

# Local and Regional Entities with Jurisdiction

Affiliation	<i>Local and Regional Entities with Jurisdiction</i>
Sub-Group	<i>Norfolk Southern</i>
First Name	<i>John</i>
Last Name	<i>Edwards</i>

## Comment

[Includes attached letter text] Re: GoTriangle Durham -Orange Light Rail Transit Comments on the Draft Environmental Impact Statement Thank you for the opportunity for Norfolk Southern Railway Company ( "Norfolk Southern ") to provide comments on the Draft Environmental Impact Statement ( "DEIS ") for the Durham -Orange Light Rail Transit Project, dated August 20, 2015. Our comments are very limited. Norfolk Southern appreciates the constructive manner in which GoTriangle worked with the City of Durham and NCRR to establish a proposed routing for the Durham -Orange Light Rail Transit project that allows for safe development of the light rail system as well as expansion of rail infrastructure on the North Carolina Railroad corridor (Attachment A). The NCRR rail corridor is a vital interstate freight rail transportation route, important not only for North Carolina but for the economy of the country. North Carolina Railroad and Norfolk Southern have a joint interest in the economic development of North Carolina. Norfolk Southern expects this corridor will see ever increasing levels of freight traffic. The routing described in the DEIS accommodates the future expanded freight service needs by protecting the footprint for future freight rail infrastructure. Norfolk Southern agrees with the NCRR comments (Attachment B) regarding the Alston Avenue Rail Operations & Maintenance Facility (ROMF) site alternative, specifically those concerning the Brenntag Mid -South, Inc. property located at 2000 E. Pettigrew St., Durham. Norfolk Southern supports the DEIS conclusion that this Alston Avenue ROMF site be eliminated from further consideration as the NEPA Preferred Alternative. Should the project progress, Norfolk Southern anticipates that it will be given the opportunity to participate in plan reviews. We ask to be included in future planning sessions or planning correspondence along with NCRR and NCDOT. Proximity to current and future railroad infrastructure and railroad at - grade crossings are of special interest to Norfolk Southern. Norfolk Southern again wishes to acknowledge the great amount of work that has been done to progress the planning for the Durham -Orange LRT project, and the effort to support the project goals without adversely affecting freight or intercity passenger rail operations. Norfolk Southern looks forward to working with GoTriangle and other involved parties in this effort. Sincerely John V. Edwards General Director Passenger Policy cc: Scott Saylor, NCRR Jim Kessler, P.E., NCRR Mary Dillon, Ellis & Winters Enclosures: Attachment A, NCRR Letter of March 2, 2015 Attachment B, NCRR Letter of May 20, 2015 (Attachment A, NCRR Letter of March 2, 2015): NORTH CAROLINA RAILROAD COMPANY March 2, 2015 VIA HAND DELIVERY Mr. David D. King General Manager Triangle Transit Authority P.O. Box 13787 Research Triangle Park, NC 27709 Re: Proposed Durham - Orange Light Rail Project Proposed alignment in and adjacent to NCRR Main Line and Corridor Segment F Plan and Profile Drawings Durham, NC Dear Mr. King, North Carolina Railroad Company (NCRR) appreciates having been able to work constructively with Triangle Transit (TTA) to help develop a preliminary plan for the proposed Durham-Orange light rail project for the portion of the project located in or adjacent to the NCRR Corridor between 9th Street/Erwin Road and Alston in Durham. We are pleased to be able to collaborate with Triangle Transit on this project which is planned to promote the economic development of the Durham/ Orange County area including the City of Durham and provide transit options to the citizens of the Triangle. As you are aware, any proposal that has the potential to impact the NCRR Corridor is of vital interest to the railroad since this rail corridor is an important freight and passenger link across the state of North Carolina. The NCRR corridor is a heavy main line freight railroad. The line is also an Amtrak intercity passenger railroad route. This corridor is also being studied as a possible future commuter railroad route for the greater Triangle area. The NCRR corridor is on the Department of Defense's Strategic Rail Corridor Network (STRACNET), which requires that the ability for the railroad to handle oversized high and/or wide freight shipments for military (three military installations east of Durham are served via the NCRR) and industrial customers must not be compromised. To assist Triangle Transit with the development of a preferred light rail alignment through downtown Durham, NCRR has worked with our consultants at our expense to prepare a conceptual track alignment for existing and future heavy railroad tracks. This four track alignment is intended to protect a footprint both for existing freight and passenger rail services, access to rail-served industry along the corridor, and for potential increased freight and passenger service along with potential commuter rail services. NCRR also prepared and provided to TTA a document entitled "NCRR Engineering Safety Guidelines and Requirements for Potential Triangle Transit Proposed Durham-Orange Light Rail Transit (D-O LRT) Occupancy Along and/or Within the NCRR Corridor in Durham, NC," which serves as a basis for light rail in or adjacent to the NCRR Corridor. During the last several months alternatives have been evaluated with the preferred alignment being generally within or south of Pettigrew Street. The result is a

Durham-Orange light rail alignment shown on the "Triangle Transit's Segment F" plan and profile drawings dated January 26, 2015 (the "Transit System Plans") which NCRR understands is proposed by TTA to be used to proceed with TTA's Project Development and Environmental Review process. NCRR is in agreement that, based upon the Transit System Plans, NCRR management is prepared to recommend to the NCRR Board of Directors that these plans can provide the basis for an agreement between TTA and NCRR for the use of the NCRR corridor for the purpose of the construction and operation of a transit system as shown on these drawings. As you are aware, the specific terms of the agreement, including compensation and cost reimbursement to NCRR, have not yet been negotiated, but we are optimistic that acceptable definitive agreement can now be negotiated based upon the Transit System Plans. NCRR has a long term exclusive Trackage Rights Agreement with Norfolk Southern (NS) for economic development, freight rail service, and maintenance on the NCRR line across the state which contains certain requirements for any parallel transit operations that are allowed in addition to any applicable federal or state requirements. As such, NCRR has coordinated with NS for their review of the January 26, 2015 drawings. NS responded to NCRR via email on February 11, 2015 that they also are agreeable the alignment proposed in the Transit System Plans with one caveat: "The drawings show not only the TTA proposal, but show the TTA proposal in relation to a four track heavy rail mainline and associated facilities, including a center-island heavy rail passenger facility. The approvals that NS provides are limited to the TTA proposal. The valuable purpose that laying out the rest of the heavy rail mainline and associated facilities is to ensure that nothing in the current TTA proposal encroaches upon or precludes the eventual build-out of the heavy rail mainline and associated facilities. However, that heavy rail mainline and associated facilities build-out have not been proposed, financed or agreed-to, and nothing in this is meant to convey any current intent to build these mainlines and associated facilities. At the time that any new facilities are proposed for the heavy rail mainline, NS will look to be fully engaged in the review and approval of the proposal, including any design and construction is approved.". NCRR looks forward to continuing our collaboration with TTA on this project that is expected to contribute greatly to the economic development and vitality of the greater Triangle area. We thank you for helping lead the collaborative effort by all of the parties to provide the basis of an agreement, and we look forward to working with you to move forward. Sincerely, Scott M. Saylor

Attachment: Triangle Transit Segment F Plan and Profile Drawings, January 26, 2015

cc: Mr. Franklin Rouse, Chairman, NCRR Mr. Duane Long, Board of Directors, NCRR Mr. James Kessler, P.E., Vice President of Engineering Ms. Deborah Ross, Triangle Transit Mr. Fred Day, Triangle Transit Mr. John Edwards, Norfolk Southern Railway Company (Attachment B, NCRR Letter of May 20, 2015) NORTH CAROLINA RAILROAD COMPANY May 20, 2015 Ms. Deborah Ross General Counsel Go Triangle P.O. Box 13787 Research Triangle Park, NC 27709 Re: Rail Operations & Maintenance Facility (ROMF) Site Dear Ms. Ross, With regards to the Durham-Orange Light Rail potential Rail Operations & Maintenance Facility (ROMF) sites, the North Carolina Railroad Company would like to express its concerns about any proposed site utilizing the Brenntag Mid-South, Inc (200 E. Pettigrew St, Durham) property. Brenntag Mid-South, Inc owns and operates a distribution, blending, and repacking facility on approximately 10 acres at this location and a corresponding facility at 2418 E. Pettigrew Street. Brenntag is a rail-served industry that currently employs over 100 individuals from the greater Durham area in full time positions. In addition, Brenntag serves over 600 other employers in the region. The North Carolina Railroad Company is very supportive of Brenntag as a member of the Durham business community and strongly discourages this site as a ROMF location for the Durham-Orange Light Rail or for any passenger facilities that could interfere with Brenntag's operation. There would be challenges finding an adequate location for Brenntag in this area with suitable rail and highway infrastructure. Relocating Brenntag's facilities would have a negative impact on the surrounding community and the local economy. We encourage you to consider an alternative location. We appreciate your consideration of these concerns. Thank you for your continued cooperation on this project. Sincerely, Scott M. Saylor

cc: Jim Kessler, P.E., NCRR Richard Wiley, NCRR Ken Jones, Brenntag Mid-South, Inc Mike Rourke, Brenntag Mid-South, Inc Joe Funkhouser, Brenntag Mid-South, Inc Shawn Wiram, Brenntag Mid-South, Inc John White, Durham Chamber of Commerce

Attached Pictures of "Triangle Transit Segment F Plan and Profile Drawings, January 26, 2015"

### Comment Responses

*Section 8.2 of the DEIS presents the evaluation of ROMF alternatives and explains why the NEPA Preferred Alternative was selected and why the other alternatives, including the Alston Avenue ROMF, were eliminated from consideration. Although the Alston Avenue ROMF alternative would not require rezoning, it would introduce several risks to both the project schedule and budget associated with the potential of regulated materials remediation and relocation of businesses. It also has the potential to result in net loss of employment within the D-O Corridor if the existing businesses that would be displaced could not be relocated within the D-O Corridor. This alternative has the highest capital cost of all of the alternatives considered in this DEIS (section 8.2.2.2). Triangle Transit has added clarification on continued coordination with Norfolk Southern in the combined FEIS/ROD section 1.4, Table FEIS-2, DEIS errata 36.*

### DEIS/Errata References

*DEIS section 8.2.2.2  
FEIS/ROD section 1.4  
FEIS/ROD Table FEIS-2  
DEIS Errata 36*

Affiliation	<i>Local and Regional Entities with Jurisdiction</i>
Sub-Group	<i>North Carolina Railroad (NCRR)</i>
First Name	<i>Scott</i>
Last Name	<i>Saylor</i>

*Comment*

D-0 LRT Project - DEIS c/o Go Triangle P.O. Box 530 Morrisville, NC 27560 Re: Durham - Orange Light Rail Transit Draft Environmental Impact Statement comments North Carolina Railroad Company appreciates the opportunity to be able to work constructively with Go Triangle to develop plans for the proposed Durham-Orange light rail project (D-0 LRT) for the portion of the project located in or adjacent to the North Carolina Railroad (NCRR) Corridor between 9th Street/ Erwin Road and Alston in Durham. We are pleased to be able to collaborate with Go Triangle on this project which is planned to promote the economic development of the Durham/Orange County area including the City of Durham and to provide transit options to the citizens of the Triangle. NCRR has had limited comments on the Draft Environmental Impact Statement (DEIS). Those comments were provided in a separate previous communication to Go Triangle. Additionally, NCRR is currently reviewing preliminary plans furnished by Go Triangle. Any provisional approval of preliminary plans and documents for the D-0 LRT project is subject to reaching an acceptable lease agreement, including compensation and liability/indemnity provisions, and the review and approval of final plans. Any proposal that has the potential to impact the NCRR Corridor is of vital interest to the railroad since the NCRR rail corridor is an important freight and passenger link within the state of North Carolina. The NCRR corridor is a heavy main line freight railroad and Amtrak intercity passenger railroad route. This corridor is also being studied as a possible future commuter railroad route in the greater Raleigh/Durham Triangle area. The NCRR corridor is on the Department of Defense Strategic Rail Corridor Network (STRACNET), which requires that the ability for the railroad to handle oversized (high and/or wide) freight shipments for military and industrial customers must not be compromised. To assist Go Triangle with the development of a preferred light rail alignment through downtown Durham, NCRR's Engineering Department staff has worked with both NCRR's consultants and Go Triangle to prepare a conceptual track alignment for the heavy railroad tracks. NCRR also prepared a document entitled "NCRR Engineering Safety Guidelines and Requirements for Potential Triangle Transit Proposed Durham-Orange Light Rail Transit (D-0 LRT) Occupancy Along and/or Within the NCRR Corridor in Durham, NC" which serves as a basis for a potential light rail system in or adjacent to the NCRR Corridor. During the past several months alternatives were evaluated with the preferred D-0 LRT alignment in or adjacent to the NCRR Corridor being generally within or south of Pettigrew Street. The result is a D-0 LRT alignment shown on Go Triangle's Segment F plan and profile drawings dated January 26, 2015. On March 2, 2015 NCRR provided a letter to Go Triangle approving the alignment shown on these drawings. Additionally on May 21, 2015 the NCRR Board of Directors authorized NCRR management to enter into lease agreement negotiations with Go Triangle for the purpose of the construction, operation and maintenance of the D-0 LRT in that portion of approximately two miles of the rail road corridor located generally along and within Pettigrew Street in Durham based upon the agreed conceptual plan. NCRR looks forward to continuing our collaboration with Triangle Transit on this project that is expected to contribute to the economic development of the Triangle Region. Sincerely, Scott Saylor, President cc: Jeff Mann, Triangle Transit John Edwards, Norfolk Southern

<i>Comment Responses</i>	<i>DEIS/Errata References</i>
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*Comments noted. Triangle Transit will continue to coordinate with NCRR during Engineering. Based on coordination with NCRR, Triangle Transit made clarifications to the DEIS in the combined FEIS/ROD, Table FEIS-2, DEIS errata 9, 36, 43, and 44.*

*FEIS/ROD Table FEIS-2  
DEIS Errata 9, 36, 43, and 44*

*Comments noted.*

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