[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 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 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.
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 NCCR understands is proposed by TTA to be used to proceed with TTA's Project Development and Environmental Review process. NCCR is in agreement that, based upon the Transit System Plans, NCCR management is prepared to recommend to the NCCR Board of Directors that these plans can provide the basis for an agreement between TTA and NCCR 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 NCCR, have not yet been negotiated, but we are optimistic that acceptable definitive agreement can now be negotiated based upon the Transit System Plans. NCCR 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, NCCR has coordinated with NS for their review of the January 26, 2015 drawings. NS responded to NCCR 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.". NCCR 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

Mr. Franklin Rouse, Chairman, NCCR
Mr. Duane Long, Board of Directors, NCCR
Mr. James Kessler, P.E., Vice President of Engineering
Ms. Deborah Ross, Triangle Transit
Mr. Fred Day, Triangle Transit
Mr. John Edwards, Norfolk Southern
Mr. Richard Wiley, NCCR
Mr. Ken Jones, Brenntag Mid-South, Inc
Mr. Mike Rourke, Brenntag Mid-South, Inc
Mr. Joe Funkhouser, Brenntag Mid-South, Inc
Mr. Shawn Wiram, Brenntag Mid-South, Inc
Mr. John White, Durham Chamber of Commerce

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

cc: Mr. Franklin Rouse, Chairman, NCRR
Mr. Duane Long, Board of Directors, NCCR
Mr. James Kessler, P.E., NCRR
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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.
North Carolina Railroad (NCRR) appreciates the opportunity 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 collaborate with Go Triangle on this project which is planned to promote 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

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.

Comments noted.