we are going to adhere to the bylaw," he said.

Feeny said CN's legal team is reviewing the situation before the railway decides on a course of action.

At this point, McCrank said the future of the line rests with the Quebec government.

"It's time for them to start defending us," he said. "Quebec has endorsed the bylaw, so that means CN is fighting eight million people, not 14,500 people. But we need the government to continue supporting us."

"They need to stand up for us as Quebecers and assert our rights to make sure this thing stays here."

If Quebec doesn't uphold the bylaw, the municipalities in the Pontiac are left with few other options.

Mathieu Ravnat is the New Democratic Party MP for the region. McCrank said he's compassionate but his position as a backbencher on an opposition party comes with little power. McCrank has also written letters asking for help to the federal government and the Conservative party, but has never heard back. And across the provincial border, the City of Ottawa has shown little interest in saving the line.

"It's devastating. We're trying to create something in the Pontiac and this is happening," said William Stuart, the mayor of Campbell's Bay, who was at the barricade. "While this is still going on, there is still hope. But once the tracks are gone, it's gone."

CN would not comment on what the price tag would be to buy the remaining rail. When the entire track was still intact, it was estimated to cost around \$21 million. An expert familiar with the company and CN estimated the value of the remaining line at \$5 million to \$10 million.

McCrank said that price tag is greater than his entire region's yearly budget.

Caption for picture

Surrounded by supporters in Portage du Fort, Lichfield, Que., Mayor Michael McCrank, a municipal warden in Quebec's Pontiac region, uses his truck to block CN Rail crews sent in to begin dismantling the rail line.

Thursday

15/08/2013

Ottawa Citizen

Beachburg

Portage du Fort

OTTAWA - Canadian National Rail executives said Wednesday they will ignore a bylaw preventing them from dismantling a rail line in the area, and resume stripping tracks near Portage du Fort.

The announcement came after a one-and-a-half-hour meeting between the executives and Pontiac's top municipal bureaucrat.

On Tuesday, after being alerted that CN employees were in Portage du Fort with orders to begin removing tracks, multiple mayors from the Pontiac gathered to erect a barricade along the CN-owned railway.

In March, a bylaw was passed by the Pontiac, and approved by the Quebec government, that designated the land within the railway's vicinity for "rail use only," which legally restrains CN from removing tracks in the region.

MRC Pontiac director general Rémi Bertrand met with CN's head of network strategy John Brayley on Wednesday afternoon in Montreal to discuss the situation. According to Emilie Chazelas, an MRC spokeswoman, CN will not accept the bylaw. She said Brayley informed the MRC that work was stopped on Wednesday to "guarantee the safety of the protesters." In the meeting, Brayley also said that according to a legal opinion he obtained from CN, the rail company is within its rights to dismantle the railway.

Chazelas was unsure whether CN would begin work on Thursday, as the MRC is now hiring a lawyer to dispute CN's claims.

"The MRC Pontiac would like to remind CN that a law is in effect since March 2013 and The company must cease all work immediately," Pontiac officials said in a statement early on Wednesday morning.

A pickup truck owned by a Pontiac mayor has been left on the rail tracks in Portage du Fort and Pontiac officials said it will stay there indefinitely.

Pontiac mayors were also reaching out to Quebec Premier Pauline Marois to ask for help in defending the bylaw and the railway.

Chazelas said that even if CN begins ripping up tracks on Thursday, if the bylaw is enforced by the Quebec government it comes with a clause that states any removed tracks would have to be rebuilt.

MRC Pontiac officials call on citizens to block railway removal.

Tensions escalate as local tow-truck drivers refuse CN railway police requests to remove truck barricade

OTTAWA - The battle to protect a railway in Quebec's MRC Pontiac region from being dismantled by Canadian National Rail escalated on Thursday when a resident used his semi-trailer truck to block CN employees from removing train tracks.

On Tuesday a group of Pontiac mayors erected a barricade in Portage du Fort to block CN workers after being informed that CN was set to begin stripping rail, disregarding a bylaw sanctioned by the province that protects the rail line.

CN temporarily halted work, but after consulting with its legal team, CN employees were back in Portage du Fort on Thursday.

"We believe the bylaw that prohibits the removal of the rail is invalid as the MRC has no jurisdiction over CN's federally regulated rail assets," said CN spokesman Jim Feeny. "We informed employees that we would be resuming work."

According to Raymond Durocher, deputy municipal warden for the Pontiac, CN police arrived on Thursday morning and asked for an MRC truck parked across the tracks to be removed so work could resume.

When Pontiac officials refused, CN called a towing company.

But Durocher said the tow truck driver who arrived was also local, and after he assessed the situation, he refused the job.

"CN tried to reach all the other local towing companies and they all said no," Durocher said.

Afterward, Durocher said, CN employees attempted to work around the barricade, but shortly after they began a local truck driver arrived with his semi-trailer truck and used it to further block CN workers.

"There are too many intersections in the Pontiac. We could play cat and mouse all year," Durocher said. "And I don't think the company wants to lose money having their employees standing there watching people block the road."

"I think we can mobilize enough people and enough big rigs to paralyze the tracks right down to Ottawa."

CN workers left the scene shortly after mid-day, and Feeny would not say if they would return on Friday.

"We still maintain that we have the legal right to remove the rail as we have met all of our obligations under federal law," he said.

Michael McCrank, mayor of Lichfield and the Pontiac's warden, was meeting with lawyers on Thursday. He said they planned to file an injunction against CN on Friday.

He also wrote a letter to Quebec Premier Pauline Marois asking for support.

"The MRC is in a particularly difficult economic situation and the presence of this railway is the last hope we have for attracting businesses," he wrote.

As the battle shifts to the courts, McCrank said, the barricade will remain indefinitely.

**Tuesday 20/08/2013 Ottawa Citizen Beachburg Portage du Fort**

Pontiac warden asks federal, provincial governments to intervene in CN dispute

PORTAGE DU FORT, Que. - With a legal battle over the fate of a Quebec railway set to begin between the province's poorest regional county municipality and one of North America's largest rail companies, the warden of the MRC Pontiac warned Monday the region will not be bullied.

At a press conference near Portage du Fort Monday, Pontiac warden Michael McCrank not only demanded that CN halt its removal of the region's rail lines, but also that the federal and provincial governments intervene.

"Today we say, 'Enough,'" McCrank said in a speech. "This battle goes far beyond saving a simple rail line. It's a battle for an entire region struggling to survive."

Fearing that Canadian National Rail would remove the only railway in the Pontiac region, officials passed a bylaw in March designating the land for "rail use only," making it illegal for CN to remove any tracks. But CN has contended the railway is under federal jurisdiction and the bylaw does not apply.

McCrank asked that the federal government impose a moratorium on removing the rail lines, which link the Pontiac region to Ottawa, and that it instruct international development agencies to promote the Pontiac. He also asked that the Quebec government create a substantial investment fund to "redeploy business and industries in the Pontiac to counter major economic losses to the neighbouring province of Ontario."

The region has still not recovered from the forestry crisis that rocked the area in 2008, McCrank said.

Before the press conference, McCrank was in Gatineau with top municipal staffer Rémi Bertrand to sign an injunction request against CN to stop the removal of the railway.

"We have a law in place and this is the livelihood of the Pontiac," said Bertrand. "We will not be bullied by them. The people that know me, know that I never step down."

Bertrand said the Pontiac will see the legal battle through and will not be intimidated by CN's deep pockets.

The barricade locals put in place on the rail line last week to prevent contractors from tearing it up was reduced to one truck on Monday morning, but there were no signs of CN employees or contractors.

**Wednesday 21/08/2013 Ottawa Citizen Beachburg**

CN temporarily halts Pontiac rail removal after hearing

OTTAWA - A truck that blocked a rail line in Portage du Fort, Que., for a week was moved Tuesday after CN rail agreed to respect a court order that the company stop pulling up the tracks.

Mayors from Quebec's MRC Pontiac region parked the truck across the tracks last week when the rail company said it would ignore a bylaw designating the land in the vicinity for "rail use only."

The bylaw, meant to legally stop the tracks from being removed, was passed because politicians in the region say the railway is their only hope for renewing the area's flagging economy.

CN has argued that the tracks are federal jurisdiction and so the bylaw has no bearing.

A hearing in Gatineau Tuesday ordered CN halt work on dismantling the contentious tracks while the issue is before the courts.

The MRC Pontiac and CN will return to court in Gatineau on Oct. 10 and 11 to argue whether or not the company needs to respect the bylaw.

Remi Bertrand, chief administrative officer for the MRC Pontiac, said he's confident going forward.

"If it were clear black and white that there's only the federal laws that apply, the court would have said that today, I think," Bertrand said. "So if they want to go more in-depth, it's because there's grounds for opening up the debate."

The municipalities are asking the Quebec Federation of Municipalities for help covering the legal costs because the decision could set a precedent for other Quebec communities, Bertrand said.

"When there's a bylaw in place, it needs to be respected," he said. "That's why laws are there."

Give Pontiac more time to find buyer for CN rail line, Ottawa councillors ask

OTTAWA - Several west-end councillors want to help the Pontiac regional government in the Outaouais protect a precious rail line that Canadian National intends to tear up.

Next week, Ottawa city council's transportation committee is to debate writing a letter to CN asking it to give the Pontiac government more time to find someone else to take the line over, an idea proposed by Kanata North Coun. Marianne Wilkinson.

The 123-kilometre line runs from a junction near western Carling Avenue in Ottawa to Pembroke, crossing the Ottawa River twice and running through the Pontiac a good part of the way. It used to be a lifeline for freight moving to and from the Ottawa Valley, but as industry has waned so has rail traffic; CN wants to take the line up and reuse it elsewhere, ending the dreams of many on both sides of the river that the railway could once again spur economic development.

Earlier this month, a Pontiac government worker parked a truck across the line to keep CN equipment from getting to work. A court hearing is coming over whether the Pontiac has the authority to forbid CN to take the line up. In the meantime, MRC Pontiac is looking for another operator.

"The MRC Pontiac strongly believes that the maintenance of this railway is critical to the economic growth in the area and its loss would be a severe blow to economic health of the area," says a report Wilkinson filed with the transportation committee. The idea of writing a letter has the backing of councillors Eli El-Chantiry and Mark Taylor, whose wards include pieces of the line.

The City of Ottawa has no direct use for the line " it's not part of any official transportation or economic-development plans, though many people would like to see commuter rail on disused railways " and has declined to buy it. In principle, though, the city would like to see it stay on the ground and in operation. Writing a letter supporting the Pontiac government is about the smallest possible action the city could take while still officially doing something.

The MRC Pontiac will be in court over the next two days to argue that CN Rail has no business pulling up the tracks through the Pontiac. By end of day Friday, a judge is expected to rule on whether or not CN has to respect a Pontiac bylaw which designates the land within the railway's vicinity as "for rail use only", effectively preventing CN from removing the tracks. The bylaw was what the Quebec municipalities describe as a "life or death" attempt to save an economic lifeline. CN has already removed the tracks from Pembroke to the Quebec border, and last August, the MRC Pontiac put up a blockade at Portage Du Fort to prevent CN from going any further. After discussions, the rail company agreed to hold off on any further dismantling of the line until the hearing that begins this morning is over.