



ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY

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August 1, 2017

Fanny Pan
Project Manager
Metro
One Gateway Plaza, M/S 99-22-4
Los Angeles, CA 90012

Subject: WSAB Project Comments

Dear Ms. Pan:

Following are the comments of the Alameda Corridor Transportation Authority (ACTA) on the proposed WSAB Project.

The WSAB Project is proposed to cross the Alameda Corridor on: 1) a new or existing aerial structure at Santa Fe Avenue in the City of Los Angeles, or 2) on a new aerial structure over Alameda Street and the Alameda Corridor Trench in the City of Huntington Park.

In either case, the Alameda Corridor, which is a critical piece of national goods movement infrastructure, must remain un-impacted structurally and operationally before, during and after construction of the WSAB Project. As-built drawings of the Alameda Corridor at the proposed crossing points can be provided upon request to facilitate preliminary planning and engineering.

The property on which the Alameda Corridor is built is owned jointly by the ports of Los Angeles and Long Beach, while the facilities thereon are maintained and operated by ACTA. Both the BNSF Railway and Union Pacific Railroad Company (UPRR) use the Alameda Corridor, which connects their respective transcontinental lines to the two ports.

ACTA defers to the two ports for commentary on the WSAB proposed joint use of the 6-mile segment between Randolph Street and Rosecrans Avenue owned jointly by the ports. It also defers to UPRR for commentary on the proposed alignment on or adjacent to railroad right-of-way along Long Beach Boulevard and Randolph Street.

Sincerely,


John T. Doherty, P.E.
Chief Executive Officer

Cc: C. Rivera
M. Hernandez



JOINTLY-OWNED RAILROAD PROPERTY

August 4, 2017

Fanny Pan
Project Manager, Metro
One Gateway Plaza, M/S 99-22-4
Los Angeles, CA 90012

RE: Comments on Metro's West Santa Ana Branch Transit Corridor Project

Dear Ms. Pan:

The Port of Los Angeles and the Port of Long Beach (collectively, the "Ports") understand that Metro is evaluating a new light rail transit line that would connect downtown Los Angeles to southeast Los Angeles County (the "Metro Project"). While there are a number of alternatives being considered on the north end of the Metro Project, the southern alignment is proposed to utilize a six-mile segment of what is commonly known as the UP San Pedro Branch that is jointly owned by the Ports. It appears that Metro is proposing to build, operate, and maintain a separate track adjacent to the UP San Pedro Branch line on the six-mile right-of-way between Florence Avenue (in Huntington Park, CA) and Rosecrans Avenue (in Paramount, CA). As such, the Ports offer the comments below regarding Metro's proposed use of the San Pedro Branch right-of-way ("ROW").

Maintaining Freight Rail Operations and Emergency By-Pass Route

In 1994, in contemplation of developing the Alameda Corridor Project, the Ports purchased the UP San Pedro Branch line and all associated ROW from the predecessor to Union Pacific Railroad (UP) pursuant to a Purchase and Sale Agreement. UP retained a rail freight easement over the line pursuant to a Grant Deed. UP and the Ports also entered into the UP San Pedro Branch Operating Agreement to govern the on-going use and operation of the UP San Pedro Branch. Under the Grant Deed and UP San Pedro Branch Operating Agreement, the Ports cannot do anything to materially interfere with UP's exclusive right to provide rail freight service.

In addition to any local rail freight trains run by UP on the active rail line, pursuant to the Alameda Corridor Use and Operating Agreement entered into between the Alameda Corridor Transportation Authority (ACTA), the Ports, UP, and BNSF Railway Company (BNSF) in 1998, the San Pedro Branch line serves as an emergency route for the Ports' rail traffic in the event the Alameda Corridor becomes partially or fully blocked, or inoperable for any other reason. The Alameda Corridor Use and Operating Agreement provides that in the event the UP San Pedro Branch is used an alternative route UP and BNSF are required to pay Use Fees and Container Charges to ACTA.

Therefore, Metro must ensure that the UP San Pedro Branch will remain fully intact with no interference to freight operations or availability as an alternative Alameda Corridor route, both during the construction phase and operational phases of the Metro Project.



JOINTLY-OWNED RAILROAD PROPERTY



Safety Issues

As part of construction and operations of the Metro Project, Metro will need to provide and maintain physical separation, with appropriate barriers and/or safety walls, to meet Federal Railroad Administration, California Public Utilities Commission requirements, and any operational requirements by UP with respect to proximity of UP's freight lines to neighboring passenger lines.

Property Maintenance, Management, and Compensation

Under the UP San Pedro Branch Operating Agreement, UP is responsible for maintaining the San Pedro Branch ROW, including keeping it free of encroachments, trash, weeds, and graffiti. Metro will need to help maintain the ROW and must not interfere with access to the maintenance roads or otherwise interfere with or burden UP's maintenance and operational duties.

As the owners of the San Pedro Branch ROW, the Ports must provide for certain property management functions, such as licensing of third-party use of the ROW for utilities and other uses; management of such contracts, including collection of rents, inspection of facilities, termination, and renewal of agreements; and negotiations with third-parties. Metro will therefore need to collaborate with the Ports' staff and their property management consultant on an on-going basis regarding the management of the ROW.

Regardless of the type of property agreement that will be arranged between the Ports and Metro, the Ports will need to be compensated for any property rights acquired by Metro for the Metro Project.

Thank you for the opportunity to submit these comments. As the Metro Project progresses and becomes more defined, the Ports will provide additional comments and will work with Metro to negotiate the necessary right of entry documents. If you have questions or need additional information please contact our respective directors listed below.

Sincerely,

for Karl Adamowicz
Long Beach Harbor Department
Director of Real Estate

Jack C. Hedge
Los Angeles Harbor Department
Director of Cargo & Industrial Real Estate



JOINTLY-OWNED RAILROAD PROPERTY



POLB Contacts

Karl Adamowicz, Director of Real Estate (karl.adamowicz@polb.com)

Allison Yoh, Ph.D., Director of Transportation Planning (allison.yoh@polb.com)

POLA Contacts

Jack C. Hedge, Director of Cargo & Industrial Real Estate (jhedge@portla.org)

Kerry Cartwright, Director of Goods Movement (kcartwright@portla.org)



BUILDING AMERICA®

August 4, 2017

Mrs. Fanny Pan
Project Manager
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Re: UPRR Scoping Comments on the West Santa Ana Branch (WSAB) Transit Corridor Project

Dear Mrs. Pan,

As a property owner and rail operator on rights of way owned by others within the study corridor area, Union Pacific Railroad (UPRR) has a direct interest in the WSAB project.

UPRR provides a critical link between the Ports of Los Angeles and Long Beach and UPRR's national rail network covering twenty-three states and over 32,000 route miles. Our safe, reliable, and efficient service benefits many LA Basin businesses and industries that rely on rail transportation in lieu of shipping goods over the regions congested highway system. Our comments are based on the various components of the WSAB Transit Corridor Project that could impact our ability to continue to safely and reliably serve the ports and other customers.

Northern Alignment

UPRR supports the decision to drop the East Bank alternative from further consideration. Limitations within the East Bank right of way and UPRR's current operations would create points of conflict that could harm freight transportation along this segment.

To assist with our evaluation of the other Northern Alignment alternatives, we request a list of specific locations where the WSAB Transit Corridor Project alternatives have the potential to interact with UPRR operations. This would include any area where the proposed corridor traverses over or under freight tracks or where the proposed WSAB light rail operations would be within 50' of the nearest track owned or used by UPRR.

Southern Alignment

The Southern Alignment, which is proposed to operate along what is known as the San Pedro Branch, is jointly owned by the ports. UPRR maintains a freight easement for local customer service and to be able to reroute trains to/from the ports under certain circumstances. UPRR is concerned that the currently proposed light rail alignment would reduce the long term viability for freight use along this corridor and would potentially restrict our ability to provide service to the ports in the future if the Alameda Corridor was inaccessible.

UPRR does not support the comingling of light rail and freight rail on the same tracks and it is not recommended that these services be combined within the same corridor. Comingling of freight and passenger operations in a shared environment introduces safety risks that could be avoided if an

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Mrs. Fanny Pan
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Los Angeles County Metropolitan Transp. Authority
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alternative alignment were chosen. Safety risks can be mitigated through adequate separation and/or the introduction of barriers, but those options may create unacceptable limitations that restrict freight access to both sides of the San Pedro Branch right of way.

UPRR's freight easement allows service to future customers who may choose to locate on either side of the right of way. A light rail system alongside the existing freight tracks would act as a barrier to new freight rail oriented development and may preclude UPRR from serving customers who wish to locate along the San Pedro Branch. Limiting our ability to serve customers off of this branch could be a violation of our agreement with the ports.

It is noted within your Northern Alignment Options Screening Report that only one Southern Alignment option was evaluated while several have been evaluated for the Northern Alignment. This approach for the Southern Alignment seems inadequate given the lack of alternatives studied. Because of the reasons outlined above, UPRR requests that Metro develop and study other alternatives that do not seek to encumber the San Pedro Branch right of way.

Sincerely,



Clint Schelbitzki
General Director-Network Development

cc: Lupe Valdez, UPRR
Andy Perez, UPRR
Kerry Cartwright, Port of Los Angeles
Allison Yoh, Port of Long Beach