

METRO / DON SEPULVEDA ANSWERS
to Questions from Northridge Residents
July, 2015

NOTE: Committee Questions in Black

Metro / Don Sepulveda answers in Red

1. What is the legal setback allowed, i.e., minimum legal space between train track and residential private property - such as a backyard where children can be expected to be present? If you don't know could you please let us know how to find out?

There is no required minimum distance between train tracks and private property outside of the minimum horizontal clearance requirements of the California Public Utilities Commission (CPUC). CPUC General Orders are available on CPUC's website. Private residential setback requirements for this project will also comply with City of Los Angeles zoning guidelines.

2. Is it possible to get a copy of the engineering document? We need to see exactly what has been proposed. This has not been provided to us thus far. There are many other documents involved in getting this approved; can we get copies of those documents?

The engineering documents attached to the environmental document are the 30% preliminary engineering plans, the hydrology and hydraulics report and the type selection reports for bridges at Bull Creek and Limekiln, the benefits estimates report, and the 30% design submittal report. Additional copies can be provided.

3. When was the last EIR done? Did they do one when Metrolink was added? How about when they double stacked the freight trains?

Metro's predecessor, the Los Angeles County Transportation Commission, purchased this property from the former Southern Pacific Railroad (now Union Pacific Railroad). We do not believe there is a need to do an EIR for freight double stack. Freight railroads have the right to add freight loads on the right-of-way.

4. The exclusion report states that the decibel level will go up less than one point. How was that calculated and when during the day was it calculated? Was the increase in pollution calculated? How? What about the vibration increase under the section noise and vibration? They never discussed vibration. What sort of engineering report on increased land vibration has been done, if any?

A construction noise analysis has been prepared for the proposed project in accordance with the methodology described in the Federal Transit Administration (FTA) guidance document, Transit Noise and Vibration Impact Assessment (FTA, 2006). This analysis is provided in the Categorical Exclusion (CE) as Appendix E (Noise and Vibration Memo). Additionally, a noise and vibration assessment that addresses the operation of the trains with the proposed new second track has been prepared in accordance with FTA methodologies. This analysis is also provided in the Noise and Vibration Memo. The noise and vibration calculations apply to all times of the day, with more sensitivity given to the evening and nighttime hours. An air emissions assessment was also prepared for the proposed project. The air emissions assessment is provided in the Categorical Exclusion as Appendix F.

In terms of operational emissions, the proposed project will improve operational efficiencies, thereby reducing idling times within the rail corridor (the project will reduce the amount of idling associated with trains that currently have to wait to pass through the existing single track area). In addition, Metrolink is scheduled to replace locomotives with equipment meeting U.S. Environmental Protection Agency's (EPA's) Tier 4 emission standards by 2016. This will further reduce nitrous oxide (NOx) emissions significantly over existing conditions, ultimately benefitting air quality. Therefore, the efficiency of the train operations will be improved with this project and there will be a beneficial impact as a result of the project because air quality emissions will be reduced as compared existing conditions.

A noise and vibration assessment that addresses the operation of the trains with the proposed new second track has been prepared in accordance with FTA methodology. This analysis is also provided in the Categorical Exclusion as Appendix E (Noise and Vibration Memo).

5. We have found a lot of misinformation in the exclusion report.
 - a. Inaccurate measurements – how did they measure distances, noise levels, etc.?

The various methodologies utilized in the preparation of the technical reports, such as air quality, noise and vibration, are described in detail within each technical report provided as Appendices to the CE. These appendices include the Noise and Vibration memo and the Air Emissions Assessment.

- b. The only public outreach occurred during a neighborhood council meeting with only 14 people in attendance. Of those 14 people, two were from Metro and the other 12 were from the neighborhood council board with none of them being affected by this project. As a matter of information, it was not even on the agenda and Metro made it sound like this would be a good thing for the neighborhood.

Metro requested to meet with the Neighborhood Council (NC) to present this project. The NC agreed and scheduled a meeting. However, the project was not included on the NC's meeting agenda so Metro presented the project under "New Items". At every NC meeting that Metro attended, there were at least 30 to 45 people in attendance. At these meetings several participants identified themselves as being on the NC Board or living in the Sherwood Forest HOA.

Metro reached out to the leadership of the Sherwood Forest HOA and asked for an opportunity to meet with their homeowner's association. We explained the project's impacts to them but they were not interested in meeting with Metro at that time. They told us to make a presentation to the Northridge South Neighborhood Council which they would attend. At the Northridge South Council Meeting there were 3 people who introduced themselves as representing the Sherwood Forest HOA.

The letter of the law may have been violated. No one can say for certain unless or until the Double Track project and the process for its approval is challenged in a court of law. **Regardless, the spirit of the law was CLEARLY egregiously violated.** So called "Community Outreach" was nothing in effect but a classic "Catch 22" where Citizens actually affected and who have legal standing are assumed to "approve" because they are never directly notified. In the same note, part of the reason that an agency can get a categorical exclusion states, "agencies should utilize information technology to **inform the public** about new or revised categorical exclusions and their justifications," and "consider **further public documentation and disclosure** in applying categorical exclusions." These last two sentences

definitely did not occur.

Here is an outreach summary for the project:

Metro made several presentations to the public on this project. In addition to these meetings, we are also scheduling a follow-up meeting with the public on August 25, 2015, between 5:30 and 7:30 pm at the Northridge Public Library. Below is the listing of outreach meetings to date:

10/23/12 – Briefing for Councilmember Cardenas’ Office
10/23/12 – Briefing for Supervisor Yaroslavsky’s Office
10/23/12 – Briefing for Supervisor Antonovich’s Office – Asked that we reach out to CSUN
10/24/12 – Briefing for Councilmember Englander’s Office – Asked that we reach out to Northridge South NC, Chatsworth NC and Sherwood Forest HOA
10/24/12 – Briefing for Councilmember Krekorian’s Office
5/1/13 – Presentation before the Chatsworth Neighborhood Council
5/23/13 – Presentation before the Northridge South Neighborhood Council
5/13 – Sherwood Forest HOA declined an invitation to meet with their organization. Several representatives came to the Northridge South NC meeting
5/16/13 – Briefing with CSUN’s Transportation Coordinator for the Parking and Transportation Division. They sent out notices regarding the project to their entire database of public transit users and parking permit holders.
3/4/14 – Presentation to the Van Nuys Airport Citizens Advisory Council
1/15 – Contact made with business owners along route who might be impacted by the new track design
2/23/15 – Briefing with Los Angeles World Airports – Van Nuys – notice sent out to all stakeholders at Van Nuys Airport
4/23/15 – Presentation before the Northridge South Neighborhood Council
5/6/15 – Presentation before the Chatsworth Neighborhood Council
6/6/15 – Briefing for Councilmember Englander’s Office

c. False claims – The categorical exclusion document asks questions of the writer and those answers are found to be inaccurate. Here are just a few of the examples:

- Will the proposal substantially impact the natural, social or human environment? “No” – We don’t see how they could have marked this no!
 - The support for the conclusions (boxes checked “no”) in the Categorical Exclusion document is provided on pages 4 through 10, and technical appendices A through H.
- Is the significance of the proposal social, economic or environmental impacts unknown? “No” – Yes, they should be aware that putting in a 2nd track will cause more safety issues in this stretch, lower property values, increase noise, vibrations and bring in more pollution to name a few.
 - Public safety will not be compromised as a result of the proposed double track. All grade crossings and warning devices within the project limits will be upgraded to comply with the latest Federal Railroad Administration (FRA) and CPUC safety requirements.
- Is the proposal likely to generate intense public discussions or concern, even though it

may be limited to a relatively small subset of the community? “No” – we have already proved this answer is incorrect by the fact that every person that is affected by this is against it!

- There were several community meetings held during the planning phase of the project, and the public comments are included in the final version of the CE that was signed by FRA.
- Under the Public Notification section, they state “the public has been informed of the project and are in complete support. Not one objection was raised at any of the meetings and the public asked how can they contribute and support this project.” Can Metro really get away with a comment like this by saying that they held a meeting at a neighborhood council without informing the people impacted nor even putting it on the agenda (see section 5b)?
 - Metro was not legally required to hold public hearings for this project. Given the low level of impacts noted in the technical reports and the fact that trains have been operating continuously in the corridor since 1913, the transportation land use impacts already existed when the homes were built in the 1950’s. Outreach was done to the level deemed necessary given the existing conditions.
- Also under the Public Notification section, they state “Also, because the project area is an active commuter rail corridor and **the project does not propose any expansion of use or number of trains.**” I don’t know any easy way to say this other than it is a blatant lie as the following project goals are written and distributed by Metro in their overview fact sheet. “Upgrade the Northridge station to **serve more passengers and trains** due to the increased capacity from the double track.” and “**Allow for future additional intercity passenger and commuter service** consistent with the State’s intercity passenger rail improvement goals for the corridor.”
 - The main reason for embarking on this project is to improve safety along the rail corridor.

6. What is the designation of the tracks? What about track shifts or switches? What about stoppage?

It is the second main track. There will be no switches, turnouts or siding tracks located between Lindley Ave and Balboa Blvd.

7. What is the real reason for doing this? The same problem is in Santa Susana Pass and in Chatsworth before this project begins. Discusses the accident that occurred in Chatsworth, but this is not in that area and there is new technology so that it cannot occur again. Reduces people’s quality of life. It accomplishes nothing that can’t be done somewhere else less objectionable. Large group of Senior Citizens affected. This may verifiably and quantifiably violate civil rights laws of a protected minority.

The primary purpose and need for this project is to improve safety along the rail corridor.

8. What is being done to mitigate the devaluation of property values? What is being done to pay for city and county liability for all future damages of all kinds to residents?

We are not aware of any evidence to support the contention that a double track along an active railroad right-of-way decreases property values. In fact, replacing a single track and side track with double tracks is a safety improvement that could increase property values.

9. What about the school crossing at Lindley? We are in a neighborhood where Northridge Middle School and Cleveland School students have to use that crossing.

The project will construct an additional second main track on the south side of the existing main line track. The project will also construct new raised medians (113' long) on both sides of the track. The installation of the automatic pedestrian gate, emergency swing gate and detectable surfaces at each quadrant will enhance pedestrian safety at the crossing. South side curbs within 100' of the nearest track and north side curbs within 40' will be painted red to remove street parking near the railroad crossing.

10. Are there regulations for speed, setback, vibration, capacity, usage of the horn? If not how do we start the process to get them?

For usage of the horn, if there's interest in a quiet zone, the City of Los Angeles should apply for a quiet zone for the area. The safety upgrades at the crossings should support the case for a quiet zone.

11. What about the safety issue of two trains passing by at the same time? How about other safety issues, bringing trains closer to homes, train shifts, etc.

There are no known safety concerns of two trains passing by at the same time. The CPUC, Metrolink and UPRR standards will ensure sufficient clearance between trains, homes and train shifts, etc. so that there are no safety concerns with train operations.

12. What Federal laws and protections exist to protect citizens from being too close to railroad trains and tracks? Federal Laws may supersede California Law.

49 Code of Federal Regulations, Chapter II (49 CFR, Chapter 2) contains the federal regulations for railroads within the United States.

13. What are the four properties that need to be acquired as outlined in section J on page 9?

No property acquisitions are required for this project.

14. We are going to complete a petition to stop this project, is there a specific form that needs to be used?

Finally, we would also like to be put on the next Metro board meeting to discuss this situation.

The public is welcome to attend and comment on this project at Metro Board meetings during the period for general public comment or when the project has been agendaized.

Again, we would like to thank you for your time to go over this very important matter.

Thank you, it's my pleasure to serve your community.

Thank you,

The Double Track Steering Committee