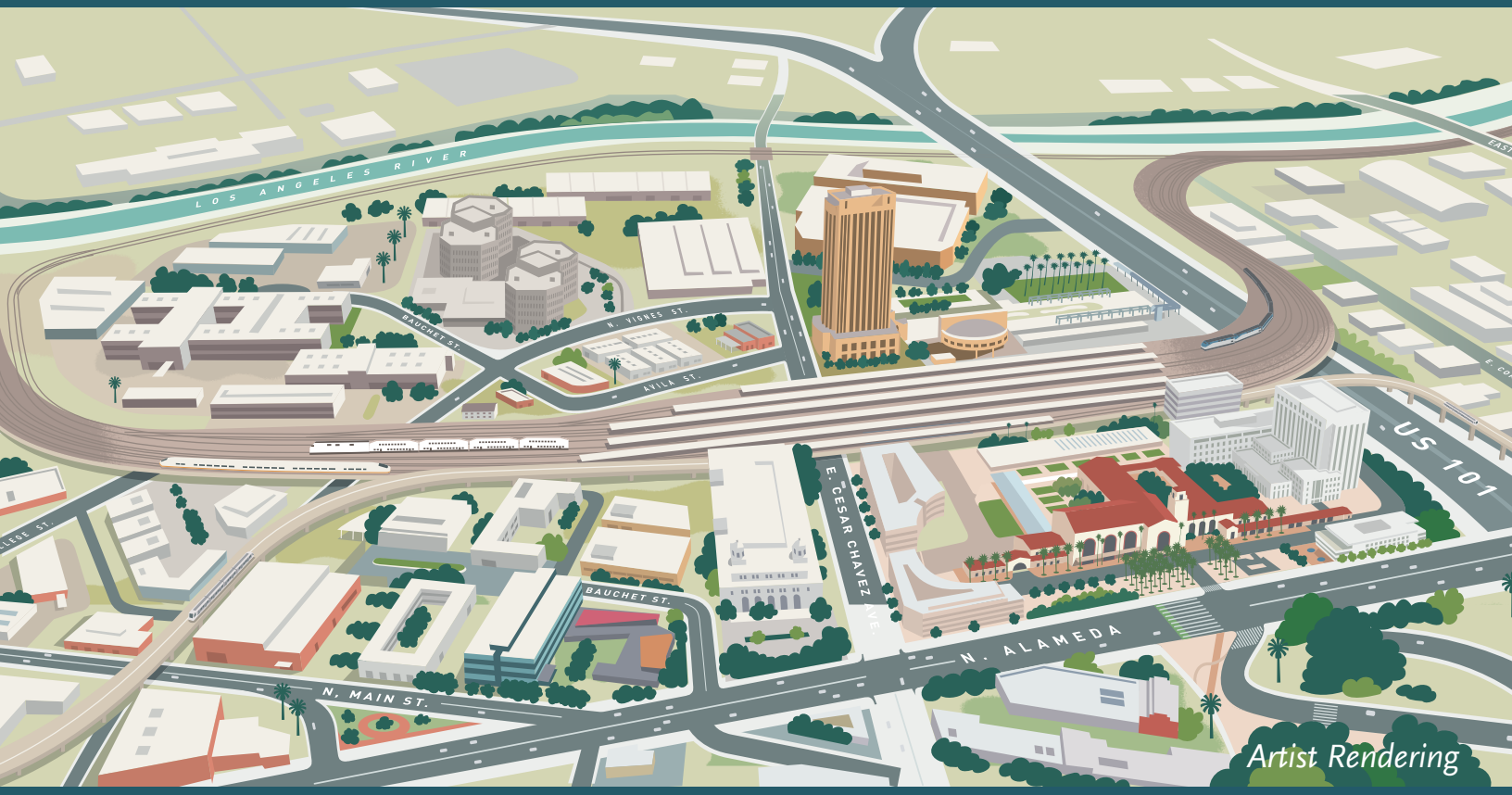
Link Union Station

Combined Final Environmental Impact Statement/ Record of Decision

Volume IV: Record of Decision

January 2026



The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by the State of California pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated July 23, 2019, renewed July 22, 2024 and executed by the Federal Railroad Administration and the State of California.

Metro

CALIFORNIA High-Speed Rail Authority

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Link Union Station Project

COMBINED FINAL ENVIRONMENTAL IMPACT STATEMENT/ RECORD OF DECISION

VOLUME IV: RECORD OF DECISION

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January 2026

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being or have been carried out by the State of California pursuant to 23 U.S.C. 327 and a memorandum of understanding (MOU) dated July 23, 2019 (renewed July 22, 2024) and executed by the Federal Railroad Administration (FRA) and the State of California. Pursuant to the MOU, the California High-Speed Rail Authority is a federal lead agency for complying with the NEPA and other federal environmental laws for the Project. Prior to the July 23, 2019 MOU, the FRA was the federal lead agency. California High-Speed Rail Authority and Los Angeles County Metropolitan Transportation Authority, in their capacity as NEPA co-lead agencies, issue a single document that consists of the Combined Final Environmental Impact Statement and Record of Decision (Combined Final EIS/ROD). Pursuant to 49 U.S.C. 304a(b) and 23 U.S.C. 139(n)(2), a Combined Final EIS/ROD is to be issued unless California High-Speed Rail Authority determines that statutory criteria or practicability considerations preclude issuance of such a combined document.

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ACRONYMS

ADA	Americans with Disabilities Act
BNSF	BNSF Railway
BSA	Biological study area
CBC	California Building Code
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CHSRA	California High-Speed Rail Authority
CP	Control Point
EIS	Environmental Impact Statement
EOC	Emergency Operations Center
FRA	Federal Railroad Administration
HSR	High-Speed Rail
LAUS	Los Angeles Union Station
Link US	Link Union Station
Project	Link Union Station Project
Metro	Los Angeles County Metropolitan Transportation Authority
MOU	memorandum of understanding
MP	Mile Post
NEPA	National Environmental Policy Act
NFPA	National Fire Protection Association
NOI	Notice of Intent
OCS	Overhead catenary system
OMM	Offsetting Mitigation Measure
PTC	Positive train control
ROD	Record of Decision
ROW	Right-of-Way
SCAG	Southern California Association of Governments
SCRRA or Metrolink	Southern California Regional Rail Authority
SHPO	State Historic Preservation Officer
US-101	United States Highway 101
USC	United States Code
VCE	Vertical circulation element

1.0 Introduction

This document is the Record of Decision (ROD) for the California High-Speed Rail Authority (CHSRA) Combined Final Environmental Impact Statement/Record of Decision (Final EIS/ROD), prepared pursuant to the requirements of the National Environmental Policy Act (NEPA) for the Link Union Station (Link US) Project (Project or proposed action). CHSRA is the federal NEPA lead agency under what is commonly referred to as the NEPA Assignment. The Los Angeles County Metropolitan Transportation Authority (Metro) is the Project sponsor, joint NEPA lead agency, and lead agency under the California Environmental Quality Act (CEQA). In accordance with 23 USC § 139(n), a Combined Final EIS/ROD was prepared.

CHSRA selects and approves for project implementation the Build Alternative, located in the Cities of Los Angeles and Vernon, and all mitigation measures identified in the attached Appendix A. This Alternative includes Rail Yard Canopy Design Options 1 and 2 and the Build Alternative Design Option. CHSRA has selected this alternative because it: (1) best satisfies the Purpose and Need for the proposed action; and (2) minimizes impacts on the natural and human environment by utilizing an existing transportation corridor where practicable and by incorporating mitigation measures.

To comply with NEPA and CEQA, Metro and CHSRA circulated the Draft EIS/Supplemental Environmental Impact Report (Draft EIS/SEIR) for a 45-day public comment period that began on June 21, 2024, and ended on August 9, 2024. In making its decision, CHSRA and Metro considered the information and analysis contained in the Draft EIS/SEIR and the Final EIS. CHSRA and Metro also considered public, agency, and organization comments received during the Draft EIS/SEIR public comment period and during preparation of the Final EIS.

CHSRA and Metro considered the No Action Alternative and Build Alternative (Preferred Alternative) in the Draft EIS/SEIR. In the Final EIS, the Build Alternative Design Option was developed based on public comments received during the 45-day public comment period related to historic preservation, comments from the State Historic Preservation Officer (SHPO) and Section 106 consulting, and new information from value engineering design reviews.

CHSRA prepared this ROD in accordance with applicable NEPA requirements, including the NEPA Assignment MOU dated July 23, 2019, and renewed on July 22, 2024; FRA's Procedures for Considering Environmental Impacts (64 Fed. Reg. [May 26, 1999]); and 23 USC Section 139.

1.1 Project Location and Regional/Statewide Significance

The Build Alternative consists of infrastructure improvements in Downtown Los Angeles in the vicinity of the Los Angeles Union Station (LAUS) (Figure 1-1), located at 800 Alameda Street. Major Project components in the City of Los Angeles span approximately 1.4 miles from Main Street to First Street, with specific project limits at North Main Street (MP 1.18) and the southern

Project limit in the vicinity of CP Olympic, south of Interstate 10 and Olympic Boulevard (MP 142.70)[1].

LAUS opened to service in 1939, and is the central hub for regional transit in Southern California. Today, LAUS is the busiest rail terminal west of Chicago and one of the top five busiest passenger terminals in the United States. The Link US Project is a nationally significant infrastructure project that will transform the largest rail hub in the Western United States.

At the state level, the Project, inclusive of Phase A, Phase B, and the Malabar Yard railroad improvements, is identified as necessary in the 2024 California State Rail Plan[2] in order to achieve the state's rail service improvement targets for the region and the state. (See 2024 State Rail Plan, p. 24) Per that Plan, the Project is critical to the region and the state's overall rail service improvement plans and is expected to decrease train dwell times and increase this station's rail service capacity by more than 50%. (2024 State Rail Plan, p. 24-25; see also California State Transportation Agency's California Transportation Plan 2050 approved by the Governor and submitted to both the State Legislature and USDOT (February 3, 2021 Letter from CalSTA).

At the regional level, Phase A of the Project is included in the Southern California Association of Governments (SCAG) adopted Regional Transportation Plan/Sustainable Communities Strategy, Connect SoCal (Federal Transportation Improvement Program Identification Number: LA0G1051) and identified as a key element of Transit Backbone component of the plan. The Project, both its Phase A and B, is a central element of the Southern California Regional Rail Authority's Southern California Optimized Rail Expansion (SCORE) Phase 2 Capital Improvement Program because LAUS is the core for all Metrolink operations, and the Project-related capacity enhancements would add capacity for up to 505 additional daily train movements through LAUS (73.2% increase) greatly improve regional rail by providing through service at LAUS, reducing rail travel times in the region and allowing one-seat ride opportunities without the need for transfers between Antelope Valley and Orange County and between Ventura County and the Inland Empire. (Final EIS and SCAG Integrated Passenger and Freight Rail Forecast Study, December 2022)

1.2 Project Study Area

Figure 1-2 depicts the Project study area and includes three main segments (Segment 1: Throat Segment, Segment 2: Concourse Segment, and Segment 3: Run-Through Segment).

The existing conditions within each segment are summarized north to south below and more specifically in the Final EIS:

- **Segment 1: Throat Segment** – This segment, known as the LAUS throat, starts near North Main Street and extends to Cesar Chavez Avenue at the south. Generally, five lead

[1] Minor track improvements are required along the west bank of the Los Angeles River from First Street southward to the vicinity of CP Olympic.

[2] The 2024 State Rail Plan builds on the 2018 State Rail Plan.

tracks provide access into and out of the rail yard. Land uses in the vicinity of the throat segment are residential, industrial, and institutional.

- **Segment 2: Concourse Segment** – This segment is between Cesar Chavez Avenue and US-101. This segment includes the Union Station concourse, the rail yard, the East Portal Building, the baggage handling building with associated parking areas and access roads, the ticketing/waiting halls, and the 28-foot-wide pedestrian passageway below the rail yard. Land uses in the vicinity of the concourse segment are residential, commercial, and public.
- **Segment 3: Run-Through Segment** – This segment is where new run-through tracks will be located, beginning south of LAUS and extending east to west from Alameda Street to the west bank of the Los Angeles River and north to south from Keller Yard to CP Olympic. This segment includes US-101, the Commercial Street/Ducommun Street corridor, Metro Red and Purple Lines Maintenance Yard (Division 20 Rail Yard), BNSF Railway (BNSF) West Bank Yard, Keller Yard, the main line tracks on the west bank of the Los Angeles River from Keller Yard to CP Olympic, and the Amtrak lead track connecting the main line tracks with Amtrak's Los Angeles Maintenance Facility in the vicinity of 8th Street. Land uses in the vicinity of the run-through segment are primarily industrial and manufacturing.

The Project study area has a dense street network ranging from major highways to local city streets to the El Monte Busway (a shared-use express bus corridor).

1.2.1 Malabar Yard Railroad Improvements Mitigation Measure TR-3 – Location and Study Area

BNSF's Malabar Yard is approximately 8 acres located on the Harbor Subdivision approximately 3.9 miles south of LAUS in the City of Vernon, California (Figure 1-3). The Malabar Yard railroad improvements are located in the vicinity of Malabar Yard primarily on 46th Street and 49th Street, between Santa Fe Avenue and Soto Street, in the City of Vernon, California.

The Malabar Yard study area is bound on the north by Vernon Avenue, to the east by Soto Street, to the south by Fruitland Avenue, and to the west by Santa Fe Avenue (Figure 1-4). The Malabar Yard study area is primarily industrial.

Figure 1-1. Project Location and Regional Vicinity

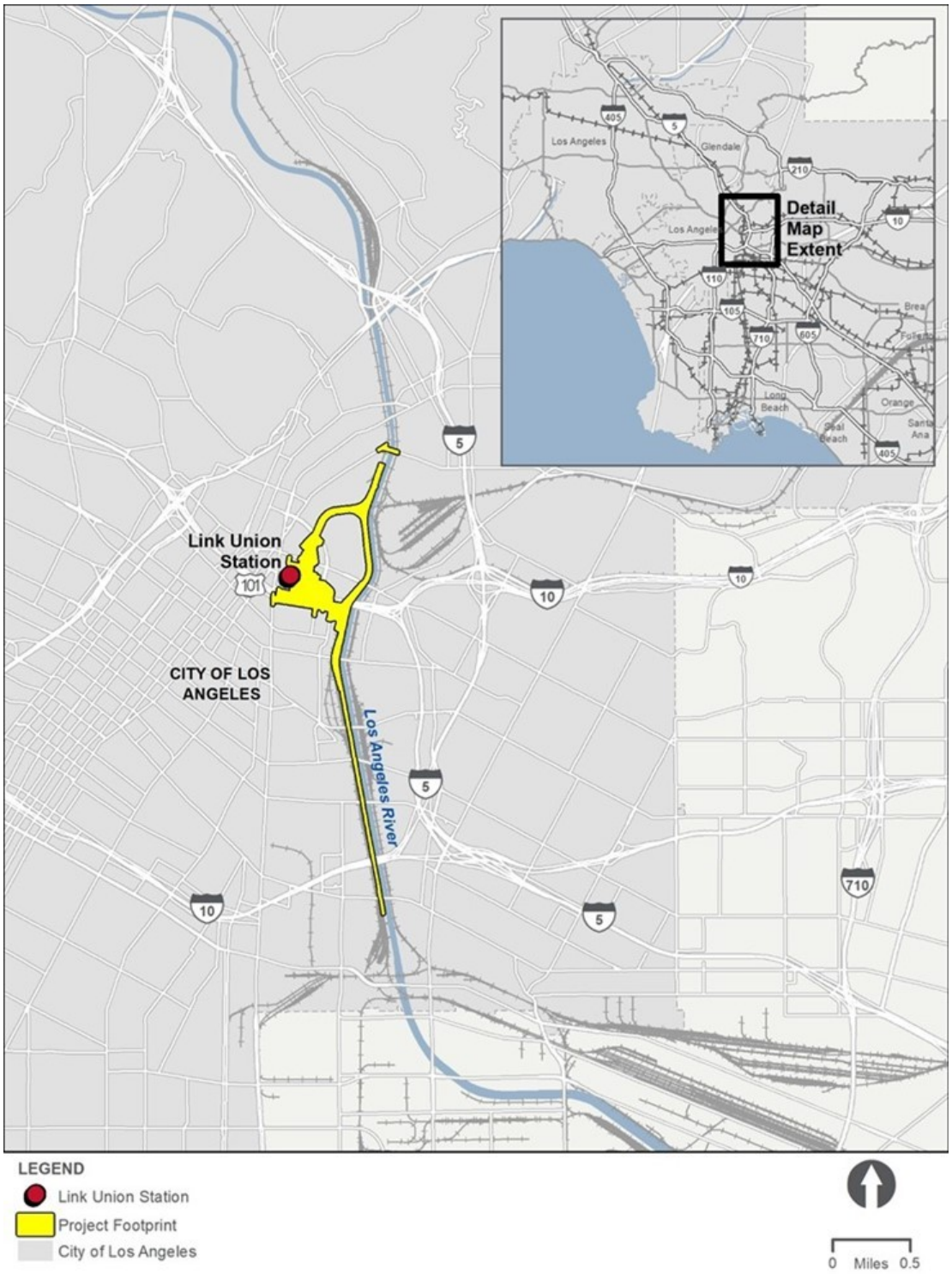


Figure 1-2. Project Study Area

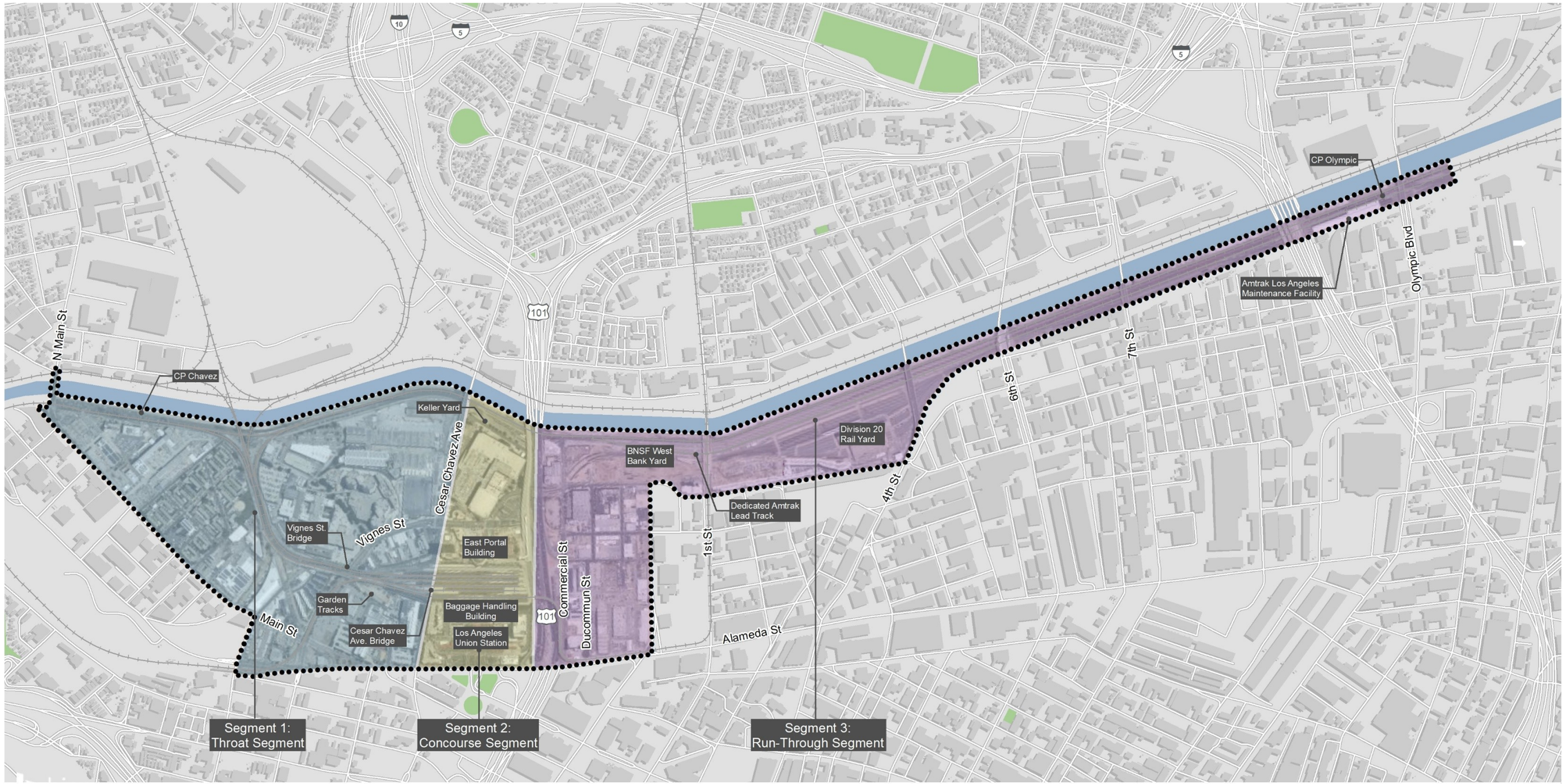


Figure 1-3. Location and Regional Vicinity

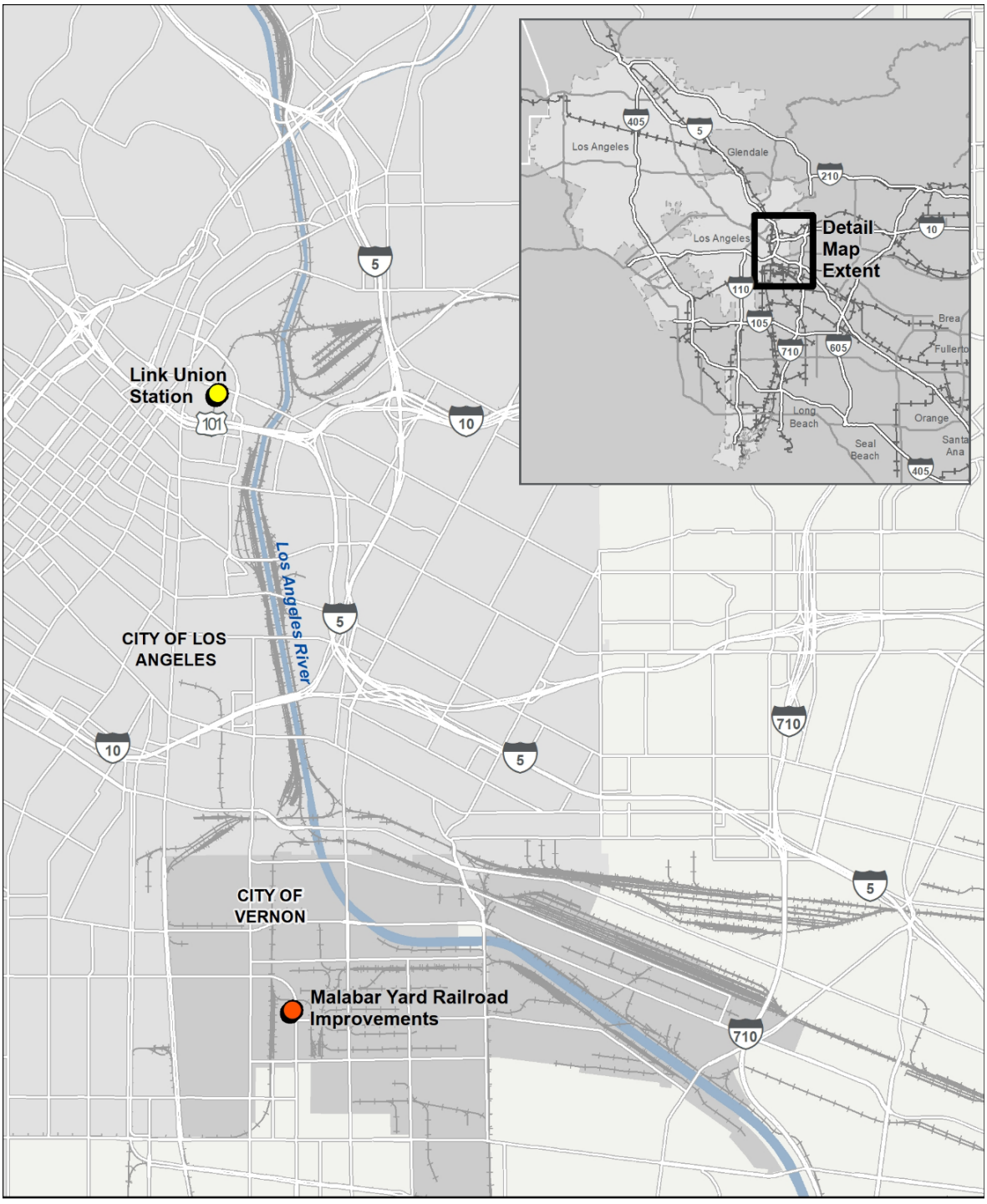
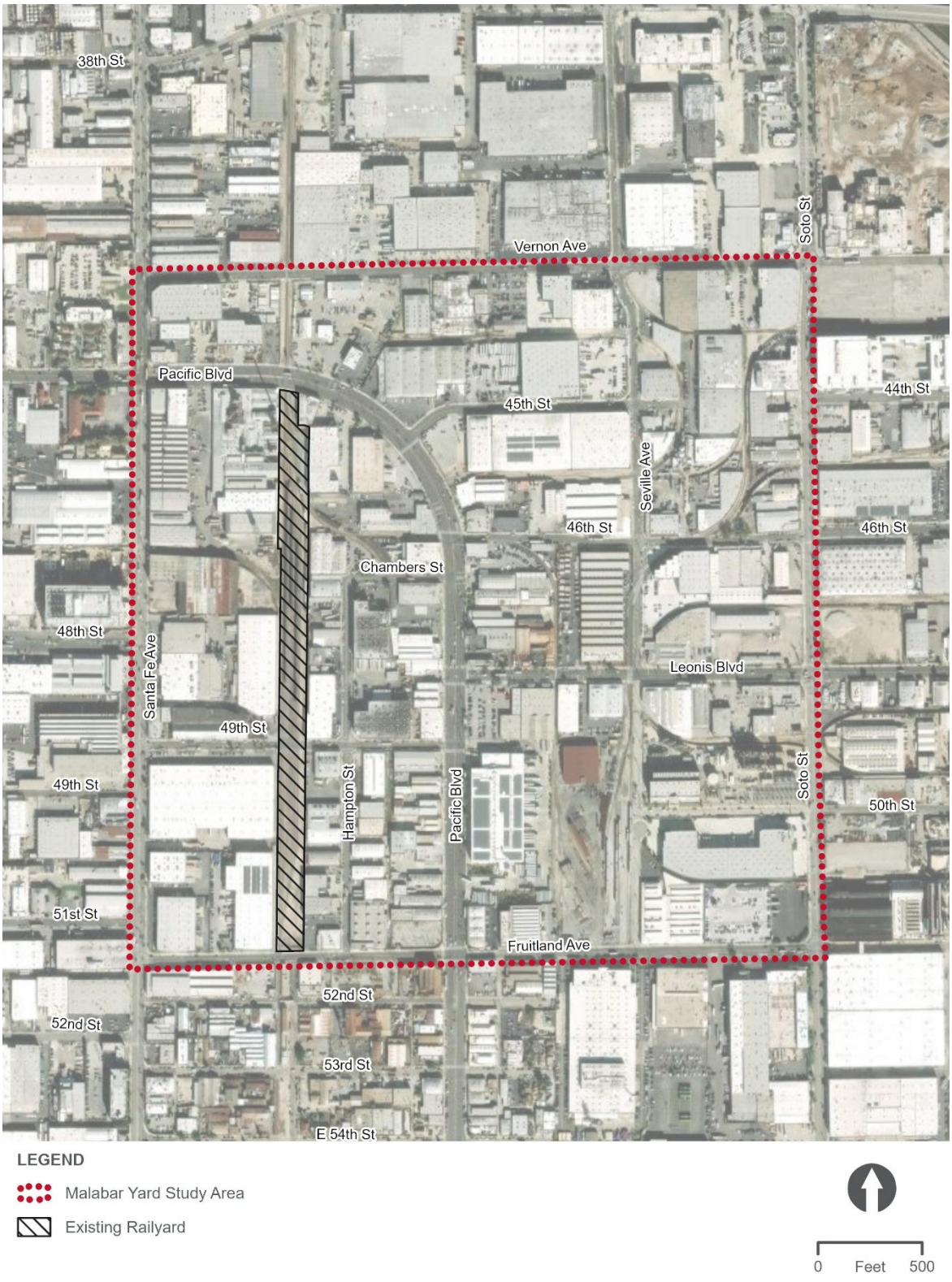


Figure 1-4. Malabar Yard Study Area



1.2.2 Relationship to CHSRA Planned HSR System

LAUS is located between and overlaps with the Burbank to Los Angeles and Los Angeles to Anaheim Project Sections of the planned HSR system. Physical construction of common rail infrastructure that would serve CHSRA (and other operators) and would allow CHSRA to operate HSR trains within the Link US Project footprint is part of the Build Alternative and Build Alternative Design Option evaluated within the Final EIS. When this ROD states the planned HSR system is "accommodated," it means Metro would construct the common rail infrastructure described in the Final EIS consistent with specifications and requirements that CHSRA designates as appropriate for CHSRA to operate its HSR system within the limits of the Link US Project footprint.

Common Rail Infrastructure

Tracks, platforms, bridges, embankments, and associated civil/railroad infrastructure that would accommodate both regional/intercity rail trains and HSR trains.

As part of the Link US Project, the following common rail infrastructure is environmentally evaluated in this EIS as part of the Build Alternative:

- North of LAUS - Shared lead tracks (compatible tracks), and the new Vignes Street Bridge and new Cesar Chavez Avenue Bridge are considered common rail infrastructure.
- At LAUS, Platforms 2 and 3, tracks, and concourse related improvements to support HSR operations are considered common rail infrastructure.
- South of LAUS, bridges, tracks, and embankments (extending from LAUS to First Street constructed wide enough to support run-through tracks for both regional intercity rail and HSR use and catenaries) are considered common rail infrastructure.

1.3 Project Implementation Approach

The scenario years considered in the Final EIS (the interim condition and the full build-out condition)[3] correspond to the earliest timeframe when infrastructure could be constructed and operational.

The proposed infrastructure improvements for each of these conditions are described below.

1.3.1 Interim Condition (Phase A) – Build Alternative

The interim condition (also referred to as Phase A) is when the run-through track infrastructure south of LAUS would be implemented, in addition to the associated signal modifications, property acquisitions, and civil/structural improvements to facilitate new run-through service (Figure 1-5). As depicted in Figure 1-5, the interim condition does not include new lead tracks north of LAUS, or the elevated rail yard and new concourse-related improvements at LAUS. The Final EIS assumes construction completion to be as early as 2026.

A summary of the proposed activities associated with the Build Alternative for the interim condition is identified in Final EIS Chapter 2.0 Section 2.4.1 (Page 2-29).

[3] Final EIS Chapter 2.0, Section 2.4 (Page 2-29 and 2-30) provide a detailed definition of the Interim and Full Build-Out Condition.

1.3.2 Full Build-Out Condition (Phase B) – Build Alternative

The full build-out condition (also referred to as Phase B) is when new lead tracks and the elevated throat north of LAUS, along with the elevated rail yard and concourse-related improvements at LAUS would be implemented (Figure 1-6).

Regional/intercity rail trains would operate on all lead tracks north of LAUS, including compatible lead tracks available for HSR service. The ten run-through tracks would merge on the Phase A infrastructure over the US-101 viaduct, and would merge with the main line tracks on the west bank of the Los Angeles River, with two tracks for dedicated HSR trains and two tracks for regional/intercity trains[4]. The full build-out condition includes the common rail infrastructure for the planned HSR system that would be located throughout the Link US Project limits, including improvements at LAUS. The Final EIS assumes a construction completion date for the full build-out condition as early as 2031.

A summary of the proposed activities associated with the full build-out condition is described in more detail in Final EIS Chapter 2.0 Section 2.4.2 (Page 2-30).

1.3.3 Interim Condition (Phase A) – Build Alternative Design Option

Figure 1-7 depicts the infrastructure to be implemented in the Interim Condition for the Build Alternative Design Option. Figure 1-8 depicts the reduced width of the run-through structure for the Build Alternative Design Option compared to the width of the run-through structure for the Build Alternative.

A summary of the proposed activities associated with the Build Alternative Design Option for the interim condition is described in more detail in Final EIS Chapter 9.0 Section 9.8.1 (Page 9-21).

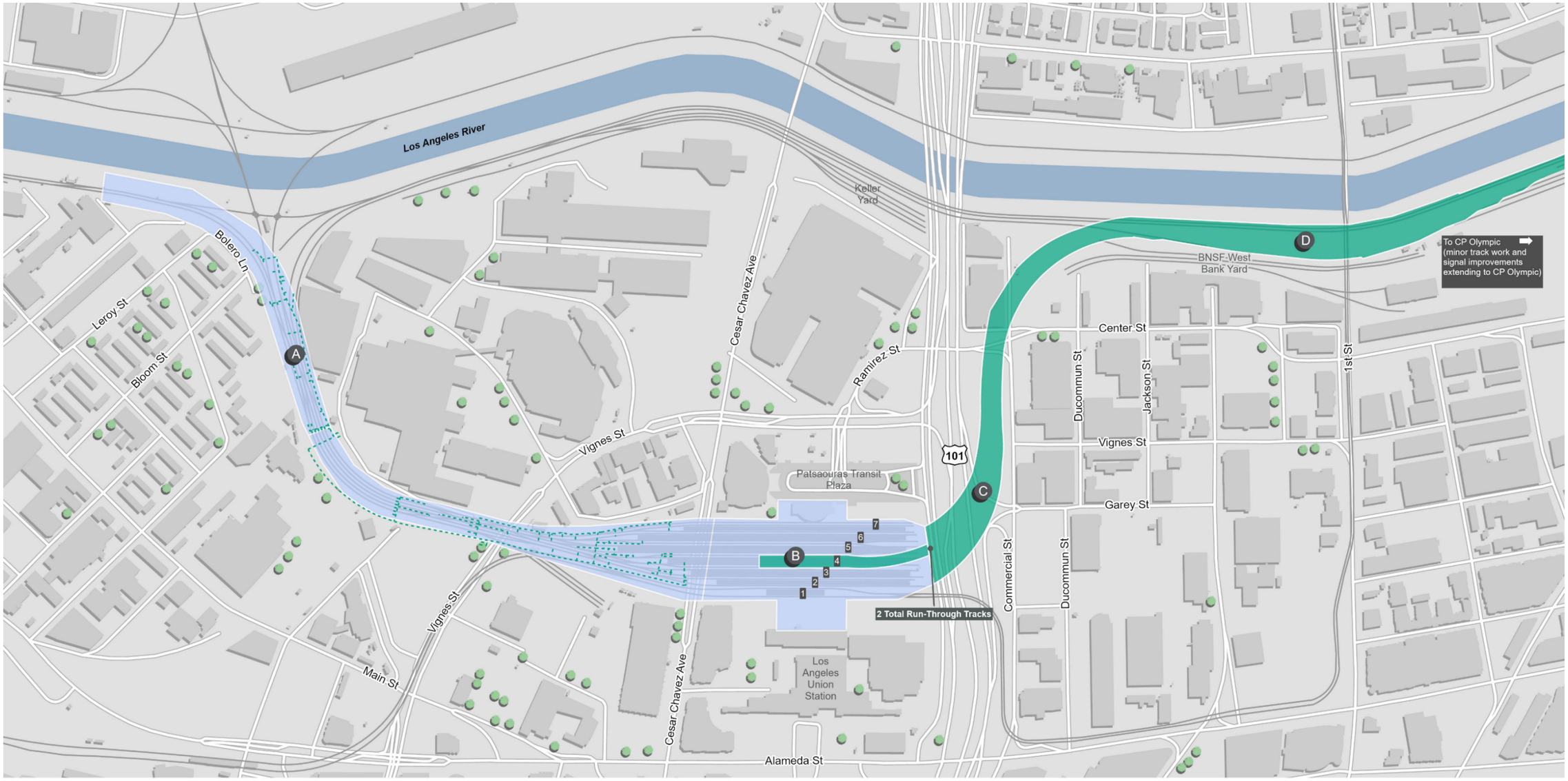
1.3.4 Full Build-Out Condition (Phase B) – Build Alternative Design Option

The full build-out condition (also referred to as Phase B) is when the one new lead track, partially elevated rail yard, and concourse-related improvements at LAUS would be implemented (Figure 1-9). Regional/intercity rail trains would operate on all lead tracks north of LAUS, including compatible lead tracks available for HSR service. Regional/intercity rail trains would also have full use of tracks in the rail yard (with exception of Tracks 1 and 2) and the run-through tracks south of LAUS. The full build-out condition aligns with a construction completion date as early as 2031.

A summary of the proposed activities associated with the Build Alternative Design Option for the full build-out condition is described in more detail in Final EIS Chapter 9.0 Section 9.8.2 (Page 9-22).

[4] Operation of the planned HSR system is or will be considered in CHSRA's environmental documentation for the Burbank to Los Angeles and Los Angeles to Anaheim Project Sections.

Figure 1-5. Interim Condition Major Components – Build Alternative



LEGEND

- Infrastructure Constructed in the Interim Condition
- Signal Improvements Constructed in in the Interim Condition
- Infrastructure Constructed in Full Build-Out Condition
- Existing Platform
- Existing Tracks

- A — Track,Signal and Communications Improvements
- B — Platform 4 Ramp and Two Total Run-Through Tracks
- C — Run-Though Track Infrastructure
- D — Removal of BNSF Storage Tracks

0 Feet 500

Figure 1-6. Full Build Out Condition Major Components – Build Alternative

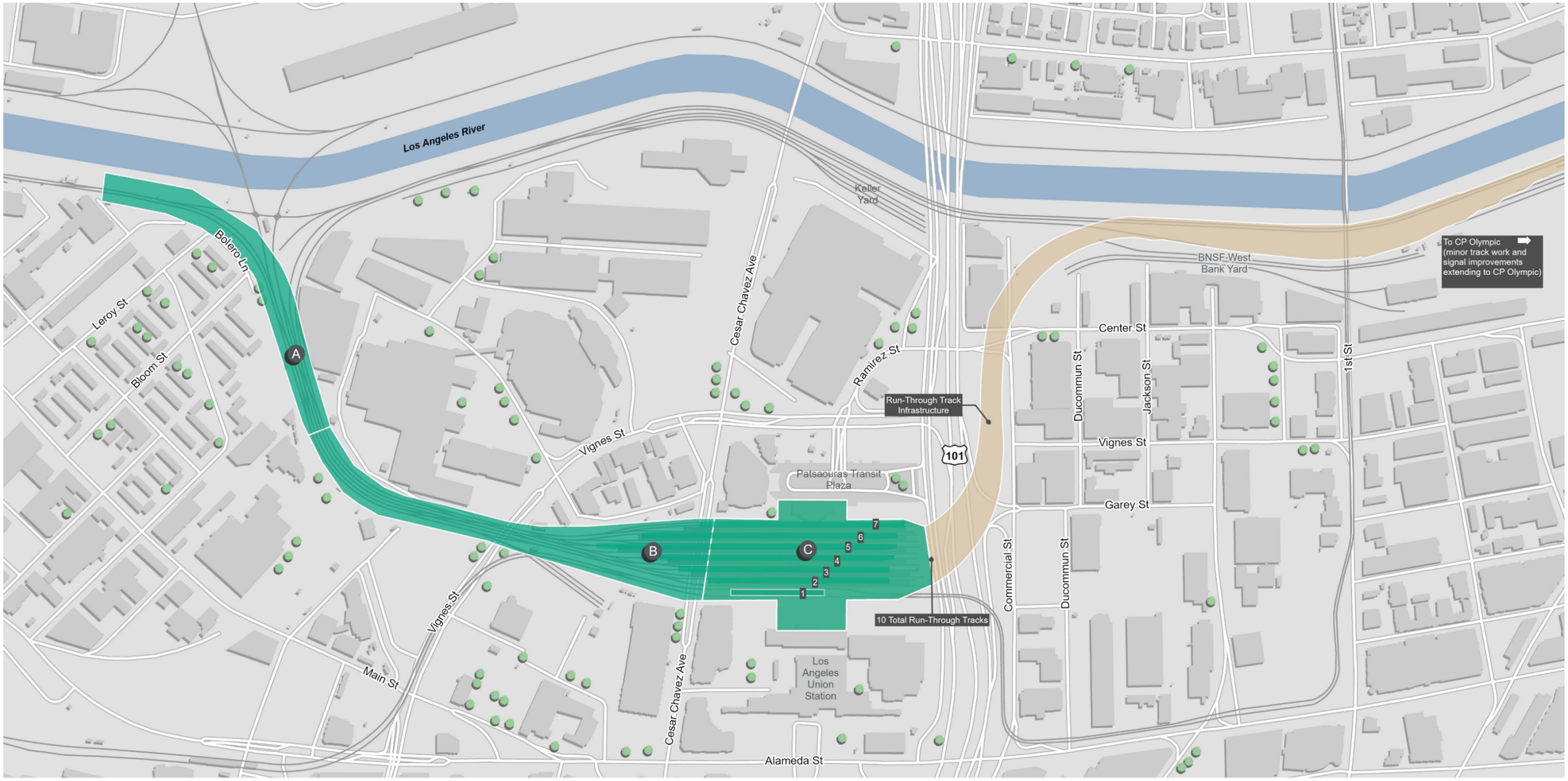
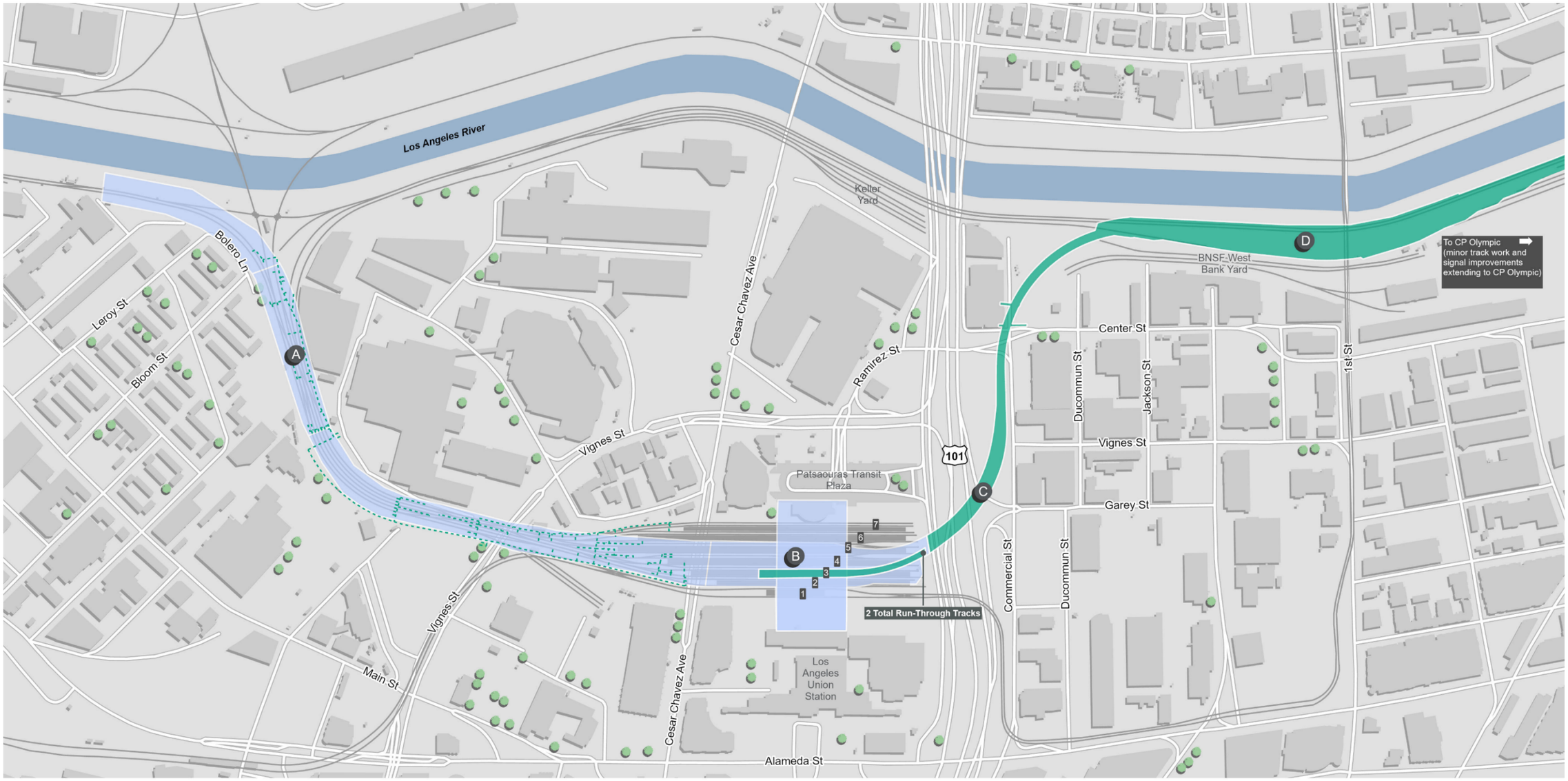


Figure 1-7. Interim Condition Major Components (Build Alternative Design Option)



LEGEND

- Infrastructure Constructed in the Interim Condition
- Signal Improvements Constructed in the Interim Condition
- Infrastructure Constructed in Full Build-Out Condition
- Existing Platform
- Existing Tracks

- A — Track,Signal and Communications Improvements
- B — Platform 3 Ramp and Two Total Run-Through Tracks
- C — Run-Though Track Infrastructure
- D — Removal of BNSF Storage Tracks

0 Feet 500

Figure 1-8. Build Alternative Design Option - Reduced Width of Run Through Structure

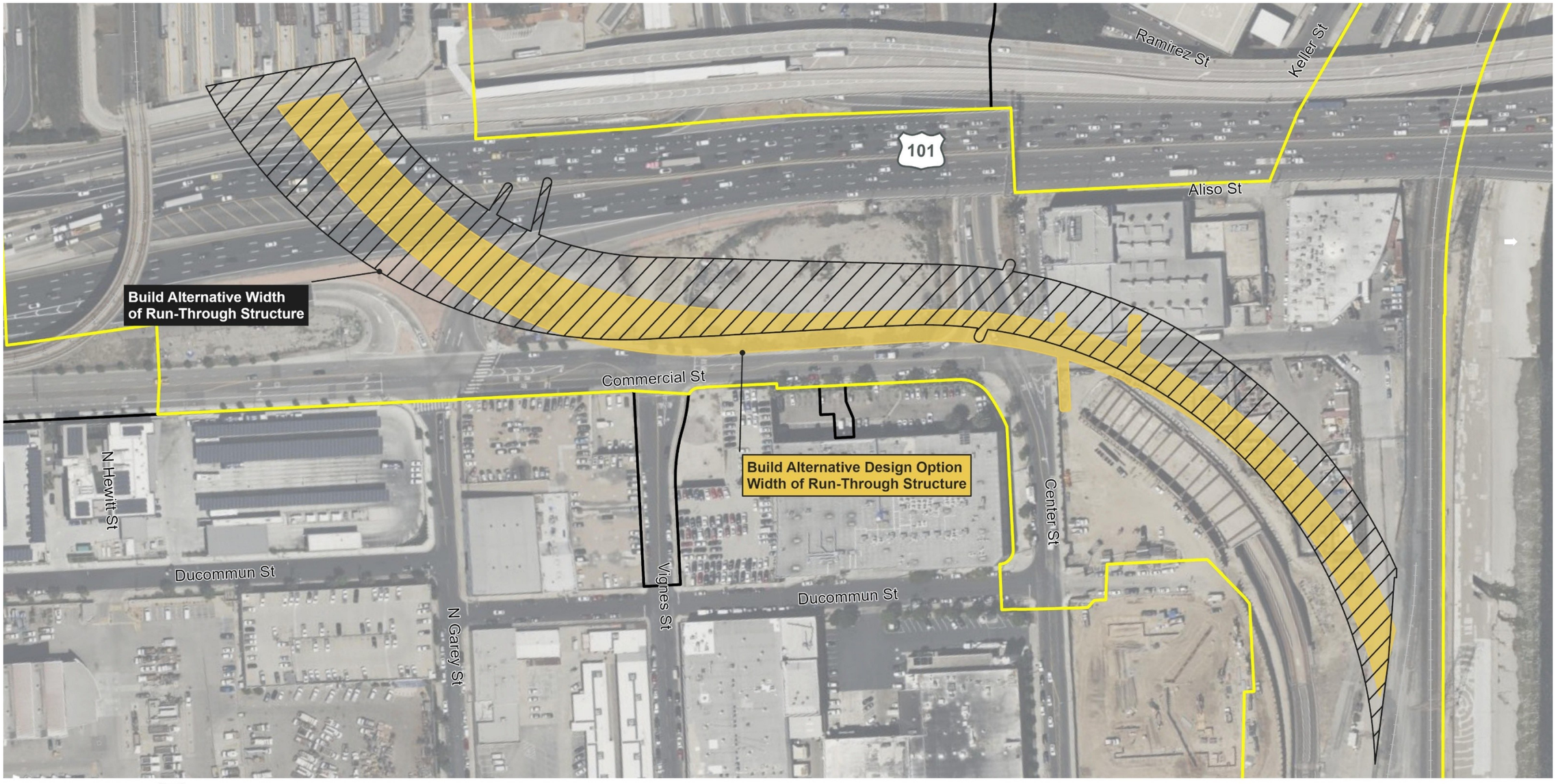
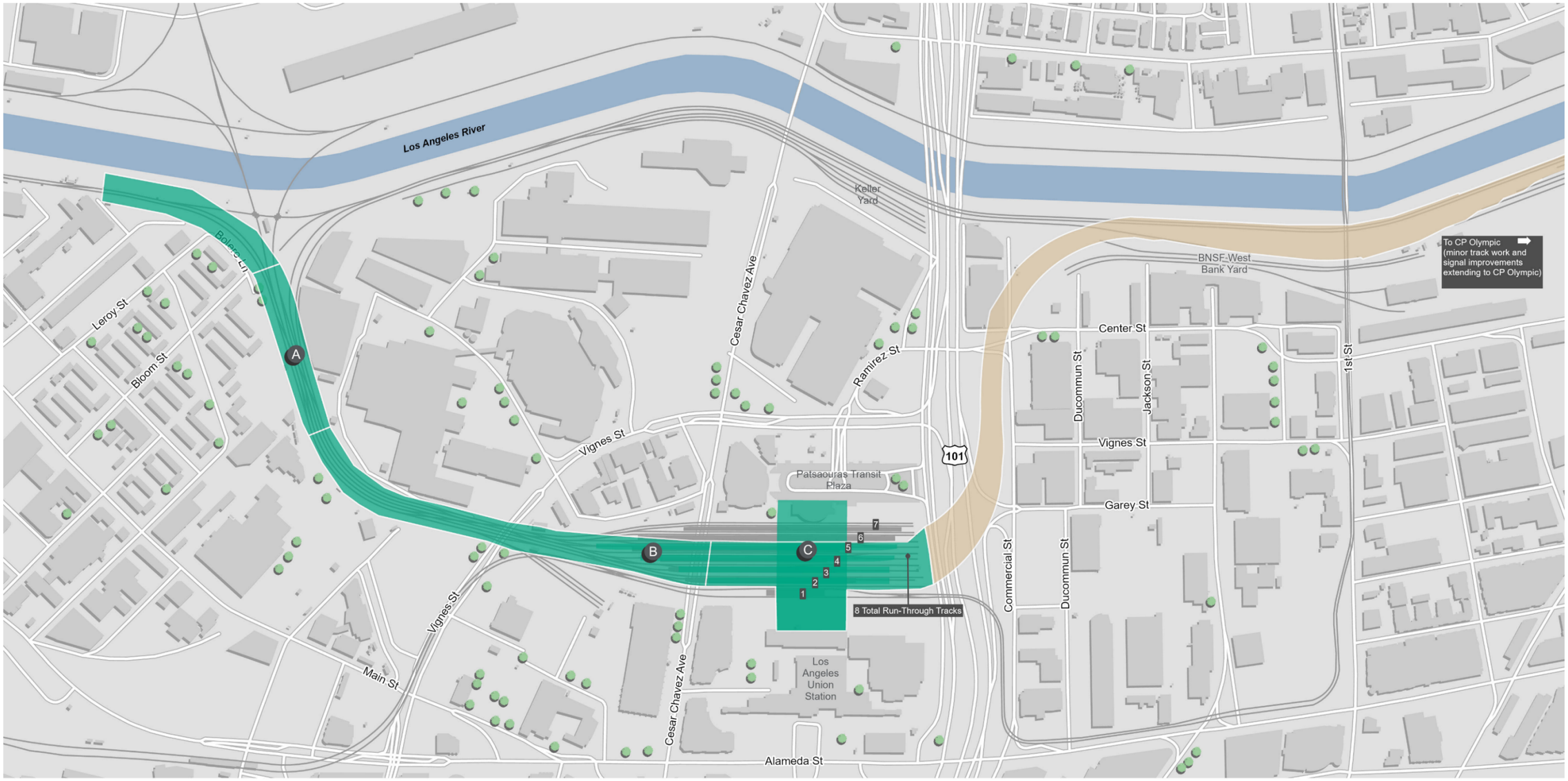


Figure 1-9. Full Build Out Condition Major Components (Build Alternative Design Option)



2.0 Federal Agency Roles and Responsibilities

The NEPA lead, cooperating, and participating agencies for the Project, the role of these agencies based on their formal acceptance of previous invitations, the subject matter expertise, and level of involvement throughout the EIS process is summarized in Table 2-1.

Table 2-1. Summary of Agency Project Roles and Jurisdiction

Agency	Project Role and Jurisdiction
Lead Agencies	
CHSRA	CHSRA is the federal lead agency responsible for NEPA compliance, as well as compliance with other federal environmental laws as established in the MOU between the FRA and the State of California. CHSRA is also a CEQA responsible agency.
Metro	Metro is the project sponsor, joint NEPA lead agency, CEQA lead agency, owner of LAUS, operating entity at LAUS (e.g., Metro Rail), and responsible for project design, and construction/implementation.
NEPA Cooperating Agencies	
Caltrans, District 7	Caltrans District 7 accepted the invitation to be a cooperating agency on September 1, 2017, January 13, 2020, and reconfirmed their role on August 21, 2023. As a cooperating agency, Caltrans was requested to focus on issues and subject areas pertinent to highway planning, roadway travel demand, accident/safety impacts/benefits and potential effects of the project on the interstate highways and their rights-of-way in the project study area. Caltrans is delegated the responsibilities of the FHWA in California. Caltrans is also a CEQA responsible agency and would have discretionary authority for project facilities over US-101 and within Caltrans right-of-way. Caltrans was provided an opportunity to review the Administrative Draft EIS/SEIR, the Public Draft EIS/SEIR, and the Administrative Final EIS. Comments were received on the Administrative Draft EIS/SEIR and, on October 13, 2025, the Administrative Final EIS and some revisions based on those comments are incorporated into the Final EIS.
SCRRA/Metrolink	SCRRA accepted the invitation to be a cooperating agency on August 15, 2017 and reconfirmed their role on August 18, 2023. SCRRA is the provider of Metrolink passenger train service. As a cooperating agency, SCRRA was requested to focus on issues and subject areas pertinent to operation and maintenance of the regional/intercity rail system in the project study area and potential effects of the project on the overall regional/intercity rail system in Southern California. SCRRA is also a CEQA responsible agency. SCRRA was provided an opportunity to review the Administrative Draft EIS/SEIR, the Public Draft EIS/SEIR, and the Administrative Final EIS. Comments were received on the Administrative Draft EIS/SEIR and the Public Draft EIS/SEIR and some revisions based on those comments are incorporated into the Final EIS.
NEPA Participating Agencies	
FTA, Region 9	FTA accepted the invitation to be a participating agency on June 22, 2018. FTA declined the invitation to continue their role as a participating agency on August 1, 2023.

Table 2-1. Summary of Agency Project Roles and Jurisdiction

Agency	Project Role and Jurisdiction
	FTA was provided an opportunity to review the Public Draft EIS/SEIR. No comments were received.
U.S. EPA, Region 9*	In 2016, FRA invited U.S. EPA to become a participating agency. Pursuant to 23 USC Section 139, U.S. EPA was designated a participating agency by FRA because a response letter was not received declining the participating agency role. In 2019, CHSRA requested confirmation from U.S. EPA for the continued involvement as a participating agency for this EIS. A response letter was not received. U.S. EPA accepted the invitation to be a participating agency on August 2, 2023. U.S. EPA is a federal agency responsible for the formal notice and publication of the EIS and has the authority to review and comment on federally proposed actions under the Clean Air Act. As a participating agency, the U.S. EPA was requested to focus on issues and subject areas pertinent to air quality, climate change and greenhouse gases, aquatic resources and the Los Angeles River, community analysis concerns, and coordination with local planning efforts. U.S. EPA was provided an opportunity to review the Administrative Draft EIS/SEIR, the Public Draft EIS/SEIR, and the Administrative Final EIS. Comments were received on the Administrative Draft EIS/SEIR and the Public Draft EIS/SEIR and some revisions based on those comments are incorporated into the Final EIS. Via October 10, 2025 letter, U.S. EPA indicated that it did not have additional comments on the Administrative Final EIS.
Federal Highway Administration*	In 2016, FRA invited FHWA to become participating agency. Pursuant to 23 USC Section 139, FHWA was designated a participating agency by FRA because a response letter was not received declining the participating agency role. In 2019, CHSRA requested confirmation from FHWA for the continued involvement as a participating agency for this EIS. A response letter was not received. FHWA confirmed their role as a participating agency on August 21, 2023. FHWA is an agency within the U.S. Department of Transportation that supports state and local governments in the design, construction, and maintenance of the Nation's highway system (Federal Aid Highway Program) and various federally and tribal-owned lands. Caltrans is delegated the NEPA responsibilities of the FHWA in California. Caltrans, in its FHWA NEPA Assignment capacity, was provided an opportunity to review the Public Draft EIS/SEIR. No comments were received from FHWA directly. As noted above, Caltrans sent comments in its FHWA NEPA Assignment Capacity.
City of Los Angeles Department of City Planning	The City of Los Angeles Department of City Planning accepted the invitation to be a participating agency on June 19, 2020 and reconfirmed their role on August 9, 2023. Multiple city departments are involved with the project and have differing approval authority; however, the Department of City Planning is the primary point of contact for review of environmental documentation and interagency coordination between the various departments within the city. As a participating agency, the Department of City Planning was requested to focus on issues and subject areas pertinent to the city's land use plans, policies and programs as part of the city's General Plan and any issues that could substantially delay or prevent the City of Los Angeles from granting a permit or other approval that is needed for the project. The City of Los Angeles is also a CEQA responsible agency. The City of Los Angeles Department of City Planning was provided an opportunity to review the Public Draft EIS/SEIR. No comments were received.
Housing Authority of the	In 2017 and in 2019, FRA and CHSRA respectively, invited the Housing Authority of the City of Los Angeles to become a participating agency. Based on prior invitations, the Housing

Table 2-1. Summary of Agency Project Roles and Jurisdiction

Agency	Project Role and Jurisdiction
City of Los Angeles*	Authority of the City of Los Angeles did not accept or decline the participating agency role. In July 2023, CHSRA reissued invitation to the Housing Authority of the City of Los Angeles to become a participating agency – no response was received. HACLA operates the William Mead Homes public housing development, which is a Section 4(f) property and a historic property under the NHPA. As a participating agency, the Housing Authority of the City of Los Angeles was requested to focus on issues and subject areas pertinent to the potential effects of the project on William Mead Homes. The Housing Authority of the City of Los Angeles is also a Section 106 consulting party. HACLA was provided an opportunity to review the Public Draft EIS/SEIR and some revisions based on those comments are incorporated into the Final EIS.
City of Los Angeles Office of Historic Resources*	In 2017 and in 2019, FRA and CHSRA respectively, invited the City of Los Angeles Office of Historic Resources to become a participating agency. Based on prior invitations, the City of Los Angeles Office of Historic Resources did not accept or decline the participating agency role. In July 2023, CHSRA reissued invitation to the City of Los Angeles Office of Historic Resources to become a participating agency – no response was received. The City of Los Angeles Office of Historic Resources is associated with the Department of City Planning to help integrate historic preservation into the city's planning process (and serve as an expert resource on historic preservation for the Department). As a participating agency, the City of Los Angeles Office of Historic Resources was requested to focus on issues and subject areas pertinent to the potential effects of the project on historic properties. The City of Los Angeles Office of Historic Resources is also a Section 106 consulting party. The City of Los Angeles Office of Historic Resources was provided an opportunity to review the Public Draft EIS/SEIR. No comments were received.
City of Vernon*	In July 2023, the City of Vernon was invited to be a participating agency. No response was received. The City of Vernon has multiple city departments that may be involved with the implementation of Malabar Yard railroad improvements based on differing approval authority. As a participating agency, the City of Vernon was requested to focus on issues and subject areas that would specifically affect issues in the city, including but not limited to traffic and vehicular circulation and land use/property impacts. The City of Vernon was provided an opportunity to review the Public Draft EIS/SEIR and some revisions based on those comments are incorporated into the Final EIS.

Notes:
**** An invitation letter was sent to this agency; no response was received.***
Caltrans=California Department of Transportation; CEQA=California Environmental Quality Act; CHSRA=California High-Speed Rail Authority; EIS=environmental impact statement; EPA=Environmental Protection Agency; FHWA=Federal Highway Administration; FRA=Federal Railroad Administration; LAUS=Los Angeles Union Station; FTA=Federal Transit Administration; Metro=Los Angeles County Metropolitan Transportation Authority; MOU=memorandum of understanding; NEPA=National Environmental Policy Act; NHPA=National Historic Preservation Act; SCRRA=Southern California Regional Rail Authority; U.S.=United States; USC=United States Code

3.0 Public and Agency Outreach Conducted During the EIS Process

NEPA requires that a lead agency ensure meaningful public engagement during the preparation of an EIS and ensure agency decision makers are informed of the views of the public on project environmental concerns (40 CFR 1506.6; 23 USC 139)[5] before final project decisions are made.

To meet these requirements, FRA, CHSRA and Metro began the public engagement process early and undertook both formal and informal outreach, such as in-person and virtual public meetings, key stakeholder and community group briefings, project development team and agency coordination meetings, advertisements, email blasts, mailings, etc.

Public and agency outreach and focused stakeholder engagement activities began in 2015 prior to the FRA's issuance of the 2016 Notice of Intent (NOI) and continued throughout preparation of the Final EIS.

Due to the regional significance and nature of the Project, Metro collaborated with multiple federal, state, and local agencies, and engaged key stakeholders throughout the NEPA process including: 31 community organizations representing a wide range of local stakeholders including (chambers of commerce, business improvement districts, neighborhood councils, advisory councils), 8 federal, state, and local elected officials, 4 environmental organizations, 6 historical societies, 3 local museums, 9 Native American tribes, 2 preservation organizations, and 9 railroad organizations. Several of these key stakeholders were provided individual Project briefings, some at regular project intervals, and all were encouraged to submit comments during the two formal scoping processes and during the 45-day public comment period. Metro also provided Project updates and sought agency and public feedback at 14 different public meetings in a wide range of venues consisting of community meetings, open houses, public scoping meetings, community workshops, and other local board/council meetings. These public meetings allowed Metro to seek input from local community members and stakeholders surrounding LAUS and the Malabar Yard railroad improvements and to understand community concerns about the Project, and its potential effects and outcomes.

These efforts were supplemented by targeted outreach and a robust public notification program. Metro compiled a stakeholder database of over 23,000 e-mail contacts and addresses to provide advanced notification of all public meetings and stakeholder engagement opportunities and maximize participation from agency staff, residents, business stakeholders, property owners, and members of the public.

[5] The Council on Environmental Quality (CEQ) has withdrawn its 40 CFR Parts 1500-1508 regulations from the Federal Register. CEQ's Interim Final Rule Rescinding CEQ Regulations, 90 Fed. Reg. 10610 (Feb. 25, 2025). However, pursuant to FRA's NEPA Procedures in effect at the time of the initial Notice of Intent (NOI) on May 31, 2016, all citations to CEQ regulations in this environmental document refer to the 1978 regulations and the 1986 amendment, 51 *Federal Register* 15618 (April 25, 1986).

The outreach helped guide and inform the project development, environmental analysis, and mitigation as summarized below:

North of LAUS (Segment 1)

- Community/Neighborhood Outreach to William Mead Homes
  - As part of the alternatives analysis process, outreach focused on mitigation strategies to reduce project-related effects on the William Mead Homes, a 415-unit family public housing community owned and managed by HACLA. Feedback from the community and HACLA contributed to decisions on the placement/location of proposed lead tracks so as to reduce effects to the community, its buildings and recreational facilities (including handball courts and baseball fields).
  - During the DEIS comment period, the Authority and Metro received three comment letters from individuals or organizations concerned with impacts at William Mead Homes.
  - HACLA and the residents raised concerns the Project would lead to more trains, and that the additional trains would cause more noise and vibration that would interfere with quality of life in their homes. Multiple meetings with HACLA and the residents occurred to review these concerns. A substantial noise and vibration analysis was performed as part of the EIS, and a new sound wall mitigation (Mitigation Measure NV-1) was identified. Mitigation Measures AES-1 and Offsetting Mitigation Measure (OMM) AQ-4 were also identified. In response to HACLA's proposal to mitigate the adverse construction-noise impact at William Mead Homes, Metro revised Mitigation Measure NV-1 to build a soundwall earlier in the construction.
  - HACLA stated that William Mead Homes was designed with buildings that were intentionally placed "diagonally on the compass" so that "practically every room gets sun during the day". Since these elements are a significant part of the historical design, at HACLA's request, a specific analysis about what shade/shadow effects the proposed sound wall would have on allowing natural sunlight onto the site was performed as part of the EIS. See Link US Finding of Effect Report.
- Public Transit/Passenger Rail Operator Coordination and Outreach.
  - The Project involves significant changes to an existing and fully-operating public transit and passenger rail station. Substantial coordination was undertaken with all operators to ensure that the Project would reduce construction-phase effects and achieve its goal of enhanced public transit/passenger rail efficiencies for operators.
  - In September/October 2017, Metro, CHSRA, Metrolink, and other Link US stakeholders agreed to the following:
    - Regional/intercity rail trains and HSR trains could operate on common rail infrastructure (shared lead tracks) north of LAUS to avoid permanent impacts to the Gold Line north of LAUS (and the William Mead homes)

- HSR platforms at LAUS could be shortened from 1,420 feet to 870 feet.

At LAUS

- Metro received a total of 634 public comments during the Link US Project Draft EIR 45-day public comment period (June 21, 2024 - August 9, 2024), of which over 75 percent of the public comments opposed the above-grade concourse and indicated a preference for the modified expanded passageway or at grade passenger concourse. The modified expanded passageway evolved to be the expanded passageway as part of the Link US Build Alternative.
- Metro received a total of 140 speaker cards, comments cards, email or online comments, and letters from 7 agencies, 9 organizations, and 123 individuals with public comments during the Draft EIS/SEIR public comment period.
- Section 106 consulting parties noted that they would like for any improvements to the Cesar Chavez Avenue Undercrossing, Vignes Street Undercrossing, butterfly shed canopies, benches, and streetlamps on the platforms to replicate the historical design. They also recommended salvage for preservation and/or repurposing of architecturally significant elements (e.g., canopies) and detailing (e.g., lettering). In response to this comment, mitigation measures include provisions for design review and continued consultation regarding a potential interpretive display.
- The SHPO noted that the design of the rail yard canopies should seek to minimize visual impacts on the historic LAUS terminal building.

South of LAUS

- Based on input from funding partners, rail operators, and community stakeholders (including members from Little Tokyo and Arts District communities), and after receiving a substantial number of comments in opposition to effects resulting from the track alignment south of LAUS with a loop track, Metro refined the run through track alignment south of LAUS to remove the loop track. With removal of the loop track, the run through track alignment south of LAUS shifted approximately 125 to 150 feet north, thereby resulting in refinements to the infrastructure and civil improvements south of US-101.
- CalSTA, CHSRA, Metro, Metrolink, and BNSF coordinated on the regional impacts to BNSF and through the interagency coordination, and consideration of an integrated freight/passenger rail operating plan, revisions to the track alignment configuration at West Bank Yard were made to fully accommodate the planned HSR system from LAUS to First Street.
- During the Draft EIS/SEIR public comment period, CHSRA and Metro received two comment letters from individuals or organizations concerned with impacts at Little Tokyo.
- Metro held 12 stakeholder meetings with the Little Tokyo Business Association/Little Tokyo Business Improvement District and Little Tokyo Community Council between 2016 and 2019 (see Final EIS Chapter 4, Tables 4-1 and 4-2). The Little Tokyo community

opposed closure of the 101 on-ramp at Commercial and Gary Streets because of community manufacturing and warehousing facilities that rely on large trucks there, and impacts on those businesses would affect workers, visitors, parents, and children in the community. Metro explained that US-101 would be closed temporarily during the night (10:00 PM to 6:00 AM) in one direction at a time during construction of the bridge superstructure and lane width reductions, and night closures are expected to last for 8 to 12 weeks and occur during weekends only (Final EIS Section 3.3.5, Page 3.3-37). Traffic management measures for large trucks using construction traffic routes, including haul truck routes, and preferred delivery/haul-out locations are part of Mitigation Measure TR-1 (Final EIS Section 3.3.6).

Overall, Metro started with scoping meetings in 2016, and performed a wide range of outreach to stakeholders and entities and individuals that the Project could potentially affect adversely. They held 14 public meetings, 17 public events (like round table workshops, and farmers' markets), sent email updates to over 23,145 contacts, and sent mailers to 23,460 addresses. They briefed 29 non-governmental organizations. From April 2016 to October 2018, they held 76 meetings.

Malabar Yard Railroad Improvements

- The City of Vernon City Council, residents, and businesses objected that Metro was harming their City to mitigate for impacts miles away, at LAUS—and the City has expressed concern that rail congestion is not a NEPA effect and that the proposed Malabar Yard improvements do not address a NEPA effect. Additionally, the City of Vernon and residents disagree with the Draft EIS/SEIR conclusions regarding the effects of Malabar Yard improvements on the City. The City expressed concern that the 46th Street Connector and 49th Street Closure would increase their vehicle traffic congestion, delay emergency vehicles, and block entry to their only medical treatment center, Stacy Medical Center. The City of Vernon has updated its General Plan to foster more mixed-use residential land uses and initiated related planning efforts. The City of Vernon has expressed concern that Malabar Yard railroad improvements will undermine such longtime City planning efforts.
- Property owners expressed concerns that additional trains using the 46th Street Connector would cut off access to their businesses and cause detrimental impacts to their businesses. The property owner for Stacy Medical Center, a 24-hour urgent care center, expressed concern that the Malabar Yard railroad improvements would delay emergency response times for their patients.
- During the Revised NOI scoping period, 81 comment submissions were received from public agencies, community organizations, and 76 individual stakeholders.
- During the Draft EIS/SEIR public comment period, CHSRA and Metro received 58 comment letters from individuals or organizations concerned with impacts in Vernon.

Metro also completed substantial outreach to the City of Vernon property owners, the City Council, and non-governmental organizations there. Metro started with a Revised NOI virtual scoping

meeting, met with property owners in Vernon 28 times: 15 times when preparing the Draft EIS/SEIR and 13 times after publishing it. They met with the City of Vernon 19 times between April 2020 and June 2025.

Based on comments provided by the City in Vernon prior to and after Metro's certification of the Final SEIR, some revisions/changes were made to the Final EIS that align with the areas of interest to Vernon. Those changes were made in part to address the concerns by the City of Vernon, Vernon Chamber of Commerce, and members of the public that were raised in multiple comments letters addressed to Metro and CHSRA, and verbally during multiple public meetings. CHSRA and Metro performed expert reviews of comments and concerns raised by the Vernon community and prepared responses to the comments (see Appendix F). The key changes to the Final EIS include:

- Revisions to Mitigation Measure TR-3 to add ongoing consideration of alternative approaches to Malabar Yard
- Revisions to Volume III, Response to Comments (Key Issue Response 3) to provide additional information to support the localized analysis for pollutant emissions, provide additional information related to the definition of air quality sensitive receptors, and to provide additional context for the quarter-mile buffer used to identify sensitive receptors. These edits were also carried into Final EIS Appendix Q, Section 3.5.
- Revisions to Final EIS Appendix Q, Section 3.6 to provide additional information on FTA Category 3 land uses and the definition of noise- and vibration-sensitive land uses.
- Revisions to Final EIS Section 3.3 to correct the length of trains that can be accommodated on the four storage tracks at BNSF West Bank Yard (8,000-foot-long trains)

4.0 Purpose and Need

4.1 Purpose

The purpose of the proposed action is to increase the regional and intercity rail service capacity of LAUS and to improve schedule reliability at LAUS through the implementation of a run-through tracks configuration and elimination of the current stub end tracks configuration while preserving current levels of freight rail operations, accommodating the planned HSR system in Southern California, increasing the passenger/pedestrian capacity and enhancing the safety of LAUS through the implementation of a new passenger concourse, meeting the multi-modal transportation demands at LAUS.

4.2 Need

The need for the proposed action is generated by the forecasted increase in regional population and employment; implementation of federal, state, and regional transportation plans that provide for increased operational frequency for regional and intercity trains; and introduction of the planned HSR system in Southern California. Localized operational, safety, and accessibility upgrades in and around LAUS will be required to meet existing demand and future growth.

5.0 Project Alternatives and Design Options Considered

This section discusses the multiple alternatives and design options considered over a 20-year period from 2002 to 2025 and which analysis informed the choice of the Selected Alternative.

5.1 Planning Context and Background

From 2002 to 2015, two predecessor projects and one key planning study provide the fundamental basis for the development of track alignment alternatives and concourse concepts considered as part of the alternatives analysis process.

- In March 2002, Caltrans and FRA (in cooperation with Amtrak) initiated the Run-Through Tracks Project to define and screen a range of potential run-through track alignments south of LAUS. The results of the environmental process for the Run-Through Tracks Project revealed the optimal configuration for run-through tracks south of LAUS is an "s-shaped band" configuration from LAUS to the main line tracks along the Los Angeles River.
- In December 2005/January 2006, FRA issued a Final EIS and Caltrans certified the Final EIR for the Run-Through Tracks Project. Alternative A-1 was identified as the preferred alternative in the Run-Through Tracks Project Final EIS/EIR. FRA did not issue a Record of Decision after the Final EIS was completed. The planned HSR system was not part of the Run-Through Tracks Project.
- In April 2014, Metro initiated the planning and design of the Southern California Regional Interconnector Project (SCRIP) to include new lead tracks and a reconstructed throat, a new passenger concourse below an elevated rail yard, and up to 10 new run-through tracks south of LAUS. The SCRIP did not accommodate the planned HSR system.
- In October 2015, Metro released *Transforming Los Angeles Union Station, A Summary Report* (Metro 2015a), which included a development strategy for LAUS and surrounding areas. The LAUS Master Plan identified a need to meet forecasted passenger demand and accommodate over 200,000 passenger trips through LAUS each weekday by 2040 by increasing rail yard capacity, enhancing operational flexibility south of LAUS, and providing new passenger accommodations. The LAUS Master Plan also acknowledged the introduction of the planned HSR system at LAUS (Metro 2015b).
- In January 2016, Metro rebranded the SCRIP as the Link US Project and initiated the process to define the purpose and need and consider a reasonable range of track alignment alternatives and concourse concepts to evaluate in the CEQA and NEPA process. Upon rebranding the SCRIP to Link US, an alternatives analysis process was initiated (see Section 5.3 below).

5.2 Alternatives Discussed in Notice of Intent and Revised Notice of Intent

At the time the 2016 NOI was released (May 2016), FRA and Metro intended to prepare a combined EIS/EIR pursuant to NEPA and CEQA. The 2016 NOI specified the EIS/EIS will consider the No Action/No Build Alternative and a number of Build Alternatives with three major project components (throat and elevated rail yard, new passenger concourse [up to 600,000 square feet], and up to 10 run-through tracks).

In September 2020, the Revised NOI was released to solicit additional public and agency input into the development of the scope of the EIS with respect to the off-site improvements to the BNSF Malabar Yard proposed in the City of Vernon. The Revised NOI specified the EIS will include an evaluation of alternatives as described below.

- No Action Alternative: The No Action Alternative serves as the baseline for assessment of the proposed action and represents the region's transportation system (highway, air, and conventional rail) as it currently exists (September 2020), and as it would exist after completion of programs or projects currently planned for funding and implementation by 2040.
- Proposed Action (Link US Project Build Alternatives): The Proposed Action consists of two build alternatives that address proposed infrastructure in the vicinity of LAUS, in conjunction with off-site improvements into the BNSF Malabar Yard in the City of Vernon. Major components of the build alternatives were described as the throat and elevated rail yard, passenger concourse below the elevated rail yard (expanded passageway or an at-grade passenger concourse), up to 10 new run-through tracks including a potential loop track, and BNSF Malabar Yard Off-Site Improvements (to restore and offset the loss of storage track capacity at the BNSF West Bank Yard).

5.3 Draft EIS/SEIR – Alternatives Analysis Process

An alternatives analysis process was conducted to recommend a Build Alternative for detailed evaluation in the Draft EIS/SEIR. As described in detail in the *NEPA Alternatives Evaluation Memorandum and Engineering Plans* (Appendix B of the Final EIS) and Chapter 2, Alternatives and Design Options Considered of the Final EIS, 14 track alignment alternatives were screened, of which 13 were rejected; and 6 concourse concepts were screened, of which 5 were rejected.

The track alignment alternatives and concourse concepts were developed as a result of substantial public, agency, and stakeholder feedback received during the initial Link US Project combined EIS/EIR process (not completed), the standalone EIR process (completed June 2019), CHSRA's environmental processes for the Burbank to Los Angeles and Los Angeles to Anaheim Project Sections of the planned HSR system (Burbank to Los Angeles EIR/EIS completed March 2022), and the standalone EIS process.

A “pass/fail” evaluation was conducted for each track alignment alternative and concourse concept. Any track alignment alternative or passenger concourse concept that did not meet all screening criteria noted above was rejected from further consideration.

At the conclusion of the screening process, one track alignment alternative and one concourse concept was recommended for detailed evaluation as the Build Alternative in the Draft EIS/SEIR (Track alignment Alternative 14 and Concourse Concept 6).

As part of the Build Alternative, two canopy design options were also considered for the elevated platforms that would be implemented. One option was considered to resemble the existing canopies that are present at LAUS (Rail Yard Canopy Design Option 1 - Individual Canopies) and another option would resemble more modern transit architecture for the rail yard at LAUS (Rail Yard Canopy Design Option 2 - Grand Canopy).

5.4 Final EIS – Alternatives Analysis Process

All track alignment alternatives considered during preparation of the Draft EIS/SEIR included a run-through track configuration that would achieve the forecasted increase in train movements on dedicated tracks south of LAUS. In collaboration with rail operators, Metro determined that a shared tracks configuration would also support future passenger operations south of LAUS. This analysis culminated in the Build Alternative Design Option.

The Final EIS retained the 10 run-through tracks criterion; however, all other track alignment alternatives with 8 run-through tracks, previously rejected from further consideration, were reconsidered to determine if they would qualify for detailed evaluation in the Final EIS. None were recommended for detailed evaluation, except the Build Alternative Design Option.

Of the 14 track alignment alternatives considered in the Draft EIS, Alternatives 2, 5, 6, and 10 include 8 run-through tracks. It was determined that each one of those alternatives would not fulfill the applicable provisions of the purpose and need, would conflict with other screening criterion, would result in greater environmental impacts, or would have a combination of these effects. However, the evaluation showed that the Build Alternative Design Option, which includes only 8 run-through tracks, should be advanced for detailed evaluation in the Final EIS, as this Design Option was found to be consistent with all applicable provisions of the purpose and need, met all other screening criteria, and would avoid and reduce the magnitude and intensity of Project-related environmental effects.

5.5 Alternatives Evaluation Process for the Malabar Yard Railroad Improvements

As discussed in Section 5.2 above, a Revised NOI was issued in 2020 to restore and offset the loss of storage track capacity at the BNSF West Bank Yard by adding the Malabar Yard off-site improvements to the Project. A two-step evaluation process—initial and secondary screening—

was used to evaluate the potential replacement sites considered to offset the loss of freight rail storage track capacity at BNSF West Bank Yard.

- The initial screening criteria required that any replacement site be in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards. The secondary screening criteria assessed whether a site could replace lost freight storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations (purpose and need provision).

Any replacement site that did not meet both the initial and secondary criteria was rejected from further consideration.

- The Draft EIS/SEIR identified five potential replacement sites based on their vicinity to BNSF Hobart/Commerce Intermodal Yards and other replacement sites further east. The five potential replacement sites, all BNSF facilities, were Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, and Pico Rivera Yard.

- During preparation of the Final EIS, at the request of the City of Vernon, Hobart Yard and Los Angeles Junction were reconsidered to determine if storage tracks could be added. In addition, the City of Vernon hired an outside firm, Railroad Industries Incorporated, that suggested multiple reconfiguration options for Hobart Yard, Commerce Yard, Los Angeles Junction, Pico Rivera, and Malabar Yard. Each of these configuration options were considered and determined to be infeasible for reasons provided in the responses to comments to the City of Vernon/RWG Letter Exhibit A (Appendix F to the ROD).

Based on the screening and evaluation process, BNSF Malabar Yard was the only freight rail storage track replacement site that met the criteria to offset the loss of storage track capacity at BNSF West Bank Yard.

5.6 Alternatives and Design Options Considered in Final EIS

This section describes the alternatives considered in the Final EIS -- the No Action Alternative and the Build Alternative. This section also describes the Rail Yard Canopy Design Options 1 and 2, Build Alternative Design Option, and design options for mitigation measures such as the two design options studied for Mitigation Measure TR-3.

5.6.1 Alternatives

No Action Alternative

NEPA (40 CFR 1502.14(d)) requires federal agencies to include an analysis of “the alternative of no action.” The No Action Alternative also serves as the baseline against which the environmental

effects of implementing the Build Alternative are evaluated. For the No Action Alternative, the baseline year is 2016 and the horizon year[6] is 2040.

The No Action Alternative assumes the implementation of reasonably foreseeable projects and infrastructure improvements in the Los Angeles area, including projects identified in the 2023 FTIP (SCAG 2023), *Final 2008 Regional Comprehensive Plan* (SCAG 2008), and the 2020 RTP/SCS (SCAG 2020). In this scenario, LAUS would remain a stub-end tracks station.

Build Alternative

The key components associated with the Build Alternative are summarized north to south below with a detailed description of the infrastructure improvements in Final EIS Chapter 2 (Section 2.7):

- **Segment 1: Throat Segment (lead tracks and throat track reconstruction)** – The Build Alternative elevates tracks leading to the rail yard in this segment, one new lead track is added for a total of six lead tracks for regional/intercity rail trains (Metrolink/Amtrak) and HSR trains within a shared track alignment. The existing railroad bridges at Vignes Street and Cesar Chavez Avenue would also be reconstructed. Safety improvements at the North Main Street public at-grade railroad crossing (medians, restriping, signals, and pedestrian and vehicular gate systems) are also included to facilitate future implementation of a quiet zone by the City of Los Angeles.
- **Segment 2: Concourse Segment (elevated rail yard and expanded passageway)** – The Build Alternative elevates the rail yard (6 platforms) by approximately 15 feet and expands the existing 28-foot-wide pedestrian passageway (to 140-foot width) in this segment. New passenger platforms would be constructed along with stairs, escalators, and elevators. Platform 1, serving the Gold Line, would be lengthened, and elevated to optimize east to west passenger circulation.

  New baggage carousels would be constructed in a centralized location under the rail yard. A canopy would be constructed over the West Plaza up to 70 feet in height, and two design options are considered for canopies that would extend over the rail yard.

  These improvements would enhance passenger circulation and provide space for ancillary support functions (back-of-house uses, baggage handling, etc.), transit-serving retail, office/commercial uses, and an outdoor, community-oriented space with new east and west plazas.
- **Segment 3: Run-Through Segment (10 run-through tracks)** – The Build Alternative includes 10 new run-through tracks south of LAUS in Segment 3 of the Project study area (run-through segment), common rail infrastructure (e.g. viaduct over US-101) from LAUS to the west bank of the Los Angeles River (vicinity of First Street Bridge) for both regional/intercity rail trains and HSR trains, new dedicated lead tracks for Amtrak

[6] The horizon year is used to forecast and analyze effects of future conditions if the Build Alternative is built and operating.

trains and BNSF trains, and removal of freight rail storage track capacity at the north end of BNSF West Bank Yard (5,500 track feet).

The Build Alternative construction would proceed in two phases: the Interim Condition (Phase A) and the Full Build-Out Condition (Phase B). The infrastructure improvements as part of the interim and full build out condition are depicted in Figure 1-5 and 1-6, respectively.

5.6.2 Design Options

Rail Yard Canopy Design Options 1 and 2

Two design options for canopies over the elevated platforms in the rail yard are considered in conjunction with the concourse-related improvements as part of the Build Alternative.

- **Rail Yard Canopy Design Option 1 (individual canopies)** – This design option would include replacing the existing historic butterfly canopies with individual canopies above each platform. New individual canopies would extend up to 25 feet above each.
- **Rail Yard Canopy Design Option 2 (grand canopy)** – This design option would include replacing the existing historic butterfly canopies with a large grand canopy that would extend up to 75 feet above the elevated rail yard platforms. This option would not be available in the Build Alternative Design Option below.

Build Alternative Design Option

The key components associated with the Build Alternative Design Option are summarized north to south below and discussed in more detail in Chapter 9 of the Final EIS. The Project footprint for the Build Alternative Design Option is the same as the Build Alternative.

- **Segment 1: Throat Segment (lead tracks and throat track reconstruction)** – The Build Alternative Design Option includes the same elements as the Build Alternative except replacement of the Vignes Street Bridge would no longer be required.
- **Segment 2: Concourse Segment (partially elevated rail yard and expanded passageway)** – The Build Alternative Design Option is the Build Alternative with a few exceptions, including 4 elevated platforms (instead of 6) in the partially reconstructed rail yard elevated by approximately 9-12 feet, partially reconstructed Cesar Chavez Bridge, and expansion of the existing 28-foot-wide pedestrian passageway to a 100-ft width. Platforms 6 and 7 serving SCRRA, Amtrak, and Amtrak long distance trains would continue to operate stub ended at present elevation. Only Rail Yard Canopy Design Option 1 (individual canopies, not a grand canopy) would be feasible.
- **Segment 3: Run-Through Segment (8 run-through tracks)** – In this segment, key differences from the Build Alternative include: 8 new run-through tracks on a single aerial viaduct south of LAUS (instead of 10 new run-through tracks on a series of embankments

and bridges); and shared run-through tracks for regional/intercity/HSR rail instead of exclusive tracks for HSR.

Similar to the Build Alternative, the Build Alternative Design Option construction would proceed in two phases: the Interim Condition and the Full Build-Out Condition. The infrastructure improvements as part of the interim and full build out condition are depicted in Figure 1-7 and 1-9, respectively.

5.6.3 Mitigation Measure TR-3 to Maintain Current Levels of Freight Operations

The Build Alternative and all its design options (see 5.6.2. above) include Mitigation Measure TR-3 to preserve current levels of freight operations after the project's removal of freight rail tracks from the BNSF West Bank Yard. Mitigation Measure TR-3 includes improvements to Malabar Yard: (1) the closure of the at-grade railroad crossing at 49th Street and (2) the addition of a 1,000-foot track connection on 46th Street in the City of Vernon to connect Malabar Yard and Los Angeles Junction.

Closure of 49th Street facilitates storage of empty intermodal train car sets that are no longer able to be stored at the BNSF West Bank Yard, with the Project's removal of these tracks from the BNSF West Bank Yard. The 46th Street Connector would provide a dedicated connection for freight trains serving local customers to travel between BNSF's Malabar Yard and BNSF's Los Angeles Junction.

Two design options at each location were considered for this mitigation measure. Design Option 1 was initially proposed to include an offset cul-de-sac at the proposed 49th street closure and an alignment that encroaches on multiple private properties on 46th Street. After consideration of input from the City of Vernon stakeholders, Design Option 2 was developed to include a T-shaped cul-de-sac at 49th Street that would affect fewer properties, and a new alignment for the 46th Street Connector that avoids most private property encroachment impacts at 46th Street.

5.7 Description of Selected Alternative

The Selected Alternative is the Build Alternative that includes all design options, which are the Rail Yard Canopy Design Options 1 and 2 and the Build Alternative Design Option.

- The Build Alternative would meet the Project purpose and need as it would increase the regional and intercity rail service capacity of LAUS, improve schedule reliability at LAUS, preserve current levels of freight rail operations, accommodate the planned HSR system in Southern California, increase the passenger/pedestrian capacity, enhance the safety of LAUS and meet the multi modal transportation demands at LAUS.
- The Build Alternative includes safety improvements at the North Main Street railroad crossing, new lead tracks north of LAUS, reconstruction of the Vignes Street and Cesar Chavez Avenue Bridges, an elevated rail yard with an expanded passageway, 10 run-

through tracks for regional rail, intercity rail, and HSR trains, and removal of some BNSF storage tracks at the BNSF West Bank Yard.

- The Selected Alternative includes all mitigation measures identified in the attached MMRP, including the Malabar Yard Railyard Improvements with its Design Option 2 (49th Street Closure Hammerhead Cul-de-Sac with 46th Street Connector Northern Alignment) in the City of Vernon as described in Mitigation Measure TR-3.

This Selected Alternative was identified based on careful consideration of the environmental evaluation contained in the Final EIS, public comments received during and after the Draft EIS/SEIR 45-day public comment period, applicable NEPA requirements, objectives contained in federal, state and local plans, cost, consideration of potential adverse effects and countervailing potential benefits, and cost. The No Action Alternative would not meet the Project's purpose and need or objectives contained in federal, state, and local plans. Considering these factors, CHSRA identifies the Build Alternative that includes Rail Yard Canopy Design Options 1 and 2 and the Build Alternative Design Option as the Selected Alternative.

5.8 Environmentally Preferable Alternative

In the Record of Decision, the lead agency must identify the alternative or alternatives considered to be environmentally preferable. (40 CFR 1505.2; 42 USC § 4331[a]). The Environmentally Preferable Alternative is the Build Alternative, including Rail Yard Canopy Design Options 1 and 2, the Build Alternative Design Option, and all mitigations identified in the MMRP.

In addition to meeting the purpose and need, the Build Alternative would provide the following benefits:

- Improved regional connectivity with one seat rides to key destinations in Southern California for Metrolink and Amtrak Pacific Surfliner routes.
- Reduced train idling times, and wait times, which improves air quality.
- Improved pedestrian access to the train platforms and capacity for passengers connecting to various rail/transit services with enhanced accessibility for passengers with disabilities.
- Reduced train noise at William Mead Homes and Care First Village. These communities are adjacent to the rail corridor and do not currently have any sound walls for existing train traffic.
- Improved pedestrian and bicycle facilities, linkages to neighborhoods, and transit access.
- Regional reductions of greenhouse gas emissions and vehicle miles traveled.
- Remediation of hazardous materials encountered within the Project study area.

The Build Alternative Design Option, if implemented as a design variation to the Build Alternative, would result in the following incremental benefits:

Avoided and reduced magnitude and intensity of Project-related environmental effects, included reduced impacts on historic properties, as compared to the Build Alternative.

CHSRA identified the Environmentally Preferable Alternative by balancing the adverse and beneficial impacts of the Build Alternative (including all design options and mitigation measures) and the No Action Alternative on the human and natural environment.

6.0 Summary of Potential Effects

To fully understand the potential range of impacts of the Build Alternative, the Final EIS included an analysis of all reasonably foreseeable environmental impacts resulting from construction and operation. A full discussion of the impacts of the Build Alternative and Build Alternative Design Option, organized by resource area, can be found in Chapter 3 and Chapter 9 of the Final EIS.

CHSRA and Metro reviewed the Project's potential impacts, key public concerns, benefits, and considered all feasible and practicable refinements, modifications, and mitigation measures for the Project.

6.1 Adverse Effects

Table 6-1 provides an overview of adverse effects for the Build Alternative, Build Alternative Design Option, and Malabar Yard Railroad Improvements for key resource topic areas, summarizes all topic areas with residual adverse effects (after mitigation) as well as provides a discussion of selected topic areas with no residual adverse effects but of greater public concern.

Table 6-2 provides an overview of the key resource topic areas that generated the most public comments and concerns and how these comments and concerns were considered in the environmental evaluation.

Table 6-1. Impact Overview of Build Alternative and Build Alternative Design Option[1, 2]

Build Alternative Impact Evaluation	Build Alternative Design Option Impact Evaluation	Mitigation Measures	Residual Adverse Effects Discussion
Land Use and Planning			
Land Use Compatibility			For the Build Alternative, Build Alternative Design Option, and the Malabar Yard railroad improvements, adverse effects related to land use compatibility and conflict with land use plans, policies, or local land use controls would be mitigated so that no residual adverse effects would remain.
Construction: Adverse Effect – For the Build Alternative, construction activities near residential communities and commercial properties could cause temporary land use incompatibilities (road detours, potential increases in light and glare, noise and vibration, and air quality emissions). Malabar Yard railroad improvements would cause temporary access disruptions to existing businesses that could change travel paths to businesses by customers and delivery vehicles when road closures are required *Operations:* Adverse Effect – For the Build Alternative, new physical features adjacent to residential communities may introduce a potential land use incompatibility (retaining wall/sound wall and lighting from canopies). *Indirect:* No Adverse Effect	*Construction:* Adverse Effect – Same as Build Alternative, except • Retaining the existing Vignes Street Bridge instead of replacing it reduces road detours, light and glare, noise and vibration, and air quality emissions for Care First Village and other nearby residential land uses. • Fewer elevated platforms (4 instead of 6 at a height of 9 to 12 feet instead of 15 feet), removal of West Plaza, and reduced width of expanded passageway reduces temporary road detours, light and glare, noise and vibration, and air quality emissions. • Fewer run-through tracks on a narrower structure reduces traffic delays. *Operations:* Adverse Effect – Same as Build Alternative, except light and glare impacts near Mozaic Apartments and other residential communities would be reduced due to reduced canopy coverage (Individual Canopies). Indirect: No Adverse Effect – Same as Build Alternative.	*Construction* • TR-1, AES 2, AQ-1, AQ-2, NV-2, NV-3, MY TR-1 *Operations* • AES-1, AES-3, NV 1	
Conflicts with Land Use Plans, Policies, or Local Land Use Controls			
Construction: No Adverse Effect *Operations:* Adverse Effect – Although the Build Alternative supports multiple statewide, regional, and local planning documents that guide future growth in rail operations and accommodation of the HSR system by expanding transportation options, fostering multimodal connectivity, and accommodating the HSR system, conflicts with plans that promote neighborhood sustainability, connectivity, and non-motorized connections from LAUS to the Los Angeles River would occur. In addition, a conflict with one policy of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change would occur. Indirect: No Adverse Effect	*Construction, Operations, and Indirect:* Same as Build Alternative	*Construction* • TR-3 *Operations* • LU-1, TR-3	
Transportation			
Traffic Delays			For the Build Alternative and Build Alternative Design Option, adverse effects related to traffic delays, roadway hazards and emergency response, and freight rail service would be mitigated so that no residual adverse effects would remain after mitigation. For the Malabar Yard railroad improvements, adverse effects related to traffic delay would be mitigated so that no residual adverse effects would remain after mitigation; however, residual adverse
Construction: Adverse Effect – For the Build Alternative, traffic delays would exceed the 2.5 second delay significance criteria per LADOT guidelines at two intersections during peak hours or during planned	*Construction:* Adverse Effect – Same as Build Alternative, except one fewer intersection is affected. Intersection #15: Vignes Street and Main Street would not be adversely affected with the Build Alternative Design Option.	*Construction* • TR-1, MY TR-1, MY TR-2, MY-TR-3	

Table 6-1. Impact Overview of Build Alternative and Build Alternative Design Option[1, 2]

Build Alternative Impact Evaluation	Build Alternative Design Option Impact Evaluation	Mitigation Measures	Residual Adverse Effects Discussion
closures (Intersection #15: Vignes Street and Main Street and Intersection #27: Mission Road and Cesar Chavez Avenue). For the Malabar Yard railroad improvements, the applicable vehicle to capacity (V/C) ratio threshold would be exceeded at two intersections (Intersection #5: Vernon Avenue/Santa Fe Avenue and Intersection #6: Santa Fe Avenue/Pacific Boulevard). *Operations:* Adverse Effect – For the Build Alternative, traffic delays would exceed LADOT guidelines at Intersection #4: Center Street and Commercial Street. For the Malabar Yard railroad improvements, the applicable V/C ratio threshold would be exceeded at two intersections (Intersection #6: Santa Fe Avenue/Pacific Boulevard and Intersection #4: Pacific Boulevard/Fruitland Avenue) and one roadway segment (Roadway Segment #4: Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard). Indirect: No Adverse Effect	*Operations:* Adverse Effect – Same as Build Alternative. *Indirect*: No Adverse Effect – Same as Build Alternative.	*Operations* • LU-1, MY TR-3, MY TR-4, MY TR-5	effects related to roadway hazards and emergency response (during operations only) would remain.
Roadway Hazards and Emergency Response			
Construction: Adverse Effect – For the Build Alternative, roadway hazards may result from temporary lane width reductions, short-radius curves and/or short sight distances. Construction activities could also interfere with emergency response and access. For the Malabar Yard railroad improvements, roadways and intersections may be subject to temporary detours and lane blockages at multiple locations resulting in temporary roadway hazards to motorists, pedestrians, and bicyclists. Temporary roadway closures and detours could also interfere with emergency response and access. *Operations:* No Adverse Effect (Build Alternative)/Adverse Effect (Malabar Yard Railroad Improvements) – Concourse-related improvements could improve ingress and egress to LAUS and access to platforms; passenger safety, flow and capacity; CBC and ADA accessibility; and access for first responders. Improving the North Main Street at-grade crossing will make it safer for pedestrians and bicyclists. Improvements on Vignes Street and Cesar Chavez Avenue will also make pedestrians and bicyclists safer. For the Malabar Yard railroad improvements, the new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes an adverse effect under NEPA, the increase in queue at this location may introduce a potential roadway hazard which may also impede access for emergency responders. Indirect: No Adverse Effect	*Construction:* Adverse Effect – Same as Build Alternative, except • Retaining the existing Vignes Street Bridge instead of replacing it reduces road closures and detours because Vignes Street remains open during construction. *Operations:* Adverse Effect – Same as Build Alternative, *Indirect*: No Adverse Effect – Same as Build Alternative.	*Construction* • TR-1, MY TR-1, MY TR-2, MY TR-3 *Operations* • MY TR-3, MY TR-4, MY TR-5, MY TR-6	

Table 6-1. Impact Overview of Build Alternative and Build Alternative Design Option[1, 2]

Build Alternative Impact Evaluation	Build Alternative Design Option Impact Evaluation	Mitigation Measures	Residual Adverse Effects Discussion
Freight Rail			
Construction: Adverse Effect – The Build Alternative results in removal of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard and operational inefficiencies when BNSF operates longer trains between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. The Malabar Yard railroad improvements would cause no adverse effect during construction. *Operations* – Removal of storage tracks that occurs during construction would remain throughout operations and would require double movements along the heavily congested San Bernardino Subdivision to transfer longer intermodal trainsets; thereby creating operational inefficiencies. The Malabar Yard railroad improvements would increase operational efficiency by eliminating the need to operate on the same track as passenger trains. The increase in operational efficiency is considered a long-term benefit. Beneficial effects are discussed below in Section 6.1. *Indirect:* Adverse Effect – The double movement to transfer longer intermodal trainsets would potentially create increased emissions and traffic queuing/delay because freight trains would be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time.	*Construction:* Adverse Effect – Same as Build Alternative. *Operations:* Adverse Effect – Same as Build Alternative. *Indirect*: No Adverse Effect – Same as Build Alternative.	*Construction, Operations, Indirect* • TR-3	
Air Quality and Global Climate Change			
General Conformity			For the Build Alternative, Build Alternative Design Option, and the Malabar Yard railroad improvements, adverse effects related to general conformity would be mitigated so that no residual adverse effects would remain.
Construction: Adverse Effect – The Build Alternative and Malabar Yard railroad improvements combined would generate exhaust emissions that would exceed the *de minimis* level for NO_x. *Operations:* Adverse Effect – Operation of the Build Alternative and Malabar Yard railroad improvements combined would exceed the *de minimis* level for NO_x emissions in years 2026 and 2031. The Malabar Yard railroad improvements would improve main line rail capacity and support regional freight rail growth, thereby avoiding the diversion of rail served demand to long haul trucking. The reduction in truck VMT results in reduced fuel consumption by truck and associated truck emissions. *Indirect:* Beneficial Effect – The Build Alternative would encourage people to use public transit more and single-occupancy vehicles less. This shift may indirectly reduce transportation emissions as rail is a more efficient mode of travel and there would be less vehicle congestion and delay on the roads.	*Construction:* Adverse Effect – Same as Build Alternative, but reduced exhaust emissions from reduced construction activities. *Operations:* Adverse Effect – Same as Build Alternative. *Indirect:* Beneficial Effect – Same as Build Alternative.	*Construction* • AQ-2, MY AQ-2 *Operations* • AQ-3	

Table 6-1. Impact Overview of Build Alternative and Build Alternative Design Option[1, 2]

Build Alternative Impact Evaluation	Build Alternative Design Option Impact Evaluation	Mitigation Measures	Residual Adverse Effects Discussion
Noise and Vibration			
Noise			For the Build Alternative, Build Alternative Design Option, and the Malabar Yard railroad improvements, adverse effects related to operational noise would be mitigated so that no residual adverse effects would remain after mitigation; however, even after mitigation for construction-related noise, residual adverse noise effects would remain at William Mead Homes (41 units and 1 recreational use – Build Alternative/17 units and 1 recreational use – Build Alternative Design Option), Care First Village (36 dwelling units and 1 recreational use – Build Alternative/25 units and 1 recreational use – Build Alternative Design Option), Mozaic Apartments (82 units – Build Alternative/23 units – Build Alternative Design Option) and Metro Gateway Childhood Development Center.
Construction: Adverse Effect – For the Build Alternative, noise effects at William Mead Homes and Care First Village would occur during construction of the sound walls. Construction-related noise effects would occur at the following Categories 2 and 3 noise-sensitive land uses: William Mead Homes (41 dwelling units and one recreational use); Care First Village (36 dwelling units and a playground/park); Mozaic Apartments (82 dwelling units); and, Metro Gateway Childhood Development Center. The Malabar Yard railroad improvements would cause no adverse effect (for construction or operations) because no noise-sensitive land uses are within the study area. *Operations:* Adverse Effect – In the 2031 condition, the Build Alternative would result in severe impacts on 34 multifamily dwelling units (24 William Mead Homes dwelling units and 10 dwelling units at the Care First Facility) and one park/athletic field near William Mead Homes. In the 2040 condition, the Build Alternative would result in severe impacts on 34 multifamily dwelling units (24 William Mead Homes dwelling units and 10 dwelling units at the Care First Facility) and one park/athletic field near William Mead Homes. *Indirect* – Malabar Yard railroad improvements would result in a beneficial effect from reduced train movements outside the study area, where existing and future noise-sensitive land uses are located and planned in the future.	*Construction:* Adverse Effect – Same as the Build Alternative, but 24 fewer dwelling units with adverse effects at William Mead Homes, 11 fewer at Care First Village, and 59 fewer at Mozaic Apartments. *Operations:* Adverse Effect – Same as Build Alternative. *Indirect*: Beneficial Effect – Same as Build Alternative.	*Construction* • NV-1, NV-2, NV-3 *Operations* • NV-1	
Cultural and Paleontological Resources			
Historic Properties			The Build Alternative, Build Alternative Design Option, and the Malabar Yard railroad improvements construction would cause adverse effects on (1) the Los Angeles Union Passenger Terminal, (2) Vignes Street Bridge (Build Alternative only), (3) North Main Street Bridge, (4) CA-LAN-1575/H, and (5) paleontological resources. Even after mitigation the effects would remain adverse because cultural and paleontological resources are non-renewable.
Construction: Adverse Effect – For the Build Alternative, adverse effects would occur on one archeological historic property (CA-LAN-1575/H) and three built environment historic properties (Los Angeles Union Passenger Terminal, Vignes Street Undercrossing, and North Main Street Bridge). For the Malabar Yard railroad improvements, ground disturbance would occur in areas with elevated potential to contain buried archaeological sites. *Operations:* No Adverse Effect *Indirect:* Adverse Effect – For the Build Alternative and Malabar Yard railroad improvements, looting or vandalism from construction personnel could result from increased accessibility to buried archaeological resources.	*Construction:* Adverse Effect – Same as the Build Alternative, except avoided impacts to one historic property (Vignes Street Bridge is no longer affected), and less ground disturbance with reduced effect on the Los Angeles Union Passenger Terminal. Less excavation at LAUS results in reduced impact on archaeological historic properties; however south of LAUS more bridge piles would disturb the ground. *Operations:* No Adverse Effect *Indirect:* Same as Build Alternative.	*Construction and Indirect* • CUL-1, CUL-2, MY CUL-1	
Paleontological Resources			

Table 6-1. Impact Overview of Build Alternative and Build Alternative Design Option[1, 2]

Build Alternative Impact Evaluation	Build Alternative Design Option Impact Evaluation	Mitigation Measures	Residual Adverse Effects Discussion
Construction: Adverse Effect – Ground-disturbing construction activities with deeper excavations may have the potential to affect paleontologically sensitive deposits of older Quaternary alluvium (Build Alternative and Malabar Yard railroad improvements) and underlying Puente Formation (Build Alternative only). *Operations:* No Adverse Effect *Indirect:* Adverse Effect – For the Build Alternative and Malabar Yard railroad improvements, increased accessibility by construction personnel to fossils buried in subsurface sediments leads to potential resource looting or vandalism activities.	*Construction:* Adverse Effect – Same as Build Alternative, except less ground disturbance with reduced effect at LAUS results in reduced impact; however south of LAUS more bridge piles would disturb the ground. *Operations:* No Adverse Effect *Indirect:* Adverse Effect – Same as Build Alternative.	*Construction and Indirect* • PAL-1, PAL-2, PAL-3, MY PAL-1, MY PAL-2, MY PAL-3	
Socioeconomics and Communities Affected			
Community Facilities			For the Build Alternative and Build Alternative Design Option, even after mitigation for construction-related noise, residual adverse indirect noise effects would remain for two recreational areas at William Mead Homes and Care First Village, and the Metro Gateway Childhood Development Center. For the Malabar Yard railroad improvements, adverse effects related to community facilities would be mitigated so that no residual adverse effects would remain after mitigation; however residual adverse effects related to emergency vehicle access to Stacy Medical Center (during operations only) would remain.
Construction: Adverse Effect – For the Build Alternative, reduced lane widths, closures, and detours would temporarily affect access to community facilities such as parks and recreational centers, public or publicly funded schools, childcare centers, health care facilities, libraries and places of worship. For the Malabar Yard railroad improvements, temporary traffic delays, roadway closures and detours could cause potential delays for emergency vehicles accessing Stacy Medical Center. *Operations*: No Adverse Effect (Build Alternative)/Adverse Effect (Malabar Yard Railroad Improvements). For the Malabar Yard railroad improvements, traffic delays and the potential roadway hazard that may occur from vehicle queuing along Seville Avenue could affect access to the Stacy Medical Center. *Indirect:* Adverse Effect - For the Build Alternative, construction noise would adversely affect two recreational areas at William Mead Homes and Care First Village, and the Metro Gateway Childhood Development Center.	*Construction:* Adverse Effect – Same as Build Alternative, except one fewer intersection is affected. Intersection #15: Vignes Street and Main Street would not be adversely affected with the Build Alternative Design Option. *Operations:* No Adverse Effect – Same as Build Alternative. *Indirect*: Adverse Effect – Same as Build Alternative.	*Construction* • TR-1, MY TR-1, MY TR-2, MY TR-3, MY TR-6 *Operations* • MY TR-3, MY TR-4, MY TR-5, MY TR-6 Indirect • NV-1	
Business Displacements and the Economy			For the Build Alternative, Build Alternative Design Option, and the Malabar Yard railroad improvements, adverse effects related to temporary access restrictions and business displacements would be mitigated so that no residual adverse effects would remain.
Construction: The Build Alternative would generate employment, labor income, and tax revenues; however, may displace up to one commercial business (Life Storage), two industrial/manufacturing businesses (Amay's Bakery and a portion of BNSF's West Bank Yard), and cause some temporary access restrictions to local businesses. The Malabar Yard railroad improvements (Design Option 2 at both the 46th and 49th Street locations) would also generate employment, labor income, and tax revenues and may displace up to one commercial business. *Operations:* Adverse Effect – Due to the regional importance of the BNSF West Bank Yard to regional goods movement, displacing of a portion of storage tracks at the West Bank Yard is considered an adverse effect.	*Construction:* Same as the Build Alternative, but no acquisition and demolition of Amay's Bakery is required. The Build Alternative Design Option would generate less employment, labor income and tax revenues due to less construction expenditures. *Operations:* Adverse Effect - Same as Build Alternative. *Indirect:* Beneficial Effect – Same as Build Alternative.	*Construction* • TR-1 *Operations* • TR-3	

Table 6-1. Impact Overview of Build Alternative and Build Alternative Design Option[1, 2]			
Build Alternative Impact Evaluation	**Build Alternative Design Option Impact Evaluation**	**Mitigation Measures**	**Residual Adverse Effects Discussion**
Indirect: Beneficial Effect – The Build Alternative would generate increased tax revenue from business, wages paid to workers, and is expected to generate employment during construction and operations. Beneficial effects are discussed below in Section 6.1 below.			

Notes::
1 Not included in this table for brevity are the topic areas of Visual and Aesthetics, Biological and Wetland Resources, Floodplains, Hydrology, and Water Quality, Geology, Soils, and Seismicity, Hazardous Waste and Materials, Public Utilities and Energy, Economic and Fiscal Impacts, and Community Analysis because the Build Alternative and Build Alternative Design Option, after mitigation, would not cause adverse effects on these resources, or because public comments focused less intensively on these resource areas.
2 The analysis for impacts associated with Mitigation Masure TR-3 (Malabar Yard railroad improvements) is integrated into the discussion of both the Build Alternative and Build Alternative Design Option.

Table 6-2. Key Impacts of Public Concern

Resource Area	Input Summary	Summary of How Feedback was Addressed
Transportation	• Impacts from additional trains on the local community. • Impacts on traffic, bus routes, and on-time performance for transit services at LAUS during construction. • Concerns that the Project will increase freight rail activity in the City of Vernon and concerns over related adverse effects in Vernon. • Concerns about timing for the Malabar Yard traffic impact analysis and collection of traffic counts during the COVID-19 pandemic. • Concerns about Malabar Yard traffic study area and why a larger geographic area (between Soto Street and the Los Angeles Junction) was not considered in the analysis. • Concerns about potential queuing to cause LOS-related traffic impacts in Vernon. • Increased public safety response times and impacts to emergency vehicle access in Vernon.	The Project is proposed within an existing rail corridor and adjacent to an existing highway corridor that is already characterized by existing train and highway noise, vibration, visual impacts, air quality impacts, and an existing physical barrier. The improvements to the regional/intercity rail system and accommodation of the HSR system would provide permanent beneficial effects through improved regional accessibility, reduced vehicle trips on freeways, and improvements to transportation infrastructure. Mitigation Measure TR-1 requires alternative routes to be implemented to maintain access and connectivity during road closures and detours, advance notice be provided to residents, communities, public transit and bus operators to help maintain traffic and avoidance of concurrent closures of Cesar Chavez Avenue and Vignes Street north of LAUS during peak hours, where feasible. Mitigation Measure TR-2 requires on-time performance goals to be: 1) mutually agreed upon by SCRRA, LOSSAN, and Amtrak, and 2) achieved throughout construction. Mitigation Measure TR-2 also requires detailed temporary construction staging plans be implemented to maintain mutually agreed upon on-time performance goals and minimize impacts on pedestrians and passengers at LAUS. The traffic analysis study area that identifies the geographic extent of traffic impact for Malabar Yard railroad improvements was coordinated and approved by the City of Vernon prior to conducting the analysis. The traffic impact methodology and COVID Factor was also coordinated and approved by the City of Vernon prior to conducting the analysis. Metro also met with the City of Vernon Executive Leadership and Police Chief to discuss existing and proposed emergency response routes and conducted an extensive emergency response analysis based on feedback from City representatives. Metro completed on-the-ground investigations of freight train movements in Vernon. Existing train activity data was collected and an intersection delay/blockage analysis was performed to determine the current and proposed condition. As part of that effort, Metro installed video cameras at multiple locations throughout the City of Vernon to record continuous 24-hour train activity over the course of a week (April 19–25, 2025). Metro analyzed the intersection delay/blockage that the Malabar Yard railroad improvements could cause and presented those findings to the Vernon City Council and the Vernon Chamber of Commerce. The analysis showed the Malabar Yard railroad improvements would improve citywide vehicle traffic circulation and reduce intersection delay blockage because 3.15 fewer trains would operate in the City of Vernon. Metro completed two additional analyses. • For the first analysis, Metro used the video camera footage to perform an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing and proposed condition with Malabar Yard railroad improvements. Metro analyzed the percentage of time in a 24-hour period that train movements may block access on 46th Street. That analysis showed future BNSF freight trains would block a driveway or intersection approximately two percent of the day (half of all trains operating at night), daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes, and the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day (13.6 minutes in the existing condition and 8.25 minutes in the Opening Year Build condition). • For the second analysis, Metro performed a queuing analysis at six locations to determine whether the existing travel lane storage capacity is adequate to accommodate the queue formations generated from redistributed traffic, or whether queues would form at these crossings when the crossing is closed to traffic for safely while trains pass through intersections. That analysis showed there could be an additional 20 feet of queue formation, which amounts to one vehicle, which could be accommodated by existing travel lane storage. Given the context and low intensity of impact, it was determined that no adverse effect would occur related to vehicle *traffic delay*. A possible impact related to *roadway hazards and emergency response* could potentially occur along Seville Avenue and queuing may also delay access to the Stacy Medical Center resulting in an adverse effect. As a result, Metro adopted Malabar Yard Mitigation Measure TR-6 that requires further coordination with the CPUC and the City of Vernon on roadway design, railroad safety devices, and accessibility to minimize the likelihood of that queue forming. Based on the analysis results, a reduction of total daily vehicle traffic delay would occur from fewer trains operating in the City of Vernon. OMMs were also adopted to support the City of Vernon in further maintaining or reducing emergency response times, including train detection cameras to be available for emergency dispatch, upgraded communications and radio systems, and a mobile Emergency Operations Center.
Air Quality and Global Climate Change	• Air quality and health risk impacts from construction and increased train capacity at LAUS. • Increased vehicle idling emissions in City of Vernon.	A Health Risk Assessment was performed to consider potential cancer risk to receptors within a 2-kilometer buffer of the Build Alternative footprint. Analysis was prepared to demonstrate why an operational health risk assessment is not needed because potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical

Table 6-2. Key Impacts of Public Concern

Resource Area	Input Summary	Summary of How Feedback was Addressed
	• Analysis of sensitive receptors and vehicle idling emissions in the City of Vernon .	criteria triggering such analysis (i.e., a significant increase in diesel truck volumes or worsening of LOS) and minimal emissions in the air quality basin. During construction, Metro will implement Mitigation Measures AQ-1 and AQ-2 so that peak cancer risks from DPM would be reduced to below the SCAQMD's threshold of 10 in 1 million. Throughout operations, Metro also committed to implement Mitigation Measure AQ-3 and conduct annual train emissions inventories to determine if train emissions would exceed SCAQMD's applicable thresholds; and if they do, Metro would mandate Metrolink and Amtrak to implement cleaner technologies or reduce train volumes. Pollutant concentrations would decrease by 30 percent in 2031 and 37 percent in 2040 with implementation of emerging rail technologies. When considered regionally to address General Conformity requirements, Mitigation Measure AQ-2 and AQ-3 would reduce the magnitude of air quality impacts from both the Build Alternative and Malabar Yard Railroad Improvements so that emissions would not exceed *de minimis* levels. Metro also performed an analysis, which demonstrated 1) how construction emissions for Malabar Yard railroad improvements fall below SCAQMD's localized screening thresholds and would not expose sensitive receptors to substantial pollutant concentrations, and 2) how the 46th Street Connector would result in 3.15 fewer train movements on the Harbor Subdivision and result in less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future, thereby resulting in a beneficial indirect effect on sensitive receptors in Vernon. For construction, the air quality analysis focused on the location where construction caused on-the-ground disturbances. The localized impact showed no construction air quality impacts would occur at the closest receptors to the project footprint, or farther. Because fewer trains would travel to and from Malabar Yard, the Malabar Yard railroad improvements would not cause increases in air quality impacts based on operational train volumes. In response to public comments, OMMs were adopted, including four that would further offset impacts related to air quality: OMM AQ-4 that requires air quality monitoring during construction within the William Mead Homes property; OMM MY TR-7 and OMM MY TR-8 that promotes enhanced pedestrian access to community facilities that serve a minority population in Vernon; and OMM MY TR-9 that enhances transit for Vernon residents and those who work in Vernon.
Noise and Vibration	• Impacts from noise levels from construction activities. • Impacts from noise levels from increased number of trains/train frequency. • Request for Quiet Zone at William Mead Homes. • Concerns related to the extent of the noise and vibration analysis for Malabar Yard railroad improvements and the distances used to identify noise and vibration sensitive land uses in City of Vernon	A noise analysis was conducted to identify potential noise impacts to surrounding communities during construction and operations with increased train movements through LAUS. Sound walls are required at William Mead Homes and Care First Village to reduce operational noise to levels lower than the FTA severe impact criteria. In response to public comments, sound walls will be constructed during the first phase of the project to reduce construction-related noise at William Mead Homes and Care First Village for subsequent phases of construction and to reduce noise from permanent operations. Safety improvements at North Main Street would support the City of Los Angeles' future application to FRA for a quiet zone and would further reduce operational noise levels. Horns are used at the private crossings adjacent to William Mead Homes for safety purposes at the discretion of conductors per FRA protocol. Metro will implement Mitigation Measure NV-2 that requires continuous construction noise and vibration monitoring at impacted noise-sensitive land uses, and if FTA's construction noise or vibration criteria are exceeded, the contractor would be directed to incorporate additional noise and vibration reduction methods. Metro conducted a screening level assessment pursuant to the FTA Transit Noise and Vibration Impact Assessment manual, that FRA also uses, to determine if noise or vibration sensitive land uses were within distances that warrant a more detailed analysis for the Malabar Yard railroad improvements. After applying the appropriate buffers for obstructions (i.e., buildings) based on the limits of the project footprint, no noise -sensitive land uses were determined to be located within 1,000 feet of the proposed 46th Street Connector and 49th Street Closure (without obstructions) or within 650 feet (with obstructions). No further analysis was warranted based on the outcome of the screening procedure. Metro also updated the Final EIS to provide more detail as to why the entirety of Malabar Yard or length of Harbor Subdivision and the San Bernardino Subdivision are not part of the Project footprint – this is because no physical improvements would extend to the full entire yard limits or along these corridors. And the indirect impacts analysis showed fewer trains operating there, which could only decrease noise and vibration compared to the No Build Alternative.
Socioeconomics and Communities Affected	• Impacts to businesses on Commercial Street near US-101 and the US-101 On/Off Ramps. • Impacts to recreational areas, open space, and parking at William Mead Homes.	Metro designed proposed infrastructure to avoid permanent impacts on businesses to the extent possible; however, one commercial business (Life Storage), and Amay's Bakery (both located on Commercial Street) would be directly impacted by the Build Alternative, and the Final EIS acknowledges that some job loss from potential building demolition may occur. As part of Metro's Relocation Assistance Program and the Uniform Relocation Act benefits processes, any businesses subject to building demolition or displacement would be compensated or referred to potential and/or suitable replacement sites. During construction, access to three

Table 6-2. Key Impacts of Public Concern

Resource Area	Input Summary	Summary of How Feedback was Addressed
	• Concern about construction duration and impacts on vehicular traffic. • Impacts on cultural and religious institutions in Little Tokyo and Little Tokyo businesses. • Operational and physical impacts to businesses in the City of Vernon.	other businesses and LADOT's Bus Operations Facility within the immediate vicinity of the Project footprint on Commercial Street would be maintained during business hours upon implementation of Mitigation Measure TR-1. Construction of the Build Alternative would be phased to reduce impacts to local street circulation. Temporary traffic delays and disruptions to traffic would still occur north LAUS in the William Mead Homes, at local intersections surrounding LAUS, and south of LAUS where run-through tracks would be constructed; however, Metro is committed to 1) implementing a construction traffic management plan and community notification plan (Mitigation Measure TR-1); 2) phasing the reconstruction of the Vignes Street Bridge and the Cesar Chavez Avenue Bridge consecutively so that road closures north of LAUS would not be concurrent; and 3) coordinating with LADOT, Caltrans (if ramps are involved), private businesses, public transit and bus operators, emergency service providers, Los Angeles Unified School District, and residents to minimize construction-related vehicular traffic impacts and neighborhood parking impacts, provide advance notice of closures, detours, construction traffic routes, and identify preferred construction access points. An analysis was performed to demonstrate the Build Alternative would not impact the recreational areas at William Mead Homes and to identify potential impacts along Bolero Lane that would be temporarily impacted during construction of the noise wall. Metro committed to restore Bolero Lane to the existing condition or better, in coordination with HACLA, and to coordinate with HACLA and William Mead Homes in advance of construction to address temporary parking impacts during construction. Construction activities would occur multiple blocks away from Little Tokyo District within/adjacent to the US-101 corridor and within existing ROW along the west bank of the Los Angeles River. Cultural and religious institutions in Little Tokyo were identified and the importance of these facilities were discussed with members of the Little Tokyo community to assess in the environmental evaluation. In response to concerns over the impacts of US-101 on-ramp closures to community businesses, Metro explained that closing on-ramps to US-101 during construction would not likely affect that community's businesses because the temporary closures would happen only at night (10:00 PM to 6:00 AM) during weekends, when other street traffic would allow easier street navigation. Metro met with affected businesses prior to publication of the Draft EIS and developed an additional design option at 46th Street and at 49th Street to address concerns by reducing physical impacts to businesses. The new design option would result in only one commercial business that would be directly impacted by the Malabar Yard railroad improvements. The Final EIS acknowledges some job losses from potential building demolition may occur. As part of Metro's Relocation Assistance Program and the Uniform Relocation Act benefits processes, any businesses subject to building demolition or displacement would be compensated or referred to potential and/or suitable replacement sites. Metro also performed a driveway analysis to determine potential access restrictions for each driveway that could be potentially affected by the Malabar Yard railroad improvements. For example, at the Consolidated Fabricators business, Metro used a 65-foot-long "CA Legal" truck turning template to determine whether each design option would maintain adequate ingress/egress for large semi-trucks. The analysis demonstrated that Design Option 1 could impact ingress/egress, but Design Option 2 would facilitate optimal maneuverability there. Despite the no-adverse-effect conclusions, Metro committed to continuing discussions with affected property owners and the CPUC, City of Vernon, and BNSF as final design progresses.
Cultural and Paleontological Resources	• Impacts on archaeological remains. • Historical significance and structural integrity of historic properties, including LAUS, the Macy Street school building, US-101, Bauchet Street, and historic canopies.	Historic properties within the defined Area of Potential Effect (APE) were evaluated to determine potential impacts for properties listed or eligible for the NRHP. Coordination about the eligibility of historic properties and assessment of effects was conducted with the State Historic Preservation Office, Tribes, and other consulting parties, and a Programmatic Agreement was prepared. US-101 was determined not eligible for the NRHP. No adverse effect was identified for Macy Street School and Bauchet Street was not considered because it is located outside the APE. Impacts to LAUS have been reduced to the extent possible and Mitigation Measure CUL-2 would be implemented to further reduce potential impacts. The Build Alternative Design Option, which reduces impacts on historic properties, is considered in the Final EIS based on response to public comments related to historic preservation, among other considerations. Mitigation Measure CUL-1, ATP, was developed to minimize adverse effects to known archaeological properties and address accidental discoveries. As part of the Section 106 process, Metro will consider the feasibility of salvaging significant architectural details from LAUS, including a butterfly canopy, for potential use in an educational display.

6.1.1 Cumulative Effects

Without mitigation, the Build Alternative and Malabar Yard railroad improvements would result in beneficial effects that would contribute to cumulative effects for one resource during construction, adverse effects that would contribute to cumulative effects on 13 resources during construction, and 11 resources during operation. Final EIS, Section 3.16, Cumulative Effects. Table 3.16-4 of Section 3.16 of the Final EIS lists those resources. As discussed below, with incorporation of mitigation, adverse effects could contribute to cumulative effects for five resources (two during construction and three during operations) when combined with other planned transit and development projects listed in Table 3.16-2 of Section 3.16 of the Final EIS.

- Transportation – Adverse effect during operation after implementation of Mitigation Measures LU-1, TR-3, MY TR-3, MY TR-4, MY TR-5, and MY TR-6.
- Noise and Vibration – Adverse effect during construction after implementation of Mitigation Measures NV-2 and NV-3.
- Cultural and Paleontological Resources – Adverse effect during construction after implementation of Mitigation Measures CUL-1, CUL-2, PAL-1, PAL-2, PAL-3, MY CUL-1, MY PAL-1, MY PAL-2, and MY PAL-3.
- Safety and Security – Adverse effect during operation after implementation of Mitigation Measures MY TR-3, MY TR-4, MY TR-5, and MY TR-6.
- Socioeconomics and Communities Affected – Adverse effects during operation after implementation of Mitigation Measures TR-3, MY TR-3, MY TR-4, MY TR-5, and MY TR-6.

6.2 Benefits of the Proposed Build Alternative and Design Options

6.2.1 Transportation

Major Capacity Improvements for Regional Passenger Rail. The Build Alternative provides crucial upgrades to LAUS to facilitate massive public-transit growth and expansion in Southern California and the future interconnectivity of the HSR system. Phase A alone will support up to 225 additional daily train movements through LAUS for Metrolink (more than *double* the existing-condition volumes) and up to 20 additional daily train movements for Amtrak (over *40 percent more* than existing-condition volumes). The current configuration at LAUS constrains Metrolink and Amtrak's Pacific Surfliner Service from reaching these train volumes, but the Project's run-through service will allow an additional entry and exit to LAUS. Phase B's additional infrastructure improvements will further facilitate 830 trains per day as early as 2040, an increase of *256 percent* over the existing condition. With the Project, Metrolink passenger rail capacity increases by 70+% (185 trains to 690 trains) and Amtrak passenger rail capacity increases by 65+% (48 trains to 140

trains). (See Final EIS Chapter 1 and Final EIS Appendix C, Rail Planning Technical Memorandum)

High Speed Rail Connectivity. When adding 272 HSR trains in 2040, estimated train movements through LAUS are forecasted to increase by *372 percent*. Phase B will allow HSR trains to connect the statewide HSR system to CHSRA's planned Anaheim station and beyond. The Build Alternative will provide long-term and regional public transit benefits and allow one-seat rides between more destinations.

Active and Equitable Transportation Enhancements. The Build Alternative will also benefit bicycle, and pedestrian access to train platforms and enhance access for passengers with disabilities. It will improve linkages to neighborhoods and transit access. By increasing LAUS capacity, the Build Alternative will also reduce air pollution and greenhouse gas (GHG) emissions from idling locomotives (Final EIS Section 3.5, Pages 3.5-31 and 3.5-38).

Other Transportation Benefits. The Selected Alternative is a critical component of Metrolink's implementation of the SCORE program, as well as other Regional and Statewide Plans to guide the future growth in rail service. The SCORE program is an ambitious capital program to upgrade Metrolink's system. SCORE estimates that the Project could save up to 20 minutes in travel time for Metrolink riders and that the Project is a critical component in SCORE Phase 2 which is anticipated to allow Metrolink to improve its commuter rail service frequencies to 30-minutes bidirectional, all day for all seven lines. (SCAG Integrated Passenger and Freight Rail Forecast Study, December 2022.)

Part of an overall integrated freight and passenger rail plan from the State and region, the Malabar Yard railroad improvements will allow the regional rail system to accommodate both freight service and anticipated increased passenger rail service, without increasing delay. The improvements will allow some freight rail traffic to move off of the same track where passenger trains travel along a portion of the San Bernardino Subdivision. The consolidated train movements that are facilitated by the 46th Street Connector will result in 3.15 fewer train movements per day in the City of Vernon, optimized emergency response times, and less congestion on local roadways. The improved citywide circulation stems from 78 percent less train movements on the Harbor Subdivision coming from/to the San Bernardino Subdivision and reduced daily intersection delay/blockage time by over 1 hour and 20 minutes. The total daily delay for emergency responders will also be reduced by 5.35 minutes per day.

6.2.2 Air Quality and Global Climate Change

The Build Alternative will reduce train dwell times at LAUS (Final EIS Appendix C, Page 17 ad 18), and that will improve air quality and reduce GHG emissions and vehicle miles traveled. By facilitating public transit, the Build Alternative will also encourage people to use public transit more and single-occupancy vehicles less. This shift may indirectly reduce transportation emissions as rail is a more efficient mode of travel and there will be less vehicle congestion and delay on the roads.

The 46th Street Connector will shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place and planned, future residences near the Harbor Subdivision.

6.2.3 Economic and Fiscal Impacts

During construction, the Build Alternative will generate 33,536 job years (representing more than $2.4 billion in labor income), $5.2 billion in output (including $2.8 billion in value added) and $0.7 billion in total federal, state, and local tax revenues (Final EIS Section 3.13, Page 3.13-18). These gains far outweigh the losses of approximately 40 jobs and $330,000 in tax revenue.

During operations, concourse-related improvements and retail activity will generate new property and sales taxes, create long-term jobs operating the concourse and retail facilities, and produce follow-on effects of these long-term jobs. The Build Alternative is expected to generate 145 job-years, which translates to approximately $9.9 million in labor income, for each year starting after the full build-out. Approximately $24.9 million in output (including $13.9 million value added) is anticipated, as well as $2.7 million in tax revenues (Final EIS Section 3.13, Page 3.13-18). The property and sales tax revenues will far outweigh the losses and produce net gains in tax revenues.

Construction of the Malabar Yard railroad improvements will generate employment, labor income, and tax revenues. The Malabar Yard railroad improvements are expected to generate 151 temporary jobs (representing $9.7 million in labor income) during the construction period. It is expected to create $27.1 million in output (including $14.5 million in value added) and $3.5 million in total federal, state, and local tax revenues.

6.2.4 Safety and Security

During operations, the Build Alternative's concourse-related improvements will enhance passengers' ingress and egress access to train platforms; enhance passenger safety, flow, and capacity; increase accessibility for passengers with new facilities that meet current CBC and ADA requirements; and improve emergency access for first responders (Final EIS Section 3.14, Page 3.14-33 and 3.14-34). Separately, replacing the Vignes Street and Cesar Chavez Avenue Bridges will bring them up to current seismic design standards and support additional loading requirements for regional/intercity trains, HSR trains, and steam locomotives. Improving the North Main Street at-grade crossing will make the crossing safer for pedestrians and bicyclists. Improvements on Vignes Street and Cesar Chavez Avenue will also make pedestrians and bicyclists safer.

6.2.5 Socioeconomics and Communities Affected

The Build Alternative is estimated to increase annual local government revenues by up to $4.0 million and 146 net new FTE jobs (96 new jobs in retail and 50 new jobs in janitorial, engineering, and security services) (Final EIS Section 3.15, Page 3.15-47).

Metro's coordination activities with the City of Vernon led to OMMs that complement existing mitigation measures, limit potential impacts that were raised by members of the public during the 45-day public comment period, and provide benefits to the local community. The OMMs in the City of Vernon further support the City's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned.

7.0 Offsetting Mitigation Measures (OMM)

7.1 Build Alternative

At the request of HACLA, Metro adopted OMM AQ-4 to complement existing construction mitigation measures to further limit impacts and be sensitive to community feedback related to William Mead Homes, a public housing community with immediate proximity to construction. OMM AQ-4 is incorporated in the MMRP (Appendix A of this ROD).

This mitigation measure will require that Metro develop a construction air quality monitoring plan specific to William Mead Homes in coordination with HACLA, South Coast Air Quality Management District (SCAQMD), and the U.S. EPA. The plan would include threshold levels for alerts and compliance measures in the event of an alert.

7.2 Malabar Yard Railroad Improvements

In response to concerns raised by the City of Vernon and in consideration of the historic and cumulative effects that the community has experienced that create more adverse existing conditions, Metro proposed a suite of community improvements (OMMs) to offset the adverse effects of the Malabar Yard railroad improvements. After Metro's initial proposal of improvements, City requested additional community improvements, and CHSRA and Metro expanded the suite of community improvements to accommodate the City's requests. Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts.

The eleven OMMs in the City of Vernon are incorporated in the MMRP (Appendix A of this ROD) and discussed in the tables presented in Section 6 of this ROD.

8.0 Monitoring Commitments and Monitoring

Consistent with 40 CFR 1505.2(c), all practicable means to avoid or minimize environmental harm caused by the Selected Alternative have been identified and included as mitigation measures in the joint MMRP (see Appendix A of this ROD). The joint MMRP combines the mitigation measures identified in the NEPA EIS along with the mitigation measures identified by Metro for CEQA compliance.

The joint MMRP combines the mitigation requirements into a single document to streamline the implementation process for projects with federal and state approvals.

The MMRP is a formal commitment by Metro to carry out all of the measures identified therein as a condition of project approval. Metro is required to implement and provide appropriate funding for all mitigation measures and OMMs contained in the MMRP. The MMRP measures are commitments on Metro imposed under this ROD. Any change in such commitments from the description in the attached MMRP will require a review in accordance with 23 CFR 771.129-130 and must be approved by CHSRA.

In carrying out the MMRP, FRA regulations require CHSRA to monitor the action and, as necessary, take steps to enforce the implementation of such measures. Metro shall provide to the CHSRA Director of Environmental Services, for purposes of CHSRA's NEPA lead agency responsibilities, written updates on the status of the MMRP items every three months until project completion, as detailed in the MMRP. Metro understands that future or current federal financial assistance may be conditioned on or subject to the adequacy of these written MMRP updates. Adequacy shall be determined by CHSRA as the NEPA lead agency.

To support compliance, Metro will implement an Environmental Management System consisting of strategic planning, policies, and procedures; organizational structure; staffing and responsibilities; milestones; schedule; and resources devoted to achieving Metro's environmental commitments. The Environmental Management System will also track the implementation of environmental requirements and compliance reports. This system will rely on all available data, including from the construction manager/general contractor, consultants, pre-construction services and permitting activities, monitoring, inspections, and other compliance activities.

9.0 Summary of Comments Received on the Final EIS

9.1 Cooperating and Participating Agencies

Caltrans and SCRRA (NEPA Cooperating Agencies), in addition to U.S. EPA (NEPA Participating Agency), were provided the Administrative Final EIS on September 29, 2025 for their respective reviews. A summary of which agencies responded is provided in Table 2-1 of this ROD.

9.2 Late Comments Received from City of Vernon and the Public

During the Metro Planning and Programming Committee Meeting on October 15, 2025 prior to certification of the Final SEIR and adoption of the MMRP, 6 public comments were received by agency representatives. During the Metro Executive Committee Meeting on October 16, 2025 prior to certification of the Final SEIR and adoption of the MMRP, 20 public comments were received by members of the public and agency representatives. During the Metro Board of Directors Meeting on October 23, 2025 prior to certification of the Final SEIR and adoption of the MMRP, 61 public comments were received by members of the public and agency representatives. During the CHSRA Board of Directors Meeting on November 20, 2025 when an informational update was provided for the Link US Project, 11 comments were received by members of the public and agency representatives.

- During the Metro Planning and Programming Committee Meeting, Metro Executive Committee Meeting, and Metro Board of Directors Meeting, many commenters referenced the Malabar Yard railroad improvements (Mitigation Measure TR-3), generally expressed strong objection to the Malabar Yard portion of the Link US Project, while concurrently expressing support for the remainder of the project. Objections related to Malabar Yard included concerns over its necessity, whether less impactful alternatives were adequately reviewed, and concerns over Malabar Yard's potential impacts on traffic, emergency response, noise, and air quality emissions in the City of Vernon. Other commenters expressed strong support for the Project, emphasizing its potential to create jobs and enhance railroad operations.
- During the CHSRA Board of Directors Meeting, the majority of the comments referenced objections to the Malabar Yard railroad improvements, raising concerns similar to those described above.

The following letters were also received from the City of Vernon, City of Vernon Chamber of Commerce, and RWG Law, representing the City of Vernon:

- Letter to Metro Planning and Programming Committee Members with the subject “Agenda No. 10 – Item Needs More Consideration. The City of Vernon has Significant Concerns Regarding the Proposed Malabar Yard Improvements.” (dated October 14, 2025)
- Letter to Metro Executive Management Committee Members with the subject “Agenda No. 10 – Item Needs More Consideration. The City of Vernon has Significant Concerns Regarding the Proposed Malabar Yard Improvements.” (dated October 15, 2025)
- Letter to Metro Board of Directors regarding Link US – Draft EIS/SEIR (dated October 22, 2025)
- Letter to Metro Board Chair Dutra and Members of the Metro Board of Directors with the subject “Agenda Item No. 10 – AGAINST. The City of Vernon has significant concerns over impacts on our community and opposes the Link US Project as long as it includes the expansion of the Malabar Yard in Vernon” (dated October 22, 2025).
- Letter to Metro Board Chair Dutra and Members of the Metro Board of Directors regarding “City of Vernon's Additional Comments on Link Union Station Project's Environmental Impact Statements/Supplemental Environmental Impact Report, and Objection to Certification of EIR and Project Approval” (dated October 22, 2025)
- Letter to CHSRA Board Chair Richards and Members of the CHSRA Board of Directors regarding “City of Vernon's Comments on Link Union Station Project's Environmental Impact Statement/Supplemental Environmental Impact Report, and Objection to Certification of EIS and Project Approval” (dated November 11, 2025)

Responses to the above comments received from members of the public, the City of Vernon, and RWG Law (representing the City of Vernon) were prepared and are included as Appendix F to this ROD.

10.0 Revisions to the EIS

As a part of CHSRA's preparation of the Final EIS, revisions to the Draft EIS were identified. Key revisions are summarized in the Executive Summary of the Final EIS. The revisions, even along with the consideration of the Build Alternative Design Option discussed and evaluated in this ROD, do not, individually or collectively, result in substantial changes to the proposed action that are relevant to environmental concerns, or in any significant new circumstances or information relevant to environmental concerns with bearing on the analysis. These revisions do not warrant the need to prepare a supplemental EIS, per the CEQ NEPA regulations (40 CFR 1502.9(c)(1)).

11.0 Decision

CHSRA finds that the Selected Alternative (Build Alternative that includes Rail Yard Canopy Design Options 1 and 2, and the Build Alternative Design Option) best fulfills the Purpose and Need and objectives for the Project while balancing impacts on the natural and human environment. In reaching this decision, CHSRA, as the NEPA lead agency, consulted with the cooperating agencies, participating agencies, and other local stakeholders and considered the physical and operational characteristics and potential environmental consequences associated with the No Action Alternative and the Build Alternative, and all public and agency comments received during and after the 45-day public comment period. The cooperating agencies may issue their own documents, as appropriate, consistent with their statutory and regulatory responsibilities.

11.1 Section 106 Determination

Section 106 of the National Historic Preservation Act of 1966 (54 USC 306108) requires any Federal agency having direct or indirect jurisdiction over a proposed federal or federally assisted undertaking to take into account the effect of the undertaking on any historic property. Of the 17 historic properties in the Area of Potential Effects (16 near LAUS and 1 in the City of Vernon), the Build Alternative would cause adverse effects on 4 properties listed or eligible for listing on the National Register of Historic Properties: (1) LAUS, (2) the Vignes Street Undercrossing, (3) the North Main Street Bridge, and (4) Archaeological Site CA-LAN-1575/H. Project mitigation measures include consulting on construction designs, preserving any unanticipated artifacts discovered, preserving photographs and written descriptions, and seeking to retain character-defining features.

The assessment of adverse effects required under Section 106 of the National Historic Preservation Act was documented in the *Link US Finding of Effect Report*. SHPO concurred with the finding of adverse effect on November 20, 2023. (See Appendix B.)

To address the adverse effects, CHSRA, SHPO, and Metro executed a Programmatic Agreement (PA) on January 14, 2026. Concurring parties include the Gabrieleño Band of Mission Indians–Kizh Nation, the Gabrielino/Tongva Nation, the City of Los Angeles Office of Historic Resources, the California Department of Transportation, District 7, the Los Angeles Conservancy, and the Los Angeles Union Station Historical Society. Attached as Appendix B to this ROD, the PA summarizes the results of the Section 106 process and establishes a process to resolve adverse effects to historic properties during the lifecycle of the project. Adherence to the terms of the PA is an express condition of approval of this project and ROD.

11.2 Section 4(f)/6(f) Determinations

There are no Section 6(f) properties in the Project study area.

Section 4(f) of the DOT Act (49 U.S.C. § 303, as implemented by 23 CFR Part 774) requires that the use of land from important public parks, recreation areas, wildlife refuges, or land containing historical sites of local, state, or federal significance may be approved only if (a) there is no feasible and prudent alternative (b) the Project includes all possible planning to minimize harm to these resources, and (c) the Selected Alternative causes the least overall harm in light of the statute's preservation purpose.

The EIS identified 8 parks and 17 historic sites for a total of 25 Section 4(f) properties in the Study Area. Of these properties, the Selected Alternative would result in the permanent use of three (3) historic sites (Los Angeles Union Passenger Terminal, Vignes Street Undercrossing, and North Main Street Bridge) and the temporary occupancy of two (2) historic sites (William Mead Homes and Denny's Restaurant). SHPO concurred with the findings of No Adverse Effect (1) on Denny's Restaurant and (2) on William Mead Homes on November 20, 2023. No Section 4(f) use was identified for the NRHP-eligible Solar Manufacturing Corporation Building in Vernon. No constructive use of 4(f) properties was identified for the Selected Alternative.

For the affected 4(f) properties, CHSRA and Metro undertook all possible planning to minimize harm to these properties and developed measures such as Mitigation Measures CUL-2 and PR-1 (Restoration of Affected Areas of Section 4(f) Properties), assessed whether any other feasible and prudent avoidance alternatives to the Selected Alternative could be identified, determined that there are no other feasible and prudent avoidance alternatives to the Selected Alternative, and found that the Selected Alternative will cause the least overall harm, after consideration of the factors identified at 23 CFR 774.3(c)(1) and in light of Section 4(f)'s preservation purpose. (See Chapters 5.0 and 9.0, Section 9.14.5 and Table 9-13 of the Final EIS.)

On November 20, 2023, the SHPO concurred with conclusions relevant to historic properties, as described in the *Link US Finding of Effect Report* (Appendix B to this ROD). The Department of the Interior concurred with this conclusion on December 1, 2025, and the concurrence is provided in Appendix C to this ROD.

11.3 Section 7 Endangered Species Findings

The Selected Alternative would comply with Section 7 of the Endangered Species Act (ESA) (16 USC §§ 1531–1544). As analyzed in Section 3.7, Biological and Wetland Resources and Appendix Q of the Final EIS, the Biological Study Area (BSA) does not include suitable habitat or designated critical habitat for plant or animal species that are federally listed or candidates for listing by USFWS. Therefore, there are no direct or indirect effects on federally listed or candidate plant or animal species and consultation with USFWS under Section 7 of the Federal ESA is not warranted.

Because the Selected Alternative does not encounter marine or anadromous fish habitat within the Project footprint, the Selected Alternative will not adversely affect any marine or anadromous fish habitat. There is no Essential Fish Habitat within or adjacent to the Project footprint.

Therefore, consultation with the NOAA Fisheries under the Magnuson-Stevens Fishery Conservation and Management Act was not warranted.

11.4 Wetlands Finding

In addition to NEPA and other environmental laws, CHSRA serving as the federal lead agency, is also required to make findings pursuant to Executive Order 11990, Protection of Wetlands, and the U.S. Department of Transportation Wetlands Order 5660.1A.

As analyzed in Section 3.7, Biological and Wetland Resources and Appendix Q of the Final EIS, the only waters subject to federal jurisdiction within the BSA is the reach of the Los Angeles River located below the North Main Street Bridge. The eastern edge of the BSA is adjacent to Los Angeles River; however, no impacts were identified within the Los Angeles River. There are no wetlands within the BSA. Accordingly, the Selected Alternative does not require authorization under Section 404 of the Clean Water Act or related consultation. CHSRA determined that the Selected Alternative is consistent with Executive Order 11990 and Department of Transportation Order 5660.1A.

11.5 Floodplains Finding

As analyzed in Section 3.8, Floodplains, Hydrology, and Water Quality and Appendix Q of the Final EIS, the Project study area is not located within a 100-year or 500-year floodplain; therefore, there is minimal potential for construction activities to cause flooding within or outside of the Project footprint. In this context, construction activities would not lead to adverse effects associated with flooding. The Selected Alternative will not increase or negatively affect the Project study area's vulnerability to levee and dam failure or increase the exposure of people or structures to a significant risk of loss, injury, or death related to flooding or inundation during construction beyond existing conditions.

Although the eastern portion of the Project study area is located in an inundation zone, the Selected Alternative is not located within a 100-year or 500-year floodplain; therefore there is no risk related to flooding. Additionally, the Selected Alternative would result in improvements or modifications to drainage areas within the Project study area to maintain drainage flow patterns. The Selected Alternative would not affect any floodplain areas or require an update to flood maps. The Selected Alternative would not expose people or structures to a significant flooding-related risk beyond existing conditions during operations.

Accordingly, CHSRA determines that the Selected Alternative is consistent with requirements of Executive Order 11988.

11.6 Record of Non-Applicability for Clean Air Act General Conformity

Although CHSRA is the lead NEPA agency for this Final EIS, consistent with 23 USC 327 and the July 23, 2019, NEPA Assignment MOU executed between FRA and the State of California (renewed July 22, 2024), FRA retains its obligations to make general conformity determinations under the CAA. CHSRA and FRA have agreed to collaborate on the approach for achieving general conformity and development of general conformity determinations, as needed.

Based on the quantitative analysis of emissions, the annual construction emissions and annual net change in operational emissions for all analysis years generated by the Selected Alternative, as compared to the No Action Alternative, are below the general conformity *de minimis* levels over the 6-year period of construction anticipated between the years 2026 through 2031 with implementation of mitigation. The emissions analysis is included in Appendix G of this Final EIS.

As a result, the Selected Alternative would not exceed the *de minimis* levels for applicable criteria pollutants in the Basin and a formal general conformity determination is not required. A RONA was prepared to demonstrate compliance with the General Conformity rule. On December 18, 2025, FRA confirmed receipt of the final Record of Non-Applicability (RONA). Reviewed by FRA, the RONA concludes that, after mitigation, the *de minimis* levels for applicable criteria pollutants would not be exceeded as a result of the Project implementation and therefore, formal Conformity Determination procedures are not required.

12.0 Conclusion

CHSRA, as the NEPA lead agency, has reached a decision consistent with the responsibilities assigned to CHSRA by FRA in the NEPA Assignment MOU, after balancing all relevant economic, environmental, technical, and other factors and after considering the information, analysis, and public comments in the project record and in this Combined Final EIS/ROD.

For the Link US Project, CHSRA approves the Build Alternative, that includes Rail Yard Canopy Design Options 1 and 2 and the Build Alternative Design Option, as the Selected Alternative. The Selected Alternative spans, in part, approximately 1.4 miles in the City of Los Angeles from the northern Project limit at North Main Street (MP 1.18) to the southern Project limit in the vicinity of CP Olympic, south of Interstate 10 and Olympic Boulevard (MP 142.70) and includes all improvements, measures, and commitments identified in the attached Mitigation Monitoring and Reporting Program (MMRP) including potential improvements (Mitigation Measure TR-3) in the City of Vernon, as further described in Section 5.7 (Selected Alternative) of this ROD.

CHSRA has determined that the Selected Alternative: (1) best satisfies the Purpose and Need for the proposed action; and (2) minimizes impacts on the natural and human environment by utilizing an existing transportation corridor where practicable and by incorporating all feasible mitigation measures.

With the Selected Alternative and Metro's commitment to implement all measures imposed by the attached MMRP, CHSRA has determined that applicable FRA requirements for the National Environmental Policy Act (NEPA) of 1969 (42 USC 4321 et seq) and related federal environmental statutes, regulations, and executive orders have been satisfied for Metro's Link US Project located in Los Angeles County, California.



1/14/26

Chief Executive Officer — Date

California High-Speed Rail Authority

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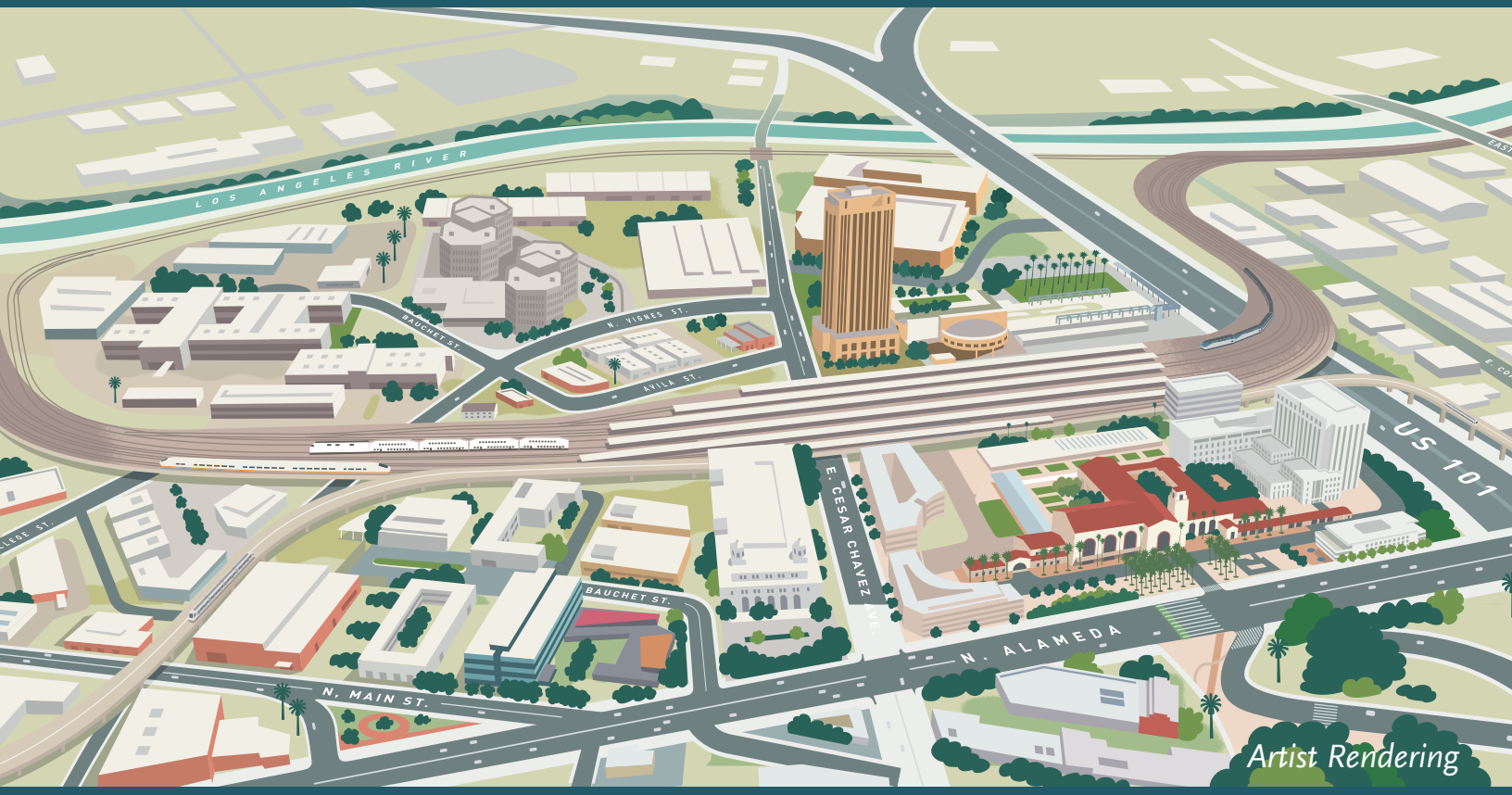
Appendix A: Mitigation Monitoring and Reporting Plan

Link Union Station

Combined Final Environmental Impact Statement/ Record of Decision

Mitigation Monitoring and Reporting Program

January 2026



The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by the State of California pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated July 23, 2019, renewed July 22, 2024 and executed by the Federal Railroad Administration and the State of California.

Metro

CALIFORNIA High-Speed Rail Authority

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ACRONYMS

AB	Assembly Bill
BMP	best management practice
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CGP	construction general permit
CHC	Cultural Heritage Commission
CHSRA	California High-Speed Rail Authority
CRMMP	Cultural Resource Mitigation and Management Plan
DTSC	Department of Toxic Substance Control
EIR	environmental impact report
EIS	environmental impact statement
ESA	environmental site assessment
FTA	Federal Transit Administration
HABS	Historic American Buildings Survey
HACLA	Housing Authority of the City of Los Angeles
HCM	Historic-Cultural Monument
HMMP	Hazardous materials management plan
HSR	High-Speed Rail
IGP	industrial general permit
LA	Los Angeles
LABOE	Los Angeles Bureau of Engineering
LADOT	City of Los Angeles Department of Transportation
LAHCM	Los Angeles Historic-Cultural Monument
LAUS	Los Angeles Union Station
LID	low impact development
LOSSAN	Los Angeles-San Diego-San Luis Obispo
LUC	Land Use Covenant
MBTA	Migratory Bird Treaty Act
Metro	Los Angeles County Metropolitan Transportation Authority
MMRP	Mitigation Monitoring and Reporting Program
MOU	memorandum of understanding
NAHC	Native American Heritage Commission
NPDES	National Pollutant Discharge Elimination System
OHR	Office of Historic Resources
OSHA	Occupational Safety and Health Administration
PAH	polynuclear aromatic hydrocarbon
PMP	Paleontological Mitigation Plan
PRC	Public Resources Code
RIO	River Improvement Overlay District
ROW	right-of-way;
RWQCB	Regional Water Quality Control Board
SCAQMD	South Coast Air Quality Management District; SCORE=Southern California Optimized Rail Expansion
SCRRA	Southern California Regional Rail Authority

SEIR	Supplemental Environmental Impact Report
SWRCB	State Water Resources Control Board
SWPPP	stormwater pollution prevention plan
TMP	traffic management plan
TPH	total petroleum hydrocarbons
VOC	volatile organic compound
WEAP	worker environmental awareness program

1.0 Introduction

The purpose of this joint Mitigation Monitoring and Reporting Program (MMRP) is to memorialize all environmental mitigation requirements for the Link Union Station Project that are part of the Final Environmental Impact Statement (EIS) and Final Supplemental Environmental Impact Report (SEIR) prepared pursuant to the requirements of National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA), respectively. This joint MMRP combines the mitigation measures identified in the NEPA EIS along with the mitigation measures identified in the CEQA SEIR that was certified by the Los Angeles County Metropolitan Transportation Authority (Metro) Board of Directors on October 23, 2025.

This joint MMRP combines the mitigation requirements into a single document to streamline the implementation process for projects with federal and state approvals. The measures contained in this joint MMRP were developed by the California High-Speed Rail Authority (CHSRA) and Metro in consultation with appropriate agencies, as well as with input received from the public. In carrying out the MMRP, Federal Railroad Administration (FRA) regulations require CHSRA to monitor the action and, as necessary, take steps to enforce the implementation of such measures. Metro shall provide to the CHSRA Director of Environmental Services, for purposes of CHSRA's NEPA lead agency responsibilities, written updates on the status of the MMRP items every three months until project completion. The format and content of the updates shall be determined by CHSRA. Metro shall also, upon request, make those updates available to the public. Metro understands that future or current federal financial assistance may be conditioned on or subject to the adequacy of these written MMRP updates. Adequacy shall be determined by CHSRA as the NEPA lead agency.

- Consistent with 40 C.F.R. 1505.2(c), all practicable means to avoid or minimize environmental harm caused by the Selected Alternative have been identified and included as mitigation measures in this MMRP. The CHSRA, as the NEPA lead agency, will monitor the implementation of environmental commitments in the MMRP consistent with applicable federal NEPA requirements and the NEPA Assignment Memorandum of Understanding (MOU).
- Consistent with Section 21081.6 of the California Public Resources Code, it is required that a lead agency adopts a "reporting or monitoring program for the changes made to the project or conditions of project approval, adopted to mitigate or avoid significant effects on the environment" (Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). As CEQA lead agency, Metro is responsible for administering and implementing the MMRP.

Table 1 includes the mitigation measures and Offsetting Mitigation Measures (OMMs) for the NEPA Selected Alternative identified in the Record of Decision and the CEQA Modified Proposed Project identified in the Final SEIR (certified October 23, 2025). Table 2 includes mitigation measures and OMMs for the Malabar Yard railroad improvements. The OMMs are tracked similar

to the mitigation measures in the Final EIS and Final SEIR. One OMM was added to Table 1 for the NEPA Selected Alternative/CEQA Modified Proposed Project and eleven OMMs were added to Table 2 for the Malabar Yard railroad improvements. The mitigation measures and OMMs identified in Tables 1 and 2 would reduce or avoid potentially adverse environmental effects under NEPA/significant impacts under CEQA resulting from the implementation of the NEPA Selected Alternative/CEQA Modified Proposed Project in the City of Los Angeles and the Malabar Yard railroad improvements in the City of Vernon. CHSRA and Metro are required to comply with all mitigation measures adopted with the Record of Decision. The OMMs are a condition of project approval and must also be implemented by Metro during design, construction, and operation of the Selected Alternative identified in the Record of Decision.

In June 2019, Metro adopted an MMRP for the Link US Project with the certification of the Final EIR. In October 2021, Metro adopted a Revised MMRP with approval of CEQA Addendum No. 1. Minor changes and refinements to the mitigation measures that resulted after Metro's adoption of the Revised MMRP and approval of CEQA Addendum No.1 in October 2021 are indicated by strikeout (deleted) and underline (inserted) markings in Table 1. Strikeout (deleted) and underline (inserted) markings are not provided in Table 2 because the mitigation measures and OMMs related to the Malabar Yard railroad improvements are new. Each mitigation measure identified in Table 1 and Table 2 is categorized by topic and corresponding number, with identification of:

- Compliance Action/Deliverable – The monitoring actions to be undertaken to ensure the measure has been implemented.
- Responsible Party – The entity accountable for implementing the action/deliverable.
- Enforcement Agency – The entity accountable for overseeing the implementation of mitigation.
- Implementation Phase (A or B) – The phase when implementation would occur (as applicable for NEPA Selected Alternative/CEQA Modified Proposed Project only).
- Monitoring/Compliance Schedule – The compliance/monitoring schedule depends upon the progression of the design and implementation of NEPA Selected Alternative/CEQA Modified Proposed Project and the Malabar Yard railroad improvements. Therefore, specific dates are not used within the "Schedule" column. Instead, schedule describes a logical succession of events (e.g., prior to construction, construction).
- Verification of Compliance – The monitor verifies completion of the mitigation measure by initialing and dating this column. Conclusion of the monitoring program concludes when all required signatures are obtained in the Verification of Compliance column.

Metro will implement an Environmental Management System consisting of strategic planning, policies, and procedures; organizational structure; staffing and responsibilities; milestones; schedule; and resources devoted to achieving Metro's environmental commitments. The Environmental Management System will also track the implementation of environmental requirements and compliance reports. This system will rely on data from the construction

manager/general contractor, consultants, pre-construction services and permitting activities, monitoring, inspections, and other compliance activities. This process will be managed by Metro to demonstrate compliance activities and progress relevant to their regulatory requirements.

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
Land Use and Planning								
LU-1	**Enhance Neighborhood Connectivity:** Consistent with the Los Angeles River Revitalization Master Plan, RIO Overlay District guidelines, LAUS Sustainable Neighborhood Assessment, City of Los Angeles Mobility Plan, Metro's LA River Path Project, and Metro's Los Angeles Union Station Forecourt and Esplanade Improvements Project, to mitigate the identified adverse effect/significant impact, Metro, in coordination with the City of Los Angeles, shall implement either Class II or IV type bike lanes that consist of only pavement striping and bollards (no additional right-of-way and no raised median will be required) along Commercial Street from Alameda Street to Center Street, enhancing neighborhood connectivity south of US-101. If additional funding is identified, a dedicated bicycle/pedestrian bridge over US-101 could be constructed in addition to the new bicycle lanes described above.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A or B	During Final Design of these specific improvements	—	—
		Prepare infrastructure plans for review and approval by the City of Los Angeles	Metro	City of Los Angeles	Phase A or B	During Final Design of these specific improvements	—	—
		Implement either Class II or IV type bike lanes along Commercial Street from Alameda Street to Center Street	Contractor	City of Los Angeles	Phase A or B	Construction	—	—
Transportation and Traffic								
TR-1	**Prepare a Construction TMP:** During the final engineering phase and at least 30 days prior to construction, a construction TMP shall be prepared by the contractor and reviewed and approved by Metro, LADOT, and Caltrans, where applicable. The street closure schedules in the construction TMP shall be coordinated among ~~between~~ the construction contractor, LADOT, Caltrans (if ramps are involved), private businesses, public transit and bus operators, emergency service providers, Los Angeles Unified School District, and residents to minimize construction-related vehicular traffic impacts during the peak-hour. The signal timing at affected intersections and on and off ramps shall also be adjusted to reduce detoured traffic volumes and maintain traffic flow to the safest degree feasible. LADOT and Caltrans shall be notified in advance of street closures, detours, or temporary lane reductions. During planned closures, traffic shall be re-routed to adjacent streets via clearly marked detours and notice shall be provided in advance to applicable parties (nearby residences, emergency service providers, public transit and bus operators, the bicycle community, businesses, and organizers of special events). The TMP shall identify proposed closure schedules and detour routes, as well as construction traffic routes, including haul truck routes, and preferred delivery/haul-out locations and hours so as to avoid heavily congested areas during peak hours, where feasible, and to maintain safe bicycle and pedestrian access during construction. The following provisions shall be included in the TMP: • Traffic flow shall be maintained, particularly during peak hours, to the degree feasible. • Access to adjacent businesses shall be maintained during business hours via existing or temporary driveways, and residences at all times, as feasible. • Metro or the contractor shall post advance notice signs prior to construction in areas where access to local businesses could be affected. Metro shall provide signage to indicate new ways to access businesses and community facilities, if affected by construction. • Metro shall notify LADOT and Caltrans in advance of street closures, detours, or temporary lane reductions.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Prepare TMP	Contractor	Metro/City of Los Angeles/Caltrans	Phase A and B	Prior to Construction	—	—
		Implement TMP during construction	Contractor	Metro/City of Los Angeles/Caltrans	Phase A and B	Construction	—	—

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	• Metro shall coordinate with LADOT and Caltrans to adjust the signal timing at affected intersections and on- or off-ramps to mitigate detoured traffic volumes. • Closed-circuit television cameras shall be installed at some of the impacted intersections (as approved by LADOT) to monitor traffic in real-time by the Automated Traffic Surveillance and Control department of LADOT during construction. This will allow the city to alleviate congestion by manually changing signal timing parameters, such as allowing more green time to congested movements. • Contractor shall avoid concurrent closures of Cesar Chavez Avenue and Vignes Street north of LAUS.							
TR-2	**Prepare Passenger Rail Operations Temporary Construction Staging Plan:** During final engineering design and prior to construction, Metro shall prepare a memorandum of understanding (MOU) with each current rail operator, including, but not limited to SCRRA, LOSSAN, and Amtrak, to outline mutually agreed upon on-time performance goals to be achieved throughout construction, and how construction sequencing and railroad operational protocols shall ~~would~~ be incorporated into applicable construction documents (plans and specifications). Prior to construction, Metro and the construction contractor shall prepare detailed temporary construction staging plans for each phase of construction that the contractor ~~would~~ implements to maintain mutually agreed upon on-time performance goals while minimizing impacts on pedestrians and passengers at LAUS. Prior to construction, Metro and the construction contractor shall also coordinate with current rail operators to ensure that any rail-to-bus or rail-to-rail connections are uninterrupted throughout construction. Detailed temporary construction staging plans shall be deemed acceptable by the current rail operators prior to commencement of construction activities that could reduce on-time performance. Throughout the duration of construction, SCRRA shall monitor on-time performance during construction and participate in weekly construction coordination meetings to ensure that the mutually agreed upon on-time performance is met.	Prepare MOUs	Metro	Current Rail Operators (SCRRA, LOSSAN, Amtrak)	Phase A and B	Prior to Construction	—	—
		Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Prepare temporary construction service plans	Metro/Contractor	Metro and Current Rail Operators (SCRRA, LOSSAN, Amtrak)	Phase A and B	Prior to Construction	—	—
		Participate in weekly construction coordination meetings	Metro, in coordination with SCRRA, Amtrak and LOSSAN Rail Corridor Agency	Metro	Phase A and B	During Construction	—	—
TR-3	**Implement Malabar Yard Railroad Improvements in the City of Vernon (46th Street and 49th Street):** Metro shall implement the following: A. Pursuant to Metro Board Motion 2025-0931, Malabar Yard Mitigations and Continued Collaboration Motion (Oct. 23, 2025), Metro shall collaborate with BNSF to explore potential alternative approaches to rail storage to mitigate NEPA/CEQA significant and adverse environmental impacts caused by the loss of BNSF tracks at the West Bank Yard. Any alternative approach, other than the Malabar Yard Railroad Improvements, must be approved by CHSRA, as NEPA lead agency. This collaboration process includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. As part of Step A above, Metro shall retain an independent railroad consultant to update data and analysis that demonstrates the need for Malabar Yard Railroad Improvements to mitigate the significant environmental effects that would result from the removal of BNSF storage tracks at the West Bank Yard. This independent assessment shall be completed before any implementation of Malabar Yard improvements. On the basis of this independent assessment, Metro and CHSRA may determine, regardless of BNSF concurrence, whether the Malabar Yard Railroad Improvements continue to be needed as a mitigation.	Seek written commitments from BNSF to minimize impacts in City of Vernon	Metro, in coordination with BNSF	Metro/CHSRA	Phase A	Prior to Construction of the Malabar Yard Railroad Improvements (or as agreed upon by Metro and CHSRA)		
		Collaborate with BNSF on potential alternative approaches to Malabar Yard Railroad Improvements (Step A)	Metro, in coordination with BNSF	Metro/CHSRA	Phase A	Prior to Construction of the Malabar Yard Railroad Improvements (or as agreed upon by Metro and CHSRA)		
		Update independent analysis of freight-rail movement and freight-rail storage with third-party data (Step A)	Metro	Metro/CHSRA	Phase A	Prior to Construction of the Malabar Yard Railroad Improvements (or as agreed upon by Metro and CHSRA)		

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

	Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	B. If Metro does not implement the Malabar Yard Railroad Improvements due to Step A above, Metro need not implement the measures in the City of Vernon identified in Table 2 of the Mitigation Monitoring and Reporting Program (MMRP) [Record of Decision Appendix A (MMRP), Table 2 (MMRP Malabar Yard Railroad Improvements)]. If the collaboration between Metro, the City of Vernon, and BNSF under step A or the analysis under Step A, above, do not result in any mitigation approach other than the Malabar Yard Railroad Improvements, then Metro shall implement Design Option 2 for the Malabar Yard Railroad Improvements as follows: • 49th Street Closure Design Option 2 - Hammerhead Cul-de-Sac: Closure of the 49th Street at-grade railroad crossing would accommodate approximately 3,350 track feet of freight storage capacity at the BNSF Malabar Yard. Closure of 49th Street facilitates storage of empty intermodal train car sets that are no longer able to be stored at the BNSF West Bank Yard. • 46th Street Connector Design Option 2 - Northern Alignment: An approximately 1,000-foot segment of new track between two existing track segments would provide a dedicated connection for freight trains serving local customers to travel between BNSF's Malabar Yard and BNSF's Los Angeles Junction. The timing for implementation and operation of the Malabar Yard Railroad Improvements shall be before elimination of tracks at the West Bank Yard unless Metro and CHSRA, as NEPA lead agency, mutually find and conclude removing those tracks first would not cause CEQA/NEPA significant and adverse environmental effects. Such a finding must be supported by a written analysis undertaken by Metro and approved by CHSRA for NEPA sufficiency, before the removal of BNSF storage tracks at West Bank Yard.	Implement 49th Street Closure and 46th Street Connector (Design Option 2) (Step B)	Metro/Contractor	Metro/CHSRA	Phase A	Prior to Construction (or as agreed upon by Metro, CHSRA, City of Vernon, and BNSF)		
Visual Quality and Aesthetics								
AES-1	**Aesthetic Treatments:** Retaining walls in Segments 1 and 2 and the sound walls in Segment 1 of the Project study area shall be designed in consideration of the scale and architectural style of the adjacent William Mead Homes, Care First Village, and Mozaic Apartments. Based on feedback received during project development from residents of the William Mead Homes property, Metro shall coordinate with HACLA regarding aesthetic enhancements to the retaining wall/sound wall at that location. Materials, color, murals, landscaping, and/or other aesthetic treatments shall be integrated into the design of the retaining walls/sound walls to minimize the dominance and scale of the retaining walls/sound walls. Before construction is complete, Metro shall be responsible for the structural maintenance of the sound wall. In most cases, right-of-way agreements require the property owner to perform routine wall maintenance. Metro shall also enter into maintenance agreements with HACLA and Care First Village. Additionally, Metro shall collaborate with HACLA and Care First Village to determine the aesthetics and materials for the sound wall. ~~As the property owner, HACLA and Care First Village shall enter into a maintenance agreement with Metro.~~	Coordinate with HACLA on aesthetic enhancements	Metro	Metro	Phase B	During Final Design	—	—
		Incorporate aesthetic treatments into applicable construction documents (plans and specifications)	Metro	Metro		During Final Design	—	—
		Apply aesthetic treatments	Contractor	City of Los Angeles (HACLA)		During Construction	—	—
		Enter into a maintenance agreement with HACLA and Care First Village	Metro	Metro		Prior to Construction	—	—
AES-2	**Minimize Nighttime Work and Screen Direct Lighting:** Nighttime construction activities near residential areas shall be avoided to the extent feasible. If nighttime work is required, the construction contractor shall install temporary lighting in a manner that directs light toward the construction area and shall install temporary	Incorporate contractor responsibilities into applicable construction	Metro	Metro	Phase A and B	Prior to Construction	—	—

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	shields as necessary so that light does not spill over into residential areas. A Construction Lighting Management Plan shall be prepared and coordinated with Metrolink Operations & Safety to ensure work-zone lights do not impact train engineers' vision or passengers on adjacent platforms.	documents (plans and specifications)						
		Direct light toward the construction area and install temporary shields (as needed)	Contractor	Metro		During Construction	—	—
		Prepare a Construction Lighting Management Plan and Coordinate with Metrolink Operations & Safety	Contractor	Metro/Metrolink	Phase A and B	Prior to Construction	—	—
AES-3	**Screen Direct Lighting and Glare:** During final design, all new or replacement lighting shall comply with *Metro Rail Design Criteria* (Metro 2013), SCRRA *Design Criteria Manual* (SCRRA 2014), CHSRA design criteria, Illuminating Engineering Society standards (Illuminating Engineering Society 2011a, 2011b, 2014), maximum allowable CALGreen glare ratings (California Building Standards Code 2013 – Title 24, Part 11), and Leadership in Energy and Environmental Design® (LEED®) standards for new construction. In addition, all permanent lighting ~~maximum allowable CALGreen glare ratings (California Building Standards Code 2013 – Title 24, Part 11) and~~ shall be designed to be directed away from residential units. Screening elements, including landscaping, shall also be incorporated into the design, where feasible. Low-reflective glass and materials shall also be incorporated into the design of the new canopies to reduce daytime glare impacts.	Incorporate lighting, screening, and glare requirements into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Install permanent lighting that meets CalGreen requirements directed away from residences and install screening elements and landscaping as needed.	Contractor	Metro		During Construction	—	—
Air Quality and Global Climate Change								
AQ-1	**Fugitive Dust Control:** In compliance with SCAQMD Rule 403, during clearing, grading, earthmoving, or excavation operations, fugitive dust emissions shall be controlled by regular watering or other dust preventive measures using the following procedures, as specified in SCAQMD Rule 403: • Minimize land disturbed by clearing, grading, and earth moving, or excavation operations to prevent excessive amounts of dust. • Provide an operational water truck on site at all times; use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas; watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done. • Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes. • Securely cover trucks when hauling materials on or off site.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Arrange for appropriate consultations with CARB or SCAQMD to determine registration and permitting requirements	Contractor	Metro, CARB and/or SCAQMD		Prior to Construction	—	—
		Implement dust control measures	Contractor	Metro		During Construction	—	—

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

	Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	• Stabilize the surface of dirt piles if not removed immediately. • Limit vehicular paths and limit speeds to 15 miles per hour on unpaved surfaces and stabilize any temporary roads. • Minimize unnecessary vehicular and machinery activities. • Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway. • Revegetate or stabilize disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities. The following measures shall also be implemented to reduce construction emissions: • The construction contractor shall prepare and update on a monthly basis ~~Prepare~~ a comprehensive inventory list of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) (i.e., make, model, engine year, horsepower, emission rates) that could be used an aggregate of 40 or more hours throughout the duration of construction to demonstrate how the construction fleet is consistent with the requirements of Metro's Green Construction Policy. • Ensure that all construction equipment is properly tuned and maintained. • Minimize idling time to 5 minutes, whenever feasible, which saves fuel and reduces emissions. • Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators, whenever feasible. • Arrange for appropriate consultations with CARB or SCAQMD to determine registration and permitting requirements prior to equipment operation at the site and obtain CARB Portable Equipment Registration with the state or a local district permit for portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, as applicable. These control techniques shall be included in project specifications and shall be implemented by the construction contractor.	Contractor to prepare and update on a monthly basis a comprehensive inventory list of all heavy-duty off-road equipment and demonstrate how construction fleet is consistent with Metro's Green Construction Policy	Contractor	Metro, CARB and/or SCAQMD		During Construction	—	—
AQ-2	**Compliance with U.S. EPA's Tier 4 Exhaust Emission Standards and Renewable Diesel Fuel for Off-Road Equipment:** In compliance with Metro's Green Construction Policy, all off-road diesel powered construction equipment greater than 50 horsepower shall comply with U.S. EPA's Tier 4 final exhaust emission standards (40 CFR Part 1039). In addition, if not already supplied with a factory-equipped diesel particulate filter, all construction equipment shall be outfitted with best available control technology devices certified by the CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations. In addition to the use of Tier 4 equipment, all off-road construction equipment shall be fueled using 100 percent renewable diesel.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Use construction equipment that meets Tier 4 exhaust emissions standards.	Contractor	Metro		During Construction	—	—
AQ-3	**Adaptive Air Quality Mitigation Plan:** Prior to implementation of regional/intercity rail run-through service, an Adaptive Air Quality Mitigation Plan shall be prepared by Metro, in coordination with the SCRRA, as the operator of the commuter rail service in Southern California and the program manager and grant recipient of the SCORE Program, Amtrak, and the LOSSAN Rail Corridor Agency. The Plan shall identify the	Prepare an Adaptive Air Quality Mitigation Plan	Metro, in coordination with SCRRA, Amtrak and LOSSAN	Metro, in coordination with SCAQMD	Phase A and B	Prior to implementation of run-through service	—	—

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
						Initial	Date
methodology and requirements for annual emission inventories to be prepared by Metro, based on actual/current train movements and corresponding pollutant concentrations through the Year 2040.		Rail Corridor Agency					
Mitigation Plan Requirements: Upon implementation of regional/intercity run-through service, and on an annual basis, Metro shall compile and summarize the current Metrolink, Pacific Surfliner, and Amtrak long-distance train schedules to determine the actual level of daily and peak-period train movements (including non-revenue train movements) that operate through LAUS.	Compile current train schedules/Determine actual train movements	Metro	Metro		Annually by November 1 through 2040	—	—
On an annual basis, Metro shall retain the services of an air quality specialist to conduct an annual emissions inventory to determine if actual train movements through LAUS are forecasted to increase criteria pollutant emissions to a level that would exceed the SCAQMD significance thresholds or diesel pollutant concentrations to a level that would exceed the SCAQMD's 10 in a million threshold at any residential land use in the ~~p~~ Project study area. An annual report shall be prepared by Metro that summarizes the quantitative results of pollutant emissions and diesel pollutant concentrations in the ~~p~~ Project study area. If pollutant emissions and diesel pollutant concentrations are projected to exceed the SCAQMD thresholds, the regional and intercity rail operators in coordination with Metro, who has authority as the owner of Union Station, and California State Transportation Agency, shall either implement rail fleet emerging technologies consistent with 2018 California State Rail Plan Goal 6: Practice Environmental Stewardship, Policy 4: Transform to a Clean and Energy Efficient Transportation System (Caltrans 2018a, pg. 10 and 110), or reduce the train movements through LAUS to lower the criteria pollutant emissions below the SCAQMD significance thresholds and the diesel pollutant concentrations below the SCAQMD thresholds in the P~~p~~roject study area.	Retain air quality specialist to conduct annual emissions inventory	Metro	Metro		Annually by November 1 through 2040	—	—
	Prepare Annual Report	Metro	Metro		Annually by December 31 through 2040	—	—
After implementation of emerging technologies, Metro shall continue to prepare an emissions inventory in coordination with SCRRA, Amtrak, and the LOSSAN Rail Corridor Agency annually to report the quantitative results of criteria pollutant emissions and diesel pollutant concentrations in the P~~p~~roject study area. The annual report shall include an analysis of the actual (current) and proposed changes in train schedules relative to criteria pollutant emissions and diesel pollutant concentration levels in the P~~p~~roject study area. The report shall be prepared annually by December 31 of each year, beginning the calendar year after implementation of regional/intercity rail run-through service through 2040 and shall include results of the emissions inventory and effectiveness of the measures implemented.	Incorporate rail fleet emerging technology requirements into existing and/or future funding and/or operating agreements with provisions that require regional and intercity rail operators to replace, retrofit, or supplement some or all of their existing fleet with zero or low-emission features or reduce train movements through LAUS (only if Annual Report identifies an increase in health risks associated with diesel pollutant concentrations that would exceed SCAQMD thresholds)	Metro, in coordination with SCRRA, Amtrak and LOSSAN Rail Corridor Agency	Metro, in coordination with SCAQMD		Within 60 days of completing Annual Report (if SCAQMD thresholds are anticipated to be exceeded)	—	—
Rail Fleet Emerging Technologies: To achieve a reduction of criteria pollutant emissions below the SCAQMD thresholds and diesel pollutant concentrations below a level that would not exceed SCAQMD thresholds, the regional and intercity rail operators may replace, retrofit, or supplement some or all of their existing fleet with zero or low-emission features. The types of emerging technologies that can be implemented, include, but are not limited to the following: • Electric multiple unit systems. • Diesel multiple units. • Battery-hybrid multiple units. • Renewable diesel and other alternative fuels. Metro shall coordinate with regional rail/intercity rail operators to incorporate these emerging technologies into existing and/or future funding and/or operating agreements to reduce locomotive exhaust emissions in the P~~p~~roject study area.							

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
Noise and Vibration								
NV-1	**Construct Sound Walls:** ~~Prior to reaching forecasted maximum daily regional/intercity train movements through LAUS in 2031 (770trains),~~As early as possible in the Project construction phase, including prior to any demolition, and in any event prior to substantial construction-related activities, Metro shall construct ~~a~~ two permanent sound walls. The first sound wall shall be located between the William Mead Homes and the train tracks near the railroad right-of-way and shall extend ~~up~~ to 22 feet in height and 1,144 feet long to reduce operational noise impacts at William Mead Homes. The second sound wall shall be located between the Care First Village and the train tracks near the railroad right-of-way and shall extend to 13-feet in height and 347 feet long to reduce operational noise impacts at Care First Village. The sound wall shall be constructed of materials that achieve similar reductions or insertion loss at impacted receptors and shall have a surface density of at least 4 pounds per square foot. ~~Metro may construct the sound wall earlier than 2031 to reduce construction-related noise impacts and/or moderate operational noise impacts from increased train movements that may occur as early as 2026.~~	Incorporate design requirements into sound wall	Metro	Metro	Phase B	During Final Design	—	—
		Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro		During Final Design	—	—
		Construct sound wall	Contractor	Metro		During Construction	—	—
NV-2	**Employ Noise- and Vibration-Reducing Measures during Construction:** The construction contractor shall employ measures to minimize and reduce construction noise and vibration. Through weekly and monthly meetings with Metro and the contractor, the means and methods to comply with the overall contract specifications and applicable mitigation measures shall be discussed with Metro and applicable parties prior to implementation. Noise and vibration reduction measures ~~that would~~ to be implemented include, but are not limited to, the following: • Design considerations and project layout: ○ Construct temporary noise walls, such as temporary walls or piles of excavated material, between construction ~~noisy~~ activities and noise-sensitive receivers. ○ Acoustic blankets or soundproof window inserts along facades of sensitive buildings as deemed necessary by the construction contractor. ○ Reroute truck traffic away from residential streets, if possible, and select streets with fewest residences if no alternatives are available. ○ When in use, ~~Site~~ locate equipment on the construction site as far away from noise-sensitive sites as possible. ○ Construct walled enclosures around especially ~~noisy~~ loud activities or clusters of noisy equipment (~~i.e.,~~ e.g., shields can be used around pavement breakers and loaded vinyl curtains can be draped under elevated structures). • Sequence of operations: ○ Restrict pile driving to daytime periods. ○ Combine ~~noisy~~ loud operations to occur in the same time period. ▪ The total noise level produced would not be ~~significantly~~ substantially greater than the level produced if the operations were performed separately. ○ Avoid nighttime activities to the maximum extent feasible. ▪ Sensitivity to noise increases during the nighttime hours in residential neighborhoods. • Alternative construction methods:	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Implement noise and vibration reduction measures	Contractor	Metro		During Construction	—	—
		Monitor noise and vibration levels at William Mead Homes and Mozaic Apartments during the loudest/most vibration intensive activities and notify Metro if FTA criteria is exceeded	Metro	Metro		During Construction	—	—
		Implement additional noise reduction methods (if FTA's construction noise and vibration criteria are exceeded)	Contractor	Metro		During Construction	—	—

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	○ Avoid use of an impact pile driver in noise and/or vibration-sensitive areas, where possible. ▪ Drilled piles or the use of a sonic or vibratory pile driver are quieter alternatives where the geological conditions permit their use. ○ Use specially-quieted equipment, such as quieted and enclosed air compressors and properly-working mufflers on all engines. ○ Select quieter demolition methods, where possible (e.g., sawing bridge decks into sections that can be loaded onto trucks results in lower cumulative noise levels than impact demolition by pavement breakers). ○ Use vibratory rollers in static mode (vibrating motor turned down or off) when operating in close proximity to sensitive buildings. In an effort to keep construction noise levels below FTA's construction noise ~~or~~ and vibration criteria, Metro shall monitor noise and vibration during the loudest and most vibration intensive types of construction activities. Continuous construction noise and vibration monitoring shall be conducted at the first row of residences at William Mead Homes, Care First Village, the Metro Gateway Childhood Development Center, and Mozaic Apartments, within approximately 300 feet of construction activities~~, approximately)~~. Monitors shall be deployed closest to the construction activity because demonstration of compliance with the construction thresholds at the nearest locations guarantees compliance farther ~~further~~ away. If FTA's construction noise or vibration criteria are exceeded, the contractor shall be alerted and directed by Metro to incorporate additional noise and vibration reduction methods (examples above).							
NV-3	**Prepare a Community Notification Plan for Project Construction:** To proactively address community concerns related to construction noise and vibration, prior to construction, Metro and/or the construction contractor shall prepare and maintain a community notification plan. Components of the plan shall include initial information packets prepared and mailed to all residences within a 500-foot radius of project construction. Updates to the plan shall be prepared as necessary to indicate changes to the construction schedule or other processes. Metro shall identify a project liaison to be available to respond to questions and complaints from the community or other interested groups.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Prepare community notification plan and ~~/~~identify project liaison	Contractor	Metro		Prior to Construction	—	—
		Mail information packets to all residences within 500 feet of construction area	Contractor	Metro		During Construction	—	—
Biological Resources								
BIO-1	**Bats:** Preconstruction surveys for roosting special-status bats (including western mastiff bats and western yellow bats) and other native bat species shall be conducted by a Metro and/or CDFW-approved qualified bat biologist within 2 weeks prior to construction. Surveys shall be conducted where suitable habitat and/or bridge structures that will be removed or that will have modifications to the substructure are present. All locations with suitable roosting habitat (including potential maternity roosts) shall be surveyed using an appropriate combination of structure inspection, exit counts, acoustic surveys, or other suitable methods. Surveys shall be conducted during the appropriate season and time of day/night to ensure detection of day- and night-roosting bats (i.e., preferably one daytime and one nighttime survey shall be conducted at each location	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Retain a qualified bat biologist	Metro	Metro		Prior to Tree Removal/Bridge Removal	—	—

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Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	with suitable roosting habitat during the maternity season, May 1 through August 31). If no roosts are detected, trees that provide suitable roosting habitat may be removed under the guidance of the qualified bat biologist.	Conduct preconstruction bat surveys	Metro	Metro		During Construction	—	—
	If a roost is detected, passive exclusion shall include monitoring the roost for 3 days to determine if the roost is active. If the roost is determined to support a reproductive female with young, the roost shall be avoided until it is no longer active. If the roost remains active during the 3 monitoring days and observations confirm it is not a maternity colony, a temporary bat exclusion device shall be installed under the supervision of a Metro and/or CDFW-~~Metro~~-approved qualified bat biologist. At the discretion of the biologist, based on his or her expertise, an alternative roosting structure(s) may be constructed and installed prior to the installation of exclusion devices. Exclusion shall be conducted during the fall (September or October) to avoid trapping flightless young inside during the summer months or torpid (overwintering) individuals during the winter. If it cannot be determined whether an active roost site supports a maternity colony, the roost site shall not be disturbed, and construction within 300 feet shall be postponed or halted until the roost is vacated and the young are volant (able to fly). Exclusion efforts shall be monitored on a weekly basis and continued for the duration of project construction activities and removed when no longer necessary. The following avoidance and minimization measures shall be implemented during construction: • All work conducted on bridges shall occur during the day. If this is not feasible, lighting and noise shall be directed away from night roosting and foraging areas. • Combustion equipment (such as generators, pumps, and vehicles) shall not be parked or operated under a bridge. Construction personnel shall not be present directly under a roosting colony. Construction activities shall not severely restrict airspace access to the roosts. • Removal of mature trees that provide suitable bat roosting habitat shall be conducted outside of the maternity season (May 1 through August 31); that is, removal shall be conducted between September 1 and April 30. Because bats may be present in a torpid state during the winter, suitable roosting habitat shall be removed before the onset of cold weather, generally when temperatures drop below 40 degrees Fahrenheit, (approximately November 1) or as determined by a qualified bat biologist). Should removal of mature trees that provide suitable bat roosting habitat be necessary after the cold weather, a qualified bat biologist shall conduct pre-construction surveys when temperatures are greater than 40 degrees Fahrenheit to ensure that bats are not present during removal. • When removing palm trees, the dead fronds shall be removed first before felling the palm to allow any bats to escape.	Implement avoidance measures, minimization measures, and/or temporary bat exclusion devices (only if a roost with active nest is detected)	Metro	Metro		During Construction	—	—
BIO–2	**MBTA Species:** Vegetation removal shall be conducted outside of the bird nesting season (February 1 through September 30) to the extent feasible. If vegetation removal cannot be conducted outside of the nesting season, a Metro and/or CDFW-~~Metro~~-approved qualified bird biologist shall conduct preconstruction surveys to locate active nests within 72 hours ~~7 days~~ prior to vegetation removal in each area with suitable nesting habitat. If nesting birds are found during preconstruction surveys, an exclusionary buffer (150 feet for passerines and 500 feet for raptors) suitable to prevent nest disturbance shall be established by the biologist. The buffer may be reduced based on species-specific and site-specific conditions as determined by the qualified biologist. This buffer shall be clearly marked in the field by construction personnel under the guidance of the biologist, and construction or vegetation removal shall not be conducted within the buffer until the biologist determines that the young have fledged or the nest is no longer active. Exclusionary devices (hard surface materials, such as plywood or plexiglass, flexible materials, such as vinyl, or a similar mechanism that keeps birds from building nests) shall be installed over suitable nest sites at the bridges, buildings, or other structures that will be removed or that will have modifications to the substructure before the nesting season (February 1 through September 30) to prevent nesting at the bridges by bridge- and	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Retain a qualified bird biologist	Metro	Metro		Prior to Construction	—	—
		Conduct preconstruction bird surveys	Metro	Metro		Within 7 days prior to vegetation removal	—	—
		Implement/mark exclusionary buffer (only if	Contractor	Metro		Prior to vegetation removal until nest is no longer active	—	—

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	crevice-nesting birds (i.e., swifts and swallows). Netting shall not be used as an exclusionary material because it can injure or kill birds, which would be in violation of the MBTA. In addition, if work on existing bridges with potential nest sites that will be removed or will have modifications to the substructure is to be conducted between February 1 and September 30, all bird nests shall be removed prior to February 1. Immediately prior to nest removal, a qualified biologist shall inspect each nest for the presence of torpid bats, which are known to use old swallow nests. ~~Nest removal~~ Removal of partially constructed nests shall be conducted under the guidance and observation of a qualified biologist. Removal of partially constructed swallow nests on bridges that are under construction shall be repeated as frequently as necessary to prevent nest completion ~~unless a nest exclusion device has already been installed~~. ~~Nest removal~~ Removal of nest materials and exclusion device installation shall be monitored by a qualified biologist. Such exclusion efforts shall be continued to keep the structures free of swallows until October or the completion of construction. All Project personnel and contractors who will be on site during construction shall complete mandatory training conducted by the Project Biologist or a designated qualified biologist. Any new Project personnel or contractors that come on board after the initiation of construction shall also be required to complete the mandatory Worker Environmental Awareness Program training before they commence with work. The training shall advise workers of potential impacts on biological and potentially jurisdictional resources. At a minimum, the training shall include the following topics: (1) locations where special-status species may occur; (2) the purpose for resource protection; (3) protective measures to be implemented in the field; (4) environmentally responsible construction practices; and (5) the protocol to resolve conflicts that may arise at any time during the construction process.	nesting birds identified during pre-construction surveys)						
		Install exclusionary devices (only if suitable nests are identified during preconstruction surveys)	Contractor	Metro	Phase B	Prior to February 1 (before bridge modifications at Vignes Street and Cesar Chavez Avenue)	—	—
		Remove bird nests	Contractor	Metro	Phase B	Prior to February 1 (before bridge modifications at Vignes Street and Cesar Chavez Avenue)	—	—
		Conduct WEAP training with the Project Biologist or a designated qualified biologist to all Project personnel and contractors	Metro/Contractor	Metro	Phase A and B	Prior to Construction and during construction as new personnel join the project	—	—
BIO-3	**Protected Trees:** Preconstruction surveys for protected trees (native trees 4 inches or more in cumulative diameter, as measured at 4.5 feet above the ground level, that are subject to protection under the City of Los Angeles Protected Tree and Shrub Regulations (Ordinance No. 186873~~177404~~), and LA Metro's Tree Policy, ~~Preservation of Protected Trees of the City of Los Angeles' municipal code,~~ including oaks (Valley Oak [*Quercus lobata*], California Live Oak [*Quercus agrifolia*], or any other tree of the oak genus indigenous to California but excluding the Scrub Oak [*Quercus berberidifolia*]), southern California black walnut (*Juglans californica*), western sycamore (*Platanus racemora*), and California bay (*Umbellularia californica*)~~,~~ shall be conducted by a registered consulting arborist with the American Society of Consulting Arborists at least 120 days prior to construction. The locations and sizes of all protected trees shall be identified prior to construction and overlaid on project footprint maps to determine which trees may be protected in accordance with Ordinance No. 186873~~177404~~. The registered consulting arborist shall prepare a Protected Tree Report and shall submit three copies to the City of Los Angeles Department of Public Works. Any protected trees that must be removed due to project construction shall be replaced at a 2:1 ratio (or up to a 4:1 ratio for protected trees on private property) except when the protected tree is relocated on the same property, the City of Los Angeles has approved the tree for removal, and the relocation is economically reasonable and favorable to the survival of the tree. Each replacement tree shall be at least a 15-gallon specimen, measuring 1 inch or more in diameter, 1 foot above the base, and shall be at least 7 feet in height measured from the base.	Retain a registered arborist to conduct preconstruction surveys and prepare a Protected Tree Report	Metro	Metro	Phase A and B	180 days prior to Construction	—	—
		Conduct preconstruction protected tree surveys	Metro	Metro		120 days prior to Construction	—	—
		Prepare Protected Tree Report	Metro	Metro		Prior to Construction	—	—
		Replace and/or relocate protected trees (as needed)	Metro	Metro		Within one year of removal of protected trees	—	—
Floodplains, Hydrology, and Water Quality								
HWQ-1	**Prepare and Implement a SWPPP:** During construction, Metro shall comply with the provisions of the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (CGP) (Order No. 2009-0009-DWQ, NPDES No. CAS000002) and any subsequent amendments (Order No. 2010-0014-DWQ, ~~and~~ Order No. 2012-0006-DWQ, and Order No. 2022-0057-DWQ), which are currently in effect. However, during construction of the Project, Order Number 2022-0057-DWQ may be in	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—

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Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	effect. This permit was adopted on September 8, 2022 and will become effective on September 1, 2023~~as they relate to Project construction activities~~. Construction activities shall not commence until a waste discharger identification number is received from the Stormwater Multiple Application and Report Tracking System. The contractor shall implement all required aspects of the SWPPP during project construction. Metro shall comply with the Risk Level 2 sampling and reporting requirements of the CGP. A rain event action plan shall be prepared and implemented by a qualified SWPPP developer within 48 hours prior to a rain event of 50 percent or greater probability of precipitation according to the National Oceanic and Atmospheric Administration. A Notice of Termination shall be submitted to ~~State Water Resources Board (~~SWRCB~~)~~ within 90 days of completion of construction and stabilization of the site.	Prepare and submit Notice of Intent	Contractor/Metro	SWRCB		Prior to Construction		
		Prepare SWPPP	Contractor	Metro/RWQCB		Prior to Construction	—	—
		Implement SWPPP (including preparation of rain event action plans)	Contractor	RWQCB		During Construction	—	—
		Prepare and submit Notice of Termination	Contractor/Metro	SWRCB		90 days prior to completion of construction	—	—
HWQ-2	**Final Water Quality BMP Selection (Caltrans ROW):** Metro shall comply with the provisions of the ~~Caltrans Statewide NPDES Permit (Order No. 2012-0011-DWQ, NPDES No. CAS000003), effective July 1, 2013 (known as the Caltrans MS4 permit)~~ Caltrans MS4 Permit (Order Number 2022-0033-DWQ) and Time Schedule Order (Order Number 2022-0089-DWQ) that was adopted June 22, 2022, and became effective January 1, 2023, and any applicable provisions of the Caltrans SWMP for long-term BMPs. This post-construction requirement shall only apply to the US-101 overhead viaduct improvements. Metro shall prepare a stormwater data report for the plans, specifications, and estimate phase that will address post-construction BMPs for the US-101 overhead viaduct in accordance with the Caltrans *Project Planning and Design Guide* (latest edition).	Incorporate applicable NPDES requirements (for the portions of project within Caltrans ROW) into applicable construction documents (plans and specifications)	Metro	Caltrans	Phase A and B	Final Design	—	—
		Prepare a stormwater data report	Metro	Caltrans		Final Design	—	—
		Comply with MS4 Permit requirements	Contractor	Caltrans	Phase A and B	Post Construction	—	—
HWQ-3	**Final Water Quality BMP Selection (Railroad ROW):** For the portion of the P~~p~~roject outside Caltrans ROW, and not under the jurisdiction of the City of Los Angeles, Metro shall comply with the NPDES General Permit for Waste Discharge Requirements for Stormwater Discharges from Small MS4 (Order No. 2013-0001-DWQ, NPDES No. CAS000004), effective July 1, 2013 (known as the Phase II permit).	Incorporate applicable NPDES requirements into plans into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	Final Design	—	—
		Comply with NPDES requirements	Metro	Metro	Phase A and B	During Construction	—	—
HWQ-4	**Final Water Quality BMP Selection (City of Los Angeles):** Metro shall comply with the NPDES Waste Discharge Requirements for MS4 Discharges within the Coastal Watersheds of Los Angeles and Ventura Counties ~~County, Except Those Discharges Originating from the City of Long Beach MS4~~(Order No. ~~2012-0175~~ R4-2021-0105, NPDES No. CAS0040041), effective ~~December 28, 2012~~ September 11, 2021 (known as the Phase I Permit). This post-construction requirement shall apply to the entire Project except for those portions under the jurisdiction of the Caltrans MS4 Permit and the Phase II Permit. Metro shall prepare a final LID report in accordance with the City of Los Angeles *Planning and Land Development Handbook for Low Impact Development* (LID Manual), May 9, 2016. This document shall identify the required BMPs to be in place prior to Project operation and maintenance.	Incorporate applicable NPDES requirements (project wide) into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	Final Design	—	—
		Prepare a final LID report	Metro	City of Los Angeles		Final Design	—	—
		Comply with NPDES requirements	Metro	Metro	Phase A and B	During Construction	—	—

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Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
HWQ-5	**Comply with Local Dewatering Requirements:** The contractor shall comply with the provisions of the General Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2013-0095, NPDES Permit No. CAG994004), effective July 6, 2013 (known as the Dewatering Permit), as they relate to discharge of non-stormwater dewatering wastes. The two options to discharge shall be to the local storm drain system and/or to the sanitary sewer system, and the contractor shall obtain a permit from the RWQCB and/or the City of Los Angeles~~, respectively~~.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Obtain Dewatering Permits and comply with applicable provisions (as needed)	Contractor	RWQCB/City of Los Angeles		Prior to and During Construction (Dewatering Activities)	—	—
HWQ-6	**Comply with Local Dewatering Requirements for Contaminated Sites:** The contractor shall comply with the provisions of the General Waste Discharge Requirements for Discharges of Treated Groundwater from Investigation and/or Cleanup of Volatile Organic Compounds-Contaminated Sites to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2013-0043, NPDES Permit No. CAG914001), effective April 7, 2013 (known as the Dewatering Permit for contaminated sites), for discharge of non-stormwater dewatering wastes from contaminated sites affected during construction. The two options to discharge shall be to the local storm drain system and/or to the sanitary sewer system, and the contractor shall require a permit from the RWQCB and/or the City of Los Angeles, respectively.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Obtain Dewatering Permits for Contaminated Sites and comply with applicable provisions (as needed)	Contractor	RWQCB/City of Los Angeles		Prior to and During Construction (Dewatering Activities on Contaminated Sites)	—	—
HWQ-7	**Prepare and Implement Industrial SWPPP for Relocated, Regulated Industrial Uses:** Metro shall comply with the NPDES General Permit for Stormwater Discharges Associated with Industrial Activities (IGP; Order No. 2014-0057-DWQ, as amended by Order No. 2015-0122-DWQ, NPDES No. CAS000001) for demolished, relocated, or new industrial-related properties impacted by the project. This shall include preparation of industrial SWPPP(s), as applicable.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Prepare Industrial SWPPP for relocated, regulated industrial uses	Contractor	RWQCB		Prior to Construction (on Industrial Sites)	—	—
		Comply with NPDES requirements	Metro	Metro		During Construction	—	—
Geology, Soils, and Seismicity								
GEO-1	**Prepare Final Geotechnical Report:** During final design, a final geotechnical report shall be prepared by a licensed geotechnical engineer (to be retained by Metro). The final geotechnical report shall address and include site-specific design recommendations on the following: • Site preparation • Soil bearing capacity • Appropriate sources and types of fill	Prepare final geotechnical report	Metro	Metro	Phase A and B	During Final Design	—	—
		Incorporate site-specific recommendations of the final geotechnical report into applicable construction documents (plans and specifications)	Metro	Metro		During Final Design	—	—

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	Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	• Liquefaction • Lateral spreading • Corrosive soils • Structural foundations • Grading practices The recommendations shall be prepared to mitigate the risk of seismic ground shaking and ground failure, including liquefaction. In addition to the recommendations for the conditions listed above, the report shall include results of subsurface testing of soil and groundwater conditions, and shall provide recommendations as to the appropriate foundation designs that are consistent with the latest version of the CBC, as applicable at the time building and grading permits are pursued. Additional recommendations shall be included in that report to provide guidance for design of project-related infrastructure in accordance with Metro Rail Design Criteria, Manual for Railway Engineering, California High-Speed Train Project Design Criteria, California Amendments to the American Association of State Highway and Transportation Officials Load and Resistance Factor Design Bridge Design Specifications, and applicable local city codes (Appendix L of this EIR). The project shall be designed and constructed to comply with the site-specific recommendations as provided in the final geotechnical report to be prepared.	Construct infrastructure per the site-specific geotechnical recommendations	Contractor	Metro		During Construction	—	—
	Hazardous Waste and Materials							
HAZ-1	**Prepare a Construction Hazardous Materials Management Plan:** Prior to construction, an HMMP shall be prepared by Metro that outlines provisions for safe storage, containment, and disposal of chemicals and hazardous materials, contaminated soils, and contaminated groundwater used or exposed during construction, including the proper locations for disposal. The HMMP shall be prepared to address the area of the project footprint, and would include, but shall not be limited to, the following: • A description of hazardous materials and hazardous wastes used (29 CFR 1910.1200). • A description of handling, transport, treatment, and disposal procedures, as relevant for each hazardous material or hazardous waste (29 CFR 1910.120). • Preparedness, prevention, contingency, and emergency procedures, including emergency contact information (29 CFR 1910.38). • A description of personnel training including, but not limited to: (1) recognition of existing or potential hazards resulting from accidental spills or other releases; (2) implementation of evacuation, notification, and other emergency response procedures; (3) management, awareness, and handling of hazardous materials and hazardous wastes, as required by their level of responsibility (29 CFR 1910). • Instructions on keeping Safety Data Sheets on site for each on-site hazardous chemical (29 CFR 1910.1200). • Identification of the locations of hazardous material storage areas, including temporary storage areas, which shall be equipped with secondary containment sufficient in size to contain the volume of the largest container or tank (29 CFR 1910.120).	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	Prior to Construction	—	—
		Prepare Hazardous Materials Management Plan	Contractor	Metro		Prior to Construction	—	—
		Implement Hazardous Materials Management Plan	Contractor	Metro		During Construction	—	—
HAZ-2	**Prepare Project-wide Phase II ESA (based on completed Phase I ESA):** Prior to final design, a Phase II Environmental Site Investigation shall be prepared to focus on likely sources of contamination (based on the	Prepare Phase II ESA Investigation	Metro	Metro	Phase A and B	Prior to Final Design	—	—

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	Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	completed Phase I ESA) for properties within the project footprint that would be affected by excavation. Phase II activities shall consist of: • Collection of soil, groundwater, and soil vapor samples from borings, for geologic analysis and collection/submittal of samples to an environmental laboratory for implementation of an analytical program. Sampling shall be based on the findings of the Phase I ESA for the project area. • Laboratory analysis of samples for contaminants of concern, which vary by location, but may include: VOCs, PAHs, TPHs, and California Title 22 metals. A Phase II ESA Report shall be prepared that summarizes the results of the drilling and sampling activities, and provides recommendations based on the investigation's findings. Metro shall implement the Phase II ESA findings. The Phase II ESA shall be conducted under the direct supervision of a Professional Geologist, licensed in the State of California, with expertise in environmental site assessments and evaluation of contaminated sites.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro		Prior to Construction	—	—
		Implement Phase II recommendations/findings	Contractor	Metro		During Construction	—	—
		Hire a Professional Geologist to supervise the Phase II ESA activities	Metro	Metro		Prior to Construction	—	—
HAZ-3	**Prepare a General Construction Soil Management Plan:** Prior to construction, Metro shall prepare a General Construction Soil Management Plan that includes general provisions for how soils will be managed within the project footprint for the duration of construction. Any soil imported to the project site for backfill shall be certified clean ~~prior~~ per DTSC's *Information Advisory Clean Imported Fill Material* prior to use. General soil management controls to be implemented by the contractor and the following topics shall be addressed within the Soil Management Plan: • General worker health and safety procedures • Dust control • Management of soil stockpiles • Traffic control • Stormwater erosion control using BMPs	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Prepare Construction Soil Management Plan (project wide)	Contractor	Metro		Prior to Construction	—	—
		Implement Construction Soil Management Plan (project wide)	Contractor	Metro		During Construction	—	—
		Provide proof of certified clean imported soil	Contractor	Metro		During Construction	—	—
HAZ-4	**Prepare Parcel-Specific Soil Management Plans and Health and Safety Plans:** Prior to construction, the contractor shall prepare ~~Metro shall prepare~~ parcel-specific Soil Management Plans for known contaminated sites and LUC-adjudicated sites for submittal and approval by DTSC. The plans shall include specific hazards and provisions for how soils will be managed for known contaminated sites and LUC-adjudicated sites. The nature and extent of contamination is expected to vary ~~varies~~ widely across the project footprint, and the findings of a Phase II ESA will provide additional details on what is expected to be encountered during construction. The parcel-specific Soil Management Plan shall provide parcel-specific requirements addressing the following: • Soil disposal protocols. • Protocols governing the discovery of unknown contaminants. • Management of soil on properties within the project footprint with LUCs or known contaminants. Prior to construction on individual properties with LUCs or known contaminants, parcel-specific HASPs shall also be prepared by contractors undertaking work activities ~~for~~ and ~~submittal~~ submitted to ~~and approval by~~ DTSC for approval. The HASPs shall be prepared to meet OSHA requirements, Title 29 of the CFR 1910.120	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Prepare parcel specific soil management plans (for known contaminated sites/LUC-adjudicated sites)	Metro/Contractor	DTSC		Prior to Construction	—	—
		Retain a Certified Industrial Hygienist to prepare parcel specific health and safety plans	Metro	Metro		Prior to Construction	—	—

Table 1. Mitigation Monitoring and Reporting Program: NEPA Selected Alternative/CEQA Modified Proposed Project

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	and CCR Title 8, Section 5192, and all applicable federal, state and local regulations and agency ordinances related to the proposed management, transport, and disposal of contaminated media during implementation of work and field activities. The HASPs shall be signed and sealed by a Certified Industrial Hygienist, licensed by the American Board of Industrial Hygiene. In addition to general construction soil management plan provisions, the following parcel-specific HASPs provisions shall also be implemented: • Training requirements for site workers who may be handling contaminated material • Chemical exposure hazards in soil, groundwater, or soil vapor that are known to be present on a property • Mitigation and monitoring measures that are protective of site worker and public health and safety Prior to construction, Metro shall coordinate proposed soil management measures and reporting activities with stakeholders and regulatory agencies with jurisdiction, to establish an appropriate monitoring and reporting program that meets all federal, state, and local laws for the ~~project~~ proposed infrastructure, and each of the contaminated sites.	(for known contaminated sites/LUC-adjudicated sites)						
		Prepare a parcel specific health and safety plans (for known contaminated sites/LUC-adjudicated sites)	Metro/Contractor	DTSC		Prior to Construction	—	—
		Coordinate proposed soil management measures and reporting activities with appropriate agencies including but not limited to SCRRA, City of Los Angeles, RWQCB	Metro	Metro		Prior to Construction	—	—
		Comply with monitoring and reporting program	Metro	Metro		During Construction	—	—
HAZ-5	**Land Use Covenant Sites and Coordination with the DTSC:** Prior to construction on properties with an LUC, Metro shall coordinate with the DTSC regarding any plans specified in HAZ-4, construction activities, and/or public outreach activities needed to verify that construction activities on properties with LUCs would be managed in a manner protective of public health and the environment.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
		Coordinate with DTSC on LUC sites	Metro/Contractor	DTSC		Prior to Construction (on LUC sites)	—	—
HAZ-6	**Halt Construction Work if Potentially Hazardous Materials/Abandoned Oil Wells are Encountered:** Contractors shall stop work and follow procedures outlined in the HMMP and soil management plans immediately upon discovery if potentially hazardous materials or abandoned oil wells are encountered. Contractors shall follow all applicable local, state, and federal regulations regarding discovery, notification, response, disposal, and remediation for hazardous materials, underground storage tanks, asbestos containing materials (e.g., transite pipes), and/or abandoned oil wells encountered during the construction process.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	Prior to Construction	—	—
		Halt work if potentially hazardous materials/abandoned wells are encountered	Contractor	Metro		During Construction	—	—
HAZ-7	**Compliance with the City of Los Angeles Building Code Methane Regulations:** Prior to final design, Metro shall verify that the design of infrastructure improvements located within Methane Buffer Zones (as defined by LABOE) comply with the City of Los Angeles Building Code regulations set forth in Ordinances 175790 and 180619. The ordinances require evaluation of methane hazards and mitigation of a methane hazard, if one exists, depending on the severity of the hazard.	Verify compliance with City of Los Angeles Building Code Methane Regulations	Metro	City of Los Angeles	Phase A and B	During Final Design	—	—

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Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
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HAZ-8 **Pre-Demolition Investigation:** Prior to the demolition of any structures, ~~constructed prior to the 1970s~~ a survey shall be conducted for the presence of hazardous building materials, such as ~~asbestos-containing materials, lead-based paints~~ ACBs, LBPs, and other materials falling under the Universal Waste requirements. An asbestos survey report signed by a Certified Asbestos Consultant shall be prepared prior to any demolition or renovation in accordance with Rule 1403 (d)(1)(A) of the SCAQMD. The results of this survey shall be submitted to Metro, and applicable stakeholders as deemed appropriate by Metro, and the survey report shall be submitted to the SCAQMD with an application for a Rule 1403 permit. If any hazardous building materials are discovered, prior to demolition of any structures, a plan for proper removal shall be prepared in accordance with applicable OSHA and the Los Angeles County Department of Public Health requirements. The contractor performing the work shall be required to implement the removal plan and shall be required to have a C-21 license in the State of California and possess an A or B classification. If asbestos-related work is required, the contractor or their subcontractor shall be required to possess a California Contractor License (Asbestos Certification). Prior to any demolition activities, the contractor shall be required to secure the site and ensure the disconnection of utilities.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	Phase A and B	During Final Design	—	—
	Conduct pre-demolition survey (for buildings constructed prior to 1970 that require demolition)	Contractor	Metro		Prior to Building Demolition	—	—
	Submit asbestos survey report results to Metro, SCAQMD, and applicable stakeholders	Contractor	Metro and SCAQMD		Prior to Building Demolition	—	—
	Prepare Removal Plan (only if hazardous building materials are discovered during the pre-demolition survey)	Contractor	OSHA/Los Angeles County Department of Public Health		Prior to Building Demolition	—	—
	Provide proof of appropriate licenses and certifications	Contractor	Metro		Prior to Building Demolition	—	—
	Secure the site and disconnect utilities	Contractor	Metro		Prior to Building Demolition	—	—
	Implement Removal Plan	Contractor	Metro		During Building Demolition	—	—
Cultural and Paleontological Resources							
CUL-1 **Archaeological Treatment Plan (ATP):** Prior to construction, Metro shall retain a qualified archaeologist, herein defined as a person who meets the Secretary of Interior's Professional Qualification Standards in Archaeology and is experienced in the analysis and evaluation of the types of material anticipated to be encountered, to develop an ATP that details the actions to be taken to resolve adverse effects on historic property CA-LAN-1575/H and the procedures to address inadvertent discoveries. The California SHPO, Caltrans, and consulting Native American tribes shall be afforded 30 days to review and comment on the draft ATP, consistent with the timeline for consultation under Section 106 of the NHPA (36 CFR 800). Once relevant comments are addressed, the revised ATP shall be submitted to SHPO for 30-day review and concurrence. The ATP shall be prepared consistent with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation and the California OHP *Archaeological Resources Management Reports: Recommended Contents and Format* (OHP 1990). The ATP shall include, at a minimum, the following elements:	Prepare ATP with the following elements: • Research design for the results of previous archaeological research in the Los Angeles Basin • Develop a site-specific sensitivity model	Metro/Contractor	Metro	Phase A and B	Prior to Construction	—	—

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Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
						Initial	Date
• **Research design** – The ATP shall include a robust research design to be used in evaluating whether archaeological features and deposits that may be encountered contribute to the NRHP eligibility of CA-LAN-1575/H under Criterion D, and in recovering scientific data from those features and deposits that are determined to contribute. The research design shall discuss the results of previous archaeological research in the Los Angeles Basin, present research questions relevant to the types of features and deposits that are expected to be encountered, and outline the data requirements necessary to successfully address the research questions. • **Site-specific sensitivity model** – The ATP shall include provisions for the development of a site-specific sensitivity model to guide efforts to avoid or minimize adverse effects on known portions of CA-LAN-1575/H. The sensitivity model shall compare Project-related infrastructure, based on final design, to available information on previous disturbance from as-built plans, historical maps, geotechnical borings, and past archaeological reports that identify fill depth. A three-dimensional model, a series of stratigraphic profiles, or other relatable graphic depiction shall be created to assist in determining the level of sensitivity for encountering buried archaeological features or deposits for each element of the Project design. Consulting tribes shall have an opportunity to review the sensitivity model and provide insight informed by traditional tribal knowledge. • **Phased testing, evaluation, and data recovery of known features and deposits** – Based on the results of the site-specific sensitivity model, protocols for phased testing, significance evaluation, and data recovery of known features and deposits shall be developed. Due to the extreme constraints posed by the location of the Project (affecting public transportation through closure of roads, transit, etc.), testing shall occur as part of the preconstruction activities. The ATP shall include a summary of anticipated features and artifacts potentially associated with CA-LAN-1575/H, including references to the pertinent research domains and data requirements contained in the research design, as well as standards for documentation, evaluation, data recovery, and analysis. The ATP shall rely on OSHA requirements regarding the safety of testing, evaluation, and data recovery locations and the potential for encountering contaminated soils or other hazards. • **Archaeological and Native American monitoring** – The ATP shall include the locations and protocols to be used for archaeological and Native American monitoring during construction and provisions for determining monitoring locations based on final design, potential impacts to archaeological resources as assessed through the site-specific sensitivity model, and the potential to impact tribal resources including human remains that may be contained in both intact and disturbed contexts (e.g., previously disturbed soils or fill). The ATP shall include the requirement that archaeological monitoring take place under the supervision of an Archaeological Field Director meeting the minimum professional qualifications as defined in 2016 by the Society for California Archaeology, along with the demonstrated ability to identify human and non-human remains. The ATP shall also include requirements that all Archaeological Monitors for project construction have completed at least 12 semester units of undergraduate or graduate coursework in archaeology plus 12 months of archaeological-related field experience in California. The ATP shall rely on OSHA requirements regarding the safety of monitoring locations and the potential for encountering contaminated soils or other hazards. • **Provisions for the inadvertent discovery of archaeological features or deposits** – The ATP shall include provisions for the accidental discovery of archaeological features or deposits during construction. These provisions shall include stop work protocols, notification procedures, and methodology for assessing the nature and significance of the find. If the feature or deposit is determined to be significant under Criterion D, then data recovery and analysis procedures outlined for known resources shall be implemented. • **Provisions for the inadvertent discovery of human remains, associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony** – The ATP shall contain	• Develop protocols for phased testing, significance evaluation, and data recovery of known features and deposits • Develop provisions for the accidental discovery of archaeological features or deposits and the accidental discovery of human remains • Include standards for reporting results of archaeological testing, evaluation, data recovery, and monitoring activities Include guidelines for the ownership and curation of archaeological data and collections						
	Retain archaeological and Native American monitors for all phases of work with potential to impact Archaeological Site CA LAN 1575/H or other previously undiscovered archaeological resources related to ethnohistoric or prehistoric archaeological deposits	Metro/Contractor			Prior to Construction and During Construction		
	Prepare public outreach and educational plan	Metro			Prior to Construction		

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Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
						Initial	Date
provisions for the accidental discovery of human remains, associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony. These provisions shall include stop work protocols, notification procedures, and provisions for the treatment (including reburial in an appropriate location) of the human remains and associated objects in a respectful manner as determined through consultation with the Native American tribe identified by the Native American Heritage Commission as the Most Likely Descendant, and in accordance with applicable regulations.	Conduct WEAP training with a qualified archaeologist to all ground-disturbing construction personnel	Metro/Contractor			Prior to Construction and during construction as new personnel join the project		
• **Public participation or outreach plan for CA-LAN-1575/H** – The ATP shall include provisions for the development of a public participation or outreach plan for CA-LAN-1575/H that includes continued consultation with Native American tribes, cultural resource professionals, and other potential stakeholders, such as local historical societies. The plan may include preparation of visual/educational exhibits or murals within LAUS and development of an application for handheld electronic devices, or other published or digital educational material that may be used to inform the public regarding the significance of Historic Chinatown or earlier use and sacredness of the area as it relates to Native Americans. Any materials prepared for public distribution shall comply with applicable regulations regarding the confidentiality of culturally sensitive data and information about archaeological resources. • **Cultural resource worker environmental awareness program (WEAP) training** – The ATP shall include provisions for the development of cultural resource WEAP training to be delivered by a qualified archaeologist to all ground-disturbing construction personnel, including education on the consequences of unauthorized collection of artifacts, a review of discovery protocols, and explanation of mitigation requirements for work in archaeologically sensitive areas. • **Standards for reporting** – The ATP shall include standards for reporting the results of archaeological testing, evaluation, data recovery, and monitoring activities. All reports shall be consistent with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation and the California OHP's *Archaeological Resources Management Reports: Recommended Contents and Format*. • **Guidelines for curation** – The ATP shall include guidelines for the ownership and curation of archaeological data and collections, in compliance with 36 CFR 79 and the California Guidelines for the Curation of Archeological Collections (May 7, 1993). **Covenant for transfer of responsibilities under Section 5024 of the California Public Resources Code** – The ATP shall contain provisions for the negotiation of a covenant between the tribes, Caltrans, Metro and SHPO in order to transfer Caltrans' responsibilities under Section 5024 of the California Public Resources Code to Metro for the acquisition of the parcel in Caltrans ROW on the south side of U.S. 101 at Commercial Street, located within the boundary of archaeological site CA-LAN-1575/H. The covenant cannot be completed until the CEQA environmental document and Section 106 agreement documents have received SHPO concurrence, as the final mitigation measures must also be included in the covenant.	Comply with standards and provisions set forth in the ATP regarding: • Protocols for phased testing, significance evaluation, and data recovery of known features and deposits • Provisions for the accidental discovery of archaeological features or deposits and the accidental discovery of human remains • Standards for reporting results of archaeological testing, evaluation, data recovery, and monitoring activities • Guidelines for the ownership and curation of archaeological data and collections	Metro/Contractor	Metro/Consulting Tribes		During Construction	—	—
CUL-2 **Built Environment Treatment Plan (BETP):** Prior to construction, Metro shall retain a qualified architectural historian, herein defined as a person who meets the Secretary of the Interior's Professional Qualification Standards in Architectural History, to develop a BETP that details the actions to be taken to resolve adverse effects on the built environment historic properties. The California SHPO and continuing consulting parties with specific interest in the historic properties shall be afforded 30 days to review and comment on the draft BETP, consistent with the timeline for consultation under Section 106 of the NHPA (36 CFR 800). Once	Obtain a qualified architectural historian to develop a BETP	Metro	Metro	Phase A and B	Prior to Construction	—	—
	Conduct HABS-Like documentation and further	Metro	Metro		During Final Design	—	—

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Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
						Initial	Date
relevant comments are addressed, the revised BETP shall be submitted to SHPO for 30-day review and concurrence. The BETP shall include, at a minimum, the following elements: • **HABS documentation** – The BETP shall include provisions for the documentation to HABS standards of LAUS character-defining features proposed for demolition or alteration. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards in History or Architectural History and submitted to the Library of Congress as an addendum to HABS CA-2158. The level of HABS documentation will be selected by the National Park Service Regional Office and shall include, at a minimum, large-format photographic recordation and a written description of character-defining features of LAUS proposed for demolition or alteration that were not included in previous HABS documentation (HABS CA-2158, CA-2158-A, CA-2158-B, CA-2158-C, and CA-2158-D). At a minimum, the following character-defining features shall be reviewed for inclusion in this documentation: o Pedestrian passageway o Ramps o Railings o Platforms o Butterfly shed canopies o South retaining wall o Terminal Tower o Car Supply/Maintenance Building o Cesar Chavez Avenue Undercrossing o Vignes Street Undercrossing (this bridge, which was constructed as part of LAUS, does not require additional individual HABS documentation) • **Restoration of the existing LAUS passenger concourse** – The BETP shall include provisions for the restoration of the existing LAUS passenger concourse (west of the pedestrian passageway) to its 1939 appearance in accordance with the Secretary of the Interior's Standards for Restoration, where feasible, from an engineering and constructability standpoint. This includes possible redesign of the entrance to the Metro Red Line to be more compatible with the historic LAUS design. The Secretary of the Interior's Standards for Rehabilitation shall be followed where restoration is not feasible. • **Educational display for LAUS** – The BETP shall include provisions for the development of an educational display for LAUS that could be viewed by the public to demonstrate the history of LAUS and how it was used by past railroad passengers. Metro shall consider the feasibility of salvaging significant architectural details from LAUS for use in the educational display. • **Relocation of the Terminal Tower** – The BETP shall include provisions to evaluate the feasibility by a multi-disciplinary team (e.g., architectural historian, structural, civil, geotechnical, and railroad engineers) to reorient at grade, vertically raise, or relocate the Terminal Tower. If any of those preservation methods are determined infeasible by the multi-disciplinary team, the Terminal Tower will be demolished. • **Cesar Chavez Avenue Undercrossing, Vignes Street Undercrossing, and south retaining wall design plans** – The BETP shall include provisions for the development of design plans for the replacement of the Cesar Chavez Avenue and Vignes Street Undercrossings and alterations to the south retaining wall that are compatible with the historic character of LAUS, including assessing the feasibility	documentation for all character defining features at LAUS						
	Consult with SHPO and the City of Los Angeles CHC and OHR during early design phases of the Project				During Final Design		
	Prepare protection and response plans for unanticipated effects and inadvertent damage to historical built environment resources				Prior to Construction and During Construction		
	Comply with requirements set forth in the BETP for response plans	Metro	Metro		Prior to Construction	—	—

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Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
							Initial	Date
	of rehabilitation options that preserve historically significant portions of these structures as design progresses. • **North Main Street Bridge design plans** – The BETP shall include provisions for the development of design plans for work on the character-defining features of North Main Street Bridge, including, but not limited to, its sidewalks, decking, and wingwalls, in accordance with the Secretary of Interior's Standards for the Treatment of Historic Properties with the objective of minimizing visual impacts of the proposed safety improvements to the historic character of the bridge, to the extent feasible. • **Design review** – The BETP shall identify parties—including SHPO, the City of Los Angeles OHR, and the City of Los Angeles CHC—to be consulted during early design phases of the Project regarding the following items: o alterations to or demolition of character-defining features of LAUS o restoration of the existing LAUS passenger concourse o educational display for LAUS o alterations to character-defining features of the North Main Street Bridge Metro shall take into consideration the feedback received in progressing the design to completion. • **Response plans** – The BETP shall include requirements for the development of protection and response plans for unanticipated effects and inadvertent damage to historical built environment resources.							
HIST-3*	**Friedman Bag Company:** Textile Division Building-City of Los Angeles Office of Historical Resources Review and Consultation and HABS-Like Documentation: Prior to demolition, the character-defining features of the historical resource shall be photographed in a manner similar to HABS standards, submitted to OHR for review and approval, and the archival documentation shall be donated to a suitable repository, such as the City of Los Angeles Public Library.	Conduct HABS-like documentation of the Freidman Bag Company building	Metro	Metro ~~City of Los Angeles OHR~~	Phase A	Prior to Building Demolition (Friedman-Bay Company building)	—	—
		Submit documentation to OHR for review and approval	Metro	Metro		Prior to Building Demolition (Friedman-Bay Company building)	—	—
		Donate archival documentation to a suitable repository	Metro	Metro		Prior to Operation of Run-Through Service	—	—
PAL-1	~~**Prepare a**~~ **Paleontological Mitigation Plan (PMP).** It is anticipated that Quaternary older alluvium or Puente Formation, which are geologic units that have a high sensitivity level, would be impacted during construction if excavation activities extend to depths as shallow as 6 feet below the natural ground surface. Metro shall retain ~~A PMP shall be prepared by Metro's~~ a qualified p~~P~~aleontologist to prepare a PMP using final excavation plans to determine where these geologic units would be impacted~~, and~~. Metro shall implement the PMP prior to the start of any ground-disturbing construction activities if it is determined that such activities would encounter Quaternary older alluvium or Puente Formation. The PMP shall include site-specific impact mitigation recommendations and specific procedures for construction monitoring and fossil discovery. The PMP shall include a requirement for full-time paleontological monitoring if excavations would occur within native Quaternary older alluvium and/or Puente Formation~~, with the exception of pile-driving activities. While pile-driving activities for foundation construction may impact paleontologically sensitive sediments due to the need for foundations to be within firm strata, this activity is not conducive to paleontological monitoring, as~~	Retain qualified paleontologist to prepare a PMP	Metro	Metro	Phase A and B	Prior to Construction	—	—
		Prepare PMP	Metro	Metro		Prior to Construction	—	—
		Implement PMP including full-time paleontological monitoring, discovery protocols, salvage measures, and evaluation and treatment of	Metro	Metro		During Construction	—	—

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Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Implementation Phase (A or B)	Monitoring/Compliance Schedule	Verification of Compliance	
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	~~fossils would be destroyed by the construction process~~. Monitoring is not recommended for excavations that only impact artificial fill and Quaternary younger alluvium. The PMP shall detail a discovery protocol in the event potentially significant paleontological resources are encountered during construction. For example, the contractor shall halt ~~surface disturbing~~ activities in the immediate area (within a 25-foot radius of the discovery), and ~~a~~ Metro's qualified paleontologist shall make an immediate evaluation of the significance and appropriate treatment of the encountered paleontological resources in accordance with the PMP. If necessary, appropriate salvage measures and mitigation measures shall be developed in consultation with the responsible agencies and in conformance with federal and state guidelines and best practices. Construction activities may continue in other areas of the ~~project~~ Project site while evaluation and treatment of the discovered paleontological resources take place. Work may not resume in the discovery area until it has been authorized by Metro's ~~a~~ qualified paleontologist.	discovered paleontological resources						
PAL-2	**Paleontological WEAP Training:** Metro's qualified paleontologist shall prepare a paleontological resource-focused WEAP training that shall be ~~given~~ delivered to all ground-disturbing construction personnel, ~~All site workers shall be required to complete WEAP training with a focus on paleontological resources,~~ including a review ~~of what to do~~ of protocols to follow in the ~~case~~ event of a ~~an unanticipated~~ fossil discovery, as identified in the PMP.	Retain qualified paleontologist to prepare paleontological resource-focused WEAP Training.	Metro	Metro	Phase A and B	Prior to Construction	—	—
		Prepare a paleontological resource-focused WEAP Training.	Metro	Metro	Phase A and B	Prior to Construction	—	—
		Provide WEAP training to all ground-disturbing construction personnel	Contractor	Metro		Prior to Construction and during construction as new personnel join the project	—	—
PAL-3	**Curation:** Metro shall make arrangements for the curation in perpetuity of s~~S~~ignificant fossils recovered during construction ~~shall be curated by Metro in perpetuity~~ at an accredited repository, such as the Natural History Museum of Los Angeles County. These fossils shall be prepared, identified, and catalogued for curation (but not prepared for a level of exhibition of any salvaged specimens) by Metro's qualified paleontologist. This includes removal of all or most of the enclosing sediment to reduce the specimen volume, increase surface area for the application of consolidants or preservatives, provide repairs and stabilization of fragile or damaged areas on a specimen, and allow identification of the fossils. All field notes, photographs, stratigraphic sections, and other data associated with the recovery of the specimens shall be deposited with the institution receiving the specimens.	Retain qualified paleontologist to obtain curation agreement	Metro	Metro	Phase A and B	Prior to Construction	—	—
		Prepare, identify, and catalogue significant fossils recovered for curation	Metro	Metro	Phase A and B	During Construction	—	—
		Provide significant fossils recovered field notes, photographs, stratigraphic sections, and other data associated with the recovery of the specimens to an accredited repository for curation	Metro	Metro		Post Construction	—	—
		~~Incorporate Native American monitor requirements into ATP CRMMP (see Mitigation~~	~~Metro~~	~~Metro~~		~~During Construction (at LAUS)~~	—	—

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						Initial	Date
	~~Measure CUL-1 HIST-5 above)~~						
	Obtain qualified paleontologist to curate potential fossils	Metro	Metro	Phase A and B	Post Construction	—	—
PR-1 **Restoration of Affected Areas.** CHSRA and Metro will require the contractor to return areas of Section 4(f) properties temporarily impacted by construction related activities (e.g., construction staging or TCEs), to their original pre-construction condition or better after the completion of construction.	Return areas of Section 4(f) properties temporarily impacted by construction to their original pre-construction condition or better	Contractor	CHSRA	Phase A and B	Post Construction	—	—
OMM AQ-4 **Construction Air Quality Monitoring at William Mead Homes.** Prior to the start of construction, Metro will develop a construction air quality monitoring plan specific to William Mead Homes in coordination with HACLA, South Coast Air Quality Management District (SCAQMD), and the US Environmental Protection Agency (USEPA). This construction air quality monitoring plan will identify locations along the fence line and within the William Mead Homes property for stationary air quality monitoring to be set up during the phases of construction for the adjacent sound wall construction, throat track reconstruction, and elevated rail yard. The construction air quality monitoring plan will identify the monitoring methodology, inspection procedures, threshold levels for alerts, compliance measures in the event of an alert, and reporting requirements. Compliance measures to be implemented by the construction contractor may include, but are not limited to, additional watering or use of dust suppressants, limiting vehicle speed to 5mph on unpaved surfaces, covering open-bodied trucks, and installing wheel washing stations or rumble plates. The construction air quality monitoring plan will also provide contact information for a construction representative to be identified for inquiries by residents of the William Mead Homes community and guidance for community notifications. Metro will be responsible for operating and maintaining the air quality monitoring equipment during construction. Metro will have a dust control supervisor on-site during construction to ensure the construction air quality monitoring plan is being followed and that the air quality monitoring equipment remains operational during the phases of construction for the adjacent sound wall construction, throat track reconstruction, and elevated rail yard. The dust control supervisor will maintain a daily log of the construction activity by location, verify the air monitoring measurements, and coordinate back to Metro for validation of the data before release to the public.	Develop a construction air quality monitoring plan specific to William Mead Homes	Metro	Metro	Phase A and B	Prior to Construction	—	—
	Implement compliance measures identified in construction air quality monitoring plan	Contractor	Metro	Phase A and B	During Construction	—	—
	Operate and maintain air quality monitoring equipment	Metro	Metro	Phase A and B	During Construction	—	—
	Obtain dust control supervisor to maintain a daily log of construction activities on-site	Metro	Metro	Phase A and B	During Construction	—	—

Notes:
**** Mitigation Measure HIST-3 is a CEQA-only mitigation measure***
AB=Assembly Bill; BMP=best management practice; Caltrans=California Department of Transportation; CARB=California Air Resources Board; CBC=California Building Code; CCR=California Code of Regulations; CEQA=California Environmental Quality Act; CFR=Code of Federal Regulations; CGP=construction general permit; CHC=Cultural Heritage Commission; CHSRA=California High-Speed Rail Authority; CRMMP=Cultural Resource Mitigation and Management Plan; DTSC=Department of Toxic Substance Control; EIR=environmental impact report; ESA=environmental site assessment; FTA=Federal Transit Administration; HABS=Historic American Buildings Survey; HACLA=Housing Authority of the City of Los Angeles; HCM=Historic-Cultural Monument; HMMP=Hazardous materials management plan; HSR=High-Speed Rail; IGP=industrial general permit; LA=Los Angeles; LABOE=Los Angeles Bureau of Engineering; LADOT=City of Los Angeles Department of Transportation; LAHCM=Los Angeles Historic-Cultural Monument; LAUS=Los Angeles Union Station; LID=low impact development; LOSSAN=Los Angeles-San Diego-San Luis Obispo; LUC=Land Use Covenant; MBTA=Migratory Bird Treaty Act; Metro=Los Angeles County Metropolitan Transportation Authority; MOU=memorandum of understanding; NAHC=Native American Heritage Commission; NPDES=National Pollutant Discharge Elimination System; OHR=Office of Historic Resources; OSHA=Occupational Safety and Health Administration; PAH=polynuclear aromatic hydrocarbon; PMP=Paleontological Mitigation Plan; PRC=Public Resources Code; RIO=River Improvement Overlay District; ROW=right-of-way; RWQCB=Regional Water Quality Control Board; SCAQMD=South Coast Air Quality Management District; SCORE=Southern California Optimized Rail Expansion; SCRRA=Southern California Regional Rail Authority; SWRCB=State Water Resources Control Board; SWPPP=stormwater pollution prevention plan; TMP=traffic management plan; TPH=total petroleum hydrocarbons; VOC=volatile organic compound; WEAP=worker environmental awareness program

Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
					Initial	Date
Transportation and Traffic						
MY TR-1 **Prepare a Construction TMP for Malabar Yard Railroad Improvements** During the final engineering phase and at least 30 days prior to implementation of the Malabar Yard railroad improvements, a construction TMP shall be prepared by the contractor and reviewed and approved by Metro and the City of Vernon. Any identified street closure schedules in the construction TMP shall be approved by the City of Vernon and coordinated among the construction contractor, Metro, BNSF, private businesses, public transit and bus operators, the bicycle community, Los Angeles Unified School District, and emergency service providers to minimize construction-related vehicular and non-vehicular traffic impacts during the peak hour. During planned closures, traffic shall be rerouted to adjacent streets via clearly marked detours and notice shall be provided 5 business days in advance to applicable parties (emergency service providers, public transit and bus operators, businesses, bicycle community, and organizers of special events). The TMP shall identify proposed closure schedules and detour routes, as well as construction traffic routes, including haul truck routes, and preferred delivery/haul-out locations and hours to avoid heavily congested areas during peak hours, where feasible and to maintain safe bicycle and pedestrian access during construction. The following provisions shall be included in the TMP: • Traffic flow shall be maintained, particularly during peak hours, to the degree feasible. • Access to adjacent businesses shall be maintained during business hours via existing or temporary driveways, as feasible. • Metro or the contractor shall post advance-notice signs prior to construction in areas where access to local businesses could be affected. Metro shall provide signage to indicate new ways to access businesses and community facilities, if affected by construction. • Metro or the contractor shall notify City of Vernon 5 business days in advance of street closures, detours, or temporary lane reductions.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	During Final Design	—	—
	Prepare TMP	Contractor	Metro/City of Vernon	Prior to Construction	—	—
	Implement TMP	Contractor	Metro/City of Vernon	During Construction	—	—
MY TR-2 **Temporary Restriping and Adding a Right-turn Overlap Phase in Westbound Direction of the Vernon Avenue/Santa Fe Avenue Intersection**: During the final engineering phase and at least 30 days prior to implementation of the Malabar Yard railroad improvements, Metro and BNSF shall obtain approval from the City of Vernon to temporarily restripe the westbound shared through/right-turn lane to a westbound right-turn-only lane at Vernon Avenue and add a right-turn overlap phase in the same direction. The temporary restriping shall remain in place for the duration of construction. Upon completion of the Malabar Yard railroad improvements, the lane shall be returned to its original condition as a shared through/right-turn lane and the right-turn overlap phase shall be eliminated.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro	Metro	During Final Design	—	—
	Install restriping	Contractor	City of Vernon	During Construction	—	—
	Return lane to its original condition as a shared through/right-turn lane and the right-turn overlap phase shall be eliminated	Contractor	Metro	Post Construction	—	—

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
					Initial	Date
MY TR-3 **Restriping of the Santa Fe Avenue/Pacific Boulevard Intersection:** During the final engineering phase and at least 30 days prior to implementation of the Malabar Yard railroad improvements, Metro and BNSF shall obtain approval from the City of Vernon to restripe one eastbound through lane to an eastbound turn lane at Vernon Avenue.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Install restriping	Contractor	City of Vernon	During Construction		
MY TR-4 **Restriping of the Pacific Boulevard/Fruitland Avenue Intersection (Future Horizon Year 2040):** In the Future Horizon Year (2040), Metro and BNSF, in coordination with the City of Vernon, shall restripe the northbound shared through/right-turn lane to a right-turn-only lane and a through lane at Pacific Boulevard.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Install restriping	Contractor	City of Vernon	During Construction		
MY TR-5 **Add a New Vehicular Lane on the Fruitland Avenue Roadway Segment between Santa Fe Avenue and Pacific Boulevard (Future Horizon Year 2040):** In the Future Horizon Year (2040), Metro and BNSF, in coordination with the City of Vernon, shall add a new westbound vehicular lane on Fruitland Avenue.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Install new lane	Contractor	City of Vernon	During Construction		
MY TR-6 **Obtain Required Approvals for At-Grade Railroad Crossings:** For all new and existing at-grade railroad crossing modifications, Metro and BNSF shall obtain required approvals from the City of Vernon and submit a Formal Application to the CPUC in accordance with the process outlined in the Rules of Practice and Procedure (effective May 2021). In accordance with the provisions of CPUC Rule 2.4 *CEQA Compliance*, the Formal Application shall include the Link US Final EIR (June 2019) and Final SEIR.	Prepare Plans for At-Grade Crossings	Metro/BNSF	Metro	Prior to Construction	—	—
	Submit Formal Application to CPUC	Metro	City of Vernon/CPUC	Prior to Construction		
Air Quality and Global Climate Change						
MY AQ-1 **Fugitive Dust Control:** In compliance with SCAQMD Rule 403, during clearing, grading, earthmoving, or excavation operations, fugitive dust emissions shall be controlled by regular watering or other dust preventive measures using the following procedures, as specified in SCAQMD Rule 403: • Minimize land disturbed by clearing, grading, and earth moving, or excavation operations to prevent excessive amounts of dust • Provide an operational water truck on site at all times; use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas; watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done • Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes • Securely cover trucks when hauling materials on or off site	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Implement dust control measures	Contractor	Metro	During Construction	—	—
	Conduct appropriate construction equipment consultations with CARB and SCAQMD	Metro	CARB/SCAQMD	Prior to and During Construction	—	—

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
					Initial	Date
• Stabilize the surface of dirt piles if not removed immediately • Limit vehicular paths and limit speeds to 15 miles per hour on unpaved surfaces and stabilize any temporary roads • Minimize unnecessary vehicular and machinery activities • Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway • Revegetate or stabilize disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities The following measures shall also be implemented to reduce construction emissions: • Prepare a comprehensive inventory list of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) (i.e., make, model, engine year, horsepower, emission rates) that could be used an aggregate of 40 or more hours throughout the duration of construction to demonstrate how the construction fleet is consistent with the requirements of Metro's Green Construction Policy • Ensure that all construction equipment is properly tuned and maintained • Minimize idling time to 5 minutes, whenever feasible, which saves fuel and reduces emissions • Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators, whenever feasible • Arrange for appropriate consultations with CARB or SCAQMD to determine registration and permitting requirements prior to equipment operation at the site and obtain CARB Portable Equipment Registration with the state or a local district permit for portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, as applicable These control techniques shall be included in project specifications and shall be implemented by the construction contractor.						
MY AQ-2 **Compliance with U.S. EPA's Tier 4 Exhaust Emission Standards and Renewable Diesel Fuel for Off-Road Equipment:** In compliance with Metro's Green Construction Policy, all off-road diesel powered construction equipment greater than 50 horsepower shall comply with U.S. EPA's Tier 4 final exhaust emission standards (40 CFR Part 1039). In addition, if not already supplied with a factory-equipped diesel particulate filter, all construction equipment shall be outfitted with best available control technology devices certified by the CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Use construction equipment that meets Tier 4 exhaust emissions standards	Contractor	Metro	During Construction	—	—

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
					Initial	Date
In addition to the use of Tier 4 equipment, all off-road construction equipment shall be fueled using 100 percent renewable diesel.						
Biological Resources						
MY BIO-1 **MBTA Species:** During construction, vegetation removal shall be conducted outside of the bird nesting season (February 1 through September 30) to the extent feasible. If vegetation removal cannot be conducted outside of the nesting season, a Metro and/or CDFW approved qualified avian biologist shall conduct preconstruction surveys to locate active nests within 72 hours prior to vegetation removal in each area with suitable nesting habitat, including surrounding buildings, eaves, telephone poles, bushes, or trees. If nesting birds are found during preconstruction surveys, an exclusionary buffer (150 feet for passerines and 500 feet for raptors) suitable to prevent nest disturbance shall be established by the biologist. The buffer may be adjusted based on species specific and site-specific conditions as determined by the qualified biologist or consultation from the wildlife agencies. This buffer shall be clearly marked in the field by construction personnel under the guidance of the biologist, and construction or vegetation removal shall not be conducted within the buffer until the biologist determines that the young have fledged or the nest is no longer active.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Retain a qualified bird biologist	Metro/BNSF	Metro	Prior to Construction	—	—
	Conduct preconstruction bird surveys	Metro/BNSF	Metro	Within 7 days prior to vegetation removal	—	—
	Implement/mark exclusionary buffer (only if nesting birds identified during pre-construction surveys)	Contractor	Metro	Prior to vegetation removal until nest is no longer active	—	—
	Install exclusionary devices (only if suitable nests are identified during preconstruction surveys)	Contractor	Metro	Prior to February 1 (before work that may affect nesting birds would occur)	—	—
	Remove bird nests	Contractor	Metro	Prior to February 1 (before work that may affect nesting birds would occur)	—	—
	Conduct WEAP training with the Project Biologist or a designated qualified biologist to all Project personnel and contractors	Metro/Contractor	Metro	Prior to Construction and during construction as new personnel join the project	—	—

Exclusionary devices (hard surface materials, such as plywood or plexiglass, flexible materials, such as vinyl, or a similar mechanism that keeps birds from building nests) shall be installed over suitable nest sites at the bridges that will be removed or that will have modifications to the substructure before the nesting season (February 1 through September 30) to prevent nesting at the bridges by bridge- and crevice-nesting birds (i.e., swifts and swallows). Netting shall not be used as an exclusionary material because it can injure or kill birds, which would be in violation of the MBTA.

Removal of partially constructed nests shall be conducted under the guidance and observation of a qualified biologist. Removal of partially constructed swallow nests shall be repeated as frequently as necessary to prevent nest completion. Removal of nest materials and exclusion device installation shall be monitored by a qualified biologist. Such exclusion efforts shall be continued to keep the structures free of swallows until October or the completion of construction. Metro's Resident Engineer or designated contractor shall ensure that all Project personnel and contractors who will be on site during construction complete mandatory training conducted by the Project Biologist or a designated qualified biologist. Any new Project personnel or contractors that come on board after the initiation of construction shall also be required to complete the mandatory Worker Environmental Awareness Program training before they commence with work. The training shall advise workers of potential impacts on jurisdictional resources. At a minimum, the training shall include the following topics: (1) occurrences of special-status species and special-status vegetation communities in the Project area (including vegetation communities subject to USACE, CDFW, and Regional Water Quality Control Board [RWQCB]

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
						Initial	Date
	jurisdiction), (2) the purpose for resource protection; (3) protective measures to be implemented in the field, including strictly limiting activities, vehicles, equipment, and construction materials to the fenced to avoid jurisdictional resource areas in the field (i.e., avoid areas delineated on maps or on the Project site by fencing); (4) environmentally responsible construction practices; and (5) the protocol to resolve conflicts that may arise at any time during the construction process.						
MY BIO-2	**Protected Trees:** Prior to construction, City-owned trees (outside of private property) shall be identified and overlaid on Project footprint maps to determine which trees may be protected in accordance with the City of Vernon's Tree Ordinance (Code of Ordinances, Chapter 12.24, Street Trees). Prior to removal of any City-owned tree, Metro shall prepare a Tree Removal/Tree Protection Plan for review and approval by the City of Vernon Public Works Department that identifies: • Trees proposed to be cut or removed. • Trees proposed to be retained; and • Trees proposed to be provided in replacement of the trees that are to be cut or removed. All street trees shall be planted per the street tree master plan on file in the City of Vernon Public Works Department. In addition, all construction shall preserve and protect the health of trees to remain, relocated trees, and new trees planted to replace those removed in accordance with Section 12.24.090 of the City's Tree Ordinance.	Prepare Tree Removal/Tree Protection Plan	Metro/BNSF	Metro/Vernon	Prior to Construction	—	—
		Replace and/or relocate protected trees (as needed)	Metro/BNSF	Metro/Vernon	Within one year of removal of protected trees	—	—
Hydrology and Water Quality							
MY HWQ-1	**Prepare and Implement a SWPPP for the Malabar Yard Railroad Improvements:** During construction, Metro or BNSF shall comply with the provisions of the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, NPDES No. CAS000002) and any subsequent amendments (Order No. 2010-0014-DWQ, and Order No. 2012-0006-DWQ), which are currently in effect. However, during construction of the Malabar Yard railroad improvements, Order Number 2022-0057-DWQ may be in effect. This permit was adopted on September 8, 2022, and will become effective on September 1, 2023. Construction activities shall not commence until a waste discharger identification number is received from the Stormwater Multiple Application and Report Tracking System. The contractor shall implement all required aspects of the SWPPP during Project construction. Metro or BNSF shall comply with the Risk Level 2 sampling and reporting requirements of the construction general permit (CGP). A rain event action plan shall be prepared and implemented by a qualified SWPPP developer within 48 hours prior to a rain event of 50 percent or greater probability of precipitation according to the National Oceanic and Atmospheric Administration. A Notice of Termination shall be submitted to the	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
		Prepare and submit Notice of Intent	Contractor/Metro/BNSF	SWRCB	Prior to Construction		
		Prepare SWPPP	Contractor	Metro/RWQCB	Prior to Construction	—	—
		Implement SWPPP (including preparation of rain event action plans)	Contractor	RWQCB	During Construction	—	—
		Prepare and submit Notice of Termination	Contractor/Metro/BNSF	SWRCB	90 days prior to completion of construction	—	—

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
					Initial	Date
SWRCB within 90 days of completion of construction and stabilization of the site.						
MY HWQ-2 Comply with Local Dewatering Requirements for the Malabar Yard Railroad Improvements: The contractor shall comply with the provisions of the General Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2013-0095, NPDES Permit No. CAG994004), effective July 6, 2013 (known as the Dewatering Permit), as they relate to discharge of non-stormwater dewatering wastes. The two options to discharge shall be to the local storm drain system and/or to the sanitary sewer system, and the contractor shall obtain a permit from the RWQCB and/or the City of Vernon.	Incorporate applicable NPDES requirements into plans into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Obtain Dewatering Permits (as needed)	Contractor	RWQCB/City of Vernon	Prior to Construction (Dewatering Activities)	—	—
	Comply with applicable provisions of Dewatering Permits	Contractor	RWQCB/City of Vernon	During Construction	—	—
MY HWQ-3 Comply with Local Dewatering Requirements for Contaminated Sites for the Malabar Yard Railroad Improvements: The contractor shall comply with the provisions of the General Waste Discharge Requirements for Discharges of Treated Groundwater from Investigation and/or Cleanup of VOC Contaminated Sites to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2013-0043, NPDES Permit No. CAG914001), effective April 7, 2013 (known as the Dewatering Permit for contaminated sites), for discharge of non-stormwater dewatering wastes from contaminated sites impacted during construction. The two options to discharge shall be to the local storm drain system and/or to the sanitary sewer system, and the contractor shall require a permit from the RWQCB and/or the City of Vernon.	Incorporate applicable NPDES requirements into plans into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Obtain Dewatering Permits (as needed)	Contractor	RWQCB/City of Vernon	Prior to Construction (Dewatering Activities)	—	—
	Comply with applicable provisions of Dewatering Permits	Contractor	RWQCB/City of Vernon	During Construction	—	—
MY HWQ-4 Prepare and Implement Industrial SWPPP for Relocated, Regulated Industrial Uses for the Malabar Yard Railroad Improvements: Metro or BNSF shall comply with the NPDES General Permit for Stormwater Discharges Associated with Industrial Activities (IGP; Order No. 2014-0057-DWQ, as amended by Order No. 2015-0122-DWQ, NPDES No. CAS000001) for demolished, relocated, or new industrial-related properties impacted by the railroad improvements. This shall include preparation of industrial SWPPP(s), as applicable	Incorporate applicable NPDES requirements (project wide) into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Comply with applicable NPDES requirements (project wide)	Contractor	Metro	During Construction	—	—
MY HWQ-5 Final Water Quality BMP Selection (City of Vernon and Railroad ROW) for the Malabar Yard Railroad Improvements: For the Malabar Yard railroad improvements in the City of Vernon, Metro or BNSF shall comply with the NPDES Waste Discharge Requirements for MS4 Discharges within the Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2021-0105, NPDES No. CAS004004), effective September 11, 2021 (known as the Phase I Permit). Metro or BNSF shall also prepare a final LID report in accordance with the City of Vernon's *Low Impact Development Guidance Manual*. This	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Comply with applicable NPDES requirements (project wide)	Contractor	Metro	During Construction	—	—
	Prepare LID report	Metro/BNSF	Metro	Prior to Construction	—	—

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Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
					Initial	Date
document shall identify the required BMPs to be in place prior to Project operation and maintenance.						
Geology and Soils						
MY GEO-1 Prepare Final Geotechnical Report: During final design, a final geotechnical report shall be prepared by a licensed geotechnical engineer (to be retained by Metro). The final geotechnical report shall address and include site-specific design recommendations on the following: • Site preparation • Soil bearing capacity • Appropriate sources and types of fill • Liquefaction • Lateral spreading • Corrosive soils • Structural foundations • Grading practices The recommendations shall be prepared to mitigate the risk of seismic ground shaking and ground failure, including liquefaction. In addition to the recommendations for the conditions listed above, the report shall include results of subsurface testing of soil and groundwater conditions and shall provide recommendations as to the appropriate foundation designs that are consistent with the latest version of the CBC, as applicable at the time building and grading permits are pursued. Additional recommendations shall be included in that report to provide guidance for design of project-related infrastructure in accordance with Metro Rail Design Criteria, Manual for Railway Engineering, California High-Speed Train Project Design Criteria, California Amendments to the American Association of State Highway and Transportation Officials Load and Resistance Factor Design Bridge Design Specifications, and applicable local city codes (Appendix L of this EIR). The project shall be designed and constructed to comply with the site-specific recommendations as provided in the final geotechnical report to be prepared.	Prepare final geotechnical report	Metro/BNSF	Metro	During Final Design	—	—
	Obtain licensed geotechnical engineer to prepare final geotechnical report	Metro	Metro	During Final Design	—	—
	Incorporate site-specific recommendations of the final geotechnical report into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Construct infrastructure per the site-specific geotechnical recommendations	Contractor	Metro	During Construction	—	—
Hazards and Hazardous Materials						
MYHAZ-1 Prepare a Construction Hazardous Materials Management Plan (HMMP): Prior to construction, an HMMP shall be prepared by Metro that outlines provisions for safe storage, containment, and disposal of chemicals and hazardous materials, contaminated soils, and contaminated groundwater used or exposed during construction, including the proper locations for disposal. The	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Prepare Hazardous Materials Management Plan	Contractor	Metro	Prior to Construction	—	—

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HMMP shall be prepared to address the area of the project footprint, and would include, but shall not be limited to, the following: • A description of hazardous materials and hazardous wastes used (29 CFR 1910.1200) • A description of handling, transport, treatment, and disposal procedures, as relevant for each hazardous material or hazardous waste (29 CFR 1910.120) • Preparedness, prevention, contingency, and emergency procedures, including emergency contact information (29 CFR 1910.38) • A description of personnel training including, but not limited to: (1) recognition of existing or potential hazards resulting from accidental spills or other releases; (2) implementation of evacuation, notification, and other emergency response procedures; (3) management, awareness, and handling of hazardous materials and hazardous wastes, as required by their level of responsibility (29 CFR 1910) • Instructions on keeping Safety Data Sheets on site for each on-site hazardous chemical (29 CFR 1910.1200) • Identification of the locations of hazardous material storage areas, including temporary storage areas, which shall be equipped with secondary containment sufficient in size to contain the volume of the largest container or tank (29 CFR 1910.120).	Implement Hazardous Materials Management Plan	Contractor	Metro	During Construction	—	—
MYHAZ-2 **Prepare Project-wide Phase II ESA (based on completed Phase I ESA):** Prior to final design, a Phase II Environmental Site Investigation shall be prepared to focus on likely sources of contamination (based on completed Phase I ESA) for properties within the Project footprint for the selected design options that would be affected by excavation. Phase II activities shall consist of: • Collection of soil, groundwater, and soil vapor samples from borings, for geologic analysis and collection/submittal of samples to an environmental laboratory for implementation of an analytical program. Sampling shall be based on the findings of the Phase I ESA for the project area. • Laboratory analysis of samples for contaminants of concern, which vary by location, but may include: VOCs, PAHs, TPHs, and California Title 22 metals. A Phase II ESA Report shall be prepared that summarizes the results of the drilling and sampling activities, and provides recommendations based on the investigation's findings. Metro shall implement the Phase II ESA findings. The Phase II ESA shall be conducted under the direct supervision of a Professional Geologist, licensed in the State of California, with expertise in environmental site assessments and evaluation of contaminated sites.	Prepare Phase II ESA Investigation under direct supervision of a Professional Geologist (obtained by Metro)	Metro/BNSF	Metro	Prior to Final Design	—	—
	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Implement Phase II recommendations/findings under direct supervision of a Professional Geologist (obtained by Metro)	Contractor	Metro	During Construction	—	—

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MYHAZ-3 **Prepare a General Construction Soil Management Plan:** Prior to construction, Metro shall prepare a General Construction Soil Management Plan that includes general provisions for how soils will be managed within the Project footprint for the selected design options for the duration of construction. Any soil imported to the project site for backfill shall be certified clean prior to use. General soil management controls to be implemented by the contractor and the following topics shall be addressed within the Soil Management Plan: • General worker health and safety procedures • Dust control • Management of soil stockpiles • Traffic control • Stormwater erosion control using BMPs	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Prepare Construction Soil Management Plan (project wide)	Contractor	Metro	Prior to Construction	—	—
	Implement Construction Soil Management Plan (project wide)	Contractor	Metro	During Construction	—	—
	Provide proof of certified clean imported soil	Contractor	Metro	During Construction	—	—
MYHAZ-4 **Prepare Parcel-Specific Soil Management Plans and Health and Safety Plans (HASP):** Prior to construction, Metro shall prepare parcel-specific Soil Management Plans for known contaminated sites and LUC-adjudicated sites for submittal and approval by DTSC. The plans shall include specific hazards and provisions for how soils will be managed for known contaminated sites and LUC-adjudicated sites. The nature and extent of contamination varies widely across the Project footprint for the selected design options, and the findings of a Phase II ESA will provide additional details on what is expected to be encountered during construction. The parcel-specific Soil Management Plan shall provide parcel-specific requirements addressing the following: • Soil disposal protocols • Protocols governing the discovery of unknown contaminants • Management of soil on properties within the project footprint with LUCs or known contaminants Prior to construction on individual properties with LUCs or known contaminants, a parcel-specific HASPs shall also be prepared for submittal and approval by DTSC. The HASPs shall be prepared to meet OSHA requirements, Title 29 of the CFR 1910.120 and CCR Title 8, Section 5192, and all applicable federal, state and local regulations and agency ordinances related to the proposed management, transport, and disposal of contaminated media during implementation of work and field activities. The HASPs shall be signed and	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
	Prepare parcel specific soil management plans (for known contaminated sites/LUC-adjudicated sites)	Metro/Contractor	DTSC	Prior to Construction	—	—
	Retain a Certified Industrial Hygienist to prepare parcel specific health and safety plans (for known contaminated sites/LUC-adjudicated sites)	Metro/BNSF	Metro	Prior to Construction	—	—
	Prepare a parcel specific health and safety plans (for known contaminated sites/LUC-adjudicated sites)	Metro/Contractor	DTSC	Prior to Construction	—	—

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						Initial	Date
	sealed by a Certified Industrial Hygienist, licensed by the American Board of Industrial Hygiene. In addition to general construction soil management plan provisions, the following parcel-specific HASP provisions shall also be implemented: • Training requirements for site workers who may be handling contaminated material • Chemical exposure hazards in soil, groundwater, or soil vapor that are known to be present on a property • Mitigation and monitoring measures that are protective of site worker and public health and safety Prior to construction, Metro shall coordinate proposed soil management measures and reporting activities with stakeholders and regulatory agencies with jurisdiction, to establish an appropriate monitoring and reporting program that meets all federal, state, and local laws for the project, and each of the contaminated sites.	Coordinate proposed soil management measures and reporting activities with appropriate agencies including but not limited to SCRRA, City of Vernon, RWQCB	Metro/BNSF	Metro	Prior to Construction	—	—
		Comply with the parcel-specific HASP provisions	Metro/Contractor	Metro	During Construction	—	—
MYHAZ-5	**Halt Construction Work if Potentially Hazardous Materials are Encountered:** Contractors shall stop work and follow procedures outlined in the HMMP and soil management plans immediately upon discovery if potentially hazardous materials are encountered. Contractors shall follow all applicable local, state, and federal regulations regarding discovery, notification, response, disposal, and remediation for hazardous materials and/or abandoned oil wells encountered during the construction process.	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	Prior to Construction	—	—
		Halt work upon discovery if potentially hazardous materials are encountered	Contractor	Metro	During Construction	—	—
		Halt work if potentially hazardous materials/abandoned wells are encountered	Contractor	Metro	During Construction	—	—
MYHAZ-6	**Pre-Demolition Investigation:** Prior to the demolition of any structures, a survey shall be conducted for the presence of hazardous building materials, such as ACMs, LBPs, and other materials falling under the Universal Waste requirements. An asbestos survey report signed by a Certified Asbestos Consultant will be prepared prior to any demolition or renovation in accordance with Rule 1403 (d)(1)(A) of the SCAQMD. The results of this survey shall be submitted to Metro, and applicable stakeholders as deemed appropriate by	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—
		Conduct pre-demolition survey (for buildings constructed prior to 1970 that require demolition)	Contractor	Metro	Prior to Building Demolition	—	—

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
					Initial	Date
Metro, and submitted with an application for a Rule 1403 permit. If any hazardous building materials are discovered, prior to demolition of any structures, a plan for proper removal shall be prepared in accordance with applicable OSHA and the Los Angeles County Department of Public Health requirements. The contractor performing the work shall be required to implement the removal plan and shall be required to have a C-21 license in the State of California and possess an A or B classification. If asbestos-related work is required, the contractor or their subcontractor shall be required to possess a California Contractor License (Asbestos Certification). Prior to any demolition activities, the contractor shall be required to secure the site and ensure the disconnection of utilities	Prepare Removal Plan (only if hazardous building materials are discovered during the pre-demolition survey)	Contractor	OSHA/Los Angeles County Department of Public Health	Prior to Building Demolition	—	—
	Provide proof of appropriate licenses and certifications	Contractor	Metro	Prior to Building Demolition	—	—
	Secure the site and disconnect utilities	Contractor	Metro	Prior to Building Demolition	—	—
	Implement Removal Plan	Contractor	Metro	During Building Demolition	—	—
Cultural and Paleontological Resources						
MY CUL-1 **Archaeological Treatment Plan (ATP).** Prior to construction, Metro shall retain a qualified archaeologist, herein defined as a person who meets the Secretary of Interior's Professional Qualification Standards in Archaeology and is experienced in analysis and evaluation of the types of material anticipated to be encountered, to develop an ATP that details the procedures to address accidental discoveries. The California SHPO and consulting Native American tribes shall be afforded 30 days to review and comment on the draft ATP, consistent with the timeline for consultation under Section 106 of the NHPA (36 CFR 800). Once relevant comments are addressed, the revised ATP shall be submitted to SHPO for 30-day review and concurrence. The ATP shall be prepared consistent with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation and the California OHP Archaeological Resources Management Reports: Recommended Contents and Format (OHP 1990). The ATP shall include, at a minimum, the following elements: • **Research Design:** The ATP shall include a robust research design to be used in applying the NRHP eligibility criteria for evaluating the significance of accidentally discovered archaeological features and deposits, and in recovering scientific data from those features and deposits that are determined to be significant. The research design shall discuss the results of previous archaeological research in the Los Angeles Basin, present research questions relevant to the types of features and deposits that are expected to be encountered and outline the data requirements necessary to successfully address the research questions. • **Archaeological and Native American Monitoring.** The ATP shall include the locations and protocols to be used for archaeological and Native American monitoring during construction based on final design. The ATP shall rely on OSHA requirements regarding the safety of monitoring locations and the potential for encountering contaminated soils or other hazards.	Prepare ATP	Metro	Metro	Prior to Construction	—	—
	Develop a site-specific sensitivity model	Metro		Prior to Construction		
	Retain archaeological and Native American monitors for all phases of work	Metro/Contractor		Prior to Construction and During Construction		
	Comply with ATP throughout construction activities	Metro/Contractor		During Construction		
	Prepare public outreach and educational plan	Metro		Prior to Construction		
	Conduct WEAP training with a qualified archaeologist to all ground-disturbing construction personnel	Metro/Contractor		Prior to Construction and during construction as new personnel join the project		

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
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• **Provisions for the Accidental Discovery of Archaeological Features or Deposits.** The ATP shall include provisions for the accidental discovery of archaeological features or deposits during construction. These provisions shall include stop-work protocols, notification procedures, and methodology for assessing the nature and significance of the find. If the feature or deposit is determined to be significant, the data recovery and analysis procedures outlined for known resources shall be implemented. • Provisions for the Accidental Discovery of Human Remains, Associated and Unassociated Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony. The ATP shall contain provisions for the accidental discovery of human remains, associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony. These provisions shall include stop-work protocols, notification procedures, and provisions for the treatment (including reburial in an appropriate location) of the human remains and associated objects in a respectful manner and in accordance with applicable regulations, as determined through consultation with the appropriate Native American tribes. • **Cultural Resource Worker Environmental Awareness Program (WEAP) Training.** The ATP shall include provisions for the development of cultural resource WEAP training to be delivered by a qualified archaeologist to all ground-disturbing construction personnel, including education on the consequences of unauthorized collection of artifacts, a review of discovery protocols, and explanation of mitigation requirements for work in archaeologically sensitive areas. • **Standards for Reporting.** The ATP shall include standards for reporting the results of archaeological testing, evaluation, data recovery, and monitoring activities. All reports shall be consistent with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation and the California OHP's Archaeological Resources Management Reports: Recommended Contents and Format. • **Guidelines for Curation.** The ATP shall include guidelines for the ownership and curation of archaeological data and collections, in compliance with 36 CFR 79.						
MY PAL-1 **Paleontological Mitigation Plan (PMP):** It is possible that Quaternary older alluvium or Puente Formation, which are geologic units that have a high paleontological potential, will be impacted during construction if excavation	Incorporate contractor responsibilities into applicable construction documents (plans and specifications)	Metro/BNSF	Metro	During Final Design	—	—

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
						Initial	Date
	activities extend to depths as shallow as 6 feet below the natural ground surface. Metro shall retain a qualified paleontologist to prepare a PMP using final excavation plans to determine where these geologic units would be impacted. Metro shall implement the PMP prior to the start of any ground-disturbing construction activities if it is determined that such activities would encounter Quaternary older alluvium or Puente Formation. The PMP shall include site-specific mitigation recommendations and specific procedures for construction monitoring and fossil discovery. The PMP shall include a requirement for full time paleontological monitoring if excavations will occur within native Quaternary older alluvium and/or Puente Formation, with the exception of pile driving activities. While pile driving activities for foundation construction may impact paleontologically sensitive sediments due to the need for foundations to be within firm strata, this activity is not conducive to paleontological monitoring, as fossils would be destroyed by the construction process. Monitoring is not recommended for excavations that affect only artificial fill and Quaternary younger alluvium (Qa/Qal). The PMP shall detail a discovery protocol in the event that potentially significant paleontological resources are encountered during construction. For example, the contractor shall halt activities in the immediate area (within a 25-foot radius of the discovery) and Metro's qualified paleontologist shall make an immediate evaluation of the significance and appropriate treatment of the encountered paleontological resources in accordance with the PMP. If necessary, appropriate salvage measures and mitigation measures shall be developed in consultation with the responsible agencies and in conformance with federal and state guidelines and best practices. Construction activities may continue in other areas of the Project site while evaluation and treatment of the discovered paleontological resources take place. Work may not resume in the discovery area until it has been authorized by Metro's qualified paleontologist.	Retain qualified paleontologist to prepare a PMP	Metro	Metro	Prior to Construction	—	—
		Prepare PMP	Metro	Metro	Prior to Construction	—	—
		Implement PMP including full-time paleontological monitoring, discovery protocols, salvage measures, and evaluation and treatment of discovered paleontological resources	Metro	Metro	During Construction	—	—
		Compliance with PMP	Metro/Contractor	Metro	During Construction	—	—
MY PAL-2	**Paleontological WEAP Training:** Metro's qualified paleontologist shall prepare paleontological resource-focused WEAP training that shall be delivered to all ground-disturbing construction personnel, including a review of protocols to follow in the event of a fossil discovery, as identified in the PMP.	Retain a qualified paleontologist to prepare a paleontological resource-focused WEAP training.	Metro	Metro	Prior to Construction	—	—
		Prepare a paleontological resource-focused WEAP Training.	Metro	Metro	Prior to Construction	—	—
		Provide WEAP training to all ground-disturbing construction personnel	Contractor	Metro	Prior to Construction and during construction as new personnel join the project	—	—
MY PAL-3	**Curation:** Metro shall arrange for the curation in perpetuity of significant fossils recovered during construction at an accredited repository, such as the Natural	Retain a qualified paleontologist for curation of significant fossils	Metro	Metro	Prior to Construction	—	—

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Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
						Initial	Date
	History Museum of Los Angeles County. These fossils shall be prepared, identified, and catalogued for curation (but not prepared for a level of exhibition) by Metro's qualified paleontologist. This includes removal of all or most of the enclosing sediment to reduce the specimen volume, increase surface area for the application of consolidants or preservatives, provide repairs and stabilization of fragile or damaged areas on a specimen, and allow taxonomic identification of the fossils. All field notes, photographs, stratigraphic sections, and other data associated with the recovery of the specimens shall be deposited with the institution receiving the specimens.	Prepare, identify, and catalogue significant fossils recovered for curation	Metro	Metro	During Construction	—	—
		Provide significant fossils recovered field notes, photographs, stratigraphic sections, and other data associated with the recovery of the specimens to an accredited repository for curation	Metro	Metro	Post Construction	—	—
Offsetting Mitigation Measures (OMMs)							
OMM MY SS-1	**Train Detection Cameras:** Metro shall provide reimbursement for the purchase and installation costs of new train detection cameras at four at-grade railroad crossings at 37th Street, 38th Street, Vernon Avenue, and Pacific Boulevard to optimize emergency response routing when a train is present. The cameras would monitor the at-grade railroad crossings to detect occupancy and alert emergency dispatchers or notify local emergency service providers of train movements that could cause a delay in emergency access or response and assist with vehicular routing decisions. Cameras could be mounted on either an existing or new traffic pole near the gates of the at-grade railroad crossing and can be connected to the City's Traffic Management Center (TMC) by existing physical fiber optic lines that are present in the City. Metro will provide reimbursement for the purchase and installation costs of train detection cameras. The City will be responsible for purchasing and installing cameras, maintaining cameras, and providing staffing to monitor cameras and manage alerts.	Provide reimbursement to Vernon for purchase and installation costs of four train detection cameras	Metro	Metro	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon	—	—
OMM MY SS-2	**Mobile Emergency Operations Center:** Metro shall provide reimbursement to the City of Vernon for the purchase of one Mobile Emergency Operations Center (EOC), which is a self-contained, mobile command unit designed to provide critical emergency management capabilities in the field. It serves as a backup or replacement central for the City's primary offsite EOC, Los Angeles County Fire Station 56, during crises or, disasters, or when the EOC is inaccessible or inoperable due to earthquake, flooding, fires, hazardous spills, windstorms, or acts of terror. Metro will provide reimbursement for the purchase of one Mobile EOC and any basic required vehicle technology, anticipated to be between $200,000 to $300,000. The City will procure the vehicle and required technology and complete any required testing, training, deployment. The City will be responsible for long-term maintenance.	Provide reimbursement for the purchase of one Mobile EOC	Metro	Metro	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon	—	—
OMM MY SS-3	**Communications and Radio Systems Upgrade:** Metro shall provide reimbursement to the City of Vernon for the purchase of upgraded	Provide reimbursement for the purchase of upgraded communication and radio	Metro	Metro	Prior to freight-train operations of the Malabar Yard Railroad	—	—

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
						Initial	Date
	communication and radio systems to improve coordination and response among different departments and agencies, such as the police department, public utilities department, public works department, and the LA County fire department, which serves the City of Vernon. Metro will provide reimbursement for the purchase of upgraded communication and radio systems equipment and associated software. The City will procure equipment, configure equipment, and coordinate with all applicable departments including LA County Fire to determine equipment and software compatibility, configuration, training, and testing of the new equipment.	systems equipment and associated software			Improvements in the City of Vernon		
OMM MY NV-1	**Quiet Zone Design and Physical Infrastructure:** Metro shall provide design for and installation of new railroad safety measures to support a new Quiet Zone at five existing at-grade railroad crossings. The railroad safety measures would be constructed at five existing at-grade railroad crossings that are located on the Harbor Subdivision parallel to Santa Fe Avenue and within close proximity to planned mixed-use residential areas identified in the Westside Zone Change and General Plan Amendment. This OMM would include implementation of safety measures at each of the five existing at-grade railroad crossings that would serve as a substitute for the sounding of a train horn. Safety measures that can substitute for the sounding of a train horn can include widened medians, exit gates, overhead cantilevered signals, and/or pedestrian treatments such as detectible warning strips and flashing signals. Metro will prepare engineering design plans for the Quiet Zone safety measures and will be responsible for leading coordination with CPUC to process design reviews and facilitating the approval process (see OMM NV-2 below). The City would be responsible for submitting the Quiet Zone application to CPUC, maintaining Railroad Liability Insurance, and maintaining roadway-related Quiet Zone infrastructure (i.e. medians). Implementation of this OMM will also require BNSF to coordinate with Metro and the City regarding the proposed Quiet Zone infrastructure and assist with construction of the safety measures within their railroad ROW. BNSF will also be responsible for the maintenance of railroad grade crossing elements (i.e. crossing gates). CPUC and FRA are the regulatory authorities that are responsible for review of the Quiet Zone application, as well as conduct periodic safety reviews of the Quiet Zone.	Prepare engineering design plans for the Quiet Zone safety measures	Metro/BNSF	Metro/City of Vernon	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		
		Submit Quiet Zone Application	City of Vernon	CPUC/FRA	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		
OMM MY NV-2	**Quiet Zone Technical Support:** Associated with OMM MY NV-1, Metro, BNSF, and the City of Vernon shall be required to enter into an agreement to complete the regulatory process for a Quiet Zone designation along the Harbor Subdivision. Metro would support the City's application for a Quiet Zone by conducting the following tasks:	Prepare the technical documents and application package for CPUC submittal	Metro/BNSF/City of Vernon	Metro	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		

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Table 2. Mitigation Monitoring and Reporting Program: Malabar Yard Railroad Improvements*

Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
						Initial	Date
	a. Prepare for and facilitate diagnostic reviews of highway-rail grade crossings within the proposed Quiet Zone with CPUC Rail Crossings and Engineering Branch b. Prepare for and facilitate diagnostic reviews of pedestrian crossings within the proposed Quiet Zone with CPUC Rail Crossings and Engineering Branch c. Complete updates to US DOT Crossing Inventory Forms to document current physical and operating conditions at each crossing within the proposed Quiet Zone d. Prepare Draft Notice of Intent to implement Quiet Zone (to be published and distributed by City) e. Prepare Draft Notice of Quiet Zone Establishment (to be published and distributed by City) Design and construction of the safety measures identified in the diagnostic reviews is discussed above as part of OMM MY NV-1. Metro, in coordination with the City of Vernon and BNSF, will be responsible for preparing the technical documents and application package for CPUC submittal and facilitating and attending all diagnostic reviews required to support the regulatory process for a Quiet Zone.						
OMM MY TR-7	**High Visibility Crosswalk, Mid-Block Location:** Metro shall prepare engineering design plans and provide reimbursement to the City of Vernon for construction of a high visibility crosswalk at Santa Fe Avenue near the Vernon City Elementary School and the Holy Angels Catholic Church of the Deaf (Figure 3-1). This OMM would enhance pedestrian safety by making crossing areas more noticeable to drivers, and would include crossing signs that incorporate bright colors, bold text/symbols, and retroreflective materials to improve visibility at night [for example FHWA pedestrian crossing signs R1-6, W11-2, W16-7P (FHWA 2009)]. Additional elements could include pedestrian-activated flashing lights and street lighting to help alert drivers. The high visibility crosswalk would complement Malabar Yard Mitigation Measure TR-3, Restriping of the Santa Fe Avenue/Pacific Boulevard Intersection, by enhancing pedestrian safety at the intersection. Metro will prepare engineering design plans and provide reimbursement for construction costs. The City of Vernon will construct the high visibility crosswalk elements. The City of Vernon will coordinate with Metro on the design of the high visibility crosswalk elements and will be responsible for the maintenance of crosswalk elements.	Prepare engineering design plans and provide reimbursement for construction costs of high-visibility mid-block crosswalk	Metro/BNSF	Metro/City of Vernon	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		
		Construct high visibility crosswalk elements	City of Vernon	Metro/City of Vernon	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		
OMM MY TR-8	**Intersection Crosswalk Improvements with Cool Street Paving:** Metro shall prepare engineering design plans and provide reimbursement to the	Prepare engineering design plans for crosswalk improvements	Metro/BNSF	Metro/City of Vernon	Prior to freight-train operations of the Malabar Yard Railroad		

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Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
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	City of Vernon for construction costs associated with the implementation of crosswalk improvements at the intersections of Santa Fe Avenue with 37th Street, 38th Street, Vernon Avenue, Pacific Boulevard, and Fruitland Avenue, and at the intersections of 46th Street with Pacific Boulevard and Seville Avenue. These intersections are closest to the Malabar Yard railroad improvements and where future mixed-use residential land uses are planned as part of the 2023 Vernon Westside Zone Change and General Plan Amendment. The improvements at the five existing crosswalk locations on Santa Fe Avenue would consist of repainting/restriping the existing crosswalks with bolder, brighter colors that would be more visible to drivers. Cool street paving includes reflective materials that reflects light, reducing urban heat island effect and enhancing nighttime visibility. Tactile warning strips and bold restriping would be implemented at the existing crosswalk on 46th Street/Pacific Blvd. A new crosswalk would be constructed at the existing four way stop at 46th Street/Seville Avenue, and would include additional safety elements such as tactile warning strips and bold restriping. Metro will prepare the engineering design plans and provide reimbursement for construction costs of crosswalk improvements. The City will coordinate with Metro on the design plans as well as be responsible for the construction and maintenance of crosswalk elements.				Improvements in the City of Vernon		
		Provide reimbursement for construction costs of crosswalk improvements	Metro/BNSF	Metro/City of Vernon	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		
OMM MY TR-9	**Bus Shelters:** Metro shall prepare design plans and provide reimbursement to the City of Vernon for construction costs associated with the installation of 25 bus shelters at the following locations as determined by Metro based on the location of where High-Quality Transit Areas are located. 1. Pacific Blvd / Railroad Crossing- south side 2. Pacific Blvd / 46th Street - east side 3. Pacific Blvd / 46th Street - west side 4. Pacific Blvd / Leonis Blvd - east side 5. Pacific Blvd / Leonis Blvd - west side 6. Leonis Blvd / Pacific Blvd – south side 7. Santa Fe Ave / 30th Street – east side 8. Santa Fe Ave / 30th Street – west side 9. Santa Fe Ave / 27th Street – east side 10. Santa Fe Ave / 27th Street – west side 11. Vernon Ave / Saint Charles Street – south side 12. Vernon Ave / Saint Charles Street – north side	Prepare engineering design plans for the bus shelters	Metro/BNSF	Metro/City of Vernon	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		
		Provide reimbursement for construction costs of the bus shelters	Metro/BNSF	Metro/City of Vernon	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		

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Mitigation Measures	Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
					Initial	Date
13. Vernon Ave / Alameda Street – north side 14. Vernon Ave / Alameda Street – south side 15. Soto Street / 37th Street – west side 16. Soto Street / 46th Street – west side 17. Soto Street / 46th Street – east side 18. Soto Street / Leonis Blvd – west side 19. Soto Street / Leonis Blvd – north side 20. Soto Street / 54th Street – west side 21. Soto Street / 54th Street – east side 22. Slauson Ave / Boyle Ave (north side) 23. Slauson Ave / Alcoa Ave (south side) 24. Slauson Ave / Bicket Street (north side) 25. Slauson Ave / Bicket Street (south side) The bus shelters would include a roof or canopy for weather protection, benches for seating, and transparent panels or walls to shield passengers from wind and rain while maintaining visibility. Additional features may include signage displaying route information, lighting for safety, and a waste bin or a map of nearby locations. The bus shelter design would be coordinated between Metro and the City of Vernon. As a result of feedback received from the City, a shade element would also be incorporated into the design to provide sun protection. Metro will prepare design plans and provide reimbursement for construction costs of the bus shelters. The City will coordinate with Metro on bus shelter designs and will be responsible for the construction and maintenance of the shelters.						
OMM MY TR-10	**PTZ Smart Cameras, Software, and Screens for Monitoring:** Metro shall provide reimbursement to the City of Vernon for the purchase of Pan Tilt Zoom (PTZ) smart cameras at five intersections: Downey Road at Bandini Boulevard, 25th Street at Santa Fe Avenue, Fruitland Avenue at Malabar Street, Vernon Avenue at Santa Fe Avenue, and Pacific Boulevard at Santa Fe Avenue. Unlike train detection cameras, which are static and are only used for the purpose of train detection, PTZ cameras have the ability to remotely pan (move left and right), tilt (move up and down), and zoom to provide flexible and dynamic traffic monitoring of an area. The cameras would be equipped with automated tracking, motion detection, and real-time alerts to improve security and traffic management. OMM MY TR-10 would also include the purchase of associated PTZ smart software and screens for monitoring.	Provide reimbursement for the purchase of five PTZ cameras with software and screens	Metro/BNSF	Metro/City of Vernon	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		

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Mitigation Measures		Compliance Action/Deliverable	Responsible Party	Enforcement Agency	Monitoring/Compliance Schedule	Verification of Compliance	
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	Metro will provide reimbursement for the purchase of cameras. The City will procure the cameras, complete the traffic signal modification plan, complete the installation of cameras and software integration, and coordinate with the vendor for commissioning. The Vendor will coordinate with the City for the installation and commissioning of cameras and software integration.						
OMM MY TR-11	**AI-Based Traffic Control System:** Metro shall provide reimbursement to the City of Vernon for the purchase of 47 transportation controllers for an AI-based traffic control system, which uses machine learning and data analysis to optimize traffic flow, predict congestion, and respond to incidents in real time. The controllers and associated cloud-based software would provide an integrated platform that would enable signal controls to adapt to real time traffic conditions, improving traffic circulation and safety for the community, particularly at the 46th Street and Seville Avenue intersection, where new queueing is expected to occur. The system would also be capable of rerouting emergency vehicles along alternate routes, ensuring faster response times and minimizing delays for critical emergency services. Similar systems are used in the region, including by the City of Los Angeles. Metro will provide reimbursement for the purchase of controllers. The City will work with vendors to install and configure the controllers.	Provide reimbursement for the purchase of 47 transportation controllers	Metro/BNSF	Metro/City of Vernon	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		
OMM MY TR-12	**Metro Transit Oriented Communities Program Support:** Metro shall provide the City of Vernon with staffing for grant writing services for the Metro Transit Oriented Communities (TOC) Program, which is a program that provides equitable access to a high-quality transportation system allowing people to drive less and access transit more. Metro would provide the City with grant writing assistance, technical assistance for land use feasibility/planning studies, joint development projects, and development of first/last mile strategies from Metro transit stops to proposed development sites. The TOC Program also provides opportunities for Metro to enhance the transit customer experience at existing Metro stations in the City of Vernon (i.e., Blue Line Station, Transit Stops) and can potentially support development projects on LA Metro owned properties (or adjacent properties). Metro will provide staffing to the City for grant writing services for TOC project applications in an amount not to exceed 2,000 hours.	Provide staffing for grant writing services for TOC project applications up to 2,000 hours	Metro/City of Vernon	Metro	Prior to freight-train operations of the Malabar Yard Railroad Improvements in the City of Vernon		

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Appendix B: State Historic Preservation Officer Section 106 Concurrence Letter and Programmatic Agreement

State of California • Natural Resources Agency Gavin Newsom, *Governor*

DEPARTMENT OF PARKS AND RECREATION Armando Quintero, *Director*
OFFICE OF HISTORIC PRESERVATION

Julianne Polanco, State Historic Preservation Officer
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November 20, 2023

VIA EMAIL In reply refer to: FRA_2016_0810_001

Mr. Brett Rushing, Cultural Resources Program Manager
California High Speed Rail Authority
770 L Street, Suite 620
Sacramento, CA 95814

Subject: Finding of Effect for the Link Union Station Project, Los Angeles County, CA

Dear Mr. Rushing:

The California High-Speed Rail Authority (CHSRA) and the Los Angeles County Metropolitan Transportation Authority (Metro) are continuing consultation with the State Historic Preservation Officer (SHPO) regarding the above project pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR Part 800. As part of your documentation the CHSRA submitted a Finding of Effect (FOE) report for the project. On October 13, 2023, CHSRA also provided additional photographs and photo simulations that help to characterize the effects of the undertaking.

Metro, as the owner of Los Angeles Union Station (LAUS), is proposing infrastructure improvements associated with the Link US Project to address the capacity constraints at LAUS. The Project would transform LAUS from a “stub-end tracks station” into a “run-through tracks station” with a new passenger concourse to improve the efficiency of the station and accommodate forecasted increases in passenger and transportation demands in the region.

The Federal Railroad Administration (FRA), the previous lead federal agency for the Link US Project, held meetings with consulting or interested parties in August 2018 to discuss the identification and evaluation work performed for the Project and to provide a forum to answer questions and listen to comments. CHSRA provided consulting parties with additional opportunities to provide feedback in February of 2020 and April through July of 2023. Consulting parties have had the opportunity to review FOE and to discuss their concerns with CHSRA. The FOE was edited in response to feedback received from consulting parties.

As part of previous consultation, identification, and evaluation efforts, the CHSRA identified the following 18 historic properties that are located within the area of potential effect (APE)for the project:

1. Los Angeles Union Passenger Terminal (LAUS) and associated contributing resources (800 Alameda Street, Los Angeles)
2. United States Post Office Los Angeles Terminal Annex (900 Alameda Street, Los Angeles)
3. Los Angeles Plaza Historic District
4. North Main Street Bridge (Bridge # 53C 1010)
5. Los Angeles Department of Water and Power Main Street Center (1630 North Main Street, Los Angeles)
6. William Mead Homes (1300 Cardinal Street, Los Angeles)
7. Mission Tower (1436 Alhambra Avenue, Los Angeles)
8. Cesar Chavez Avenue Viaduct (Macy Street Viaduct) (Bridge #53C 0130)
9. First Street Viaduct (Bridge #53C 1166)
10. Fourth Street Viaduct (Bridge #53C 0044)
11. Seventh Street Viaduct (Bridge #53C 1321)
12. Olympic Boulevard Viaduct (Ninth Street Viaduct) (Bridge #56C 0163)
13. Vignes Street Undercrossing (Bridge #53C 1764)
14. Macy Street School (900 Avila Street, 505 Clara Street, Los Angeles)
15. Denny's Restaurant (530 Ramirez Street, Los Angeles)
16. Kelite Factory Plant No. 1 (1250 Main Street, Los Angeles)
17. Solar Manufacturing Corporation Building (4553 Seville Avenue, Vernon)
18. Archaeological Site CA-LAN-1575/H (P-19-001575)

A summary of CHSRA's assessment of effect on historic properties identified in the APE for the undertaking is provided below.

CHSRA found that the proposed undertaking will have no effect on the following five viaducts over the Los Angeles River:

1. Cesar Chavez Avenue Viaduct (Macy Street Viaduct; Bridge #53C 0130)
2. First Street Viaduct (Bridge #53C 1166)
3. Fourth Street Viaduct (Bridge #53C 0044)
4. Seventh Street Viaduct (Bridge #53C 1321)
5. Olympic Boulevard Viaduct (Ninth Street Viaduct; Bridge #56C 0163)

CHSRA also found that the undertaking will have no adverse effect on the following nine historic properties:

1. Los Angeles Department of Water and Power – Main Street Center (1630 Main Street, Los Angeles)
2. Mission Tower (1436 Alhambra Avenue, Los Angeles)
3. William Mead Homes (1300 Cardinal Street, Los Angeles)

4. United States Post Office Los Angeles Terminal Annex (900 Alameda Street, Los Angeles)
5. Macy Street School (900 Avila Street, 505 Clara Street, Los Angeles)
6. Los Angeles Plaza Historic District
7. Denny's Restaurant (530 Ramirez Street, Los Angeles)
8. Kelite Factory Plant No. 1 (1250 Main Street, Los Angeles)
9. Solar Manufacturing Corporation Building (4553 Seville Avenue, Vernon)

Finally, CHSRA found that the undertaking will have an adverse effect on the following four historic properties:
1. Archaeological site CA-LAN-1575/H
2. Los Angeles Union Passenger Terminal and associated contributing resources (800 Alameda Street, Los Angeles)
3. Vignes Street Undercrossing (Bridge #53C 1764)
4. North Main Street Bridge (Bridge #53C 1010)

CHSRA made an overall finding of adverse effect for the project pursuant to 36 CFR 800.5(d)(2).

Based on review of the submitted documentation I have the following comments:

1. I do not object to CHSRA's above findings and to the overall finding of adverse effect for the project.
2. Before the SHPO can proceed with consultation on the resolution of adverse effects it will be important to have a better understanding of what the final design of the undertaking will look like in order to fully understand the nature of the adverse effect and what mitigation might be appropriate to resolve the adverse effect.
3. Without a clearly defined design for the project, a programmatic agreement will be required to complete consultation on the undertaking.
4. The SHPO recommends that the final design for the undertaking minimize visual effects to historic properties and emphasize the preservation of character defining features of eligible historic properties.

If you have any questions, please contact Natalie Lindquist at natalie.lindquist@parks.ca.gov .

Sincerely,



Julianne Polanco
State Historic Preservation Officer

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (Metro) proposes to construct the Link Union Station Project (Undertaking, Project, or Link US) in Los Angeles, California; and

WHEREAS, the Undertaking consists of transforming Los Angeles Union Station (LAUS) from a stub-end tracks station into a run-through tracks station by extending ten platform tracks from their current ends at LAUS over U.S. Highway 101 and local streets to connect to mainline tracks along the west bank of the Los Angeles River, the replacement of the existing pedestrian passageway under the platforms and tracks with a new expanded passageway, and off-site railroad improvements to the BNSF Railroad Malabar Yard in City of Vernon; and

WHEREAS, on July 23, 2019, the State of California and the Federal Railroad Administration (FRA) executed a memorandum of understanding under the Surface Transportation Project Delivery Program (known as National Environmental Policy Act [NEPA] Assignment), pursuant to the legal authority under 23 United States Code § 327; and under NEPA Assignment, the State, acting through the California State Transportation Agency (CalSTA) and the California High-Speed Rail Authority (CHSRA), assumed FRA's responsibilities under NEPA and other federal environmental laws, including Section 106 of the National Historic Preservation Act (NHPA) except to the extent 23 CFR 773.105(b)(4) requires FRA to retain responsibility for government-to-government consultation with Indian tribes; and

WHEREAS the NEPA Assignment Memorandum of Understanding (MOU) was renewed on July 23, 2024, and extended for ten years and will expire on July 23, 2034; and

WHEREAS, CHSRA has coordinated compliance with Section 106 of the NHPA and 36 Code of Federal Regulations (CFR) Part 800 with steps taken to meet the requirements of NEPA and has planned public participation, analysis, and review in such a way to satisfy the requirements of NEPA; and is lead federal agency pursuant to Section 106 of the NHPA and is completing an Environmental Impact Statement under NEPA for the Undertaking; and

WHEREAS, CHSRA, in consultation with the California State Historic Preservation Officer (SHPO), has delineated the Undertaking's area of potential effects (APE) based on the current level of design and pursuant to Section 106 of the NHPA (36 CFR § 800.16(d)), to encompass those areas that would potentially be physically altered by excavation, grading, construction, demolition, temporary access and staging activities, utility relocation, railroad track reconfiguration, or alterations to structures or roadways, as well as the whole of any assessor parcel that contains such areas and any adjacent parcels containing properties sensitive to potential noise and vibration effects or permanent visual effects; and

WHEREAS, CHSRA, in consultation with SHPO pursuant to Section 106 of the NHPA have conducted adequate: archival and historical investigations (36 CFR § 800.4(a)(2)), field survey (36 CFR § 800.4(b)(1)), Native American consultation (36 CFR § 800.4(a)(4)) and evaluations of potential historic properties (36 CFR § 800.4(c)) within the APE; and

WHEREAS, CHSRA, in consultation with SHPO, has determined that 18 historic properties (17 built environment properties and one archaeological site) as defined by Section 106 of the NHPA (36 CFR § 800.16(l)(1)) are within the APE; and

WHEREAS, CHSRA, in consultation with SHPO, has applied the criteria of adverse effect (36 CFR § 800.5(a)(1)) and the Undertaking will have no effect on five built environment historic properties, all of which are bridges over the Los Angeles River (Cesar Chavez Avenue Viaduct, First Street Viaduct, Fourth Street Viaduct, Seventh Street Viaduct, and Olympic Boulevard [Ninth Street] Viaduct); and will have no adverse effect on nine built environment historic properties (Los Angeles Department of Water and Power Main Street Center, Mission Tower, William Mead Homes, United States Post Office Los Angeles Terminal Annex, Macy Street School, Los Angeles Plaza Historic District, Denny's Restaurant, Kelite Factory Plant No. 1, and Solar Manufacturing Corporation Building); and

WHEREAS, CHSRA, in consultation with SHPO, has found that the Undertaking will have an adverse effect on three built environment historic properties (Los Angeles Union Passenger Terminal, Vignes Street Undercrossing, and North Main Street Bridge) and one archaeological historic property (CA-LAN-1575/H [P-19-001575]); and

WHEREAS, CHSRA has consulted with SHPO and found that the Undertaking will constitute an Adverse Effect pursuant to 36 CFR § 800.5(d)(2); and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), CHSRA has notified the Advisory Council on Historic Preservation (ACHP) of its Adverse Effect finding with specified documentation and invited the ACHP to participate in the consultation, and the ACHP has declined to participate pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, CHSRA has consulted with Metro regarding the effects of the Undertaking and Metro, as the Project sponsor, is an invited signatory to this Programmatic Agreement (PA), as defined in 36 CFR § 800.6(c)(2); and

WHEREAS, government-to-government consultation with federally recognized Native American tribes remains FRA's responsibility. Prior to execution of the NEPA Assignment MOU on July 23, 2019, and as part of a previous FRA Undertaking, FRA formally consulted under Section 106 of the NHPA in 2016 and 2017 with the Soboba Band of Luiseño Indians as the one federally recognized Native American tribe that might attach religious and cultural significance to historic properties within the APE of the Undertaking. Following consultation, the Soboba Band of Luiseño Indians determined that the Undertaking did not affect any of their known traditional, sacred, or ancestral resources in the vicinity of the APE. On February 1, 2017, the Soboba Band of Luiseño Indians concluded consultation under the NHPA but requested notification if human remains are discovered during construction; and

WHEREAS, CHSRA has consulted with the following non-federally recognized Native American tribes with ancestral ties to the APE: Gabrieleño Band of Mission Indians – Kizh Nation and Gabrielino/Tongva Nation; and

WHEREAS, the Gabrieleño Band of Mission Indians – Kizh Nation has stated that the APE in the vicinity of LAUS is extremely sensitive for Native American burials and has requested that measures to resolve adverse effects include tribal monitoring provisions to address human remains that may be present in fill and previously disturbed deposits, and that archaeological monitors be required to have past experience with the identification of human remains; and

WHEREAS, the Gabrielino/Tongva Nation has stated that it concurs with CHSRA's finding of effect for archaeology and that it considers the draft proposed measures to resolve adverse effects contained in the 2023 *Link US Finding of Effect Report* to be adequate; and

WHEREAS, CHSRA has respectfully listened to concerns, included all comments received from the Gabrieleño Band of Mission Indians – Kizh Nation and Gabrielino/Tongva Nation as part of the analysis, and invited both tribes to sign this PA as concurring parties as defined in 36 CFR § 800.6(c)(3); and

WHEREAS, CHSRA has consulted with the California Department of Transportation, District 7 (Caltrans), the Housing Authority of the City of Los Angeles, the City of Los Angeles Office of Historic Resources, the Los Angeles Conservancy, the Los Angeles Union Station Historical Society, and the Train Riders Association of California regarding potential effects of the Undertaking; and

WHEREAS, Caltrans, a Cooperating Agency under NEPA, has provided comments regarding portions of the Undertaking within or facing Caltrans right-of-way. Caltrans has recommended that the proposed mitigation measures for archaeological historic properties reference the California Office of Historic Preservation's guidelines for curation. Caltrans has provided comments on the LAUS south retaining wall as a character-defining feature of LAUS that abuts Caltrans right-of-way. Caltrans concurs with CHSRA's finding that the physical destruction of this feature would constitute an adverse effect and has stated that Historic American Buildings Survey documentation of the LAUS south retaining wall would constitute appropriate mitigation; and

WHEREAS, the Housing Authority of the City of Los Angeles has provided comments regarding William Mead Homes, including requests for a specific analysis of the shade/shadow effects that a proposed sound wall would have on the property and for an assessment of potential impacts of Project-related vibrations on the property. CHSRA has addressed the concerns expressed by the Housing Authority of the City of Los Angeles by conducting a shadow analysis and considering vibration impacts in accordance with Federal Transit Administration criteria, and has determined that the Undertaking will have no adverse effect on William Mead Homes; and

WHEREAS, the City of Los Angeles Office of Historic Resources and its Cultural Heritage Commission have provided comments about the implementation of the Undertaking at LAUS, specifically regarding the necessity of building a West Plaza, the possibility of designing a parallel tunnel to the existing historic pedestrian passageway, the need for rail yard Platform 7 to be raised, and the feasibility of rehabilitation options for the Cesar Chavez Avenue Undercrossing; and

WHEREAS, the Los Angeles Conservancy has stated that it concurs with CHSRA's finding of effect and has provided comments regarding the incorporation of avoidance planning into the design process for the Undertaking; and

WHEREAS, the Los Angeles Union Station Historical Society has stated its support for the Undertaking and has provided comments regarding its preference for the new Cesar Chavez Avenue Undercrossing and LAUS terminal rail yard platform canopies, benches, and street lamps to replicate the historic circa 1939 design; has recommended that at least one track-numbered end of an original platform canopy and its supporting pillars be preserved and repurposed for educational uses; and has requested that, if feasible from an

access and engineering standpoint, the Terminal Tower building that was integral to LAUS rail operations be repurposed as a museum space for the interpretation of LAUS rail technology; and

WHEREAS, the Train Riders Association of California did not provide comments regarding potential effects of the Undertaking but stated that it believes the Cesar Chavez Avenue Viaduct over the Los Angeles River to be historically significant and that the costs to replace it would be exorbitant. CHSRA and Metro have clarified that Undertaking would not replace or otherwise impact the Cesar Chavez Avenue Viaduct, for which CHSRA has made a finding of no effect; and

WHEREAS, CHSRA has included all comments received as part of the analysis, and has invited Caltrans (for portions of the Undertaking within Caltrans right-of-way), the City of Los Angeles Office of Historic Resources, the Los Angeles Conservancy, and the Los Angeles Union Station Historical Society to sign this PA as concurring parties as defined in 36 CFR § 800.6(c)(3); and

WHEREAS, the Undertaking is currently planned to be designed and constructed in a phased manner, using a Construction Manager/General Contractor procurement process in which the design for Project components in each phase or sub-phase may be advanced from preliminary to final independently of other Project components; and

WHEREAS, CHSRA, in consultation with SHPO, has determined that, as a result of refinements to the design of the Undertaking that may be made during the design process, the APE may need to be revised and additional efforts may need to be undertaken to identify, evaluate, and assess effects to historic properties to consider such areas; and

WHEREAS, CHSRA, in consultation with SHPO, has determined that the nature of the proposed Undertaking's operation and maintenance may constrain the Undertaking's design in a manner that precludes the possibility of avoiding adverse effects on the Los Angeles Union Passenger Terminal, Vignes Street Undercrossing, North Main Street Bridge, and archaeological site CA-LAN-1575; and

WHEREAS, SHPO has recommended that the design of the Undertaking minimize visual effects to historic properties and emphasize the preservation of character-defining features of historic properties; and

WHEREAS, CHSRA, in consultation with SHPO, has established a process to resolve adverse effects to historic properties through the execution and implementation of this PA, in accordance with 36 CFR § 800.14(b)(1)(ii); and

NOW, THEREFORE, CHSRA and SHPO agree that the Undertaking will be implemented in accordance with the following stipulations to take into account the adverse effects of the Undertaking on historic properties, and further agree that these stipulations shall govern the Undertaking and all its parts until this PA expires or is terminated.

STIPULATIONS

CHSRA, in coordination with Metro, shall ensure that the following stipulations of this PA are carried out:

I. ROLES AND RESPONSIBILITIES

A. CALIFORNIA HIGH-SPEED RAIL AUTHORITY

As the lead federal agency, CHSRA shall be responsible for ensuring that the stipulations of this PA are completed and consistent with the requirements of 36 CFR Part 800, with the exception of government-to-government consultation with federally recognized Native American tribes, which remains FRA's responsibility under NEPA Assignment. CHSRA shall be responsible for the following:

1. Make all determinations of eligibility for historic properties and findings of effect of the Undertaking and participate in the resolution of adverse effects and disputes.

2. Modify the approved APE in consultation with Metro, SHPO, and all concurring parties to the PA pursuant to Stipulation II.B, as necessary to account for any Project changes.

3. Coordinate between FRA and federally recognized Native American tribes if any such tribes were to request formal government-to-government consultation in the future, as there currently are no federally recognized tribes actively consulting on the Undertaking.

4. Consult with non-federally recognized Native American tribes and individuals, other consulting parties, the public, and local governments, as appropriate.

5. Ensure that all historic preservation and archaeological work conducted pursuant to this PA is performed by, or under the direct supervision of, a person or persons who meet, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738-44739 and Appendix A to 36 CFR Part 61) in the relevant field of study, as described under the administrative provisions of this PA (Stipulation IX.A).

6. Coordinate with Metro to circulate documents, respond to comments on documents, and final documents, as stipulated, to SHPO and all the concurring parties to this PA.

7. Maintain documentation and administrative record of Section 106 compliance in coordination with Metro.

8. Respond to written requests from other federal agencies under 36 CFR § 800.2(a)(2). If CHSRA receives a written request from another federal agency that intends to carry out, fund, license, permit, or approve an Undertaking covered by this PA, CHSRA shall notify the ACHP, SHPO, and Metro of such request within 15 calendar days. CHSRA will invite such federal agency to become an invited signatory to this PA pursuant to 36 CFR § 800.6(c)(2). If such federal agency agrees to

become an invited signatory, CHSRA shall comply with Stipulation IX.D to amend this PA.

B. LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

As the Project proponent and invited signatory, Metro shall be responsible for the following:

1. Coordinate all activities described in the PA to carry out the stipulations below.

2. Submit all documents required by this PA as stipulated, for review and approval by CHSRA prior to circulation to signatories and concurring parties.

3. Affirm that all historic preservation and archaeological work conducted pursuant to this PA is performed by, or under the direct supervision of, a person or persons who meet, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738-44739 and Appendix A to 36 CFR Part 61) in the relevant field of study, as described under the administrative provisions of this PA (Stipulation IX.A).

II. AREA OF POTENTIAL EFFECTS

A. CHSRA, in consultation with SHPO, has delineated an APE for the Undertaking that accounts for potential impacts on both archaeological and built environment resources that may result from the construction and operation of the Undertaking.

B. As the Undertaking progresses, design changes or modifications to the Undertaking, subsequent to the execution of this PA, may become necessary. Metro shall inform CHSRA of any such design changes or modifications. CHSRA will determine whether the design changes or modifications would affect additional areas that would necessitate modifications of the APE. If CHSRA determines that additional areas would be affected, CHSRA will submit documentation of the modified APE to all concurring parties to this PA and will follow the review and comment process in Stipulation VIII.A. Disputes will be resolved in accordance with Stipulation IX.C. In this manner, the APE may be amended in consultation between signatories and concurring parties without amending the PA.

III. ADDITIONAL IDENTIFICATION OF HISTORIC PROPERTIES

While the CHSRA has completed identification of historic properties for the current level of design of the Undertaking, the CHSRA may require additional identification efforts if design changes or modifications to the Undertaking, subsequent to the execution of this PA, necessitate the revision of the APE in accordance with Stipulation II.B.

If changes to the APE become necessary, CHSRA and Metro will ensure that supplemental efforts to identify and evaluate historic properties are completed and that documentation of these efforts is prepared in accordance with this PA and with the requirements of 36 CFR § 800.4. Identification, evaluation, and assessment of effects to newly discovered historic properties will follow the procedures outlined in this PA. CHSRA will submit documentation of these efforts to all concurring parties to this PA and will follow the review and comment process in Stipulation VIII.A. Disputes will be resolved in accordance with Stipulation IX.C.

IV. ASSESSMENT OF EFFECTS

A. ADDITIONAL ASSESSMENT OF EFFECTS

In the event that additional efforts to identify and evaluate historic properties are completed pursuant to Stipulation III and new historic properties are identified as a result of these efforts, CHSRA shall ensure that addendum Findings of Effect are prepared in accordance with this PA and with the requirements of 36 CFR § 800.5. CHSRA will submit the addendum Finding of Effect to all concurring parties to this PA and will follow the review and comment process in Stipulation VIII.A. Disputes will be resolved in accordance with Stipulation IX.C. CHSRA and Metro shall consult with SHPO and concurring parties in accordance with the procedures detailed in Stipulation V to resolve any effects that are determined to be adverse.

B. CONTINUED CONSULTATION REGARDING SPECIFIC EFFECTS TO BUILT ENVIRONMENT HISTORIC PROPERTIES

CHSRA and Metro will continue to consult with concurring parties with a demonstrated interest in built environment historic properties as Metro advances the design of the Undertaking, in order to determine specific effects for LAUS, Vignes Street Undercrossing, and North Main Street Bridge. CHSRA shall ensure that continued consultation is conducted in accordance with the following process:

1. CHSRA and Metro will provide concurring parties with a schedule for consultation based on the major design milestones (e.g., 60%, 90%, final design) for particular components of the Undertaking that may adversely affect character-defining features of LAUS, Vignes Street Undercrossing, and North Main Street Bridge.

2. At major design milestones, CHSRA and Metro will submit the design documentation to concurring parties and will follow the review and comment process in Stipulation VIII.A. If requested by a concurring party during the stipulated review period, CHSRA and Metro may consider developing additional visualization materials or documentation to facilitate review by consulting parties.

3. Once design of a particular Project component has been advanced to final, CHSRA will submit documentation of concurring party comments and response alongside the final design of the Project component to SHPO. Review by SHPO will follow the review and comment process in Stipulation VIII.A.

4. Upon conclusion of consultation regarding specific effects for a particular Project component, CHSRA and Metro shall consult with SHPO and concurring parties in accordance with the procedures detailed in Stipulation V to resolve adverse effects.

V. RESOLUTION OF ADVERSE EFFECTS

Pursuant to 36 CFR § 800.6, CHSRA and Metro shall continue to consult with all parties to this PA to resolve adverse effects on historic properties. CHSRA and Metro shall ensure that the agreed-upon treatment measures are implemented before, during, or after construction of the Undertaking, depending on the timing requirements of the individual measures.

A. ARCHAEOLOGICAL TREATMENT PLAN

CHSRA and Metro, in consultation with all parties to this PA with a demonstrated interest in archaeological historic properties, have developed an Archaeological Treatment Plan (ATP) that describes the agreed-upon measures to resolve adverse effects on archaeological historic properties, and which is included in **Attachment 1** of this PA.

B. BUILT ENVIRONMENT TREATMENT PLAN

To support consultation regarding the resolution of adverse effects on built environment historic properties, CHSRA and Metro will prepare a Built Environment Treatment Plan (BETP) outlining measures to resolve adverse effects on built environment historic properties. CHSRA will submit the BETP to all concurring parties to this PA with a demonstrated interest in built environment historic properties and will follow the review and comment process in Stipulation VIII.A. Disputes will be resolved in accordance with Stipulation IX.C. The finalized BETP will become **Attachment 2** to the PA.

C. TREATMENT PLAN AMENDMENTS

Any party to this PA may propose amendments to the ATP and BETP. Consultation regarding the proposed amendment will follow the review and comment process in Stipulation VIII.A. Disputes will be resolved in accordance with Stipulation IX.C. Upon conclusion of review, the signatories will amend the PA in accordance with Stipulation IX.D.

VI. CONSTRUCTION FOLLOWING TREATMENT PLAN IMPLEMENTATION

Following approval of the treatment plans and completion of the pre-construction measures prescribed therein, CHSRA and Metro may authorize construction within portions of the APE where there are either no historic properties, no historic properties affected, or where treatment has been completed. No ground-disturbing activities in these areas will occur prior to approval by CHSRA and Metro.

VII. POST-REVIEW DISCOVERIES AND UNANTICIPATED EFFECTS

The ATP (**Attachment 1**) contains agreed-upon protocols for the evaluation and treatment during construction of archaeological materials, deposits, or features encountered outside of standard archaeological identification, evaluation, and treatment activities within or near the boundaries of CA-LAN-1575/H and that can be reasonably be considered to be associated with this historic property.

If CHSRA determines, after commencement of any stage of the Undertaking, that construction of that stage will affect a previously unidentified property unassociated with CA-LAN-1575/H and that may be eligible for the National Register, or affect a known historic property in an unanticipated manner, CHSRA will address the discovery or unanticipated effect in accordance with 36 CFR § 800.13(b)(3). CHSRA may assume any discovered property to be eligible for the National Register in accordance with 36 CFR § 800.13(c). CHSRA shall specify the National Register criteria used to assume the property's eligibility so that information can be used in the resolution of adverse effects.

A. For properties determined eligible or assumed to be eligible pursuant to Stipulation VII above, within 24 hours of receiving notice of the discovery from Metro, CHSRA will notify SHPO and all parties to this PA with a demonstrated interest in archaeological historic properties of those actions that it proposes to avoid, minimize, or otherwise treat adverse effects. All parties will have 48 hours to provide their comments on the proposed actions to CHSRA. CHSRA will ensure that all recommendations are taken into account prior to granting approval of the measures that Metro will implement to resolve adverse effects. CHSRA will notify SHPO and all parties to this PA with a demonstrated interest in archaeological historic properties of the measures to be implemented. Metro will carry out the approved measures prior to resuming construction in the location of the discovery.

B. CHSRA will notify SHPO, the Soboba Band of Luiseño Indians, the Gabrieleño Band of Mission Indians – Kizh Nation, and the Gabrielino/Tongva Nation within 48 hours of the discovery if human remains are found. CHSRA will also notify Caltrans if the human remains are located within Caltrans right-of-way.

C. Any human remains and related items discovered during the implementation of the terms of this PA and of the Undertaking will be treated by Metro in accordance with the requirements of Section 7050.5(b) of the California Health and Safety Code. If, pursuant to Section 7050.5(c) of the California Health and Safety Code, the county coroner/ medical examiner determines that the human remains are or may be of Native American origin, then the discovery will be treated by Metro in accordance with the provisions of Section 5097.98(a)–(d) of the California Public Resources Code. CHSRA, in coordination with Metro, will ensure that the remains are not damaged or disturbed further until all stipulations in Section 7050.5 and Section 5097.98 have been met.

D. CHSRA will consult with SHPO, the Soboba Band of Luiseño Indians, the Gabrieleño Band of Mission Indians – Kizh Nation, and the Gabrielino/Tongva Nation and take their recommendations into consideration when making decisions regarding the disposition of other Native American archaeological materials and records.

E. CHSRA and Metro will coordinate with the property owner regarding the archaeological resources or disposition of human remains discovered on their property or within their right-of-way. Caltrans will participate in decisions regarding the disposition of any archaeological resources or human remains discovered within Caltrans right-of-way.

VIII. REVIEW PROCEDURES AND REPORTING REQUIREMENTS

A. REVIEW AND COMMENT PROCESS

1. For all documents and deliverables produced in accordance with this PA, except where otherwise specified, CHSRA shall provide a draft document to all concurring parties to this PA for a 30 calendar day review and comment period, while respecting confidentiality concerns in accordance with Stipulation IX.B. Any comments provided to CHSRA within the 30 calendar day review and comment period shall be considered in the revision of the document or deliverable. CHSRA may extend this review and comment period up to 15 additional calendar days, if requested.

2. CHSRA shall provide the final document or deliverable and documentation of substantive comments and responses to SHPO for a 30 calendar day review and concurrence period.

3. Failure of concurring parties or SHPO to respond within 30 calendar days of any submittal shall not preclude CHSRA from proceeding to the next step in this PA.

4. Upon conclusion of SHPO review, CHSRA shall document any comments provided and how they are being considered. CHSRA shall distribute the final document or deliverable to concurring parties with associated documentation to inform them of comments received and indicate how they were taken into account, while respecting confidentiality concerns in accordance with Stipulation IX.B.

5. Should CHSRA and SHPO be unable to reach agreement on a final document or deliverable submitted for concurrence, CHSRA and SHPO shall consult for a period not to exceed 15 calendar days following the receipt of SHPO's written objection in an effort to come to agreement on the issues to which SHPO has objected. Should CHSRA and SHPO be unable to agree on the issues to which SHPO has objected, CHSRA and SHPO shall proceed in accordance with Stipulation IX.C of this PA. The timeframe to consult to resolve a disagreement or objection may be extended by mutual consent between CHSRA and SHPO.

B. FINAL REPORTS

1. Within 12 months after CHSRA and Metro have determined that all treatment activities for historic properties have been completed and there will be no more construction activities with the potential to affect historic properties, CHSRA and Metro will ensure preparation of technical reports that document the results of implementing and completing the treatment activities. CHSRA will distribute the draft technical reports to all concurring parties, while respecting confidentiality concerns in accordance with Stipulation IX.B.

2. Concurring parties will be afforded 30 calendar days from receipt of the technical reports to submit written comments to CHSRA.

3. CHSRA and Metro will take all comments received into account in revising the technical reports. Failure of concurring parties to provide comments within the specified timeframe shall not preclude CHSRA and Metro from authorizing revisions to the technical report as CHSRA and Metro may deem appropriate.

4. CHSRA and Metro will document the substantive written comments received and how comments were addressed. CHSRA will submit documentation of the comments and response along with the final technical reports to SHPO for a 30-calendar day review period. If SHPO concurs, then CHSRA and Metro will issue the revised reports in final form and distribute them in accordance with Stipulation IX.A of this PA, while respecting confidentiality concerns in accordance with Stipulation IX.B.

5. Should CHSRA and SHPO be unable to reach agreement on a final technical report submitted for concurrence, CHSRA and SHPO shall consult for a period not to exceed 15 calendar days following the receipt of SHPO's written objection in an effort to come to agreement on the issues to which SHPO has objected. Should CHSRA and SHPO be unable to agree on the issues to which SHPO has objected, CHSRA and SHPO shall proceed in accordance with Stipulation IX.C of this PA. The timeframe to consult to resolve a disagreement or objection may be extended by mutual consent between CHSRA and SHPO.

IX. ADMINISTRATIVE PROVISIONS

A. PROFESSIONAL STANDARDS AND REPORT DISSEMINATION

All activities regarding history, collection management, historical archaeology, prehistoric archaeology, architecture, landscape architecture, and architectural history that are accomplished pursuant to this PA will be carried out by or under the direct supervision of persons meeting the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738-44739 and Appendix A to 36 CFR Part 61) in the appropriate discipline. CHSRA and Metro will ensure that any additional professionals implementing any of the provisions in this PA, the ATP, or the BETP will be appropriately qualified to undertake such tasks.

CHSRA and Metro shall ensure that all reports, developed in accordance with Stipulation VIII.B above and IX.H below, are consistent with CHSRA and SHPO cultural resource technical guidance, and that these reports meet contemporary professional standards as specified in the following documents (or the most recent versions available):

- *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings* (National Park Service 1995 and updates);

- *The Secretary of the Interior's Standards and Guidelines for Archaeological Documentation* (National Park Service 1983 and updates);

- *The Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation* (Federal Register 2003);

- California Office of Historic Preservation's *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format* (*OHP* 1990); and

- California Office of Historic Preservation's *Guidelines for Archaeological Research Designs* (OHP 1991).

Electronic copies of all final reports, including those required by Stipulation VIII.B and additional reports that may be required as a result of consultation regarding the resolution of adverse effects, will be provided to SHPO, the South Central Coastal Information Center, and appropriate concurring parties. CHSRA and Metro will prepare a non-confidential version of the final reports that can be made available to the public upon request.

CHSRA and Metro shall ensure that, to the extent permitted under Sections 5097.98 and 5097.991 of the California Public Resources Code, the materials and records resulting from the activities prescribed by this PA are curated in accordance with 36 CFR part 79 and California Office of Historic Preservation's guidelines for curation. CHSRA shall ensure that the views of the Most Likely Descendant(s) are taken into consideration when decisions are made about the final disposition of Native American archaeological materials and records pursuant to PRC § 5097.98.

B. CONFIDENTIALITY

The signatories and concurring parties to this PA acknowledge that the handling of documentation regarding historic properties covered by this PA is subject to the provisions of Section 304 of the NHPA of 1966, and Section 6254.10 of the California Government Code (Public Records Act), relating to the disclosure of archaeological site information. As such, CHSRA and Metro shall withhold from public disclosure sensitive information as provided for in 54 U.S. Code § 307103 and Section 6254.10 of the California Government Code.

C. DISPUTE RESOLUTION

Should any signatory or concurring party to this PA object at any time to actions proposed or the manner in which the terms of this PA are implemented, CHSRA shall notify the other parties in writing and consult with the objecting party to resolve the objection. If CHSRA determines that such objection cannot be resolved within 15 calendar days after notification, CHSRA will:

1. Forward all documentation relevant to the dispute, including CHSRA's proposed resolution, to the ACHP and request its participation. The ACHP will provide CHSRA with its advice on the resolution of the objection within 30 calendar days of receiving adequate documentation. Prior to reaching a final decision on the dispute, CHSRA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. CHSRA will then proceed according to its final decision.

2. If the ACHP does not provide its advice regarding the dispute within the 30 calendar day time period, CHSRA may make a final decision regarding resolution

of the dispute and proceed accordingly. Prior to reaching such a final decision, CHSRA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the PA and provide them and the ACHP a copy of such written response.

3. CHSRA's ability to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remain unchanged.

D. AMENDMENT

Any signatory to this PA may propose that this PA be amended, whereupon all signatories shall consult within a period of 30 calendar days, or another time period as agreed to by all signatories, to consider such an amendment. This PA may be amended by Metro and CHSRA when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all signatories is filed with the ACHP. If the signatories cannot agree to appropriate terms to amend the PA, any signatory may terminate the PA in accordance with Stipulation IX.E, below.

E. TERMINATION

If a signatory believes that the terms of this PA are not being carried out or cannot be carried out by CHRSA and Metro, that party shall immediately notify the other signatories in writing and consult with the other parties for a period of at least 30 calendar days to attempt to develop an amendment per Stipulation IX.D above. Should such consultation result in an agreement on an alternative to termination, the signatory parties shall amend the PA in accordance with Stipulation IX.D. If within 30 calendar days, or another time period agreed to by all signatories, an agreement for the amendment to the PA cannot be reached, any signatory may terminate the PA upon written notification to the other signatories. Termination hereunder shall render this PA without further force or effect.

If this PA is terminated for any reason CHSRA will either execute a memorandum of agreement for the Undertaking pursuant to 36 CFR § 800.6(c) or a new programmatic agreement for the Undertaking pursuant to 36 CFR § 800.14(b), follow the procedures outlined in 36 CFR Part 800, or request, take into account, and respond to, the comments of the ACHP pursuant to 36 CFR § 800.7, prior to proceeding with the Undertaking. CHSRA shall notify the signatories and concurring parties as to the course of action it will pursue.

F. DURATION

If the terms of this PA are not carried out within five (5) years following its date of execution by the signatory parties, CHSRA will consult with the other parties to this PA to reconsider its terms at least sixty (60) calendar days prior to its expiration. Reconsideration may include the continuation of the PA as originally executed, amendment of the PA in accordance with Stipulation IX.D above, or termination in accordance with Stipulation IX.E. In the event of termination, CHSRA will notify the other parties to this PA in writing and, if it chooses to continue with the Undertaking, shall reinitiate review of the Undertaking in accordance with 36 CFR Part 800.

G. REPORTING

Electronic submittals are acceptable to expedite reviews.

H. ANNUAL REPORT

Metro, in coordination with CHSRA, shall prepare an annual report documenting actions carried out pursuant to this PA. The reporting period shall commence one year from the date of execution. The annual report shall be distributed to all signatories and concurring parties to this PA.

The annual report shall address issues and describe actions and accomplishments over the past year, including specific lists of studies, reports, actions, evaluations, and consultation and outreach efforts related to implementation of this PA.

CHSRA shall coordinate a meeting of the signatories and concurring parties to be scheduled within 90 days of distribution of the annual report, or another mutually agreed upon date, to discuss activities carried out pursuant to this PA during the preceding year and activities scheduled for the upcoming year. This meeting, should it be deemed unnecessary, may be cancelled by mutual consent of the signatory parties.

X. EFFECTIVE DATE AND EXECUTION

This PA will take effect on the date that it has been executed by CHSRA and SHPO. Execution of this PA by CHSRA and SHPO, its filing with the ACHP, and subsequent implementation of its terms in accordance with 36 CFR § 800.14(b)(2)(iii), shall evidence that CHSRA has taken into account the effects of the Undertaking on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:
(Individual signature pages follow.)

Stefan Galvez-Abadia
California High-Speed Rail Authority, Director of Environmental Services

Julianne Polanco
California State Historic Preservation Officer

INVITED SIGNATORIES:

Stephanie Wiggins
Los Angeles County Metropolitan Transportation Authority, Chief Executive Officer

CONCURRING PARTIES:

Andrew Salas
Gabrieleño Band of Mission Indians – Kizh Nation, Tribal Chairperson

Sandonne Goad
Gabrielino/Tongva Nation, Tribal Chairwoman

Ken Bernstein
City of Los Angeles Office of Historic Resources, Manager and Principal City Planner

Kelly Ewing-Toledo
California Department of Transportation, District 7, Deputy District Director, Division of Environmental Planning

Adrian Fine
Los Angeles Conservancy, President and Chief Executive Officer

Tom Savio
Los Angeles Union Station Historical Society, Executive Director

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

SIGNATORY:

CALIFORNIA HIGH-SPEED RAIL AUTHORITY



_____ Date: 1/14/26

Name: Ian Choudri
Title: Chief Executive Officer

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

SIGNATORY:

CALIFORNIA STATE HISTORIC PRESERVATION OFFICER



12/01/2025

_____ Date: _____

Name: Julianne Polanco
Title: California State Historic Preservation Officer

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

INVITED SIGNATORY:

LOS ANGELES COUNTY METROPOLITAN TRANPORTATION AUTHORITY

Date: 10/8/25

Name: Stephanie Wiggins
Title: Chief Executive Officer

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

CONCURRING PARTY:

GABRIELEÑO BAND OF MISSION INDIANS – KIZH NATION

_____ Date: _____
Name: Andrew Salas
Title: Tribal Chairperson

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

CONCURRING PARTY:

GABRIELINO/TONGVA NATION

for Sandonne Goad Date: 9-18-25

Name: Sandonne Goad
Title: Tribal Chairwoman

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

CONCURRING PARTY:

CITY OF LOS ANGELES OFFICE OF HISTORIC RESOURCES

_____ Date: September 12, 2025

Name: Ken Bernstein
Title: Manager and Principal City Planner

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

CONCURRING PARTY:

CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 7

Kelly Ewing-Toledo Date: 09/02/2025
Name: Kelly Ewing-Toledo
Title: Deputy District Director, Division of Environmental Planning

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

CONCURRING PARTY:

LOS ANGELES CONSERVANCY

_____ Date: _____
Name: Adrian Fine
Title: President and Chief Executive Officer

PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LINK UNION STATION PROJECT
IN LOS ANGELES, CALIFORNIA

CONCURRING PARTY:

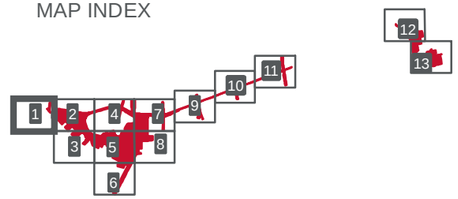
LOS ANGELES UNION STATION HISTORICAL SOCIETY

Tom R. Savio Date: 9/9/25

Name: Tom Savio
Title: Executive Director



MAP INDEX



LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- 15 North Main Street Bridge (Bridge # 53C 1010)

AREA OF POTENTIAL EFFECTS

0 Feet 200

0 Meters 50

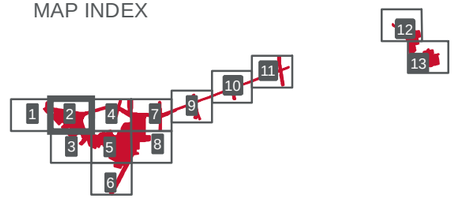
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- Proposed Track
- 4 Los Angeles Department of Water and Power - Main Street Center (1630 Main Street)
- 5 William Mead Homes (1300 Cardinal Street)
- 6 Mission Tower (1436 Alhambra Avenue)

AREA OF POTENTIAL EFFECTS

0 Feet 200

0 Meters 50

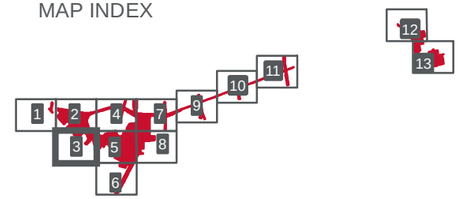
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- Proposed Track
- 5 — William Mead Homes (1300 Cardinal Street)
- 17 — Kelite Factory Plant No. 1 (1250 Main Street)

AREA OF POTENTIAL EFFECTS

0 Feet 200

0 Meters 50

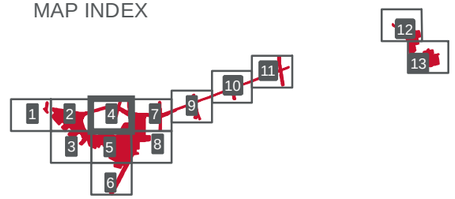
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- Proposed Track
- 7 — Cesar Chavez Avenue Viaduct (Macy Street Viaduct; Bridge # 53C 0130)
- 13 — Macy Street School (900 Avila Street, 505 Clara Street)
- 14 — Denny's Restaurant (530 Ramirez Street)

AREA OF POTENTIAL EFFECTS

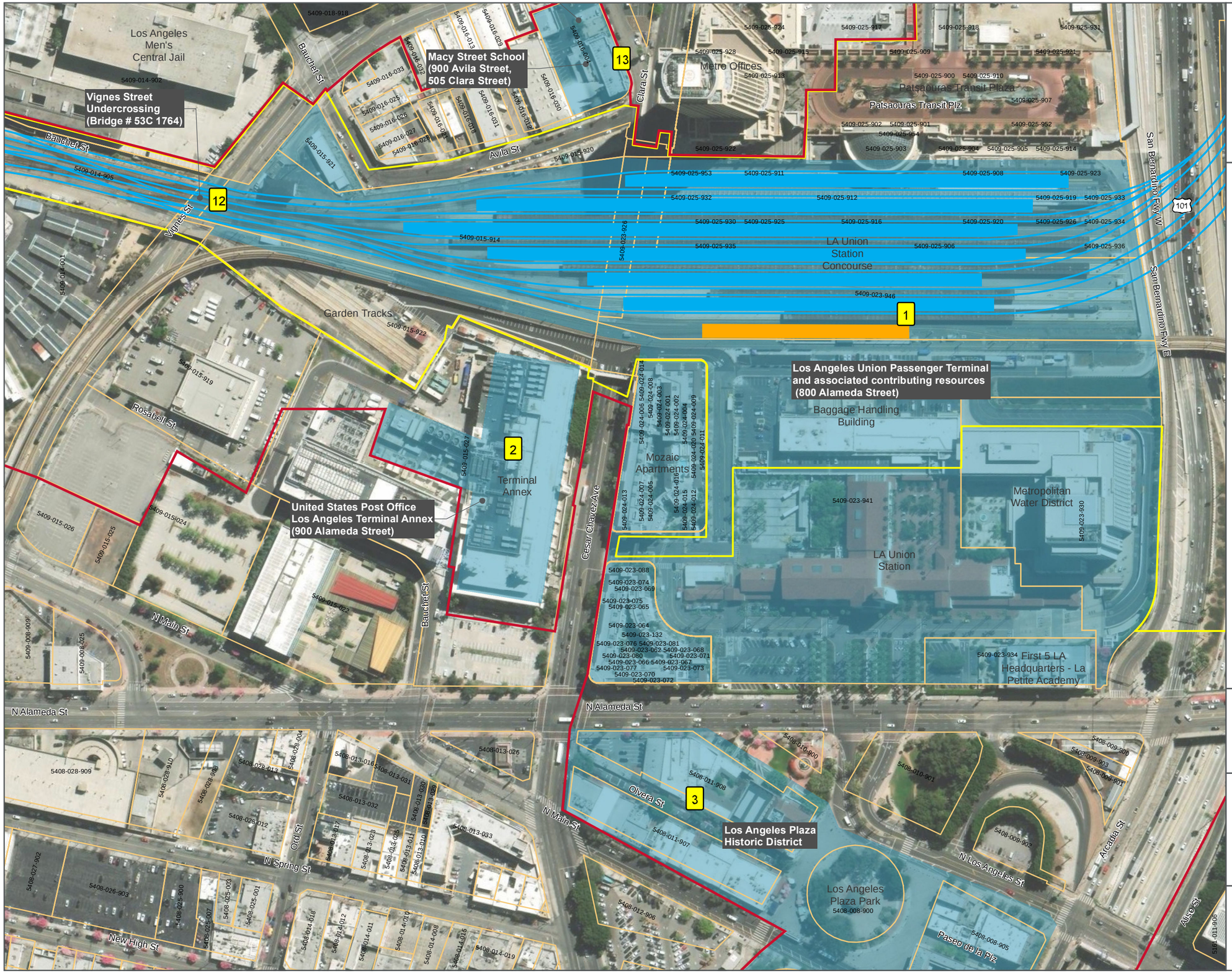
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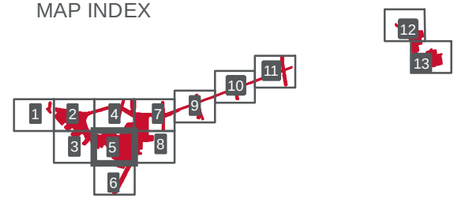
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- Proposed Track
- Gold Line Platform
- Regional/Intercity Rail Platform
- 1 Los Angeles Union Passenger Terminal and associated contributing resources (800 Alameda Street)
- 2 United States Post Office Los Angeles Terminal Annex (900 Alameda Street)
- 3 Los Angeles Plaza Historic District
- 12 Vignes Street Undercrossing (Bridge # 53C 1764)
- 13 Macy Street School (900 Avila Street, 505 Clara Street)

AREA OF POTENTIAL EFFECTS

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0 Meters 50

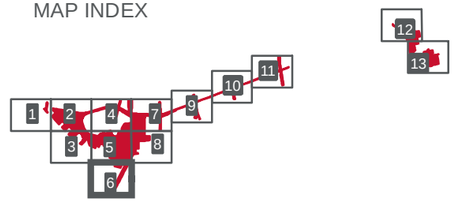
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- 3 Los Angeles Plaza Historic District

AREA OF POTENTIAL EFFECTS

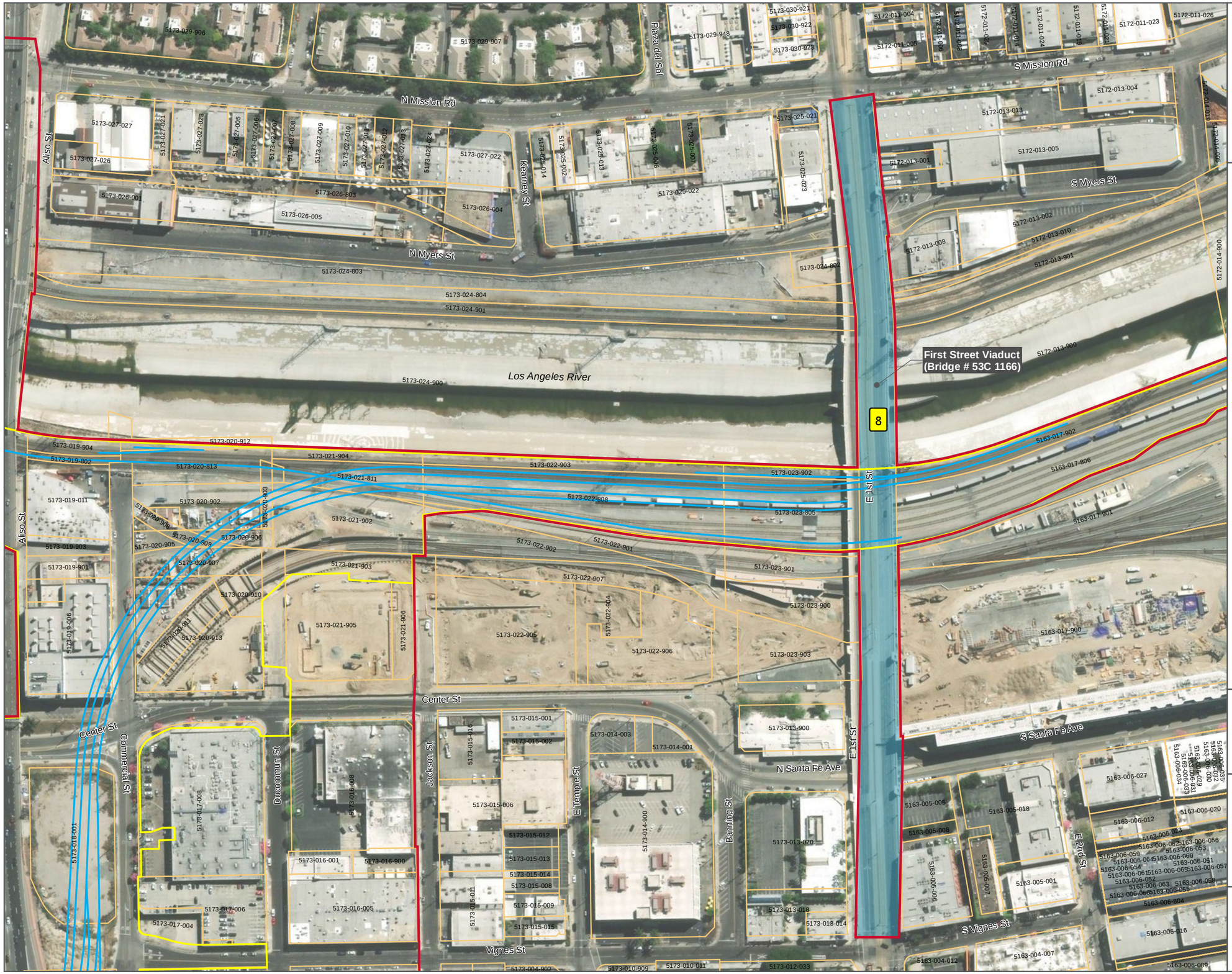
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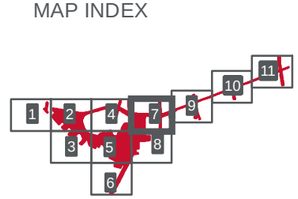
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- Proposed Track
- 8 First Street Viaduct (Bridge # 53C 1166)

AREA OF POTENTIAL EFFECTS

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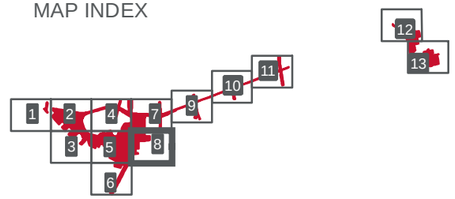
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LEGEND

- Area of Potential Effects
- Parcels (Tax Roll 2020)
- Project Footprint
- Proposed Track

AREA OF POTENTIAL EFFECTS

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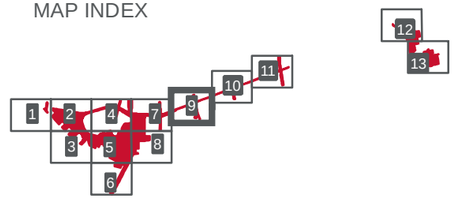
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- Proposed Track
- 9 Fourth Street Viaduct (Bridge # 53C 0044)

AREA OF POTENTIAL EFFECTS

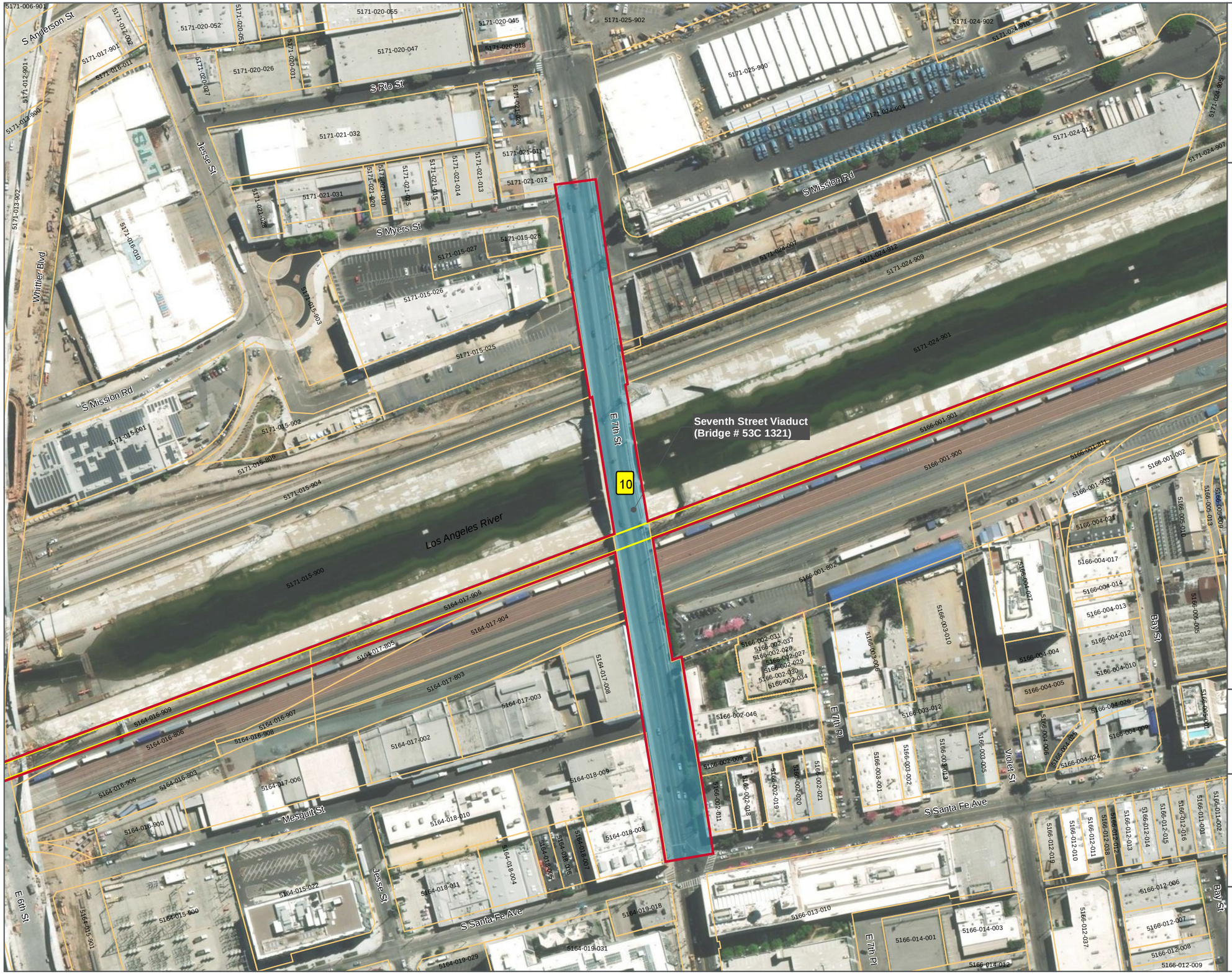
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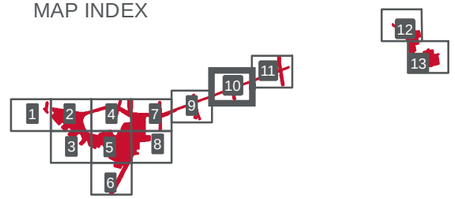
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- 10 Seventh Street Viaduct (Bridge # 53C 1321)

AREA OF POTENTIAL EFFECTS

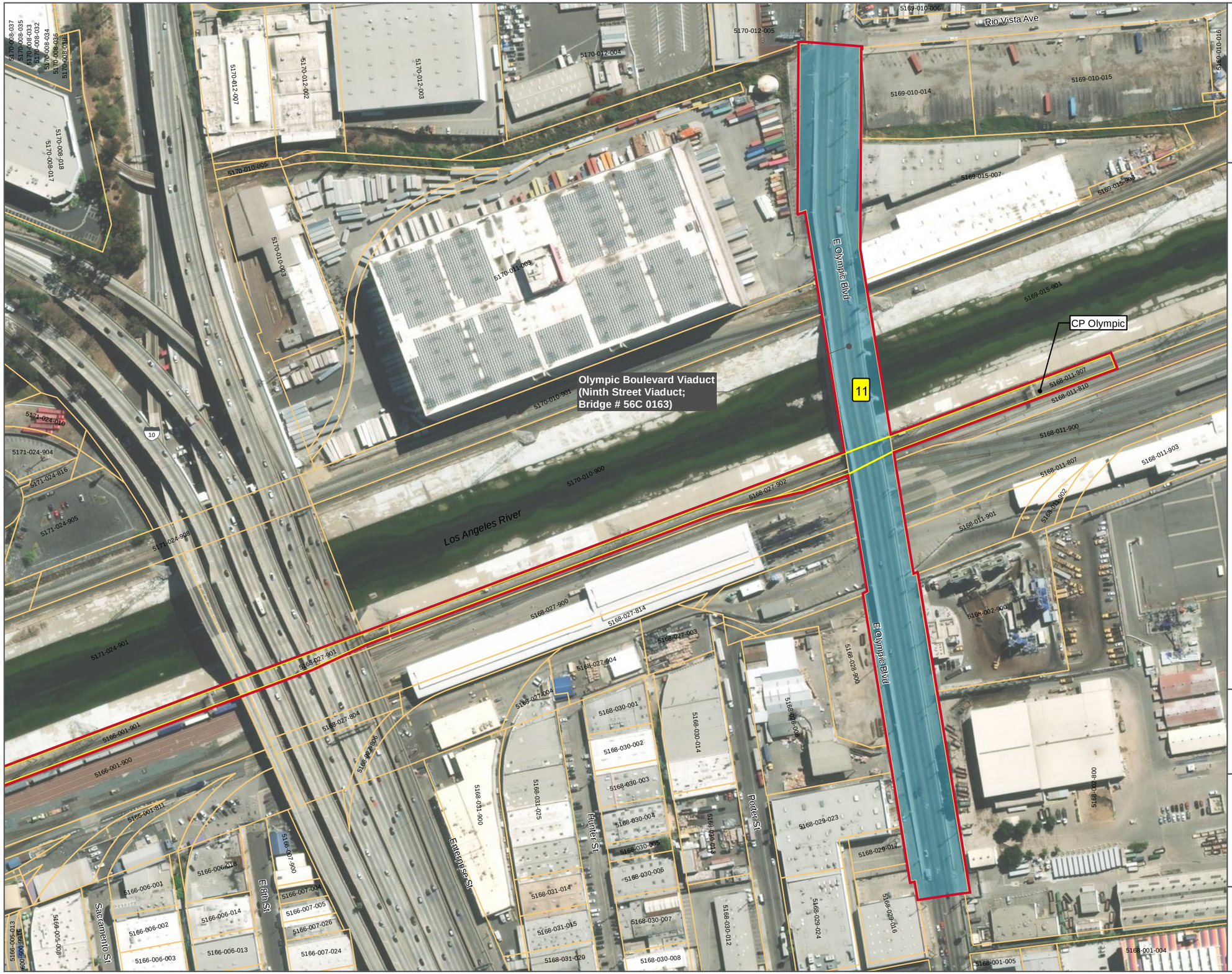
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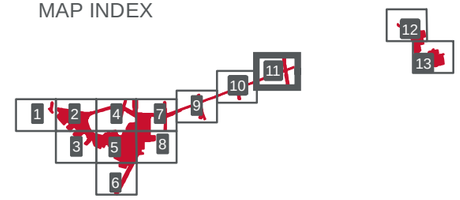
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- 11 — Olympic Boulevard Viaduct (Ninth Street Viaduct; Bridge # 56C 0163)

AREA OF POTENTIAL EFFECTS

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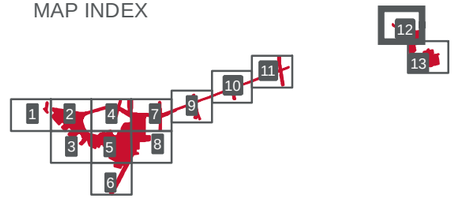
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LEGEND

- Area of Potential Effects
- Built Environment Historic Property
- Parcels (Tax Roll 2020)
- Project Footprint
- Proposed New Track
- 16 — Solar Manufacturing Corporation Building (4553 Seville Avenue)

AREA OF POTENTIAL EFFECTS

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0 Meters 50

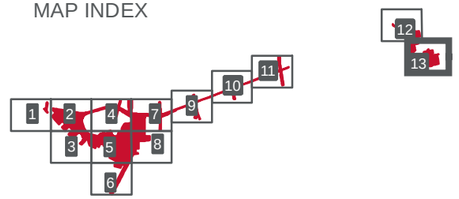
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LEGEND

- Area of Potential Effects
- Parcels (Tax Roll 2020)
- Project Footprint
- Proposed New Track

AREA OF POTENTIAL EFFECTS

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CALIFORNIA High-Speed Rail Authority

Metro

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Appendix C: Section 4(f) Concurrence Letter

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

July 25, 2024

IN REPLY REFER TO:
ER 24/0287
4111

Carlos J. Montez
Deputy Executive Officer
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 99-18-2
Los Angeles, CA 90012

Subject: U.S. Department of the Interior Comments – Section 4(f) Evaluation – Link Union Station DRAFT Environmental Impact Statement/Supplemental Environmental Impact Report, June 2024

Dear Carlos Montez:

The Department of the Interior (Department), as required under Section 4(f) of the Department of Transportation Act of 1966, has reviewed the draft Section 4(f) Evaluation for the Union Link Station project.

The Department, through the National Park Service, concurs that there is no feasible and prudent alternative to the proposed use of the following 4(f) properties:

- Los Angeles Union Passenger Terminal (Resource Number H-2 on Figure 5-2)
- Vignes Street Undercrossing (Resource Number H-7 on Figure 5-2)
- North Main Street Bridge (Resource Number H-15 on Figure 5-2)

The Department has no objection to Section 4(f) approval of this project. If you have specific questions related to our comments, please contact Danette Nolan Woo at Danette_Woo@nps.gov. For all other questions, please contact me at Janet_Whitlock@ios.doi.gov
.

Sincerely,

Janet Whitlock
Regional Environmental Officer

TRANSMITTED ELECTRONICALLY – NO HARDCOPY TO FOLLOW

Electronic distribution: LinkUnionStation@metro.net

cc: Shawn Alam, Department of the Interior: shawn_alam@ios.doi.gov
Stefan Galvez, California High-Speed Rail Authority: Stefan.Galvez@hsr.ca.gov
Danette Woo, National Park Service: Danette_Woo@nps.gov

From:	Sirova, Viktoriya A
To:	Hidalgo, Sharyn
Cc:	Rushing, Brett@HSR; VanderKamp, Paulette@HSR; Montez, Carlos; O"Neill, Patrick; Del Rosario, Regan; LinkUS; Osorio, Mario; Nolan, Danette Woo; Benko, Matthias J
Subject:	Re: [EXTERNAL] FW: Link US Project - Final EIS/SEIR (Section 4f)
Date:	Monday, December 1, 2025 12:46:20 PM

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sharyn - thank you for reaching out. The Department concluded in its July 25, 2024 comment letter that we had no objection to Section (4) approval at the time. The Department does not have any further comments or questions regarding the Final EIS/SEIR. Please let me know if you have any follow up questions or comments. Thank you.

Respectfully,

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Vika Sirova
Regional Environmental Officer
CA, NV, AZ, and Pacific Islands
Office of Environmental Policy and Compliance
US Department of the Interior
1323 Club Drive
Vallejo, CA 94592
(415) 420-0524 (cell)
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

From: Hidalgo, Sharyn <Sharyn.Hidalgo@hdrinc.com>
Sent: Monday, December 1, 2025 10:26 AM
To: Sirova, Viktoriya A <viktoriya_sirova@ios.doi.gov>
Cc: Rushing, Brett@HSR <brett.rushing@hsr.ca.gov>; VanderKamp, Paulette@HSR <paulette.vanderkamp@hsr.ca.gov>; Montez, Carlos <montezc@metro.net>; O'Neill, Patrick <patrick.oneill@hdrinc.com>; Del Rosario, Regan <Regan.DelRosario@hdrinc.com>; LinkUS <LinkUS@hdrinc.com>; Osorio, Mario <mario.osorio@hdrinc.com>; Nolan, Danette Woo <Danette_Woo@nps.gov>
Subject: RE: [EXTERNAL] FW: Link US Project - Final EIS/SEIR (Section 4f)

Hi Vika,

We are following up on the email below. If you have any questions or comments, please provide by today.

Thanks,
Sharyn

Sharyn Hidalg
D 858.712.8396 **M** 714.454.2059

hdrinc.com/follow-us

From: Hidalgo, Sharyn
Sent: Monday, November 17, 2025 2:29 PM
To: 'viktoriya_sirova@ios.doi.gov' <viktoriya_sirova@ios.doi.gov>
Cc: 'Rushing, Brett@HSR' <Brett.Rushing@hsr.ca.gov>; 'paulette.vanderkamp@hsr.ca.gov' <paulette.vanderkamp@hsr.ca.gov>; Montez, Carlos <montezc@metro.net>; O'Neill, Patrick <patrick.oneill@hdrinc.com>; Del Rosario, Regan <Regan.DelRosario@hdrinc.com>; LinkUS <LinkUS@hdrinc.com>; Osorio, Mario <mario.osorio@hdrinc.com>; 'Danette_Woo@nps.gov' <Danette_Woo@nps.gov>
Subject: RE: [EXTERNAL] FW: Link US Project - Final EIS/SEIR (Section 4f)

Hi Vika,

On behalf of CHSRA, we would like to clarify the requested timeline associated with the letter submitted to DOI on September 30, 2025. Based on the updated Project information presented in the September 30, 2025 letter and attached 4(f) Evaluation (Attachment A), CHSRA is requesting any questions or additional comments no later than December 1, 2025.

Thanks,
Sharyn

Sharyn Hidalgo
D 858.712.8396 **M** 714.454.2059

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From: Nolan, Danette Woo <Danette_Woo@nps.gov>
Sent: Thursday, November 13, 2025 12:18 PM
To: Osorio, Mario <Mario.Osorio@hdrinc.com>
Cc: Rushing, Brett@HSR <brett.rushing@hsr.ca.gov>; VanderKamp, Paulette@HSR <paulette.vanderkamp@hsr.ca.gov>; Montez, Carlos <montezc@metro.net>; O'Neill, Patrick <patrick.oneill@hdrinc.com>; Del Rosario, Regan <Regan.DelRosario@hdrinc.com>; LinkUS <LinkUS@hdrinc.com>; Sirova, Viktoriya A <viktoriya_sirova@ios.doi.gov>
Subject: Re: [EXTERNAL] FW: Link US Project - Final EIS/SEIR (Section 4f)

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Mr. Osorio:

Thank you for your follow-up letter. Viktoria (Vika) Sirova has taken over from Janet Whitlock at the Office of Environmental Policy and Compliance. I have cc'd her on this email.

Danette Woo
Regional Environmental Coordinator
National Park Service, Interior Regions 8, 9, 10 & 12

From: Osorio, Mario <Mario.Osorio@hdrinc.com>
Sent: Monday, October 20, 2025 9:12 AM
To: Nolan, Danette Woo <Danette_Woo@nps.gov>
Cc: Rushing, Brett@HSR <brett.rushing@hsr.ca.gov>; VanderKamp, Paulette@HSR <paulette.vanderkamp@hsr.ca.gov>; Montez, Carlos <montezc@metro.net>; O'Neill, Patrick <patrick.oneill@hdrinc.com>; Del Rosario, Regan <Regan.DelRosario@hdrinc.com>; LinkUS <LinkUS@hdrinc.com>
Subject: [EXTERNAL] FW: Link US Project - Final EIS/SEIR (Section 4f)

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Ms. Woo –

The email below to Ms. Janet Whitlock was bounced back undeliverable. We are forwarding this to you as your name was also on the correspondence that noted “In Reply Refer to: ER 24/0287 – 4111”

If you could please confirm receipt, we appreciate it.

Thank you,
Mario

Mario E. Osorio LEED AP
D 858.712.8239 **M** 619.618.8026
mario.osorio@hdrinc.com

hdrinc.com/follow-us

From: Osorio, Mario
Sent: Wednesday, October 1, 2025 3:43 PM
To: Janet_Whitlock@ios.doi.gov
Cc: Rushing, Brett@HSR <brett.rushing@hsr.ca.gov>; VanderKamp, Paulette@HSR

<paulette.vanderkamp@hsr.ca.gov>; Montez, Carlos <montezc@metro.net>; O'Neill, Patrick <patrick.oneill@hdrinc.com>; Del Rosario, Regan <Regan.DelRosario@hdrinc.com>; LinkUS <LinkUS@hdrinc.com>
Subject: Link US Project - Final EIS/SEIR (Section 4f)

Ms. Whitlock –

On behalf of CHSRA, the attached letter provides notification to U.S. DOI that a design option to the Build Alternative is incorporated in the Final EIS/SEIR, which would avoid the use of one of the three Section 4(f) properties considered (Vignes Street Undercrossing) and reduce the extent of permanent use and temporary occupancy of another Section 4(f) property (Los Angeles Union Passenger Terminal).

The Build Alternative Design Option results in the least overall harm on Section 4(f) properties considered.

Please feel free to reach out with any questions on the Section 4(f) documentation for the Link US Project or reduced extent of Section 4(f) use associated with the Build Alternative Design Option.

Thank you,
Mario

Mario E. Osorio LEED AP
Environmental Section Manager - Transit

HDR
D 858.712.8239 **M** 619.618.8026
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Appendix D: RONA for Clean Air Act General Conformity

Record of Non-Applicability (RONA) for Clean Air Act Conformity

Los Angeles County, California

This Proposed Action for the purposes of Clean Air Act Conformity is comprised of the Link Union Station (Link US) Project (Build Alternative) and Malabar Yard Railroad Improvements (Mitigation). The Proposed Action falls under the Record of Non-Applicability (RONA) category and is documented with this RONA.

The U.S. Environmental Protection Agency (USEPA) published Determining Conformity of General Federal Actions to State or Federal Implementation Plans; Final Rule, in the 30 November 1993, Federal Register (40 CFR Parts 6, 51, and 93). The Federal Railroad Administration (FRA) follows the General Conformity rule under the Clean Air Act (section 176(c)(4)) for rail infrastructure projects. The General Conformity rule ensures that actions taken by FRA do not interfere with a State's plans to attain and maintain national standards for air quality (NAAQS) and plays an important role in helping those States and tribes improve air quality in their areas that do not meet the NAAQS.

Federal regulations state that no department, agency, or instrumentality of the Federal Government shall engage in, support in any way, or provide financial assistance for, license to permit, or approve any activity that does not conform to an applicable implementation plan. It is the responsibility of the Federal agency to determine whether a Federal action conforms to the applicable implementation plan before the action is taken (40 CFR Part 51.850[a]). Federal actions may be exempt from conformity determinations if they do not exceed designated *de minimis* levels for criteria pollutants (40 CFR Part 51.853[b]). The general conformity *de minimis* levels are defined in 40 CFR 93.153(b). Based on the attainment status, the *de minimis* levels (in tons/year) that apply to all direct and indirect emissions generated during construction and operation of a project are listed in Table 1.

Table 1. General Conformity *De Minimis* levels for the South Coast Air Basin

Pollutant	Area Type	De minimis Level (Tons/year)
Nitrogen Oxides (NOx)	Extreme Nonattainment	10
Volatile Organic Compounds (VOC)	Extreme Nonattainment	10
Respirable Particulate Matter (PM_{10})	Attainment/Maintenance	100
Fine Particulate Matter ($PM_{2.5}$)	Serious Nonattainment	70
Carbon Monoxide (CO)	Attainment/Maintenance	100

Proposed Action

Action Proponent: Los Angeles County Metropolitan Transportation Authority (Metro)

Title of Proposed Action: Link Union Station

Project Location: City of Los Angeles, California

Lead Agency for the EIS: California High-Speed Rail Authority

Description of Proposed Action: Metro is proposing the infrastructure improvements associated with the Link US Project (Build Alternative) to address existing capacity constraints at Los Angeles Union Station in the City of Los Angeles. Railroad improvements to the BNSF Malabar Yard in the City of Vernon are also required as mitigation to restore and offset the loss of storage track capacity at the BNSF West Bank Yard.

Air Emission Summary:

Construction

Construction activities associated with implementation of the Build Alternative have the potential to create air quality effects through the use of heavy-duty construction equipment, construction worker vehicle trips, material delivery trips, and heavy-duty haul truck trips generated from construction activities. In addition, earthwork activities would result in fugitive dust emissions and paving operations and would also release ROGs from off gassing. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and, for dust, the prevailing weather conditions. The assessment of construction air quality effects considers each of these potential sources. The construction phasing approach used for the environmental evaluation is based on a conservative estimate of typical construction activities because it assumes all major Project elements would be constructed concurrently (lead tracks, elevated rail yard, run-through tracks, and concourse-related improvements) over a 6-year timeframe.

Consistent with 40 CFR Part 93.153(b) Applicability, “a conformity determination is required for each criteria pollutant or precursor where the total of direct and indirect emissions of the criteria pollutant or precursor in a nonattainment or maintenance area caused by a Federal action would equal or exceed any of the rates in paragraphs (b)(1) or (2) of this section.” For the Build Alternative, the total construction emissions were calculated using the entire equipment list for the Project and U.S. EPA and SCAQMD emission rates and dividing evenly by year across the 6-year construction schedule. The estimated construction emissions for the average year are used as the total annual emissions and then combined with the construction emissions estimated for the Malabar Yard railroad improvements for comparison to *de minimis* levels for the South Coast Air Basin. This is because the nature of earthwork and grading activities, trackwork, structural improvements are similar in each segment of the Project study area and construction activities would rotate throughout the site and be distributed across the 6-year timeframe, thus resulting in an even distribution of emissions from year-to-year.

Railroad improvements to the BNSF Malabar Yard in the City of Vernon are required as mitigation for the Build Alternative to offset the loss of storage track capacity at the BNSF West Bank Yard. Construction emissions from the Malabar Yard railroad improvements would occur from mid-2028 through the end of 2030. As this would overlap the construction duration of the Build Alternative, Table 2 presents the emissions for construction in both locations for the Build Alternative and Malabar Yard railroad improvements.

Table 2. Annual Construction Emissions (tons/year)

Source	NO_x	ROG	CO	PM_{10}	$PM_{2.5}$	CO_2e
Build Alternative						
Off-Road Equipment	106.9	16.8	119.9	8.3	6.0	34,026
On-Road Equipment	32.1	0.7	8.6	3.5	1.4	13,877
Fugitive Dust	–	–	–	225.0	47.3	–
Total	138.9	17.5	128.5	236.8	54.6	47,903
Average Year	**23.2**	**2.9**	**21.4**	**39.5**	**9.1**	**7,984**
Malabar Yard Railroad Improvements						
Year - 2028	1.2	0.1	1.5	<0.1	<0.1	276
Year - 2029	4.0	0.5	5.2	0.3	0.2	946
Year - 2030	1.9	0.5	7.1	0.2	<0.1	1,385
Maximum Year	4.0	0.5	7.1	0.3	0.2	1,385
Combined Build Alternative and Malabar Yard	**27.2**	**3.4**	**28.5**	**39.8**	**9.3**	**9,369**
De minimis level	10	10	100	100	70	NA
Exceedance	**Yes**	No	No	No	No	NA

Source: Table 6-1 of the Air Quality and Climate Change Assessment, Appendix G of Link US EIS/SEIR.
Notes:
SO_2 is in attainment and does not have an applicable de minimis level in the South Coast Air Basin.
CO=carbon monoxide; CO_2e=carbon dioxide equivalents; NO_x=nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$=particles of 2.5 microns or less; ROG=reactive organic gas

Table 2 indicates that prior to implementation of mitigation, the annual construction emissions associated with the Build Alternative and Malabar Yard railroad improvements would exceed the *de minimis* levels for NO_x. Implementation of Mitigation Measure AQ-2 and Malabar Yard Mitigation Measure AQ-2, presented below, is proposed to reduce the NOx emissions during

construction. Mitigation Measure AQ-1 is required as part of the Link US Final EIR and Malabar Yard Mitigation Measure AQ-1 (MY AQ-1) is required by SCAQMD to reduce daily fugitive dust emissions and has been included in the calculation of the mitigated annual construction emissions presented in Table 3 below. Mitigation Measure AQ-1 is not presented in this RONA because it is not required as mitigation to reduce NO_x emissions during construction.

AQ-2: **Compliance with U.S. EPA's Tier 4 Final Exhaust Emission Standards and Renewable Diesel Fuel for Off-Road Equipment:** In compliance with Metro's Green Construction Policy, all off-road diesel powered construction equipment greater than 50 horsepower shall comply with U.S. EPA's Tier 4 final exhaust emission standards (40 CFR Part 1039). In addition, if not already supplied with a factory-equipped diesel particulate filter, all construction equipment shall be outfitted with best available control technology devices certified by the CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.

In addition to the use of Tier 4 equipment, all off-road construction equipment shall be fueled using 100 percent renewable diesel.

MY AQ-2 (same as Mitigation Measure AQ-2)

Table 3 lists the emissions associated with construction of the Build Alternative and Malabar Yard railroad improvements after implementation of Mitigation Measure AQ-2.

Table 3. Annual Construction Emissions After Mitigation (tons/year)

Source	NO_x	ROG	CO	PM_{10}	$PM_{2.5}$	CO_2e
Build Alternative						
Off-Road Equipment	18.0	6.5	31.2	3.0	1.4	21,402
On-Road Equipment	32.1	0.7	8.6	3.5	1.4	13,877
Fugitive Dust	–	–	–	112.5	23.6	–
Total	50.1	7.2	39.8	118.9	26.4	35,279
Average Year	8.3	1.2	6.6	19.8	4.4	5,880
Malabar Yard Railroad Improvements						
Year - 2028	0.2	<0.1	1.9	<0.1	<0.1	276
Year - 2029	0.6	0.1	6.5	<0.1	<0.1	946
Year - 2030	0.8	0.2	8.5	0.1	<0.1	1,385

Table 3. Annual Construction Emissions After Mitigation (tons/year)						
Source	**NO_x**	**ROG**	**CO**	**PM_{10}**	**$PM_{2.5}$**	**CO_2e**
Maximum Year	0.8	0.2	8.5	0.1	<0.1	1,385
Combined Build Alternative and Malabar Yard	**9.1**	**1.4**	**15.1**	**19.9**	**4.4**	**7,265**
De minimis level	10	10	100	100	70	NA
Exceedance	No	No	No	No	No	NA

Source: Table 6-2 of the Air Quality and Climate Change Assessment, Appendix G of Link US EIS/SEIR.
Notes:
SO_2 is in attainment and does not have an applicable de minimis level in the South Coast Air Basin.
CO=carbon monoxide; CO_2e=carbon dioxide equivalents; NO_x=nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$= particles of 2.5 microns or less; ROG=reactive organic gas

Table 3 shows that annual construction emissions generated by the Build Alternative and Malabar Yard railroad improvements are below the general conformity *de minimis* levels applicable to the South Coast Air Basin. Upon implementation of mitigation, no adverse air quality effects would occur from construction of the Build Alternative or Malabar Yard railroad improvements.

Operation

The following analysis focuses on the long-term changes at LAUS and in the City of Vernon associated with the Build Alternative and Malabar Yard railroad improvements, respectively.

The Build Alternative would have potential long-term criteria air pollutant emissions from increased train activity, mobile source emissions associated with vehicular trips in the Project study area, and stationary source emissions from on-site energy consumption. The No Action Alternative assumes no increased train movements through LAUS so the number of train trips would stay constant in all analysis years considered. U.S. EPA's Emission Factors for Locomotives were used to calculate the rail emissions and the CalEEMod model was used to calculate the mobile source and energy emissions. Locomotive emission reductions from use of renewable diesel were considered in the evaluation of the No Action Alternative and the Build Alternative for future years 2026, 2031, and 2040.

The calculated unmitigated results of the annual train cruising, train idling, on road, and operational emissions are presented in Table 4 through Table 6 for the 2026, 2031, and 2040 conditions, respectively. These rail emissions are combined with projected operational regional benefits from the Malabar Yard railroad improvements starting in 2031. Malabar Yard regional benefits were calculated for Year 1, Year 20, and Year 30. Benefits from operation of Malabar Yard railroad improvements include reduced intermodal railcar miles of travel (resulting in reduced fuel consumption by rail and reduced rail emissions) and avoided truck VMT due to the loss of mainline rail network capacity and diversion of rail-served demand to long-haul trucking. The reduction in truck VMT results in reduced fuel consumption by truck and reduced truck emissions.

Table 4. 2026 Annual Operational Emissions (tons/year)					
Source	**NO_x**	**ROG**	**CO**	**PM_{10}**	**$PM_{2.5}$**
No Action Alternative					
Rail emissions no project	22.3	0.7	9.3	0.3	0.3
Build Alternative					
Rail emissions with project	40.0	1.3	16.6	0.6	0.6
Total project emissions	40.0	1.3	16.6	0.6	0.6
Net Change (Build Alternative – No Action Alternative)	17.6	0.6	7.3	0.3	0.3
De minimis level	10	10	100	100	70
Exceedance	Yes	No	No	No	No

Source: Table 6-6 of the Air Quality and Climate Change Assessment, Appendix G of Link US EIS/SEIR.
Notes:
The expanded passageway would not be constructed by 2026; therefore, no operational emissions generated by on-site uses and vehicle trips are included. The Year 2026 represents an interim condition to disclose potential early operational benefits of implementing run-through service based on limited funding.
CO=carbon monoxide; NO_x=nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$= particles of 2.5 microns or less; ROG=reactive organic gas

Table 5. 2031 Annual Operational Emissions (tons/year)					
Source	**NO_x**	**ROG**	**CO**	**PM_{10}**	**$PM_{2.5}$**
No Action Alternative					
Rail emissions no project	16.0	0.4	9.3	0.2	0.2
Build Alternative					
Rail emissions with project	38.3	1.0	22.1	0.5	0.4
Operational emissions with project	1.2	2.6	2.1	1.0	0.3
Total project emissions	39.4	3.7	24.3	1.4	0.7
Net Change (Build Alternative – No Action Alternative)	23.4	3.2	15.0	1.2	0.5
Malabar Yard Railroad Improvements					
Year 1	-7.87	0.00	0.00	-0.12	0.00

Table 5. 2031 Annual Operational Emissions (tons/year)

Source	NO_x	ROG	CO	PM_{10}	$PM_{2.5}$
Combined Build Alternative and Malabar Yard Railroad Improvements	15.5	3.2	15.0	1.1	0.5
De minimis level	10	10	100	100	70
Exceedance	Yes	No	No	No	No

Source: Table 6-7 of the Air Quality and Climate Change Assessment, Appendix G of Link US EIS/SEIR and Table 3.5-6 of the Link US Environmental Evaluation of Malabar Yard Mitigation, Appendix Q of Link US EIS/SEIR.
Notes:
CO=carbon monoxide; NO_x=nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$= particles of 2.5 microns or less; ROG=reactive organic gas

Table 6. 2040 Annual Operational Emissions (tons/year)

Source	NO_x	ROG	CO	PM_{10}	$PM_{2.5}$
No Action Alternative					
Rail emissions no project	8.0	0.2	9.3	0.1	0.1
Build Alternative					
Rail emissions with project	21.3	0.5	24.6	0.2	0.2
Operational emissions with project	1.1	2.6	1.7	1.0	0.3
Total project emissions	22.5	3.1	26.3	1.2	0.5
Net Change (Build Alternative – No Action Alternative)	14.4	2.9	17.1	1.1	0.4
Malabar Yard Railroad Improvements					
Year 20	-33.31	-0.19	-1.54	-0.57	-0.2
Combined Build Alternative and Malabar Yard Railroad Improvements	-18.91	2.71	15.56	0.53	0.2
De minimis level	10	10	100	100	70
Exceedance	No	No	No	No	No

Source: Table 6-8 of the Air Quality and Climate Change Assessment, Appendix G of Link US EIS/SEIR and Table 3.5-6 of the Link US Environmental Evaluation of Malabar Yard Mitigation, Appendix Q of Link US EIS/SEIR.
Notes:
CO=carbon monoxide; NO_x=nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$= particles of 2.5 microns or less; ROG=reactive organic gas

As shown in Table 4 and Table 5, operation of the Build Alternative in years 2026 and 2031, including emission reductions from Malabar Yard as applicable, would exceed the *de minimis* level for NO_x in the unmitigated scenario thus requiring mitigation.

As shown in Table 6, the net increase in annual emissions associated with operation of the Build Alternative and Malabar Yard railroad improvements would not exceed the *de minimis* level for any criteria pollutant. While Malabar Yard operational Year 20 would be 2050 and would not directly align with 2040 annual operational emissions of the Build Alternative at LAUS, no mitigation to reduce operational emissions is required because the downward trend in emissions between Year 1 and Year 20 would still result in enough reduced emissions so that *de minimis* levels for any criteria pollutant are not exceeded.

AQ-3: **Adaptive Air Quality Mitigation Plan:** Prior to construction**,** Metro will prepare a draft Adaptive Air Quality Mitigation Plan, in coordination with the SCRRA, as the operator of the commuter rail service in Southern California and the program manager and grant recipient of the SCORE Program, Amtrak, and the LOSSAN Rail Corridor Agency and submit to the Authority for review and approval. The Plan shall identify the methodology and requirements for annual emission inventories to be prepared by Metro, based on actual/current train movements and corresponding pollutant concentrations through the Year 2040.

Mitigation Plan Requirements: *Prior to the first year of the* regional/intercity run-through service, and on an annual basis thereafter, Metro shall compile and summarize the current Metrolink, Pacific Surfliner, and Amtrak long-distance train schedules to determine the actual and forecasted level of daily and peak-period train movements (including non-revenue train movements) that operate through LAUS.

On an annual basis, Metro shall retain the services of an air quality specialist to conduct an annual emissions inventory to determine if actual train movements through LAUS are forecasted to increase criteria pollutant emissions to a level that would exceed the SCAQMD significance thresholds or diesel pollutant concentrations to a level that would exceed the SCAQMD's 10 in a million threshold at any residential land use in the project study area. An annual report shall be prepared by Metro that summarizes the quantitative results of pollutant emissions and diesel pollutant concentrations in the project study area. If pollutant emissions and diesel pollutant concentrations are projected to exceed the SCAQMD thresholds, the regional and intercity rail operators in coordination with Metro and California State Transportation Agency, shall either implement rail fleet emerging technologies consistent with *2018 California State Rail Plan* Goal 6: Practice Environmental Stewardship, Policy 4: Transform to a Clean and Energy Efficient Transportation System (Caltrans 2018), or reduce the train movements through LAUS to lower the criteria pollutant emissions below the SCAQMD significance thresholds and the diesel pollutant concentrations below the SCAQMD thresholds in the project study area.

After implementation of emerging technologies, Metro shall continue to prepare an emissions inventory in coordination with SCRRA, Amtrak, and the LOSSAN Rail

Corridor Agency annually to report the quantitative results of criteria pollutant emissions and diesel pollutant concentrations in the project study area. The annual report shall include an analysis of the actual (current) and proposed changes in train schedules relative to criteria pollutant emissions and diesel pollutant concentration levels in the project study area. The report shall be prepared annually by December 31 of each year, beginning the calendar year after implementation of regional/intercity rail run-through service through 2040 and shall include results of the emissions inventory and effectiveness of the measures implemented.

Rail Fleet Emerging Technologies: To achieve a reduction of criteria pollutant emissions below the SCAQMD thresholds and diesel pollutant concentrations below a level that would not exceed SCAQMD thresholds, the regional and intercity rail operators may replace, retrofit, or supplement some or all of their existing fleet with zero or low-emission features. The types of emerging technologies that can be implemented, include, but are not limited to the following:

- Electric multiple unit systems
- Diesel multiple units
- Battery-hybrid multiple units
- Renewable diesel and other alternative fuels

Metro shall coordinate with regional rail/intercity rail operators to incorporate these emerging technologies into existing and/or future funding and/or operating agreements to reduce locomotive exhaust emissions in the project study area.

Mitigation Measure AQ-3 requires implementation of emerging technologies such as electric or alternative fuel technology to reduce the CO, NOx, ROG, PM_{10}, and $PM_{2.5}$ exhaust emissions. Mitigation Measure AQ-3 also requires an adaptive air quality mitigation plan to be implemented in conjunction with replacement of the rail fleet with zero- or low-emission locomotives consistent with the *2018 California State Rail Plan* (Caltrans 2018a). Mitigation Measure AQ-3 allows for a range of emission reduction strategies to reduce operational emissions below SCAQMD thresholds. The mitigated emissions calculated herein demonstrate a potential route to achieving these emission reductions using recent public documents from Metrolink and Amtrak including Metrolink's *2021 Climate Action Plan*, Metrolink's *2023 Zero Emission Report*, Metrolink's *Rail Fleet Management Plan Update FY2020-FY2040*, and Amtrak's *FY22 Sustainability Report*. Both the unmitigated and mitigated scenarios account for renewable diesel for Metrolink and Amtrak trains as that has already been implemented by the operators.

The mitigated scenario assumes that Metrolink will operate a fully Tier 4 locomotive fleet by 2026. Metrolink has already been transitioning their locomotive fleet to Tier 4 as of 2017 and will continue to reduce their locomotive emissions with a goal of 100 percent zero emissions by 2028 for their revenue fleet and 27.5 percent electric trains for the non-revenue light duty fleet emissions in the next 7-10 years (Metrolink 2021a; Metrolink 2021b; Metrolink 2023). Amtrak trains were assumed to incorporate 15 percent Tier 4 locomotives by 2026, 40 percent by 2031, and 80

percent by 2040 (Amtrak 2022). Furthermore, based on the state of the technology and climate and sustainability goals set by Metrolink and Amtrak, pollutant concentrations are assumed to further decrease by 30 percent in 2026 and 50 percent in 2031 and 2040 with implementation of emerging rail fleet technologies beyond Tier 4.

Implementation of Tier 4 locomotives by Metrolink and Amtrak would be sufficient to reduce operational emissions to below *de minimis* levels. Rail fleet emerging technologies would not be required to reduce operational emissions to below *de minimis* levels.

The mitigated results of the annual operational emissions are presented in Table 7 through Table 9 for the 2026, 2031, and 2040 conditions, respectively. As identified in Table 7 through Table 9, the annual emissions would be below the *de minimis* levels after mitigation. While Malabar Yard operational Year 20 would be 2050 and would not directly align with 2040 annual operational emissions of the Build Alternative at LAUS, no mitigation to reduce operational emissions is required because the downward trend in emissions between Year 1 and Year 20 would still result in enough reduced emissions so that *de minimis* levels for any criteria pollutant are not exceeded.

Table 7. 2026 Annual Operational Emissions – Mitigated (tons/year)

Source	NO_x	ROG	CO	PM_{10}	$PM_{2.5}$
No Action Alternative					
Rail emissions no project	22.3	0.7	9.3	0.3	0.3
Build Alternative					
Rail emissions with project	11.4	0.1	11.6	0.1	0.1
Total project emissions	11.4	0.1	11.6	0.1	0.1
Net Change (Build Alternative – No Action Alternative)	-11.0	-0.6	2.4	-0.2	-0.2
De minimis level	10	10	100	100	70
Exceedance	No	No	No	No	No

Source: Table 6-9 of the Air Quality and Climate Change Assessment, Appendix G of Link US EIS/SEIR.
Notes:
The expanded passageway would not be constructed by 2026; therefore, no operational emissions generated by on-site uses and vehicle trips are included. The Year 2026 represents an interim condition to disclose potential early operational benefits of implementing run-through service based on limited funding.

CO=carbon monoxide; NO_x=nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$= particles of 2.5 microns or less; ROG=reactive organic gas

Table 8. 2031 Annual Operational Emissions – Mitigated (tons/year)					
Source	**NO_x**	**ROG**	**CO**	**PM_{10}**	**$PM_{2.5}$**
No Action Alternative					
Rail emissions no project	16.0	0.4	9.3	0.2	0.2
Build Alternative					
Rail emissions with project	9.3	0.1	11.1	0.1	0.1
Operational emissions with project	1.2	2.6	2.1	1.0	0.3
Total project emissions	10.5	2.7	13.2	1.1	0.4
Net Change (Build Alternative – No Action Alternative)	-5.6	2.3	3.9	0.9	0.2
Malabar Yard Railroad Improvements					
Year 1	-7.9	0.0	0.0	-0.1	0.0
Combined Build Alternative and Malabar Yard Railroad Improvements	**-13.5**	**2.3**	**3.9**	**0.8**	**0.2**
De minimis level	10	10	100	100	70
Exceedance	No	No	No	No	No

Source: Table 6-10 of the Air Quality and Climate Change Assessment, Appendix G of Link US EIS/SEIR and Table 3.5-6 of the Link US Environmental Evaluation of Malabar Yard Mitigation, Appendix Q of Link US EIS/SEIR.

Notes:

In the case where construction of the Malabar Yard railroad improvements overlaps the full buildout of the Build Alternative, the combined emissions would be below de minimis levels for all pollutants.

CO=carbon monoxide; NO_x=nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$= particles of 2.5 microns or less; ROG=reactive organic gas

Table 9. 2040 Annual Operational Emissions – Mitigated (tons/year)					
Source	**NO_x**	**ROG**	**CO**	**PM_{10}**	**$PM_{2.5}$**
No Action Alternative					
Rail emissions no project	8.0	0.2	9.3	0.1	0.1
Build Alternative					
Rail emissions with project	9.7	0.0	12.3	0.1	0.1
Operational emissions with project	1.1	2.6	1.7	1.0	0.3

Table 9. 2040 Annual Operational Emissions – Mitigated (tons/year)					
Source	**NO_x**	**ROG**	**CO**	**PM_{10}**	**$PM_{2.5}$**
Total project emissions	10.8	2.6	14.0	1.1	0.4
Net Change (Build Alternative – No Action Alternative)	2.8	2.4	4.8	1.0	0.3
Malabar Yard Railroad Improvements					
Year 20	-33.3	-0.2	-1.5	-0.6	-0.2
Combined Build Alternative and Malabar Yard Railroad Improvements	**-30.5**	**2.2**	**3.3**	**0.4**	**0.1**
De minimis level	10	10	100	100	70
Exceedance	No	No	No	No	No

Source: Table 6-11 of the Air Quality and Climate Change Assessment, Appendix G of this EIS/SEIR and Table 3.5-6 of the Link US Environmental Evaluation of Malabar Yard Mitigation, Appendix Q of this EIS/SEIR.

Notes:
CO=carbon monoxide; NO_x =nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$= particles of 2.5 microns or less; ROG=reactive organic gas

Emissions Evaluation and Conclusion

FRA, on behalf of the Authority, concludes that, after mitigation, the *de minimis* levels for applicable criteria pollutants would not be exceeded as a result of implementation of the Proposed Action. Therefore, FRA concludes that further formal Conformity Determination procedures are not required, resulting in this Record of Non-Applicability.

The Build Alternative Design Option would result in less construction-related activities as compared to the Build Alternative. The same mitigation measures apply. As the design option results in less emissions than the Build Alternative, the *de minimis* levels for applicable criteria pollutants would not be exceeded and formal Conformity Determination procedures are not required for the Build Alternative Design Option.

Attachments Included:

RONA Attachment A: Modifications to the Project in the Final EIS/SEIR and Air Emissions Summary for the Build Alternative Design Option

Attachment A. Modifications to the Project in the Final EIS/SEIR and Air Emissions Summary for the Build Alternative Design Option

RONA Attachment A

Modifications to the Final EIS/SEIR and Air Emissions Summary for the Build Alternative Design Option

Modifications to the Final EIS/SEIR after the Public Comment Period

The Draft EIS/SEIR was distributed and made available for a 45-day public comment period from June 21, 2024, through August 9, 2024, pursuant to CEQA Guidelines Section 15105 and NEPA 40 Code of Federal Regulations (CFR) 1502.19. The Build Alternative Design Option considered in the Final EIS/SEIR was developed based on new information from public comments received during the 45-day public comment period related to historic preservation (Final EIS/SEIR Volume III, Comments: IND 3-1, IND 5-1, IND 58-2, IND 63, IND 94-1, IND 112-1, and IND 117-3), comments from the SHPO and consulting parties as part of the Section 106 process related to historic preservation of LAUS, and new information from the engineering design process that provide opportunities to reduce the size of the proposed infrastructure, avoid and reduce the magnitude and intensity of Project-related environmental effects, as compared to the Build Alternative considered in the Draft EIS/SEIR, and reduce cost in a manner that would still allow Metro to meet all provisions of the Project's purpose and need.

The Build Alternative Design Option qualifies for and is identified as a design option to the Build Alternative considered in the Draft EIS. The Build Alternative Design Option could be selected for approval by decision makers upon review and consideration of the content in the Final EIS/SEIR.

The modifications/reductions associated with the Build Alternative Design Option are summarized below.

- ***Retaining the Existing Vignes Street Bridge instead of Replacing It –*** The Build Alternative Design Option does not require replacement of the Vignes Street Bridge because a run-through track alignment with 8 total run-through tracks requires a reduced raise of the railyard. The Build Alternative Design Option does maintain space for a future sixth lead track in the throat area. In conjunction with the removal of Garden Tracks the throat tracks supported by the Vignes Street Bridge would be configured to accommodate space for one new lead track over the existing bridge. South of the Vignes Street Bridge, the westernmost lead tracks through the throat area would be raised to tie into the raised platforms and associated Tracks 3 through 10 at the LAUS Rail Yard.
- ***Fewer Raised Platforms and Reduced Extent of Elevated Rail Yard*** –The Build Alternative Design Option would include an elevated rail yard; however, only four platforms would be raised nine feet to twelve feet higher than the existing condition, instead of six platforms raised 15 feet as previously proposed. Platforms 2 through 5 and eight corresponding platform tracks (Tracks 3 to 10) would be raised as part of the Build Alternative Design Option. The reduced extent of the elevated railyard would still allow for the connecting run-through track viaduct to meet vertical clearance requirements for the El Monte Busway and US-101 (16.5 feet minimum vertical clearance per Caltrans standards). The platform and track allocation for the Build Alternative Design Option would

be modified because Platforms 2 and 5 would be allocated for SCRRA and Amtrak for regional/intercity rail trains and Platforms 3 and 4 (and Tracks 5 through 8) would be allocated to CHSRA for future CHSRA HSR trains – Platforms 3 and 4 would be constructed to meet level-boarding requirements. Platforms 6 and 7 would remain at existing grade with stub-end tracks and would continue to be allocated for SCRRA and Amtrak long distance trains.

The reduced extent of the elevated rail yard as part of the Build Alternative Design Option also decreases the length required for the elevated rail yard. As discussed above, lead tracks through the throat area would begin south of the Vignes Street Bridge thereby allowing for the existing Vignes Street Bridge to remain in place.

- ***Reduced Extent of Concourse-Related Improvements*** – The Build Alternative Design Option would include several reductions to the extent of concourse-related improvements, as summarized below.
    - *Removal of West Plaza* and West Plaza Canopy – The West Plaza, as well as modifications to the baggage handling operations and ticketing services within the Amtrak building, would be removed as part of the Build Alternative Design Option. No modifications to the exterior loading dock or parking area outside of the Amtrak building would be required.
    - *Reduced Width of Expanded Passageway* – The width of the expanded passageway would be 100-feet-wide for the Build Alternative Design Option instead of 140-feet-wide, as previously proposed.
    - *Reduced Canopy Coverage and Change in Type* – Removal of the West Plaza would no longer require canopy coverage for this area. As part of the Build Alternative Design Option, individual canopies would extend up to 25 feet above the 4 new platforms. Rail Yard Canopy Design Option 2 (Grand Canopy over Rail Yard) is not feasible to be implemented in conjunction with the Build Alternative Design Option because all platforms would be required to be raised to support a Grand Canopy. Furthermore, for the Build Alternative, the Grand Canopy was planned to connect to the West Plaza Canopy, but that was also removed from the Build Alternative Design Option.
- ***Fewer Run-Through Tracks on Single Aerial Viaduct from LAUS to West Bank of Los Angeles River*** – The Build Alternative considered in the Draft EIS/SEIR included 10 run-through tracks for regional/intercity trains and future HSR trains and the Build Alternative Design Option would include 8 run-through tracks for regional/intercity trains and future HSR trains. As part of the Build Alternative Design Option, a single aerial viaduct would support the run-through tracks, instead of a combination of viaducts and retained fill embankments as previously proposed. The single aerial viaduct would extend from LAUS, over US-101, north Commercial Street, over Center Street, and over the lowered Amtrak lead track before transitioning to a retained fill section at the BNSF West Bank Yard. With fewer run-through tracks, the corresponding width of the portion of the viaduct over US-101 has been substantially reduced from 205-feet-wide as previously proposed to 75-feet-wide as currently proposed.

South of the elevated platforms at LAUS, the 8 run-through tracks would converge to 4 run-through tracks on the portion of the viaduct that extends over US-101. The run-through tracks would converge again to 2 run-through tracks on the portion of the viaduct west of Center Street.

The Build Alternative Design Option still accommodates 4 run-through tracks for future HSR trains that would be available for northbound/southbound bidirectional CHSRA operations at LAUS. Similarly, 4 run-through tracks for regional/intercity trains would accommodate northbound/southbound bidirectional operations.

The Build Alternative Design Option would result in less construction-related activities as compared to the Build Alternative. Based on the reduction in the scope and scale of infrastructure components described above, an estimated 15 percent reduction of construction-related activities is applied to the Build Alternative Design Option environmental analysis. The 15 percent reduction estimate is a conservative estimate given the reduced scope and scale of proposed infrastructure as part of the Build Alternative Design Option. The reduced scope and scale of the proposed infrastructure is summarized below:

- One bridge would be replaced north of LAUS, versus two bridges (50% less).
- Four versus six platforms are being elevated and reconstructed (33% less).
- The expanded passageway is 100 feet wide versus 140 feet wide (30% less).
- The run-through track structure south of LAUS is narrower (about 30% less deck area).

No change to the duration of the 6-year construction schedule for the Build Alternative was assumed because the means and methods to construct the proposed infrastructure remain the same under the Build Alternative and the Build Alternative Design Option.

Build Alternative Design Option – Air Emissions Summary

Construction

Table 1 presents the annual construction emissions for the Build Alternative Design Option, combined with the Malabar Yard railroad improvements. There are no changes to the Malabar yard railroad improvements would result from the modifications associated with the Build Alternative Design Option.

Reduced construction activity for the Build Alternative Design Option would result in approximately 15 percent less construction-related GHG emissions as compared to the Build Alternative.

The Build Alternative Design Option reduces ROG, CO, NOx, SOx, and CO_2e pollutant emissions by 15 percent compared to the Build Alternative. The reduction in emissions for these pollutants is proportional to the 15 percent reduction in hours of on-road and off-road equipment usage. Particulate matter emissions (including both PM_{10} and $PM_{2.5}$) are dominated by fugitive dust

emissions (not exhaust emissions) and are determined by the acreage disturbed during construction. The Build Alternative Design Option does not include any changes to the Project footprint or daily disturbed area within the Project footprint, therefore, there is no change to fugitive dust emissions compared to the Build Alternative. As a result, the construction related PM_{10} and $PM_{2.5}$ emissions from the Build Alternative Design Option would be reduced by 1 percent and 2 percent, respectively.

Table 1. Annual Construction Emissions (tons/year)

Source	NOx	ROG	CO	PM_{10}	$PM_{2.5}$	CO_2e
Build Alternative Design Option						
Off-Road Equipment	90.8	14.3	101.9	7.1	5.1	28,922
On-Road Equipment	27.3	0.6	7.3	2.9	1.2	11,795
Fugitive Dust	–	–	–	225.0	47.3	–
Total	118.1	14.9	109.3	235.0	53.5	40,717
Average Year	**19.7**	**2.5**	**18.2**	**39.2**	**8.9**	**6,786**
Build Alternative Average Year	**23.2**	**2.9**	**21.4**	**39.5**	**9.1**	**7,983.8**
% change from Table 6-1 of Appendix G	**-15%**	**-15%**	**-15%**	**-1%**	**-2%**	**-15%**
Malabar Yard Railroad Improvements						
Year - 2028	1.2	0.1	1.5	<0.1	<0.1	276
Year - 2029	4.0	0.5	5.2	0.3	0.2	946
Year - 2030	1.9	0.5	7.1	0.2	<0.1	1,385
Maximum Year	4.0	0.5	7.1	0.3	0.2	1,385
Combined Build Alternative Design Option and Malabar Yard	**23.7**	**3.0**	**25.3**	**39.5**	**9.1**	**8,171**
De minimis level	10	10	100	100	70	NA
Exceedance	**Yes**	No	No	No	No	NA

Notes:
SO_2 is in attainment and does not have an applicable de minimis level in the South Coast Air Basin.
CO=carbon monoxide; CO_2e=carbon dioxide equivalents; NOx=nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$=particles of 2.5 microns or less; ROG=reactive organic gas

Table 1 indicates that prior to implementation of mitigation, the annual construction emissions associated with the Build Alternative Design Option combined with Malabar Yard railroad improvements would exceed the *de minimis* levels for NOx.

Implementation of Mitigation Measure AQ-2 (described in Draft EIS/EIR Section 3.5, *Air Quality and Global Climate Change)* and Malabar Yard Mitigation Measure AQ-2 (described in Draft EIR/EIS Appendix Q, Section 3.5, *Air Quality and Global Climate Change),* presented below, is proposed to reduce the NO_x emissions during construction. Mitigation Measure AQ-1 is required as part of the Final EIR and Malabar Yard Mitigation Measure AQ-1 (MY AQ-1) is required by SCAQMD to reduce daily fugitive dust emissions and has been included in the calculation of the mitigated annual construction emissions presented in below. Mitigation Measure AQ-1 is not presented in this RONA analysis because it is not required as mitigation to reduce NO_x emissions during construction.

AQ-2: **Compliance with U.S. EPA's Tier 4 Final Exhaust Emission Standards and Renewable Diesel Fuel for Off-Road Equipment:** In compliance with Metro's Green Construction Policy, all off-road diesel powered construction equipment greater than 50 horsepower shall comply with U.S. EPA's Tier 4 final exhaust emission standards (40 CFR Part 1039). In addition, if not already supplied with a factory-equipped diesel particulate filter, all construction equipment shall be outfitted with best available control technology devices certified by the CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.

In addition to the use of Tier 4 equipment, all off-road construction equipment shall be fueled using 100 percent renewable diesel.

MY AQ-2 (same as Mitigation Measure AQ-2)

Table 2 presents the annual construction emissions for the Build Alternative Design Option and Malabar Yard railroad improvements after implementation of Mitigation Measure AQ-2.

Table 2. Annual Construction Emissions After Mitigation (tons/year)

Source	NOx	ROG	CO	PM_{10}	$PM_{2.5}$	CO_2e
Build Alternative Design Option						
Off-Road Equipment	15.3	5.5	26.5	2.5	1.2	18,192
On-Road Equipment	27.3	0.6	7.3	2.9	1.2	11,795
Fugitive Dust	–	–	–	112.5	23.6	–
Total	42.6	6.1	33.8	118.0	26.0	29,987
Average Year	7.1	1.0	5.6	19.7	4.3	4,998

Table 2. Annual Construction Emissions After Mitigation (tons/year)						
Source	**NOx**	**ROG**	**CO**	**PM_{10}**	**$PM_{2.5}$**	**CO_2e**
Build Alternative Average Year	8.3	1.2	6.6	19.8	4.4	5,879.8
% change from Table 6-1 of Appendix G	**-15%**	**-15%**	**-15%**	**-1%**	**-2%**	**-15%**
Malabar Yard Railroad Improvements						
Year - 2028	0.2	<0.1	1.9	<0.1	<0.1	276
Year - 2029	0.6	0.1	6.5	<0.1	<0.1	946
Year - 2030	0.8	0.2	8.5	0.1	<0.1	1,385
Maximum Year	0.8	0.2	8.5	0.1	<0.1	1,385
Combined Build Alternative Design Option and Malabar Yard	**7.9**	**1.2**	**14.1**	**19.8**	**4.4**	**6,383**
De minimis level	10	10	100	100	70	NA
Exceedance	No	No	No	No	No	NA

Notes:
SO_2 is in attainment and does not have an applicable de minimis level in the South Coast Air Basin.
CO=carbon monoxide; CO_2e=carbon dioxide equivalents; NOx=nitrogen oxides; PM_{10}= particles of 10 microns or less; $PM_{2.5}$= particles of 2.5 microns or less; ROG=reactive organic gas

As shown in Table 2, with implementation of mitigation, annual construction emissions generated by the Build Alternative Design Option and Malabar Yard railroad improvements are below the general conformity *de minimis* levels applicable to the South Coast Air Basin. Upon implementation of mitigation, no adverse effects related to air quality would occur from construction of the Build Alternative Design Option or Malabar Yard railroad improvements.

Operations

Although the Build Alternative Design Option would include 8 run-through tracks instead of 10 run-through tracks, no changes to the volume of daily train trips would be anticipated with the Build Alternative Design Option. No changes to operational emissions that are presented in the RONA would result from implementation of the Build Alternative Design Option.

Emissions Evaluation and Conclusion

FRA, on behalf of the Authority, concludes that, after mitigation, the *de minimis* levels for applicable criteria pollutants would not be exceeded as a result of implementation of the Proposed Action (reduced Build Alternative Design Option Combined with Malabar Yard Railroad

Improvements). Therefore, FRA concludes that further formal Conformity Determination procedures are not required, resulting in this Record of Non-Applicability.

VanderKamp, Paulette@HSR

From: Lau, Lana (FRA) <Lana.Lau@dot.gov>
Sent: Thursday, December 18, 2025 9:02 AM
To: Rushing, Brett@HSR; Mittelman, Anjuliee (FRA)
Cc: Lee, Erin@HSR; VanderKamp, Paulette@HSR; Galvez, Stefan@HSR; LinkUS Adminrecord@HSR
Subject: RE: LinkUS - RONA

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Good morning, Brett,

Thank you, I acknowledge receipt of the final RONA.

Happy holidays!

Lana Lau [læ • nɒ lău]
Supervisory Environmental Protection Specialist, NEPA & Technical Resources
Office of Environmental Program Management
Federal Railroad Administration
1200 New Jersey Ave SE
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(202) 923-5314

From: Rushing, Brett@HSR <Brett.Rushing@hsr.ca.gov>
Sent: Wednesday, December 17, 2025 8:31 PM
To: Lau, Lana (FRA) <Lana.Lau@dot.gov>; Mittelman, Anjuliee (FRA) <Anjuliee.Mittelman@dot.gov>
Cc: Lee, Erin@HSR <Erin.Lee@hsr.ca.gov>; VanderKamp, Paulette@HSR <Paulette.VanderKamp@hsr.ca.gov>; Galvez, Stefan@HSR <Stefan.Galvez@hsr.ca.gov>; LinkUS Adminrecord@HSR <LinkUS.adminrecord@hsr.ca.gov>
Subject: LinkUS - RONA

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Lana,

As discussed on our monthly call yesterday, we are attaching the final RONA (Appendix G of the Link US ROD) for your records. We would request a return of this e-mail acknowledging receipt for our files.

Please let us know if you have any questions.

Happy Holidays!

Brett Rushing
NEPA Assignment Manager
Environmental Services
California High-Speed Rail Authority
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Appendix E: Comments Received from Cooperating Agencies On Final EIS

Caltrans Comments – Received 10/13/25

REVIEW COMMENTS: SUMMARY AND RESOLUTION					
Link US Admin Final EIS/SEIR - Consolidated PDF for Cooperating Agency Review			**CODE**	**A** = Accept Comment (correct, add, clarify) **B** = Will not incorporate **C** = Resolution of comment in next submittal	
Date of Comments Received from Caltrans: 10/10/25 and 10/13/25 (Email)					
Date of Response: 11/7/25					
Comment No.	**Section, Page No. or Study** (1)	**Reviewer Comments**	**RESPONSE**		
			Response Code (2)	**By Whom**	**Response**
1		CUL1: In Table ES-2 I had trouble figuring out why CUL-1 had MY in front of it. I think MY CUL-1 means Malabar Yard CUL-1. If so, perhaps add it to acronyms and abbreviations.	A	M. Osorio	Table ES-2 is specific to Malabar Yard railroad improvements. The MY refers to measures in City of Vernon outside of Caltrans ROW.
2		HQStruct1: Make sure there is enough time for the CMGC contractor to review the final EIR/SEIR as well -- Particularly to see if there are any issues that should be flagged / cleared to better facilitate the construction & reduce impacts. Hopefully there is time for the CMGC team to revisit the EIR/SEIR to help implement any VA study recommendations that might affect the project footprint	A	M. Osorio	Metro is coordinating with CMGC to reduce impacts to the extent feasible. No changes to the Project Footprint are anicipated at this time.
3		Section 4 (f) Evaluation: The section below and various sections/tables throughout the 4(f) evaluation refer to the 4(f) determination as “preliminary determination” and that “use determinations will be finalized in the FEIS/SEIR”. This is the final EIS/SEIR so the statements should be updated.	A	M. Osorio	Metro and CHSRA appreciate Caltrans identifying these instances of text using the word preliminary and future tense. The recommended edits are reflected in the updated Chapter 5 of the Final EIS.

Appendix F: Comments Received After Close of Draft Environmental Impact Statement Comment Period

City of Vernon Letter to Metro Planning and Programming Committee – Dated 10/14/25

VERNON
CALIFORNIA
INDUSTRY | COMMUNITY | INNOVATION

October 14, 2025

Board Administration
LA Metro Planning and Programming Committee
One Gateway Plaza
MS: 99-3-1
Los Angeles, CA 90012

Via email:
boardclerk@metro.net

Subject: Agenda No. 10 – Item Needs More Consideration. The City of Vernon has Significant Concerns Regarding the Proposed Malabar Yard Improvements.

Dear Planning and Programming Committee Members,

On behalf of the City of Vernon, I am submitting written comment regarding Committee Agenda Item No. 10. The City shares Metro's broader goals for the LINK Union Station project and understands its regional importance. We are open to collaborating with Metro and BNSF Railway on limited, clearly defined improvements at the Malabar Yard. However, as currently proposed, the project raises serious concerns for our community. 1

We have repeatedly heard Metro's presentations and assumptions about the benefits this project will bring to our community. But not once has Metro or BNSF provided Vernon with any commitment or assurances on the extent and frequency of road closures and train traffic. 2 Metro's proposal would grant BNSF, a private corporation, significant operational and economic benefits while shifting all environmental, health, and safety burdens onto the City of Vernon. That outcome is neither equitable nor consistent with sound public policy. 3

The Malabar Yard Mitigation includes a hard, permanent closure at 49th Street and significant new closures caused by 1,000 feet of new track and crossing infrastructure at 46th Street. 4 Over the last 15-20 years, and separate from any proposed Link US project, BNSF has sought the City's approval to implement the operational changes that make up the Malabar Yard Mitigation. Vernon has repeatedly denied BNSF's request because of the project's well-known impacts, particularly on traffic. Conveniently, this major operational change is now being presented as necessary "mitigation" for BNSF's loss of rail storage at West Bank Yard. BNSF has told the City of Vernon and Metro staff that it will not enter into any contractual agreement setting parameters on the length and frequency of trains in Vernon as a result of the proposed changes. 5

No rational public agency would agree to overhaul its already congested traffic system without such assurances and based upon a flawed traffic study taken during the height of the COVID-19 shutdown. Thus, the proposed "mitigation" to offset BNSF's purported loss of storage space is infeasible and cannot be implemented without the City's required approvals. With this important point in mind, **the City urges Metro to defer action on the Link Union Station project and identify a feasible BNSF storage option that omits Malabar Yard.** 6 7 8

Mischaracterization of "Mitigation"

The rationale for the proposed Malabar Yard expansion is fundamentally flawed and contrary to the goals of CEQA and NEPA. Metro's environmental review characterizes the Malabar Yard improvements as a "mitigation measure" for the potential loss of storage capacity at the West Bank Yard. However, the loss of private rail storage is not an environmental impact under CEQA and does not require mitigation. The vague and generic planning policies in the Los Angeles Mobility Plan, which the Malabar Yard is intended to address, are simply irrelevant and do not raise environmental impacts (e.g., "Identify and implement strategies to facilitate the flow of freight traffic."). Framing the proposal as necessary mitigation is a misrepresentation that grants BNSF an operational advantage at the expense of our community. In truth, the project itself creates new and significant environmental impacts. 9

Traffic and Safety Concerns

Metro's presentation and environmental documents include sever iaccurate and incomplete assumptions. The overall message presented by Metro staff is that the Malabar Yard expansion will reduce train trips and traffic congestion citywide and reduce emergency response times by five minutes, but there is no analysis of the impact of additional vehicle queuing and traffic triggered by the proposed closure of 49th Street and connector on 46th Street. The Metro analysis did not even consider additional train movements going east from the Malabar Yard, creating potential delays in emergency response times on key arterial streets that the Vernon Police Department utilize running north and south (Seville Avenue, Soto Street, Boyle Avenue, Alcoa Avenue, and Downey Road – See enclosed map). 10 11

Further, Metro's own documentation acknowledges that the proposed rail crossing at Seville Avenue and 46th Street could cause vehicle backups and safety hazards, even with Metro's proposed mitigation measures. Additional train movements to and from the Los Angeles Junction Railway will compound congestion, delay emergency response, and increase air emissions throughout the City. 12

During meetings about this project, Vernon Police Department staff also emphasized the need for Metro to consult with the Los Angeles County Fire Department to address potential impacts on their response times, considering their need to maneuver large firefighting vehicles; to our knowledge, those meetings never took place. 13

Environmental and Community Impacts
The burden of this project would fall entirely on Vernon and its neighboring SELA communities. The affected area includes not only industrial zones but also nearby homes (less than 550 feet from the Malabar Yard), a church serving the Deaf community, the Stacy Medical Center (our only 24/7 medical clinic) and the Vernon City School, which serves elementary students from disadvantaged communities. Contrary to the environmental review's claims, the school is located less than 700 feet from the Malabar Yard, not more than a quarter mile away. The resulting increases in noise, pollution, and traffic will directly impact these children and other sensitive populations. 14

Lack of Transparency and Unanswered Questions 15
Before this project can move forward, BNSF and Metro must provide clear answers to basic operational questions, including:

- How many trains currently use the Yard, and how many are anticipated after the project?
- What will be the length and frequency of those trains?
- How many customers in Vernon are currently served by BNSF?
- Can displaced storage be distributed across multiple existing yards rather than concentrated in Vernon? 16
- Will BNSF enter into an operational agreement that enforces limits on the volume and type of train traffic at the Malabar Yard? 17

City Authority and Next Steps 18
The Malabar Yard improvements cannot proceed without the City's cooperation. The project requires City approvals for at-grade crossings, right-of-way vacations, and various permits. These approvals are not suggestions, they are required by mitigation measures in the project's own EIS/SIER (MY TR-6). At this time, the Vernon City Council has directed staff to oppose the Malabar Yard proposal until these issues are fully addressed and the environmental review is corrected.

Furthermore, Metro has provided the City only ten (10) days to review the final environmental documents before the October 23, 2025, Metro Board consideration, and only **one (1) full day** to review before consideration by the Metro Planning Committee. This is wholly insufficient. We respectfully request at least a thirty (30) day review period to allow meaningful participation by the City, residents, and affected businesses, and to bring BNSF to the table. Without an operational agreement with BNSF, we do not see a path forward. 19

Conclusion 20
The City of Vernon stands ready to engage in good-faith discussions with Metro and BNSF to achieve a balanced, transparent, and equitable outcome. However, if the current proposal proceeds without addressing these fundamental issues, the City will have no

choice but to oppose certification of the environmental review and will pursue all available legal remedies to protect our community.

20 cont'd

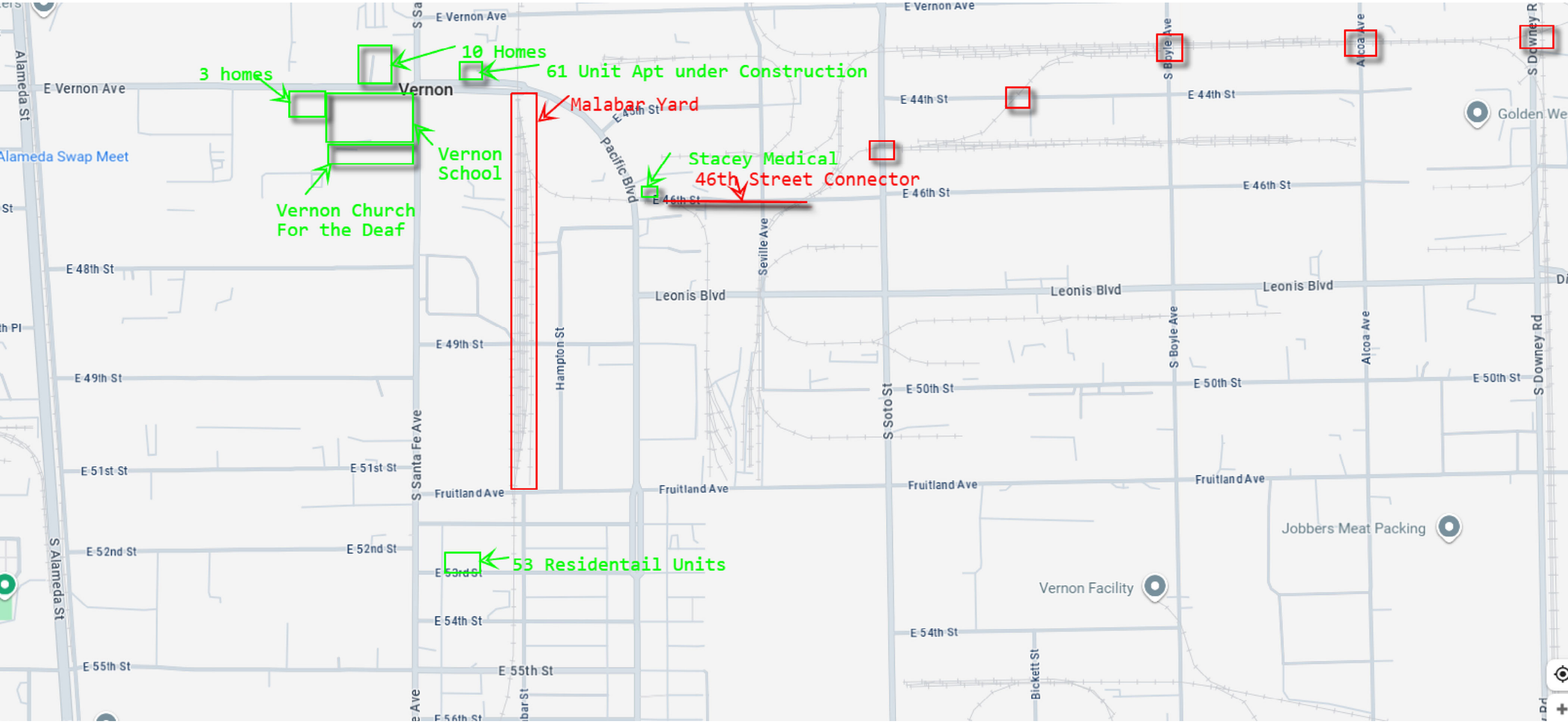
Thank you for your attention and for your continued support of environmental justice and responsible regional planning. We would welcome the opportunity to meet with your office to discuss these concerns in greater detail.

Sincerely,



Brian Saeki
City Administrator
City of Vernon

Attachment: Map of Sites Impacted by Proposed Malabar Yard Improvements


3 homes
10 Homes
61 Unit Apt under Construction
Malabar Yard
Vernon School
Vernon Church For the Deaf
Stacey Medical
46th Street Connector
53 Residentail Units
Vernon
E Vernon Ave
Alameda Swap Meet
Pacific Blvd
Seville Ave
Hampton St
S Santa Fe Ave
S Soto St
S Boyle Ave
Alcoa Ave
S Downey Rd
Leonis Blvd
Fruitland Ave
Jobbers Meat Packing
Vernon Facility
Bickett St
S Alameda St
E 44th St
E 45th St
E 46th St
E 48th St
E 49th St
E 50th St
E 51st St
E 52nd St
E 53rd St
E 54th St
E 55th St
E 56th St

Response to Comments

Response to City of Vernon Letter to Metro Planning and Programming Committee Dated 10/14/25

1 Metro appreciates the City of Vernon's desire for collaboration with Metro and BNSF. The comment provided is an introductory statement with no technical details to provide further response.

The 49th Street Closure and 46th Street Connector infrastructure improvements and changes in freight train operations resulting from the consolidated freight service are clearly defined in **Final EIS, Appendix Q Section 2.** Please refer to the *City of Vernon's Additional Comments on Link Union Station Project's Environmental Impact Statement/Supplemental Environmental Impact Report, and Objection to Certification of EIR and Project Approval* provided by RWG Law dated October 22, 2025 for additional responses related to the City of Vernon's concerns.

2 Metro has repeatedly proposed to share information and details from information provided by BNSF with regards to extent and frequency of road closures and train traffic.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 1** for a discussion of the history of stakeholder engagement activities with the City of Vernon. During multiple meetings with City of Vernon staff, Metro provided information related to affected train routes, train movements, train speeds, train lengths, the duration of time each train takes to pass intersections, the time of day trains would operate, gate down times. This information was used by Metro to conduct a thorough and detailed environmental analysis specific to vehicular traffic delays, queuing, emergency response, and potential community impacts (see **Draft EIS/SEIR, Final SEIR, Final EIS Volume III, and Final EIS Appendix Q**) and responses to comments below. The extent and frequency of road closures and train traffic was presented in multiple presentations to City of Vernon and summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. This information is summarized below.

Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

To further demonstrate a good-faith effort in ongoing coordination with the City of Vernon, two Board Motions were passed by the Metro Board that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF during the October 23, 2025 Metro Board Meeting. In addition, on December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions passed in October 2025. Within that correspondence, Metro requested BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

3 Metro respectfully disagrees with the commenter's opinion that the Project would grant BNSF significant operational and economic benefits while shifting all the environmental impacts onto the City of Vernon. **Final EIS Volume I, Executive Summary, Section ES.14** includes a summary of Project benefits under the Build Alternative, with a specific list of benefits related to the Malabar Yard railroad improvements. Of the ten benefits listed, all ten would benefit the City of Vernon, not just Metro and/or BNSF. These benefits include the following:

- Fewer daily train movements, decreased local emissions, minimized traffic delays.
- Optimized emergency response times with less congestion on local roadways.
- Train detection cameras that provide real-time local emergency dispatch to identify trains approaching at-grade rail crossings.
- Upgraded communications and radio systems and a mobile Emergency Operations Center to provide rapid deployment to disaster areas or large-scale events while contributing to faster, more effective emergency response efforts.
- Enhanced community features with crosswalk improvements to improve visibility and enhance pedestrian and driver safety, bus shelters to improve accessibility, convenience, comfort and provide weather protection for passengers.
- Quiet zone infrastructure to reduce train horn noise, promote safety, enhance pedestrian connectivity, and improve quality of life for existing and future residents and businesses.
- Improved traffic control with road restriping to maintain traffic flow, AI-based traffic control system, and pan-tilt-zoom smart cameras to monitor traffic, roads, intersections, and enable first responders to quickly identify incidents.
- Reduced fuel consumption by rail and associated rail emissions.
- Redistribution of train movements would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place.
- Up to 143 and 151 temporary jobs are anticipated to be generated, along with $9.4 to $9.7 million in labor income, and $3.3 to $3.5 million in total federal, state, and local tax revenues generated.

During preparation of the Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final EIS as Offsetting Mitigation Measures (OMMs). Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City of Vernon's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in **Final EIS Appendix Q, Section 3.16 (Community Analysis)** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**. The $25 million OMM package benefits Vernon directly, not Metro and not BNSF.

4 Regardless of any previous requests made by BNSF in past years, the Malabar Yard railroad improvements are proposed as mitigation for direct and indirect effects. The 49th Street closure would be permanent; however no significant new closures on 46th Street are proposed. Access to businesses would be maintained and roadway crossing improvements are proposed to enhance safety at each of the existing (and one proposed) at-grade crossings.

Mitigation Measure TR-3 is intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Malabar Yard railroad improvements (as identified in Mitigation Measure TR-3) are required to mitigate direct and indirect impacts is provided below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.

- In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

a) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of freight rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

Just compensation references a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. Any financial payment would not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service.

5 Metro remains committed to continued collaboration with BNSF, the City of Vernon, local businesses, property owners, the Vernon Police Department, schools, and other key community stakeholders as our goal is to work toward a balanced agreement that supports regional mobility. During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. In addition, on December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF would occur at the time Mitigation Measure TR-3 was developed and was memorialized with the two Board Motions passed on October 23, 2025.

6 The commenter states that the City of Vernon would not agree to changes to its traffic system based on a flawed traffic study taken during the height of the COVID-19 shutdown. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, which includes a detailed explanation of the COVID-19 Factor Methodology – Normalizing Traffic Counts to Pre-COVID Conditions.

Section 15151 of the *CEQA Guidelines* states the following regarding standards from which adequacy is judged:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*

As disclosed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, traffic counts were conducted in August 2020 for the intersections and roadway segments used in the traffic analysis to characterize the existing conditions. However, due to the timing of when the Revised NOI was released (September 2020) and impact of the COVID-19 pandemic, the amount of traffic on the streets and intersections was lower than the normal (non-COVID-19) conditions due to “new quasi-normal” day to day activities and businesses operating under various restrictions, including shelter-in-place and complete business shutdowns. To ensure the credibility of baseline traffic conditions, on which future year conditions (post COVID-19) are based, the raw traffic count data that was collected in August 2020 was ‘normalized’ to the traffic levels which existed pre-COVID-19, before it was applied to the traffic analysis. This “COVID Factor” approach was used to estimate traffic conditions in 2020 without COVID-19.

The approach to normalize the traffic count data collected in August 2020 during the COVID-19 pandemic to the traffic levels that existed pre-COVID-19 is presented in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-4** and summarized in Key Issue Response 2. This methodology utilized is an industry standard approach taken during the COVID-19 pandemic and was coordinated with the City of Vernon to obtain feedback on the approach before using the adjusted volumes in the traffic analysis. The traffic volumes presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the traffic conditions to use for environmental documentation purposes.

7 The claim that the proposed mitigation (Malabar Yard railroad improvements) are infeasible because they require City approvals is not supported by CEQA or case law. CEQA expressly contemplates mitigation measures that involve approvals or actions by other agencies. *CEQA Guidelines* §15126.4(a)(2) state that a measure is feasible if it can be accomplished within a reasonable timeframe considering economic, environmental, social, and technological factors, not whether the lead agency has unilateral authority. Courts have upheld measures requiring another entity's exclusive jurisdiction. In *Tiburon Open Space Committee v. County of Marin* (78 Cal.App.5th 700, 746–748 (2022)), the court confirmed that a lead agency may adopt measures that "should be adopted" by another entity, even when those measures involve discretionary approvals.

CEQA requires substantial evidence, not statements or predictions, to support infeasibility findings. (*CEQA Guidelines* §15091(b).) A city's expressed reluctance does not constitute binding evidence that approvals cannot be obtained, particularly when the approvals involve standard regulatory processes such as right-of-way vacations and encroachment permits.

The argument that the City of Vernon requires approvals does not render the mitigation measure infeasible. CEQA does not prohibit mitigation measures requiring discretionary approvals; it only requires that such measures be capable of implementation. (Pub. Resources Code §21061.1.)

Metro has committed to pursuing all necessary approvals and coordinating with the City of Vernon to implement the Malabar Yard railroad improvements. Courts have repeatedly rejected arguments that reliance on another jurisdiction's discretionary approval renders a measure infeasible. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*, 57 Cal.4th 439, 466 (2013).)

The fact that the City of Vernon holds jurisdiction over certain approvals does not make Mitigation Measure TR-3, or any mitigation requiring City of Vernon approval (Malabar Yard Mitigation Measure TR-6) infeasible under CEQA. CEQA and case law allow mitigation measures requiring other agencies' cooperation, and speculation or stated intent does not constitute substantial evidence of infeasibility. Mitigation Measure TR-3 remains feasible and proper.

Despite the concerns expressed by the City of Vernon, CHSRA and Metro reasonably expect to obtain the necessary approvals to implement the Malabar Yard railroad improvements. This expectation is based on the CHSRA's and Metro's authority under applicable state and federal regulations and the collaborative framework established under NEPA and CEQA. Even if the City of Vernon does not actively participate in designing mitigation measures, CHSRA and Metro retain the ability to propose and implement reasonable, enforceable mitigations that meet regulatory standards. Therefore, CHSRA and Metro anticipate that the required approvals will be secured to implement the Malabar Yard railroad improvements and maintain compliance with environmental commitments.

CEQA Guidelines §15126.4(a)(1)) states:

> *The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will considered, analyzed, and potentially incorporated in the mitigation measure.*

Neither CEQA or NEPA require that all permitting agencies reach a final agreement on specific mitigation prior to a project's approval. Consistent with U.S. Supreme Court in *Robertson v. Methow Valley Citizens Council*, federal agencies may proceed with decision making even when subsequent coordination and approvals are required to refine and implement mitigation measures. Mitigation Measure Tr-3 (and Malabar Yard Mitigation Measure TR-6) identifies the mitigation framework and responsible agencies while allowing for subsequent agency review and approval.

8 The commenter requests that Malabar Yard railroad improvements be removed and an alternative storage option for BNSF be identified. As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1** (Alternatives Evaluation Process), a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) to offset the loss of storage tracks that would occur at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the identified screening criteria and to preserve the current levels of freight rail operations in accordance with the provisions of the Link US Project's purpose and need as identified in **Final EIS, Chapter 1.0 (Purpose and Need)**.

Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process) discloses the justification as to why each of these sites meet or do not meet screening criteria.

- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-1 (Freight Rail Storage Track Replacement Sites Initial Screening Criterion Analysis)**, Hobart Yard, Commerce Yard, Malabar Yard, and Los Angeles Junction met initial screening criteria while Pico Rivera Yard and locations further east on the San Bernardino Subdivision were rejected from further consideration because they are located east of BNSF Hobart/Commerce Intermodal Yards.
- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-2 (Freight Rail Storage Track Replacement Sites Secondary Screening Criterion Analysis)**, Hobart Yard, Commerce Yard, and Los Angeles Junction were determined to not meet secondary criteria of replacing storage capacity in-kind or preserving the current levels of freight rail operations, primarily for the

following reasons (summarized from **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1.1**):

- Hobart Yard – The existing footprint of BNSF Hobart Yard is at full capacity. Any change to the existing intermodal facilities at BNSF Hobart Yard (production tracks, storage tracks, lead tracks, main line tracks, receiving tracks, departure tracks, tie up tracks, and/or maintenance tracks) would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Several dozen parcel acquisitions would be required and there may also be a potential requirement for new intermodal facilities to offset any modifications to BNSF Hobart Yard facilities (ripple effect). In addition, mitigating the Link US Project permanent impacts to BNSF storage tracks at BNSF's Hobart Yard is not feasible because the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.
- Commerce Yard – Similar to Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. Any change to the existing intermodal facilities at BNSF Commerce Yard would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses would be required.
- Los Angeles Junction – All space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. As shown in **Figure 1-3** of the **Final EIS Appendix Q**, expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of seven private properties with active businesses/buildings.

The analysis presented in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1** demonstrates CHSRA and Metro performed a thorough alternatives evaluation of potential replacement sites, and provided measured evidence with reasons why these sites do not meet specified criteria. The conclusions are not based on broad generalized

claims. Rather, they are based on optimal operational parameters and the potential for increased impacts to property owners and the environment.

Based on the screening and evaluation process in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard.

9 Please refer to **Response to Comment 4**. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives." 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system. CEQA also requires analysis of reasonably foreseeable indirect physical changes in the environment which may be caused by the project. Mitigation Measure TR-3 not only mitigates for direct impacts related to Land Use and Planning, but also mitigates for direct and indirect impacts related to the freight transportation system.

As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)**, the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and two goals and policies in the *California Transportation Plan 2040* that relate to goods movement and the flow of freight traffic. This is considered a direct significant impact (CEQA)/adverse effect (NEPA) similar to how other conflicts with land use plans, policies, and programs are identified as a significant impact/adverse effect. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

The inclusion of Malabar Yard railroad improvements in the Project is not solely driven by compliance with the *Los Angeles Mobility Plan 2035* or the *California Transportation Plan 2040*. While these plans provide important regional and statewide policy frameworks that encourage efficient, multimodal transportation systems, the primary purpose of the Malabar Yard railroad improvements is to preserve current levels of freight operations. The improvements are designed to mitigate the loss of critical rail infrastructure and ensure continuity of goods movement, which is essential for economic vitality and environmental sustainability.

Metro is not granting BNSF operational advantages. Metro has proposed mitigation for Project-related impacts at the BNSF West Bank Yard. While the Malabar Yard railroad improvements would cause environmental impacts, Metro has identified 29 mitigation

measures that would be implemented in the City of Vernon to avoid and reduce identified impacts that may occur upon implementation of the Malabar yard railroad improvements.

10 The following responses are summarized from **Final EIS Volume III, Response to Comments, Key Issue Response 2 and 4**:

All data and information collected from BNSF in 2020, 2021, and the latest information received in 2024 was incorporated in the analysis and discussed in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies (see **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Section 2**). The impacts of moving trains was considered in the environmental analysis, particularly for traffic impacts, the queuing analysis performed, and the emergency response analysis conducted (see results of **Final EIS Volume III, Response to Comments, Key Issue Response 4**).

As discussed in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-3**, the geographic area considered to determine potential traffic-related effects is the traffic study area. The traffic study area was reviewed and approved by the City of Vernon Public Works Director prior to conducting the traffic impact analysis. The traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips once the Project is operational; however, it would result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-8**). Due to the Project-related redistribution of existing traffic, a localized traffic analysis was conducted for intersections and roadway segments within the proximity to the Malabar Yard railroad improvements where traffic redistribution would occur.

As discussed in **Key Issue Response 2**, trains currently operate across Pacific Boulevard/Vernon Avenue, Pacific Avenue and 46th Street, Seville Avenue, Soto Street, 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road. No operational changes along the East Seville Connection and Hobart Yard/Los Angeles Junction Connection routes would be attributable to the proposed Malabar Yard railroad improvements; therefore, traffic analysis was not conducted at those corresponding intersections.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th

Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While Metro recognizes BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

As presented in the **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-10** and in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, a queuing analysis was prepared at six locations in response to stakeholder engagement activities to determine whether the existing travel lane storage capacity is adequate to accommodate the queue formations generated from redistributed traffic. The results of the queuing analysis demonstrate for the Opening Year (2024), no increase to the queue formation would be attributable to the Malabar Yard railroad improvements with exception of northbound through movements at Railroad Crossing #4 where there is 20 feet of incremental addition to the existing queuing that already occurs. The increase in queue formation is not considered a substantial change for two main reasons:

1. The additional 20 feet of queue formation translates into less than a vehicle of queue since one vehicle queue is 25 feet; and
2. Because the added queue can be adequately accommodated with the current configuration of the roadway and it would take only one cycle of phasing to clear out the additional 20 feet of incremental addition to the existing queuing that already occurs without the need for any further improvements in lane configuration.

During coordination meetings with the City of Vernon staff after the close of the public comment period, queuing Downey Road was raised as a topic of concern. At Railroad Crossing #6 (Downey Road south of Vernon Avenue), the queue formation already exceeds the storage capacity in the existing condition (Table 3.3-10) and would continue to exceed the storage capacity during the 2024 No-Build scenario. The queue formation on Downey Road south of Vernon Avenue in the northbound through and southbound through direction remains the same during AM and PM peak hours.

With the Malabar Yard railroad improvements, fewer trains would operate in the City and half of the train movements would occur at night, which have very little to no impact on traffic. For trains operating during the day, if a train movement occurs during the AM and PM peak periods, there could be some effect, but trains are not anticipated to operate at the same time every day and are not all occurring during the AM or PM peak periods. The hourly schedule to service Vernon customers fluctuates and is variable throughout the week based on customer demand.

11 After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Vernon Executive Leadership, including the Vernon Police Department Chief Robert Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received from the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received.

Through these meetings, the Police Chief provided valuable insight into emergency response operations, including dispatch routes from the police station and interactions with existing train movements. This coordination directly informed the development of the OMMs that include Emergency Response Upgrades, pan-tilt-zoom (PTZ) smart cameras, AI-based traffic control systems, new traffic signal controllers, radio and communications upgrades, and a mobile Emergency Operations Center. These OMMs are above and beyond the mitigation measures to reduce environmental impacts under CEQA and NEPA, some of which were proposed by Metro solely based on the requests by the Police Chief.

In addition, the Project includes Safety and Mobility Improvements such as establishment of a quiet zone, train-detection systems, intersection upgrades, traffic optimization measures, and new pedestrian infrastructure.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation close coordination with the City of Vernon to determine the worst potential daily delay trains could cause to emergency response in the existing and proposed condition. Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

12 Please refer to **Final EIS, Volume III, Response to Comments, Key Issue Response 2** and **Response to Comment 6** for a summary of intersection blockage analysis and results that were conducted after the 45-day public comment period. Based on the train observations conducted in April 2025, assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. The data supports the conclusion that with implementation of the Malabar yard railroad improvements, a citywide circulation improvement would occur.

Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

Refer **to Final EIS Volume III, Response to Comments, Key Issue Response 4** and **Response to Comment 11** above for the analysis performed to demonstrate the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental

documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2,** a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses the localized significance threshold (LSTs) to evaluate if projects qualify to be screened out, and therefore determined to not have an adverse effect to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which is determining the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because the Project's emissions did not exceed the LSTs and because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon

City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

13 The commenter states that the Vernon Police Department have identified the need for Metro to consult with the Los Angeles County Fire Department to address potential impacts on response times. The commenter's statement on Los Angeles County Fire Department attendance during Vernon coordination efforts is misleading as Metro requested Los Angeles County Fire Department attendance during City of Vernon coordination efforts. Although outreach was conducted, Los Angeles County Fire Department did not elect to participate in the meetings.

CEQA does not require technical perfection in an Environmental Impact Report (EIR), but it mandates an **adequate, complete, and good faith effort at full disclosure** of potential environmental impacts to the decision-makers and the public. Metro performed an extensive emergency response analysis in coordination with the City of Vernon. Please refer to **Response to Comment 11**.

14 The commenter notes an affected area that includes nearby homes Holy Angels Church of the Deaf, Stacy Medical Center, and Vernon City School, but provides no geographic context for how this "affected area" was derived, or any technical analysis to prove how noise, pollution, and traffic would impact children at the school or other sensitive populations.

Sensitive Receptors Definition

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the identification of sensitive receptors is based on SCAQMD's definition. SCAQMD defines sensitive receptors as residences, schools, playgrounds and athletic facilities on school property, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. These are land uses where people stay for

extended periods of time, such as 24-hours or more, or land uses where more vulnerable populations (children or people recreating that have higher breathing rates) congregate.

Although the Stacy Medical Center is a healthcare facility, it is not a long-term facility where patients or workers stay onsite overnight, therefore Stacy Medical Center is not considered a sensitive receptor.

The Holy Angels Church of the Deaf is not a sensitive receptor for air quality because churches are not classified as sensitive receptors under SCAQMD's definition. Additionally, the church is located at a greater distance from the Project than the nearest sensitive receptor, which was determined to have no adverse emission impacts. Therefore, the Project would not result in adverse air quality impacts at the Holy Angels Church of the Deaf.

For noise and vibration analysis, the screening distances (Section 4.3 of the FTA Transit Noise and Vibration Impact Assessment Manual, FTA 2018) were calculated from the Project footprint (maximum extent of design options considered where changes to infrastructure would occur). This was disclosed in the Draft EIS/SEIR as part of the noise and vibration methodology which identified a 1,000 foot buffer from the proposed 46th Street Connector new rail line and 49th Street intersection with Malabar Yard (without obstructions) or within 650 feet from the proposed 46th Street Connector rail line and 49th Street intersection with Malabar Yard (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6-1**). This screening assessment was performed and, per the FTA and FRA guidelines, no noise sensitive land uses (including the residences at 2415-2427 E 53rd St, Vernon City School, Holy Angels Church of the Deaf, and the residences on Furlong Place) are located within 1,000 feet of the Project footprint (without obstructions) or within 650 feet of the Project footprint (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6 1**).

The FTA Transit Noise and Vibration Impact Assessment Manual provides the methodology for the identification of noise sensitive land uses, screening procedures, and criteria for determining when a detailed analysis is required (FTA Report No. 0123). Noise sensitive land use categories are intentionally tiered based on duration of exposure and human sensitivity. While the Stacy Medical Center is classified as a noise sensitive land use, it is considered a Noise Category 1 or 2 land use under the FTA Transit Noise and Vibration Impact Assessment Manual.

As discussed in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration)**, Noise Category 3 land uses are defined as institutional land uses (schools, places of worship, libraries) with use typically during the daytime and evening. Other uses in this category include some medical offices (when vibration-sensitive testing equipment such as Magnetic Resonance Imaging [MRI] systems are present), conference rooms, recording studios, concert halls, cemeteries, monuments, museums, historical sites, parks, and recreational facilities. Category 3 land uses are evaluated using less stringent criteria than Category 1 or 2 land uses because they do not involve nighttime occupancy or sleep

disturbance. Stacy Medical Center is located within the screening distance; however, this type of facility (similar to an urgent care) is not sensitive to noise because nighttime occupancy does not typically occur at an urgent care facility and is not sensitive to vibration because this facility does not utilize sensitive testing equipment such as MRI systems. On December 17, 2025, HMMH contacted Stacy Medical Center to confirm the types of medical equipment in use at the facility, and it was confirmed via phone that this facility does not utilize sensitive testing equipment such as MRI systems; therefore, the facility is not categorized as a FTA Category 3 land use.

As previously described in **Response to Comment 12** and in **Final EIS Volume III, Response to Comments,** on **Page 30,** a localized air quality analysis was conducted to determine whether the Malabar Yard railroad improvements would result in adverse air quality impacts to nearby sensitive receptors.

Localized Air Quality Analysis using Localized Significance Thresholds (LSTs)

SCAQMD Localized Significance Thresholds (LSTs) Methodology

The SCAQMD uses the *Localized Significance Thresholds (LSTs) Methodology* to determine localized air quality impacts to sensitive receptors. The *SCAQMD LST Methodology* screens projects from more intensive air quality modeling, such as a hot spot analysis, through the use of mass rate look up tables that have been pre-determined to meet the ambient air quality standards for that location. Localized air quality impacts for the Malabar Yard railroad improvements were evaluated using SCAQMD's *LST Methodology*. Because on-site emissions from the Malabar Yard railroad improvements are below the applicable SCAQMD LSTs, the Malabar Yard railroad improvements would not result in adverse localized air quality impacts. Further, because the Malabar Yard railroad improvements localized emissions during construction and operation are below the applicable SCAQMD LSTs, SCAQMD guidance did not require a separate, hot-spot dispersion modeling analysis. A detailed PM_{10} and $PM_{2.5}$ hot-spot analysis was not completed because the Clean Air Act and 40 CFR 93.116 requirements would be met without an explicit hot-spot analysis.

LSTs are pollutant and location specific thresholds developed by SCAQMD based on allowable on-site project emissions and the size of the project site. They represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards. If emissions are below LSTs, then the impact to the localized air quality would not be significant. The *SCAQMD LST Methodology Guidelines*[1] state:

> *If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other*

[1] https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=8c641d61_2

> *environmental issues, then the proposed construction or operation activity is not significant air quality.*

The mass rate LSTs and associated look up tables provide a practical screening approach for the analysis, allowing agencies to determine whether a project may generate significant localized air quality impacts without the need for dispersion modeling.

Localized impacts during construction

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25** and **3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

Localized impacts during operations

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

The commenter states that nearby homes and Vernon City School are less than 550 feet and 700 feet from Malabar Yard. The closest sensitive receptors to the Malabar Yard railroad improvements that were considered and evaluated for potential impacts are shown in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Figure 3.5-1** and summarized below:

- Residences at 2415-2427 E 53rd St. (located approximately 1,325 feet [0.25 mile] south from the Malabar Yard railroad improvements).

- Vernon City School at 2360 East Vernon Avenue (located approximately 1,350 feet [0.25 mile] northwest from the Malabar Yard railroad improvements).
- Residences on Furlong Place located approximately 1,650 feet (0.31 mile northwest from the Malabar Yard railroad improvements).

The quarter-mile buffer shown on **Final EIS Appendix Q, Section 3.5, Page 3.5-17** was not used to determine air quality impacts on sensitive receptors, it was used to depict the location of where the nearest sensitive receptors are located relative to the Project footprint. The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur. **Final EIS Appendix Q, Section 3.5** accurately measured the distance between sensitive receptors and the expected emission sources. The distances identified in **Final EIS Appendix Q, Section 3.5, Page 3.5-15** were measured from the outermost extent of the Project footprint to the nearest receptor, not from the center point of 49th Street or 46th Street. **Final EIS Appendix Q, Section 3.5, Figure 3.5-1**, was revised to include the distance of each receptor from the outermost extent of the Project footprint.

Quarter-mile radius for sensitive receptors

The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur.

- The EPA states, "*Research findings indicate that roadways generally influence air quality within a few hundred meters – about 500-600 feet downwind from the vicinity of heavily traveled roadways or along corridors with significant trucking traffic or rail activities.*"[2]
- The CARB Air Quality and Land Use Handbook states that, "*the distance between roadway and truck densities were key factors affecting the strength of the association with adverse health effects. Adverse health effects were seen within 1,000 feet and was strongest within 300 feet.*"[3]

This demonstrates that the adverse air quality effects diminished with distance. Similarly, the Bay Area Air Quality District CEQA Air Quality Guidelines that uses an overlay zone of at least 500 feet from all freeways and high volume roadways as a threshold of significance for local risks and hazards. Further academic research shows that pollutant

[2] EPA, 2014. Near Roadway Air Pollution and Health: Frequently Asked Questions. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi/P100NFFD.PDF?Dockey=P100NFFD.pdf

[3] CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

concentrations level out to background levels after approximately 400 meters (1/4 mile) away from the source.[4] As shown in an academic study of ultrafine particles near a freeway by Yifang Zhu, et al. in Atmospheric Environment, both CO and black carbon concentrations as a function of the distance from freeway follow a decay curve. This curve levels out 300 meters away from the emission source.[5]

The Project's quantitative localized air quality analysis uses the nearest sensitive receptor (2415-2427 E 53rd St residences), consistent with SCAQMD's LST methodology, which lies outside the quarter-mile radius.

15 The following provides service times, train lengths, train lengths and frequencies:

- Service times - BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am
- Train Lengths – Trains operating in Vernon extend up to 3,000 feet (existing and proposed condition)

Malabar Yard is currently used to stage and store general merchandise cars for local customers. Proposed use of Malabar Yard (after closure of 49th Street) is to store empty bare tables (chassis only) for intermodal trains.

- ***Existing Frequency and Schedule:***
  - Hobart Yard to/from Malabar Yard
    - Total daily train movements – 4
    - Time of Travel:
      - 2x Day: 6:30am – 2:00pm
      - 2x Day: 7:30pm – 2:00am
  - Malabar Yard to/from West Seville
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am

[4] Mishra, S. & Shah, S. (2025). "Analytical Study of Atmospheric Pollution Dispersion with Distance Dependent Wind and Constant Removal Dynamics." International Journal of Scientific Research in Science and Technology, volume 12, issue 3. https://www.researchgate.net/publication/391457827_Analytical_Study_of_Atmospheric_Pollution_Dispersion_with_Distance_Dependent_Wind_and_Constant_Removal_Dynamics

[5] Zhu, Yifang et al. (2002). "Study of ultrafine particles near a major highway with heavy-duty diesel traffic." Atmospheric Environment 36. 4323-4335. https://www.sciencedirect.com/science/article/pii/S1352231002003540

- Malabar Yard to/from Exxon
  - Total daily train movements – 2
  - Time of Travel:
    - 1x Day: 6:30am – 2:00pm
    - 1x Day: 7:30pm – 2:00am

- ***Proposed Frequency and Schedule:***
  - Hobart Yard to/from Malabar Yard
    - Total daily train movements – 0.85
    - Time of Travel:
      - 3x Week: 7:30pm – 2:00am
  - LAJ to West Seville (via 46th Street Connector)
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am
  - LAJ to Exxon (via 46th Street Connector)
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am

BNSF customer base is proprietary/trade secret information. Metro does not have authority to release BNSF customer base. BNSF may voluntarily respond to the City of Vernon's request for this information. Switching and customer service activity information is not required or necessary to complete the environmental analysis or reach any environmental conclusions.

16 No alternative sites are available that would accommodate intermodal storage without resulting in greater property impacts or decreased operational efficiency for BNSF freight movements. Multiple locations in the region were considered to offset the permanent loss of freight rail storage track capacity at BNSF West Bank Yard that would result from the Link US Project. The BNSF facilities that were considered as potential replacement sites are described below, along with reasons why these sites are infeasible to accommodate new storage tracks:

- **BNSF Hobart Yard:** The existing footprint of BNSF Hobart Yard is at full capacity. Additional tracks would require full parcel acquisition of several dozen commercial

properties south of Washington Boulevard, closure of 26th Street, and potentially new intermodal facilities to offset the loss of storage track capacity in kind. In addition, the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.

- **BNSF Commerce Yard:** Similar to BNSF Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. The addition of a storage track at BNSF Commerce Yard, would require full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses. Additionally, there are operational restrictions at BNSF Commerce Yard associated with the current passenger train movements that occur at the Commerce Metrolink Station platform, which impede BNSF's ability to enter and/or store a long train into the facility.
- **Los Angeles Junction:** Los Angeles Junction does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Any physical improvements and/or modifications to existing operations at Los Angeles Junction are not feasible because reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. Expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of seven private properties with active businesses/buildings.
- **BNSF Pico Rivera Yard and Locations further east on BNSF San Bernardino Subdivision Main Line Tracks:** BNSF Pico Rivera Yard and locations further east on the San Bernardino Subdivision main line tracks are located east of BNSF Hobart/Commerce Intermodal Yards and would therefore require use of the San Bernardino Subdivision main line tracks. This would result in decreased efficiencies for BNSF freight operations.

17 The City of Vernon's desire for an operational agreement with limits on the volume and type of train traffic at Malabar Yard may be coordinated as part of future coordination efforts between Metro, BNSF, and the City, but cannot be promised by Metro at this time.

During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a

formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. Continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF would occur at the time Mitigation Measure TR-3 was developed and was memorialized with the two Board Motions passed on October 23, 2025.

18 Please refer to **Response to Comment 6**.

Metro understands the roles and responsibilities and actions that need to be taken to implement the Malabar Yard railroad improvements. For this reason, and as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 1**, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City of Vernon requirements, and viewpoints and perspectives so they can be addressed.

Malabar Yard Mitigation Measure TR-6 meets 14 CCR § 15126.4(a)(2) requirements. As identified in the Final SEIR's MMRP, the City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and the CPUC on roadway design, railroad safety devices, and accessibility.

For the Project itself, Metro does not require any permissions from the City of Vernon. The City of Vernon has no approval authority over the core Project elements. However, for certain improvements (such as roadway modifications, traffic signal adjustments, or safety enhancements at local crossings) that would be implemented as part of identified mitigation measures, Metro may conceivably require some level of coordination or permission from the City of Vernon. This could include permits for work within city-owned streets, temporary traffic control during construction, or integration with local infrastructure and potential land use entitlements (e.g., Circulation Element update). While these permissions are not guaranteed to be necessary for every mitigation measure, they may be required to implement specific improvements that extend beyond railroad property and into municipal rights-of-way.

It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain required approvals from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications. Malabar Yard Mitigation Measure TR-6 meets the *CEQA Guidelines* §15370 criteria (b, c, and d). However, the Final SEIR also acknowledges that the effectiveness of Malabar Yard Mitigation Measure TR-6 will depend on ongoing coordination with the City of Vernon and CPUC. Metro is committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

To further demonstrate a good-faith effort in ongoing coordination with the City of Vernon, two Board Motions were passed by the Metro Board that require further collaboration

between the City of Vernon, Metro, CHSRA, and BNSF during the October 23, 2025 Metro Board Meeting. In addition, on December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions passed in October 2025. Within that correspondence, Metro requested BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Despite the concerns expressed by the City of Vernon, Metro reasonably expects to obtain the necessary approvals to implement the goals of Malabar Yard Mitigation Measure TR-6, which focuses on ensuring safety and operational efficiency at affected crossings. This expectation is based on the CHSRA's and Metro's authority under applicable state and federal regulations, and CPUC's jurisdiction over rail crossing approvals and the collaborative framework established under NEPA and CEQA. The CPUC process allows for consideration of local input while prioritizing public safety and transportation needs. Even if the City of Vernon does not actively participate in designing mitigation measures, CHSRA and Metro retain the ability to propose and implement reasonable, enforceable mitigations that meet regulatory standards. Therefore, CHSRA and Metro anticipate that the required approvals will be secured to achieve Malabar Yard Mitigation Measure TR-6 objectives and maintain compliance with environmental commitments.

19 The Final SEIR includes clarifications and minor corrections to the analysis presented in the Draft EIS/SEIR. No changes to the conclusions of the analysis were made in the Final SEIR; however additional technical information and analysis was provided in response to comments to provide additional substantial evidence to support the existing conclusions. The Response to Comments includes revisions, clarifications, and responses; however, the revisions do not introduce significant new circumstances or information. The City of Vernon was provided with a copy of Volume III Responses to Comments in accordance with CEQA requirements.

NEPA and CEQA regulations detail requirements for public involvement during preparation of an EIS/EIR to ensure meaningful engagement during the planning process and ensure decision makers are informed by the views of the public (40 CFR 1506.6, *CEQA Guidelines* §15201). CHSRA and Metro as the NEPA and CEQA lead agencies, respectively are committed to exceeding the public involvement and outreach requirements of CEQA and NEPA. Please refer to **Final EIS Volume III, Key Issue Response 1** for a detailed explanation of the stakeholder engagement activities conducted by CHSRA and Metro working in good faith with the City of Vernon.

In 2020, during the Revised NOI scoping period no formal comments, especially those related to alternatives considered or any overall concerns of the proposed railroad improvements, were received from the City of Vernon. The City of Vernon was also invited to be a NEPA participating agency and no response to the invitation was received.

During preparation of the Final SEIR and Final EIS (prior to the October 10, 2025 submittal of the Metro's draft responses to written comments), Metro facilitated 10 focused meetings with the City of Vernon Executive Leadership Team to present information, data, and

technical analysis prepared to address comments raised by the City of Vernon and property owners, business stakeholders, and other members of the public that work or reside in Vernon. Metro also extended meeting invitations to each of the 13 individual property owner meetings conducted during preparation of the Final SEIR and Final EIS, and no representatives from City staff attended. Vernon staff was also invited to meetings held with Los Angeles County Board of Supervisors, District 4, Supervisor/Metro Board Chair Janice Hahn's office and the City of Vernon Community Meeting and Open House held on March 26, 2024

The presentations to City staff, property owners, Metro Board Chair Janice Hahn's office and the Community Meeting/Open House, Vernon Chamber of Commerce, Vernon City Council relate to the key topic areas raised during the environmental process and particularly during the 45-day public comment period for the Draft EIS/SEIR. Key topics discussed prior to transmitting Metro's draft responses to written comments include:

- Impacts on properties and businesses
- Impacts on citywide circulation
- Freight movements, frequency, lengths of trains and existing and proposed operations
- Impacts on emergency response times and public safety
- Impacts on planned residential land uses
- Outreach in the City of Vernon
- Loss of businesses, potentially affecting business owner and employee livelihood
- Pollution and decreased air quality
- Increased traffic congestion
- Increased train traffic and train activity impacts on work delays and quality of life for Vernon residents
- Alternative sites considered

During preparation of the Final SEIR and Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final SEIR and Final EIS as Offsetting Mitigation Measures (OMMs). Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned.

20 Metro appreciate the comments provided by the City of Vernon and for actively participating in the review of the Draft EIS/SEIR and the Final SEIR. Metro has concluded that the Final SEIR fully satisfies CEQA, and that it discloses and analyzes the project's potentially significant impacts. Metro is dedicated to continuing working with the City of Vernon to implement Malabar Yard railroad improvements in a mutually beneficial manner.

Metro Planning and Programming Meeting Comments – Received 10/15/25

Comment Transcription and Response to Comments

Responses to Comments Received During Metro Planning and Programming Committee Meeting on October 15, 2025

1. Brian Saeki

Good morning, Chair Dupont Walker and Committee members. My name is Brian Saiki. I'm the City Administrator for the City of Vernon. Thank you for the opportunity to speak. Vernon has always been supportive of the Link US Project. However, there is no data justifying the expansion of Malabar Yard. Our technical reviews show that Vernon can and should be excluded from any mitigation tied to this project. For nearly 20 years, BNSF has requested a connector at 46th Street. Vernon has consistently said no because of the long term impacts that connection have never been clearly identified. The unknowns around operations, traffic, and land use have made it impossible for us to support it. And now that connector could be given to BNSF with no operational parameters. If action is needed today, we ask that you certify the EIR and approve the project as planned, but remove all elements involving Vernon. That's not feasible. Approval should be conditioned on a binding operational agreement between Metro and BNSF, or Metro and the City clearly outlining how BNSF will operate in Vernon, subject to formal approval by the City. Metro and BNSF claim these changes benefit us. If so, let's formalize that in writing. Thank you.

Response:

Metro acknowledges both the commenter's support for the Project and additionally the request to remove the Malabar Yard railroad improvements that are proposed as mitigation in Vernon. **Final EIS Appendix Q, Chapter 1.0** states, "this technical memorandum provides a detailed description of the Malabar Yard railroad improvements in the City of Vernon and a full environmental evaluation of potential effects of the Malabar Yard mitigation for freight and displacement impacts at BNSF West Bank Yard." This passage explicitly affirms that Malabar Yard railroad improvements are required as mitigation tied to the Link US run-through tracks, not optional or irrelevant.

FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process, and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and

freight transportation, by all modes, from local, regional, national, and international perspectives."

CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

- As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
- In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

- As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and

> three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

Metro has facilitated meetings with City of Vernon Staff in 2020, 2021, 2024, and 2025 to share information regarding the Malabar Yard railroad improvements, including train frequency, length and operations. This information was presented to City staff in numerous PowerPoint presentations made to City staff and in public forums including a business stakeholder meeting in 2021, property owner meetings, BIC meetings, a City Council meeting, and an open house community meeting in 2025.

The future train movement estimates presented in **Final EIS Appendix Q** and the information in **Final EIS Volume III, Response to Comments** were developed using available operational data

provided by BNSF, combined with reasonable planning-level assumptions regarding yard operations, switching patterns, and anticipated operational efficiencies following implementation of the Malabar Yard railroad improvements.

The trains operating in Vernon would extend up to 3,000 feet. BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am. The proposed frequency is summarized below for each of the affected routes that would have a changed condition upon implementation of the Malabar Yard railroad improvements. This information is consistent with the presentations shared with the City of Vernon in 2024 and 2025.

- Hobart Yard to/from Malabar Yard
  - Total daily train movements – 0.85
  - Time of Travel:
    - 3x Week: 7:30pm – 2:00am
- LAJ to West Seville (via 46th Street Connector)
  - Total daily train movements – 2
  - Time of Travel:
    - 1x Day: 6:30am – 2:00pm
    - 1x Day: 7:30pm – 2:00am
- LAJ to Exxon (via 46th Street Connector)
  - Total daily train movements – 2
  - Time of Travel:
    - 1x Day: 6:30am – 2:00pm
    - 1x Day: 7:30pm – 2:00am

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5)** would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[1] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard railroad improvements must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon.

On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

2. Dan Wall

I participated in numerous meetings with Metro staff regarding the impacts of the Malabar Yard mitigation over the last year and still have major concerns. Within a few hundred feet of the sites are homes, a medical clinic, a church serving deaf community and an elementary school serving students from historically disadvantaged backgrounds. These highly sensitive populations will be directly affected by increased rail activity. Metro acknowledges risks such as traffic congestion, air quality and safety hazards. Yet the environmental review calls these impacts less than significant. A conclusion that does not reflect the lived reality of our community. Metro and BNSF have not answered basic questions about train frequency, length, or operations. The city had one day to review thousands of pages of final environmental documents prior to this meeting, which is hardly a meaningful opportunity for public engagement. We have only 10 days to review the documents prior to the board meeting on the 23rd. We urge the committee to defer action and require transparent data driven process the prioritizes the health and safety of our community.

Response:

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q,**

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Section 3.3, Section 3.3.5) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality

sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

Metro respectfully disagrees with the commenter's opinion that impacts related to safety hazards are less than significant. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact

that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue. Notwithstanding the application of Mitigation Measure TR-6, unavoidable adverse effects under NEPA remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Under CEQA, the significant and unavoidable impact would remain after mitigation for Transportation (Threshold C and D) as disclosed in the **Final SEIR Table 7-31, Page 7-260**

- Threshold C - Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)
- Threshold D - Result in inadequate emergency access

For the reasons described above, impacts related to traffic delay and air quality would not be adverse after implementation of mitigation.

Metro also respectfully disagrees with the commenter's opinion regarding a lack of transparency and that basic questions about train frequency, length or operations have been unanswered. Metro has facilitated meetings with City of Vernon Staff in 2020, 2021, 2024, and 2025 to share information regarding the Malabar Yard railroad improvements, including train frequency, length and operations. This information was presented to City staff in numerous PowerPoint presentations made to City staff and in public forums including a business stakeholder meeting in 2021, property owner meetings, BIC meetings, a City Council meeting, and an open house community meeting in 2025.

The future train movement estimates presented in **Final EIS Appendix Q** and the information in **Final EIS Volume III, Response to Comments** were developed using available operational data provided by BNSF, combined with reasonable planning-level assumptions regarding yard operations, switching patterns, and anticipated operational efficiencies following implementation of the Malabar Yard railroad improvements.

The trains operating in Vernon would extend up to 3,000 feet. BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am. The proposed frequency is summarized below for

each of the affected routes that would have a changed condition upon implementation of the Malabar Yard railroad improvements. This information is consistent with the presentations shared with the City of Vernon in 2024 and 2025.

- Hobart Yard to/from Malabar Yard
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  - Total daily train movements – 2
  - Time of Travel:
    - 1x Day: 6:30am – 2:00pm
    - 1x Day: 7:30pm – 2:00am

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-09312 that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard railroad improvements must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad

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improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

3. Lilia Hernandez

Good morning, board members. My name is Lilia Hernandez and I'm the Assistant to the City Administrator for the City of Vernon. The proposed closure at 49th Street and new rail connector on 46th Street in Vernon would also cause delays to transit services. This much is acknowledged in the final SEIR. These changes would adversely impact Metro bus lines 60, 105, 251, 611, 751, and 760 running along Pacific, Santa Fe and Soto. As you may already know, Metro's ridership consists of predominantly minority groups with a significant portion of riders having lower household incomes and relying on the public transportation system because they lack or are unable to afford a car. Each day, approximately 50,000 workers from surrounding communities in your districts travel to Vernon to earn a living. Many of them relying on Metro's buses to get to their jobs on time. Delays in transit services could jeopardize jobs for these workers who support the regional economy and depend on their jobs to support their families. We ask that you consider these impacts in your decision making today. Thank you.

Response:

Metro recognizes the unique economic and industrial importance of Vernon, with its employees, businesses, and interconnected network of operations.

The Draft EIS/SEIR included an analysis of potential impacts on bus transit services during construction and operation of the Malabar Yard railroad improvements. As shown in **Final EIS Appendix Q, Section 3.3 (Transportation), Figure 3.3-4**, three local bus routes, operated by Metro, currently operate within the study area. Routes 751 and 251 carry passengers along Soto Street with stops at Vernon Avenue and Fruitland Avenue. Route 611 carries passengers along Vernon Avenue and Leonis Boulevard with a stop at Santa Fe Avenue. Metro Rapid Line 760 runs along Santa Fe Avenue and Pacific Boulevard. These bus routes would be potentially impacted during construction and operational activities.

Malabar Yard Mitigation Measure MY TR-1 (Prepare a Construction Traffic Management Plan for Malabar Yard railroad improvements) requires a construction TMP to be prepared by the contractor and reviewed and approved by Metro and the City of Vernon. Any identified street closure schedules in the construction TMP is required to be approved by the City of Vernon and coordinated among the construction contractor, Metro, BNSF, private businesses, ***public transit and bus operators***, the bicycle community, Los Angeles Unified School District, and emergency service providers to minimize construction-related vehicular and non-vehicular traffic impacts during the peak hour. *Emphasis added.*

The transportation analysis was performed to determine if the Malabar Yard railroad improvements would result in traffic congestion, roadway hazards, impacts to emergency access, impacts to public transit, bicycle or pedestrian facilities, and/or impacts on freight. Indirect impacts related to economic and fiscal impacts resulting from increased traffic delays and congestion would not occur because all traffic impacts associated with traffic delay would be mitigated with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, to address the impacts related to traffic delay that would occur at three intersections and one roadway segment (Fruitland Avenue), Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) are proposed to maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all level-of-service-related traffic impacts.

In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard, which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad improvements, most train building activities will be relocated off of City of Vernon streets to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City of Vernon. With implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur. This circulation improvement would support bus operators' ability to cross the Harbor Subdivision tracks in more efficient manner throughout operations.

The mitigation measures outlined in **Final EIS Appendix Q** and summarized in **Final EIS Volume I, Executive Summary, Tables ES-1 and ES-2** would avoid, minimize, and mitigate the identified impacts in the City of Vernon. After mitigation, unavoidable adverse effects remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Metro values local business and is committed to reducing potential negative effects of the proposed Malabar Yard railroad improvements. However, as stated in *CEQA Guidelines* §15131, the focus of the analysis shall be on the physical changes.

CEQA Guidelines §15131 (Economic and Social Effects), states that:

> *Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

4. Zaynah Moussa-Milward

Good morning. My name is Zaynah Moussa-Milward and I am the City Attorney for the City of Vernon. Malabar Yard Mitigation includes a permanent closure of 49th Street and 1,000 feet of new track and crossings at 46th Street. BNSF has been asking the City of Vernon for these approvals going back at least 15 years. Vernon has repeatedly denied their request because of the same impacts we're talking about now. The Malabar Yard Project is being presented as mitigation for the loss of BNSF rail storage at the West Bank, but the loss of private rail storage is not an environmental impact under CEQA and does not require mitigation. In order to proceed, Metro and BNSF need the City of Vernon's approval. The city must vacate the necessary right-of-way, convey easements, and issue encroachment permits. If the current proposal proceeds without addressing community impacts, which must include an operational agreement with BNSF, the City will likely have no choice but to oppose certification, deny the discretionary approvals, and pursue all available legal remedies to protect our community. Thank you.

Response:

FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume**

I, Section 3.3 (Transportation), Topic 3.3-E, Freight. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of freight rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

Just compensation references a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. Any financial payment would not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service.

On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Final EIS Appendix Q includes a full environmental evaluation of the Malabar Yard railroad improvements and identifies direct and indirect effects and 29 proposed mitigation measures for adverse effects. The **Final SEIR Table 7-31** includes a full environmental evaluation of the Malabar Yard railroad improvements pursuant to the requirements of CEQA.

5. Nick Perez

Board members, my name is Nick Perez. I'm the Captain of the City of Vernon Police Department. I'm here because the proposed Malabar Yard mitigation will have a serious and real impact on public safety. I urge you to discontinue this unnecessary proposal. It will cause avoidable harm by increasing emergency response times among other things. In addition, the EIS/SEIR misstates, how emergency response time occur in the City of Vernon. No consideration was given to east and westbound train movements between the Malabar Yard and the LA Junction. These

movements will create potential delays on north and southbound streets. What I do agree with is that the EIS and SEIR's ultimate conclusion that the project could impede access for emergency responders. I urge you to avoid this unnecessary risk. Thank you.

Response:

Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the

queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While Metro recognizes BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

6. Marisa Olguin

Good morning, Board. Marisa Olguin with the Vernon Chamber of Commerce, representing 1,400 businesses, 40,000 workers and residents who live and work in the City of Vernon. We've had multiple meetings and conversations with Metro and stakeholders. We see this. It's been abundantly clear. This is a land swap. It's basically a land swap, a gift for Metro to BNSF at the expense and for a slice of Vernon. You're being told that this will improve circulation, reduce emissions, and meets the City's economic growth goals. It's in fact the opposite. Metro plans to cut Vernon in half with expanding freight rail line up to 400 cars, six times a day. That creates gridlock at critical crossings, public safety problems, disruption for employers, workers, and the flow of goods, that so many California industries rely on. The studies does not account for new idling and pollutions. It brings trains, it brings barriers, it shifts the burden to more congestion. There has to be a better way, and we believe the Metro Board should work with Metro on a different plan. Thank you.

Response:

Metro recognizes the unique economic and industrial importance of Vernon, with its 40,000 employees, 1,400 businesses, and interconnected network of operations.

Metro respectfully disagrees with the commenter’s opinion that this is a land swap from Metro to BNSF for a slice of Vernon. Mitigation Measure TR-3 is required to minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West

Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need.

During the Draft EIS/SEIR public comment period, comments were received expressing a perception that the Malabar Yard railroad improvements would result in more trains traveling through the City of Vernon and that the closure of 49th Street and addition of the 1,000-foot connector track would physically divide the community. In response to public and agency comments related to physical division of the community, additional analysis was completed to demonstrate no adverse effect related to division of communities or reduced community connectivity would occur, consistent with the conclusions presented in the Draft EIS/SEIR, Final SEIR, and Final EIS. Clarifications were made in the Final EIS to demonstrate that:

- The BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening of the Alameda Corridor in 2002, the BNSF Harbor Subdivision also provided connectivity between the local ports and national railroad networks.
- In the 1920s, the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.
- The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned, would be reduced from 4 existing daily train movements to 0.85 daily train movements. Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned.
- In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City of Vernon and off of City of Vernon roadways on the westside of the City of Vernon.
- The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer daily train movements would reduce existing gate down time that temporarily restricts vehicular, bicycle, and pedestrian circulation in the community.
- In response to inquiries related to queuing and traffic congestion, a calculation was performed that demonstrates trains using the 46th Street Connector track (from Malabar

> Yard to Los Angeles Junction) would block a driveway (or an intersection) approximately 2 percent of the day, half of which would occur during the night (7pm-2am).

Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, and that access to all properties throughout the community would be maintained or replaced, no direct adverse effect would occur during operation.

In regard to traffic congestion, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2.** As discussed in that response, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue - operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, increased traffic congestion would not occur.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4

daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[3] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard railroad improvements must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

[3] 2025-0931 - MALABAR YARD MITIGATIONS AND CONTINUED COLLABORATION MOTION - Metro Board

City of Vernon Letter to Metro Executive Management Committee – Dated 10/15/25

VERNON
CALIFORNIA
INDUSTRY | COMMUNITY | INNOVATION

October 15, 2025

Office of Board Administration
LA Metro Executive Management Committee
One Gateway Plaza
MS: 99-3-1
Los Angeles, CA 90012

Via email:
boardclerk@metro.net

Subject: Agenda No. 10 – Item Needs More Consideration. The City of Vernon has Significant Concerns Regarding the Proposed Malabar Yard Improvements.

Dear Executive Management Committee Members:

On behalf of the City of Vernon, I am submitting written comment regarding Committee Agenda Item No. 10. The City shares Metro's broader goals for the LINK Union Station project and understands its regional importance. We are open to collaborating with Metro and BNSF Railway on limited, clearly defined improvements at the Malabar Yard. However, as currently proposed, the project raises serious concerns for our community 1

We have repeatedly heard Metro's presentations and assumptions about the benefits this project will bring to our community. But not once has Metro or BNSF provided Vernon with any commitment or assurances on the extent and frequency of road closures and train traffic. The City of Vernon asked BNSF to consider an operational agreement and Metro staff were present at the meeting when BNSF refused. Metro's proposal would grant BNSF, a private corporation, significant operational and economic benefits while shifting all environmental, health, and safety burdens onto the City of Vernon. That outcome is neither equitable nor consistent with sound public policy. 2 3

The Malabar Yard Mitigation includes a hard, permanent closure at 49th Street and significant new closures caused by 1,000 feet of new track and crossing infrastructure at 46th Street. Over the last 15-20 years, and separate from any proposed Link US project, BNSF has sought the City's approval to implement the operational changes that make up the Malabar Yard Mitigation. Vernon has repeatedly denied BNSF's request because of the project's well-known impacts, particularly on traffic. Conveniently, this major operational change is now being presented as necessary "mitigation" for BNSF's loss of rail storage at West Bank Yard. BNSF has told the City of Vernon and Metro staff that it 4 5

will not enter into any contractual agreement setting parameters on the length and frequency of trains in Vernon as a result of the proposed changes. 5 cont'd

No rational public agency would agree to overhaul its already congested traffic system without such assurances and based upon a flawed traffic study taken during the height of the COVID-19 shutdown. Thus, the proposed "mitigation" to offset BNSF's purported loss of storage space is infeasible and cannot be implemented without the City's required approvals. With this important point in mind, **the City urges Metro to defer action on the Link Union Station project and identify a feasible BNSF storage option that omits Malabar Yard.** 6 7 8

Mischaracterization of "Mitigation"
The rationale for the proposed Malabar Yard expansion is fundamentally flawed and contrary to the goals of CEQA and NEPA. Metro's environmental review characterizes the Malabar Yard improvements as a "mitigation measure" for the potential loss of storage capacity at the West Bank Yard. However, the loss of private rail storage is not an environmental impact under CEQA and does not require mitigation. The vague and generic planning policies in the Los Angeles Mobility Plan, which the Malabar Yard is intended to address, are simply irrelevant and do not raise environmental impacts (e.g., "Identify and implement strategies to facilitate the flow of freight traffic."). Framing the proposal as necessary mitigation is a misrepresentation that grants BNSF an operational advantage at the expense of our community. In truth, the project itself creates new and significant environmental impacts. 9

Traffic and Safety Concerns
Metro's presentation and environmental documents include several inaccurate and incomplete assumptions. The overall message presented by Metro staff is that the Malabar Yard expansion will reduce train trips and traffic congestion citywide and reduce emergency response times by five minutes, but there is no analysis of the impact of additional vehicle queuing and traffic triggered by the proposed closure of 49th Street and connector on 46th Street. The Metro analysis did not even consider additional train movements going east from the Malabar Yard, creating potential delays in emergency response times on key arterial streets that the Vernon Police Department utilize running north and south (Seville Avenue, Soto Street, Boyle Avenue, Alcoa Avenue, and Downey Road – See enclosed map). 10 11

Further, Metro's own documentation acknowledges that the proposed rail crossing at Seville Avenue and 46th Street could cause vehicle backups and safety hazards, even with Metro's proposed mitigation measures. Additional train movements to and from the Los Angeles Junction Railway will compound congestion, delay emergency response, and increase air emissions throughout the City. 12

During meetings about this project, Vernon Police Department staff also emphasized the need for Metro to consult with the Los Angeles County Fire Department to address 13

potential impacts on their response times, considering their need to maneuver large firefighting vehicles; to our knowledge, those meetings never took place. 13 cont'd

Environmental and Community Impacts

The burden of this project would fall entirely on Vernon and its neighboring SELA communities. The affected area includes not only industrial zones but also nearby homes (less than 550 feet from the Malabar Yard), a church serving the Deaf community, the Stacy Medical Center (our only 24/7 medical clinic) and the Vernon City School, which serves elementary students from disadvantaged communities. Contrary to the environmental review's claims, the school is located less than 700 feet from the Malabar Yard, not more than a quarter mile away. The resulting increases in noise, pollution, and traffic will directly impact these children and other sensitive populations. 14

The proposed closure of 49th Street and new rail connector on 46th Street would also impact bus transit services running through the City (Metro bus lines 60,105, 251, 611, 751, and 760). Each day, approximately 50,000 workers from the SELA communities and beyond travel to Vernon to earn a living; many of them relying on Metro's buses to get to their jobs on time. Delays in transit services due to increased traffic could jeopardize jobs for the thousands of workers in our communities who support the regional economy and depend on their jobs to support their families. 15

Lack of Transparency and Unanswered Questions

Before this project can move forward, BNSF and Metro must provide clear answers to basic operational questions, including: 16

- How many trains currently use the Yard, and how many are anticipated after the project?
- What will be the length and frequency of those trains?
- How many customers in Vernon are currently served by BNSF?
- Can displaced storage be distributed across multiple existing yards rather than concentrated in Vernon? 17
- Will BNSF enter into an operational agreement that enforces limits on the volume and type of train traffic at the Malabar Yard? 18

Misconception of Community Benefits

Metro documents include community benefits estimated at $24.5 million worth of improvements to the City of Vernon that include train detection cameras, high visibility crosswalks, new bus shelters, road restriping and AI-based traffic control systems. These are not additional benefits that the City is going to receive, but rather necessary mitigations that are needed to address the significant environmental impacts that the proposed Malabar Yard improvements have on the City and surrounding community. A benefit to the Vernon community would be to not move forward with the proposed Malabar Yard improvements and to seek other alternatives. Additionally, the City does not agree with the data/methods utilized by Metro in drawing its conclusions with regards 19 20

to reduced train trips as there has been no data or cap on train trips confirmed to the City by BNSF, traffic delays as initial studies took place during the COVID-19 pandemic, and improvement to emergency response times as the City's response time for Priority 1 emergency calls is currently 3.5 minutes.

20 cont'd

Insufficient Time to Review Final SEIR

21

The City has not been allowed sufficient time to review the Final SEIR documents or Metro's responses to the City's written comments. Given the magnitude of the Link US project related improvements proposed for Vernon and the City's expressed concerns for public safety and community impacts, the City cannot rush through the voluminous documents and data recently released by Metro as follows:

- October 10, 2025 – Metro response to City's written comments (160 pages).
- October 13, 2025 – Final Supplemental Environmental Impact Report (SEIR)(Environmental Evaluation of Malabar Yard Mitigation alone is 762 pages and includes new information).

This timeline allowed the City only one (1) day to review the Final SEIR prior to Metro's Planning and Programming Committee Meeting held on October 15, 2025, two (2) days before the Executive Management Committee Meeting scheduled for October 16, 2025, and only ten (10) days to review the documents prior to the Metro Board Meeting scheduled for October 23, 2025.

This is wholly insufficient. We respectfully request at least a thirty (30) day review period to allow meaningful participation by the City, residents, and affected businesses, and to bring BNSF to the table. Without an operational agreement with BNSF, we do not see a path forward.

City Authority and Next Steps

22

The Malabar Yard improvements cannot proceed without the City's cooperation. The project requires City approvals for at-grade crossings, right-of-way vacations, and various permits. These approvals are not suggestions, they are required by mitigation measures in the project's own EIS/SIER (MY TR-6). At this time, the Vernon City Council has directed staff to oppose the Malabar Yard proposal until these issues are fully addressed and the environmental review is corrected.

Request to the Executive Management Committee

23

The City recognizes the regionwide importance of the Link US Project but has consistently expressed its concerns regarding the impact of the proposed Malabar Yard improvements. We request that the Executive Management Committee consider the following recommendations to the Metro Board:

- Recommend that the Metro Board delay approval of the Final SEIR to allow sufficient time for the City to review the final documents and explore other alternatives that do not include the permanent closure of a City street or significant impacts to our community.

- Recommend that approval of the Final SEIR omit any of the proposed changes in Vernon.
- If it must move forward, recommend that approval of the Final SEIR be contingent on a written three-party operational agreement between Metro, BNSF, and the City of Vernon that establishes clear parameters regarding the frequency, length, and train activity associated with the Malabar Yard improvements at 49th Street and 46th Street.

23 cont'd

Conclusion

The City of Vernon stands ready to engage in good-faith discussions with Metro and BNSF to achieve a balanced, transparent, and equitable outcome. However, if the current proposal proceeds without addressing these fundamental issues, the City will have no choice but to oppose certification of the environmental review and will pursue all available legal remedies to protect our community.

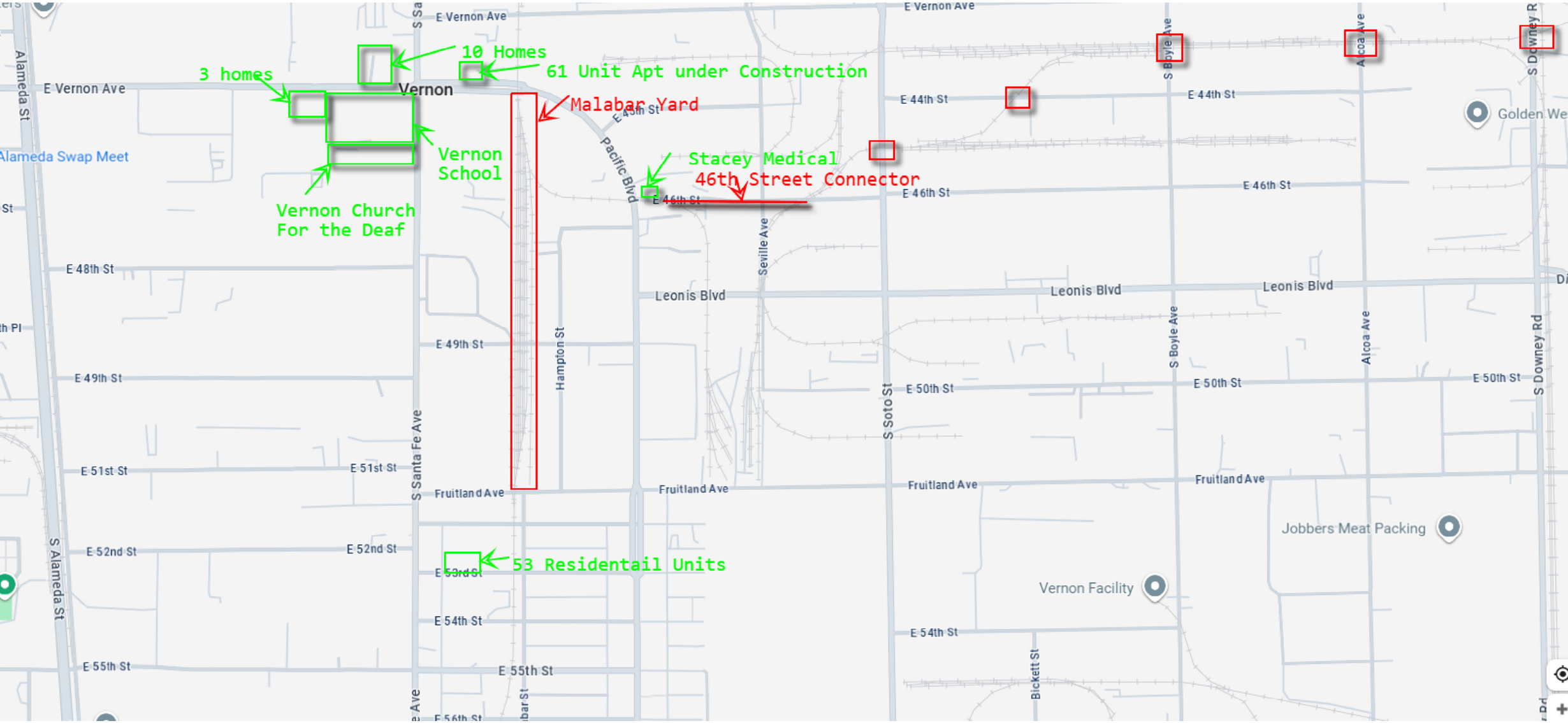
24

Thank you for your attention and for your continued support of environmental justice and responsible regional planning. We would welcome the opportunity to meet with your office to discuss these concerns in greater detail.

Sincerely,

Brian Saeki
City Administrator
City of Vernon

Attachment: Map of Sites Impacted by Proposed Malabar Yard Improvements


3 homes
10 Homes
61 Unit Apt under Construction
Malabar Yard
Vernon School
Vernon Church For the Deaf
Stacey Medical
46th Street Connector
53 Residentail Units
Vernon
E Vernon Ave
Alameda Swap Meet
Pacific Blvd
Seville Ave
Hampton St
S Santa Fe Ave
S Soto St
S Boyle Ave
Alcoa Ave
S Downey Rd
Leonis Blvd
Fruitland Ave
E 44th St
E 46th St
E 48th St
E 49th St
E 50th St
E 51st St
E 52nd St
E 54th St
E 55th St
Golden We
Jobbers Meat Packing
Vernon Facility
Bickett St
S Alameda St

Response to Comments

Response to City of Vernon Letter to Metro Executive Management Committee Dated 10/15/25

1 Metro appreciates the City of Vernon's desire for collaboration with Metro and BNSF. The comment provided is an introductory statement with no technical details to provide further response.

The 49th Street Closure and 46th Street Connector infrastructure improvements and changes in freight train operations resulting from the consolidated freight service are clearly defined in **Final EIS Appendix Q Section 2.** Please refer to the *City of Vernon's Additional Comments on Link Union Station Project's Environmental Impact Statement/Supplemental Environmental Impact Report, and Objection to Certification of EIR and Project Approval* provided by RWG Law dated October 22, 2025 for additional responses related to the City of Vernon's concerns.

2 As the commenter states, Metro has repeatedly committed to share information and details from information provided by BNSF with regards to extent and frequency of road closures and train traffic.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 1** for a discussion of the history of stakeholder engagement activities with the City of Vernon. During multiple meetings with City of Vernon staff, Metro provided information related to affected train routes, train movements, train speeds, train lengths, the duration of time each train takes to pass intersections, the time of day trains would operate, gate down times. This information was used by Metro to conduct a thorough and detailed environmental analysis specific to vehicular traffic delays, queuing, emergency response, and potential community impacts (see **Draft EIS/SEIR, Final SEIR, Final EIS Volume III, and Final EIS Appendix Q**) and responses to comments below. The extent and frequency of road closures and train traffic was presented in multiple presentations to City of Vernon and summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. This information is summarized below.

Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

3 As discussed in **Response to Comment 2** above, on December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

The commenter asserts that the Project would grant BNSF significant operational and economic benefits while shifting all the environmental impacts onto the City. **Final EIS Volume I, Executive Summary, Section ES.14** includes a summary of Project benefits under the Build Alternative, with a specific list of benefits related to the Malabar Yard railroad improvements. Of the ten benefits listed, all ten would benefit the City of Vernon, not just Metro and/or BNSF. These benefits include the following:

- Fewer daily train movements, decreased local emissions, minimized traffic delays.
- Optimized emergency response times with less congestion on local roadways.
- Train detection cameras that provide real-time local emergency dispatch to identify trains approaching at-grade rail crossings.
- Upgraded communications and radio systems and a mobile Emergency Operations Center to provide rapid deployment to disaster areas or large-scale events while contributing to faster, more effective emergency response efforts.
- Enhanced community features with crosswalk improvements to improve visibility and enhance pedestrian and driver safety, bus shelters to improve accessibility, convenience, comfort and provide weather protection for passengers.
- Quiet zone infrastructure to reduce train horn noise, promote safety, enhance pedestrian connectivity, and improve quality of life for existing and future residents and businesses.
- Improved traffic control with road restriping to maintain traffic flow, AI-based traffic control system, and pan-tilt-zoom smart cameras to monitor traffic, roads, intersections, and enable first responders to quickly identify incidents.
- Reduced fuel consumption by rail and associated rail emissions.

- Redistribution of train movements would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place.
- Up to 143 and 151 temporary jobs are anticipated to be generated, along with $9.4 to $9.7 million in labor income, and $3.3 to $3.5 million in total federal, state, and local tax revenues generated.

Contrary to the commenter's opinion, the approximately $25 million Offsetting Mitigation Measure (OMM) package benefits Vernon directly, not Metro and not BNSF.

4 The Malabar Yard railroad improvements are proposed as mitigation for direct and indirect effects. The 49th Street closure would be permanent; however no significant new closures on 46th Street are proposed. Access to businesses would be maintained and roadway crossing improvements are proposed to enhance safety at each of the existing (and one proposed) at-grade crossings.

A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank

Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

    - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to

appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of freight rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

Just compensation references a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. Any financial payment would not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service.

5 The commenter states that BNSF has never approached the City of Vernon, yet, that statement is contradictory to the prior statement that BNSF has reached out to the City since 2006.

Metro remains committed to continued collaboration with BNSF, the City of Vernon, local businesses, property owners, the Vernon Police Department, schools, and other key community stakeholders as our goal is to work toward a balanced agreement that supports regional mobility. During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

6 For the Project itself, CHSRA and Metro do not require any permissions from the City of Vernon. The City of Vernon has no approval authority over the core Project elements. However, for certain improvements (such as roadway modifications, traffic signal adjustments, or safety enhancements at local crossings) that would be implemented as part of identified mitigation measures, CHSRA and Metro may conceivably require some level of coordination or permission from the City of Vernon. This could include permits for

work within city-owned streets, temporary traffic control during construction, or integration with local infrastructure and potential land use entitlements (e.g., Circulation Element update). While these permissions are not guaranteed to be necessary for every mitigation measure, they may be required to implement specific improvements that extend beyond railroad property and into municipal rights-of-way.

This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. It is reasonable to anticipate that the City of Vernon will fully cooperate in the NEPA process, as such collaboration is mandated and reinforced by applicable federal regulatory frameworks. Under NEPA (42 U.S.C. § 4321–4336), federal agencies are required to use "all practicable means" to coordinate with state and local governments to foster mutually beneficial environmental planning. For transportation projects, 49 U.S.C. § 310 mandates coordinated and concurrent environmental reviews across federal agencies and agencies of jurisdiction, ensuring coherent alignment of purpose, need, alternatives, and permit decisions. This interagency cooperation enhances procedural efficiency, maximizes resource utilization, and ensures that the resulting transportation infrastructure network is sustainable, legally compliant, and responsive to community goals, thereby fulfilling both federal mandates as well as Metro's and the City of Vernon's planning priorities. Although the invitation to become participating agency was not accepted by the City of Vernon, Metro and CHSRA remain committed to a cooperative process with the City of Vernon.

Under California law, the CPUC has exclusive jurisdiction over the approval of new railroad crossings. The CPUC process is governed by Public Utilities Code Sections 1201 through 1205, 7537, 99152 and CPUC General Orders 75 and 88, as amended. The CPUC process generally proceeds as follows:

1. *Application by Metro*: Metro would submit an application to the CPUC for approval of a new crossing. This application must demonstrate compliance with safety standards and include proposed mitigation measures consistent with applicable requirements, such as Malabar Yard Mitigation Measure TR-6.
2. *Coordination with City of Vernon:* Metro would seek the City of Vernon's assistance in designing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6 to address local concerns and enhance safety. This collaborative approach is encouraged but not legally required for CPUC approval.
3. *CPUC Authority to Approve:* Even if the City of Vernon does not participate in designing mitigation measures, the CPUC retains authority to approve the new crossing if it meets safety and regulatory requirements.
4. *Opportunity for Objections:* The City of Vernon may file formal objections during the CPUC proceeding. These objections would be considered as part of the CPUC's decision-making process.
5. *Post-Decision Participation:* If the CPUC denies the City of Vernon's objection and approves the crossing, the City of Vernon may still assist in implementing

reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6. This ensures that local input can influence the final design and safety features, even after CPUC approval.

An overhaul of the City's traffic system is not proposed. Rather, Metro has demonstrated how the consolidated train movements results in a citywide circulation improvement. Please refer **to Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, which includes a detailed explanation of the COVID-19 Factor Methodology – Normalizing Traffic Counts to Pre-COVID Conditions.

Section 15151 of the *CEQA Guidelines* states the following regarding standards from which adequacy is judged:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*

As disclosed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, traffic counts were conducted in August 2020 for the intersections and roadway segments used in the traffic analysis to characterize the existing conditions. However, due to the timing of when the Revised NOI was released (September 2020) and impact of the COVID-19 pandemic, the amount of traffic on the streets and intersections was lower than the normal (non-COVID-19) conditions due to "new quasi-normal" day to day activities and businesses operating under various restrictions, including shelter-in-place and complete business shutdowns. To ensure the credibility of baseline traffic conditions, on which future year conditions (post COVID-19) are based, the raw traffic count data that was collected in August 2020 was 'normalized' to the traffic levels which existed pre-COVID-19, before it was applied to the traffic analysis. This "COVID Factor" approach was used to estimate traffic conditions in 2020 without COVID-19.

The approach to normalize the traffic count data collected in August 2020 during the COVID-19 pandemic to the traffic levels that existed pre-COVID-19 is presented in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-4** and summarized in Key Issue Response 2. This methodology utilized is an industry standard approach taken during the COVID-19 pandemic and was coordinated with the City of Vernon to obtain feedback on the approach before using the adjusted volumes in the traffic analysis. The traffic volumes presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the traffic conditions to use for environmental documentation purposes.

7 Please refer to **Response to Comment 6** above. Metro understands the roles and responsibilities and actions that need to be taken to implement the Malabar Yard railroad improvements. For this reason, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City requirements, and viewpoints and perspectives so they can be addressed. Metro is committed to making meaningful progress in an attempt for a mutual agreement on the requirements of the Link US project.

To further demonstrate a good-faith effort in ongoing coordination with the City of Vernon, two Board Motions were passed by the Metro Board that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF during the October 23, 2025 Metro Board Meeting. In addition, on December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions passed in October 2025. Within that correspondence, Metro requested BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

The claim that the proposed mitigation (Malabar Yard railroad improvements) are infeasible because they require City approvals is not supported by CEQA or case law. CEQA expressly contemplates mitigation measures that involve approvals or actions by other agencies. *CEQA Guidelines* §15126.4(a)(2) state that a measure is feasible if it can be accomplished within a reasonable timeframe considering economic, environmental, social, and technological factors, not whether the lead agency has unilateral authority. Courts have upheld measures requiring another entity's exclusive jurisdiction. In *Tiburon Open Space Committee v. County of Marin* (78 Cal.App.5th 700, 746–748 (2022)), the court confirmed that a lead agency may adopt measures that "should be adopted" by another entity, even when those measures involve discretionary approvals.

CEQA requires substantial evidence, not statements or predictions, to support infeasibility findings. (*CEQA Guidelines* §15091(b).) A city's expressed reluctance does not constitute binding evidence that approvals cannot be obtained, particularly when the approvals involve standard regulatory processes such as right-of-way vacations and encroachment permits.

The argument that the City of Vernon requires approvals does not render the mitigation measure infeasible. CEQA does not prohibit mitigation measures requiring discretionary approvals; it only requires that such measures be capable of implementation. (Pub. Resources Code §21061.1.)

Metro has committed to pursuing all necessary approvals and coordinating with the City of Vernon to implement the Malabar Yard railroad improvements. Courts have repeatedly rejected arguments that reliance on another jurisdiction's discretionary approval renders a measure infeasible. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*, 57 Cal.4th 439, 466 (2013).)

The fact that the City of Vernon holds jurisdiction over certain approvals does not make Mitigation Measure TR-3, or any mitigation requiring City of Vernon approval (Malabar

Yard Mitigation Measure TR-6) infeasible under CEQA. CEQA and case law allow mitigation measures requiring other agencies' cooperation, and speculation or stated intent does not constitute substantial evidence of infeasibility. Mitigation Measure TR-3 remains feasible and proper.

Despite the concerns expressed by the City of Vernon, CHSRA and Metro reasonably expect to obtain the necessary approvals to implement the Malabar Yard railroad improvements. This expectation is based on the CHSRA's and Metro's authority under applicable state and federal regulations and the collaborative framework established under NEPA and CEQA. Even if the City of Vernon does not actively participate in designing mitigation measures, CHSRA and Metro retain the ability to propose and implement reasonable, enforceable mitigations that meet regulatory standards. Therefore, CHSRA and Metro anticipate that the required approvals will be secured to implement the Malabar Yard railroad improvements and maintain compliance with environmental commitments.

CEQA Guidelines §15126.4(a)(1)) states:

> *The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will considered, analyzed, and potentially incorporated in the mitigation measure.*

Neither CEQA or NEPA require that all permitting agencies reach a final agreement on specific mitigation prior to a project's approval. Consistent with U.S. Supreme Court in *Robertson v. Methow Valley Citizens Council*, federal agencies may proceed with decision making even when subsequent coordination and approvals are required to refine and implement mitigation measures. Mitigation Measure TR-3 (and Malabar Yard Mitigation Measure TR-6) identifies the mitigation framework and responsible agencies while allowing for subsequent agency review and approval.

8 As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1** (Alternatives Evaluation Process), a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) to offset the loss of storage tracks that would occur at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the identified screening criteria and to preserve the current levels of freight rail operations in accordance with the provisions of the Link US Project's purpose and need as identified in **Final EIS, Chapter 1.0 (Purpose and Need)**.

Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 discloses the justification as to why each of these sites meet or do not meet screening criteria.

- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-1 (Freight Rail Storage Track Replacement Sites Initial Screening Criterion Analysis),** Hobart Yard, Commerce Yard, Malabar Yard, and Los Angeles Junction met initial screening criteria while Pico Rivera Yard and locations further east on the San Bernardino Subdivision were rejected from further consideration because they are located east of BNSF Hobart/Commerce Intermodal Yards.
- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-2 (Freight Rail Storage Track Replacement Sites Secondary Screening Criterion Analysis)**, Hobart Yard, Commerce Yard, and Los Angeles Junction were determined to not meet secondary criteria of replacing storage capacity in-kind or preserving the current levels of freight rail operations, primarily for the following reasons (summarized from **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1.1)**:
    - Hobart Yard – The existing footprint of BNSF Hobart Yard is at full capacity. Any change to the existing intermodal facilities at BNSF Hobart Yard (production tracks, storage tracks, lead tracks, main line tracks, receiving tracks, departure tracks, tie up tracks, and/or maintenance tracks) would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Several dozen parcel acquisitions would be required and there may also be a potential requirement for new intermodal facilities to offset any modifications to BNSF Hobart Yard facilities (ripple effect). In addition, mitigating the Link US Project permanent impacts to BNSF storage tracks at BNSF's Hobart Yard is not feasible because the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.
    - Commerce Yard – Similar to Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. Any change to the existing intermodal facilities at BNSF Commerce Yard would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses would be required.
    - Los Angeles Junction – All space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations.

> The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. As shown in **Figure 1-3** of the **Final EIS Appendix Q**, expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of seven private properties with active businesses/buildings.

The analysis presented in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1** demonstrates CHSRA and Metro performed a thorough alternatives evaluation of potential replacement sites, and provided measured evidence with reasons why these sites do not meet specified criteria. The conclusions are not based on broad generalized claims. Rather, they are based on optimal operational parameters and the potential for increased impacts to property owners and the environment.

Based on the screening and evaluation process in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard.

9 Please refer to **Response to Comment 4**. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives." 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and CEQA Guidelines require analysis of program plans, ordinances, or policies addressing the circulation system. CEQA also requires analysis of reasonably foreseeable indirect physical changes in the environment which may be caused by the project. Mitigation Measure TR-3 not only mitigates for direct impacts related to Land Use and Planning, but also mitigates for direct and indirect impacts related to the freight transportation system.

As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land

use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

The inclusion of Malabar Yard railroad improvements in the Project is not solely driven by compliance with the *Los Angeles Mobility Plan 2035* or the *California Transportation Plan 2040*. While these plans provide important regional and statewide policy frameworks that encourage efficient, multimodal transportation systems, the primary purpose of the Malabar Yard railroad improvements is to preserve current levels of freight operations. The improvements are designed to mitigate the loss of critical rail infrastructure and ensure continuity of goods movement, which is essential for economic vitality and environmental sustainability.

Metro is not granting BNSF operational advantages. Metro has proposed mitigation for Project-related impacts at the BNSF West Bank Yard. While the Malabar Yard railroad improvements would cause environmental impacts, Metro has identified 29 mitigation measures that would be implemented in Vernon to avoid and reduce identified impacts that may occur upon implementation of the Malabar yard railroad improvements.

10 The following responses are summarized from **Final EIS Volume III, Response to Comments, Key Issue Response 2 and 4**:

All data and information collected from BNSF in 2020, 2021, and the latest information received in 2024 was incorporated in the analysis and discussed in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies (see **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Section 2**). The impacts of moving trains was considered in the environmental analysis, particularly for traffic impacts, the queuing analysis performed, and the emergency response analysis conducted (see results of **Final EIS Volume III, Response to Comments, Key Issue Response 4**).

As discussed in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-3**, the geographic area considered to determine potential traffic-related effects is the traffic study area. The traffic study area was reviewed and approved by the City of Vernon Public Works Director prior to conducting the traffic impact analysis. The traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips once the Project is operational; however, it would result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-8**). Due to the Project-related redistribution of existing traffic, a localized traffic analysis was conducted for intersections and roadway segments within the proximity to the Malabar Yard railroad improvements where traffic redistribution is expected to occur.

As discussed in **Key Issue Response 2**, trains currently operate across Pacific Boulevard/Vernon Avenue, Pacific Avenue and 46th Street, Seville Avenue, Soto Street, 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road. No operational changes along the East Seville Connection and Hobart Yard/Los Angeles Junction Connection routes would be attributable to the proposed Malabar Yard railroad

improvements; therefore, traffic analysis was not conducted at those corresponding intersections.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While Metro recognizes BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

As presented in the **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-10** and in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, a queuing analysis was prepared at six locations in response to stakeholder engagement activities to determine whether the existing travel lane storage capacity is adequate to accommodate the queue formations generated from redistributed traffic. The results of the queuing analysis demonstrate for the Opening Year (2024), no increase to the queue formation would be attributable to the Malabar Yard railroad improvements with exception of northbound through movements at Railroad Crossing #4 where there is 20 feet of incremental addition to the existing queuing that already occurs. The increase in queue formation is not considered a substantial change for two main reasons:

1. the additional 20 feet of queue formation translates into less than a vehicle of queue since one vehicle queue is 25 feet; and

2. because the added queue can be adequately accommodated with the current configuration of the roadway and it would take only one cycle of phasing to clear out the additional 20 feet of incremental addition to the existing queuing that already occurs without the need for any further improvements in lane configuration.

During coordination meetings with the City of Vernon staff after the close of the public comment period, queuing Downey Road was raised as a topic of concern. At Railroad Crossing #6 (Downey Road south of Vernon Avenue), the queue formation already exceeds the storage capacity in the existing condition (Table 3.3-10) and would continue to exceed the storage capacity during the 2024 No-Build scenario. The queue formation on Downey Road south of Vernon Avenue in the northbound through and southbound through direction remains the same during AM and PM peak hours.

With the Malabar Yard railroad improvements, fewer trains would operate in the City and half of the train movements would occur at night, which have very little to no impact on traffic. For trains operating during the day, if a train movement occurs during the AM and PM peak periods, there could be some effect, but trains are not anticipated to operate at the same time every day and are not all occurring during the AM or PM peak periods. The hourly schedule to service Vernon customers fluctuates and is variable throughout the week based on customer demand.

11 After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Vernon Executive Leadership, including the Vernon Police Department Chief Robert Sousa on multiple occasions (including October 23, 2024, November 13, 2024, and November 20, 2024) where Metro coordinated with and sought feedback from Mr. Sousa on the emergency response routes analyzed. Mr. Sousa confirmed the routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received from the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As

discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon to determine the worst potential daily delay trains could cause to emergency response in the existing and proposed condition. Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers

12 Please refer to **Final EIS, Volume III, Response to Comments, Key Issue Response 2** and **Response to Comment 6** above for a summary of intersection blockage analysis and results that were conducted after the 45-day public comment period. Based on the train observations conducted in April 2025, assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. The data supports the conclusion that with implementation of the Malabar yard railroad improvements, a citywide circulation improvement would occur.

Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

Refer **to Final EIS Volume III, Response to Comments, Key Issue Response 4** and **Response to Comment 11** above for the analysis performed to demonstrate the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2,** a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses the localized significance threshold (LSTs) to evaluate if projects qualify to be screened out and therefore determined to not have an adverse effect to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which is determining the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City of Vernon would not occur.

13 The commenter's statement on Los Angeles County Fire Department attendance during Vernon coordination efforts is inaccurate. Although multiple meetings with City of Vernon staff were conducted, Los Angeles County Fire Department did not elect to participate in the meetings.

Metro performed an extensive emergency response analysis in coordination with the City of Vernon. Please refer to **Response to Comment 11**.

14 The commenter notes an affected area that includes nearby homes Holy Angels Church of the Deaf, Stacy Medical Center, and Vernon City School, but provides no geographic context for how this "affected area" was derived, or any technical analysis to prove how noise, pollution, and traffic would impact children at the school or other sensitive populations.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the identification of sensitive receptors is based on SCAQMD's definition. SCAQMD defines sensitive receptors as residences, schools, playgrounds and athletic facilities on school property, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. These are land uses where people stay for extended periods of time, such as 24-hours or more, or land uses where more vulnerable populations (children or people recreating that have higher breathing rates) congregate.

Although the Stacy Medical Center is a healthcare facility, it is not a long-term facility where patients or workers stay onsite overnight, therefore Stacy Medical Center is not considered a sensitive receptor.

The Holy Angels Church of the Deaf is not a sensitive receptor for air quality because churches are not classified as sensitive receptors under SCAQMD's definition. Additionally, the church is located at a greater distance from the Project than the nearest sensitive receptor, which was determined to have no adverse emission impacts. Therefore, the Project would not result in adverse air quality impacts at the Holy Angels Church of the Deaf.

For noise and vibration analysis, the screening distances (Section 4.3 of the FTA Transit Noise and Vibration Impact Assessment Manual, FTA 2018) were calculated from the project footprint (maximum extent of design options considered where changes to infrastructure would occur). This was disclosed in the Draft EIS/SEIR as part of the noise and vibration methodology which identified a 1,000 foot buffer from the proposed Malabar Yard rail line along the 46th Street and 49th Street intersection with Malabar Yard (without obstructions) or within 650 feet from the proposed Malabar Yard rail line along the 46th Street and 49th Street intersection with Malabar Yard (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6-1**). This screening assessment was performed and, per the FTA and FRA guidelines, no noise sensitive land uses (including the residences at 2415-2427 E 53rd St, Vernon City School, Holy Angels Church of the Deaf, and the residences on Furlong Place) are located within 1,000 feet of the project footprint (without obstructions) or within 650 feet of the project footprint (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6 1**). A detailed noise assessment was not performed because no noise-or vibration-sensitive land uses are present within the designated screening distances for the Malabar Yard railroad improvements.

The FTA Transit Noise and Vibration Impact Assessment Manual provides the methodology for the identification of noise sensitive land uses, screening procedures, and criteria for determining when a detailed analysis is required (FTA Report No. 0123). Noise sensitive land use categories are intentionally tiered based on duration of exposure and human sensitivity. While the Stacy Medical Center is classified as a noise sensitive land use, it is considered a Noise Category 1 or 2 land use under the FTA Transit Noise and Vibration Impact Assessment Manual.

As discussed in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration)**, Noise Category 3 land uses are defined as institutional land uses (schools, places of worship, libraries) with use typically during the daytime and evening. Other uses in this category include some medical offices (when vibration-sensitive testing equipment such as Magnetic Resonance Imaging [MRI] systems are present), conference rooms, recording studios, concert halls, cemeteries, monuments, museums, historical sites, parks, and recreational facilities. Category 3 land uses are evaluated using less stringent criteria than Category 1 or 2 land uses because they do not involve nighttime occupancy or sleep disturbance. Stacy Medical Center is located within the screening distance; however, this type of facility (similar to an urgent care) is not sensitive to noise because nighttime occupancy does not typically occur at an urgent care facility and is not sensitive to vibration because this facility does not utilize sensitive testing equipment such as MRI systems. On December 17, 2025, HMMH contacted Stacy Medical Center to confirm the types of medical equipment in use at the facility, and it was confirmed via phone that this facility does not utilize sensitive testing equipment such as MRI systems; therefore, the facility is not categorized as a FTA Category 3 land use.

As previously described in **Response to Comment 12** above and on **Final EIS Volume III, Response to Comments,** on **Page 30,** a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors.

SCAQMD uses the LSTs to evaluate if projects qualify to be screened out and therefore determined to not have an adverse effect to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which is determining the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25** and **3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors.

The commenter states that nearby homes and Vernon City School are less than 550 feet and 700 feet from Malabar Yard. The closest sensitive receptors to the Malabar Yard

railroad improvements that were considered and evaluated for potential impacts are shown in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Figure 3.5-1** and summarized below:

- Residences at 2415-2427 E 53rd St. (located approximately 1,325 feet [0.25 mile] south from the Malabar Yard railroad improvements).
- Vernon City School at 2360 East Vernon Avenue (located approximately 1,350 feet [0.25 mile] northwest from the Malabar Yard railroad improvements).
- Residences on Furlong Place (located approximately 1,650 feet [0.31 mile] northwest from the Malabar Yard railroad improvements).

The quarter-mile radius shown on **Final EIS Appendix Q, Section 3.5, Page 3.5-17** is an industry standard best practice. The map with the quarter mile buffer was not used to determine air quality impacts on sensitive receptors. LSTs were determined independent of the radius shown in the figure. It is a coincidence that the nearest receptor is also .2509 miles away. Pollutant concentrations decline with increasing distance as demonstrated in the studies and guidance referenced in the section below. These studies demonstrate that the highest concentrations are typically seen within distances less than a quarter mile, which is why the map uses a quarter mile buffer to capture the highest pollutant concentrations.

The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur. The EPA states, *"Research findings indicate that roadways generally influence air quality within a few hundred meters – about 500-600 feet downwind from the vicinity of heavily traveled roadways or along corridors with significant trucking traffic or rail activities."*[1] The CARB Air Quality and Land Use Handbook states that, "*the distance between roadway and truck densities were key factors affecting the strength of the association with adverse health effects. Adverse health effects were seen within 1,000 feet and was strongest within 300 feet.*"[2] This demonstrates that the adverse effects diminished with distance. This is consistent with the Bay Area Air Quality District CEQA Air Quality Guidelines which uses an overlay zone of at least 500 feet from all freeways and high volume roadways as a threshold of significance for local risks and hazards. Further academic research shows that pollutant concentrations level out to background levels after approximately 400 meters (1/4 mile) away from the source.[3] As shown in an academic study of ultrafine particles near

[1] EPA, 2014. Near Roadway Air Pollution and Health: Frequently Asked Questions. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi/P100NFFD.PDF?Dockey=P100NFFD.pdf

[2] CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

[3] Mishra, S. & Shah, S. (2025). "Analytical Study of Atmospheric Pollution Dispersion with Distance Dependent Wind and Constant Removal Dynamics." International Journal of Scientific Research in Science and Technology, volume 12, issue 3.

a freeway by Yifang Zhu, et al. in Atmospheric Environment, both CO and black carbon concentrations as a function of the distance from freeway follow a decay curve. This curve levels out 300 meters away from the emission source.[4]

Final EIS Appendix Q, Section 3.5 accurately measured the distance between sensitive receptors and the expected emission sources. The distances identified in **Final EIS Appendix Q, Section 3.5, Page 3.5-15** were measured from the outermost extent of the Project footprint to the nearest receptor, not from the center point of 49th Street or 46th Street, as the comment states. **Final EIS Appendix Q, Section 3.5, Figure 3.5-1**, was revised to include the distance of each receptor from the outermost extent of the Project footprint. The quarter-mile radius shown in **Final EIS Appendix Q, Section 3.5, Figure 3.5-1** was measured from the outermost extent of the Project footprint.

15 The Draft EIS/SEIR and Final EIS analyzed potential impacts associated with bus transit services during construction and operation of the Project. As shown in **Final EIS, Section 3.3 (Transportation), Figure 3.3-4**, three local bus routes, operated by Metro, currently operate within the study area. Routes 751 and 251 carry passengers along Soto Street with stops at Vernon Avenue and Fruitland Avenue. Route 611 carries passengers along Vernon Avenue and Leonis Boulevard with a stop at Santa Fe Avenue. Metro Rapid Line 760 runs along Santa Fe Avenue and Pacific Boulevard. These bus routes would be potentially impacted during construction and operational activities.

Malabar Yard Mitigation Measure TR-1 (Prepare a Construction Traffic Management Plan for Malabar Yard railroad improvements) requires a construction TMP to be prepared by the contractor and reviewed and approved by Metro and the City of Vernon. Any identified street closure schedules in the construction TMP would be required to be approved by the City of Vernon and coordinated among the construction contractor, Metro, BNSF, private businesses, public transit and bus operators, the bicycle community, Los Angeles Unified School District, and emergency service providers to minimize construction-related vehicular and non-vehicular traffic impacts during the peak hour.

The transportation analysis was performed to determine if the Malabar Yard railroad improvements would result in traffic congestion, roadway hazards, impacts to emergency access, impacts to public transit, bicycle or pedestrian facilities, and/or impacts on freight. Indirect impacts related to economic and fiscal impacts resulting from increased traffic delays and congestion would not occur because all traffic impacts associated with traffic delay would be mitigated with implementation of Mitigation Measures TR-1 through TR-5.

Metro values local business and is committed to reducing potential negative effects of the proposed Malabar Yard railroad improvements. However, as stated in Section 15131 of the CEQA Guidelines, the focus of the analysis shall be on the physical changes.

https://www.researchgate.net/publication/391457827_Analytical_Study_of_Atmospheric_Pollution_Dispersion_with_Distance_Dependent_Wind_and_Constant_Removal_Dynamics

[4] Zhu, Yifang et al. (2002). "Study of ultrafine particles near a major highway with heavy-duty diesel traffic." Atmospheric Environment 36. 4323-4335. https://www.sciencedirect.com/science/article/pii/S1352231002003540

CEQA Guidelines Section 15131 (Economic and Social Effects), states that:

> *"Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes."*

16 The following provides service times, train lengths, train lengths and frequencies:

- Service times - BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am
- Train Lengths – Trains operating in Vernon extend up to 3,000 feet (existing and proposed condition)

Malabar Yard is currently used to stage and store general merchandise cars for local customers. Proposed use of Malabar Yard (after closure of 49th Street) is to store empty bare tables (chassis only) for intermodal trains.

- **Existing Frequency and Schedule:**
  - Hobart Yard to/from Malabar Yard
    - Total daily train movements – 4
    - Time of Travel:
      - 2x Day: 6:30am – 2:00pm
      - 2x Day: 7:30pm – 2:00am
  - Malabar Yard to/from West Seville
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am
  - Malabar Yard to/from Exxon
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am

- ***Proposed Frequency and Schedule:***
  - Hobart Yard to/from Malabar Yard
    - Total daily train movements – 0.85
    - Time of Travel:
      - 3x Week: 7:30pm – 2:00am
  - LAJ to West Seville (via 46th Street Connector)
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am
  - LAJ to Exxon (via 46th Street Connector)
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am

It should be noted that BNSF customer base is proprietary/trade secret information. Additionally, the environmental analysis does not require this specified information to support any conclusions.

17 No alternative sites are available that would accommodate intermodal storage without resulting in greater property impacts or decreased operational efficiency for BNSF freight movements. Multiple locations in the region were considered to offset the permanent loss of freight rail storage track capacity at BNSF West Bank Yard that would result from the Link US Project. The BNSF facilities that were considered as potential replacement sites are described below, along with reasons why these sites are infeasible to accommodate new storage tracks:

- **BNSF Hobart Yard:** The existing footprint of BNSF Hobart Yard is at full capacity. Additional tracks would require full parcel acquisition of several dozen commercial properties south of Washington Boulevard, closure of 26th Street, and potentially new intermodal facilities to offset the loss of storage track capacity in kind. In addition, the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.

- **BNSF Commerce Yard:** Similar to BNSF Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. The addition of a storage track at BNSF Commerce Yard, would require full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses. Additionally, there are operational restrictions at BNSF Commerce Yard associated with the current passenger train movements that occur at the Commerce Metrolink Station platform, which impede BNSF's ability to enter and/or store a long train into the facility.
- **Los Angeles Junction:** Los Angeles Junction does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Any physical improvements and/or modifications to existing operations at Los Angeles Junction are not feasible because reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. Expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of seven private properties with active businesses/buildings.
- **BNSF Pico Rivera Yard and Locations further east on BNSF San Bernardino Subdivision Main Line Tracks:** BNSF Pico Rivera Yard and locations further east on the San Bernardino Subdivision main line tracks are located east of BNSF Hobart/Commerce Intermodal Yards and would therefore require use of the San Bernardino Subdivision main line tracks. This would result in decreased efficiencies for BNSF freight operations.

18 During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

19 Metro respectfully disagrees with the assertion that OMMs are necessary mitigation to address significant environmental impacts. For example, Metro proposed 5 bus shelters and City staff requested 20 additional shelters. Bus shelters do not mitigate environmental impacts under NEPA or CEQA. Please refer to **Response to Comment 3** above for a discussion on benefits to the City of Vernon.

During preparation of the Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final EIS as OMMs. Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City of Vernon's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16 (Community Analysis) and Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

See **Response to Comment 4** on the reasons why Malabar Yard railroad improvements are required under NEPA and CEQA, and **Response to Comment 18** above on Metro's most recent attempt to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements

20 All data and information collected from BNSF in 2020, 2021, and the latest information received in 2024 was incorporated in the analysis and discussed in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies (see **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Section 2**). The impacts of moving trains was considered in the environmental analysis, particularly for traffic impacts, the queuing analysis performed, and the emergency response analysis conducted (see results of **Final EIS Volume III, Response to Comments, Key Issue Response 4**).

After the release of the 2020 Revised NOI, the City of Vernon Public Works Director provided input and approved the Traffic Study Area prior to conducting the analysis – no objections were received on the study area and feedback was incorporated into the COVID factor prior to conducting the analysis. Please refer to RWG Letter to Metro Board dated October 22, 2025 - **Exhibit "A" Response to Comment A-8** that discusses why a localized traffic analysis was conducted.

Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in

conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received from the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received.

21 The Final SEIR includes clarifications and minor corrections to the analysis presented in the Draft EIS/SEIR. No changes to the conclusions of the analysis were made in the Final SEIR; however additional technical information and analysis was provided in response to comments to provide additional substantial evidence to support the existing conclusions. The Response to Comments includes revisions, clarifications, and responses; however, the revisions do not introduce significant new circumstances or information. The City of Vernon was provided with a copy of Volume III Responses to Comments in accordance with CEQA requirements.

NEPA and CEQA regulations detail requirements for public involvement during preparation of an EIS/EIR to ensure meaningful engagement during the planning process and ensure decision makers are informed by the views of the public (40 CFR 1506.6, *CEQA Guidelines* §15201). CHSRA and Metro as the NEPA and CEQA lead agencies, respectively are committed to exceeding the public involvement and outreach requirements of CEQA and NEPA. Please refer to **Final EIS Volume III, Key Issue Response 1** for a detailed explanation of the stakeholder engagement activities conducted by CHSRA and Metro working in good faith with the City of Vernon.

In 2020, during the Revised NOI scoping period no formal comments, especially those related to alternatives considered or any overall concerns of the proposed railroad improvements, were received from the City of Vernon. The City of Vernon was also invited to be a NEPA participating agency and no response to the invitation was received.

During preparation of the Final SEIR and Final EIS (prior to the October 10, 2025 submittal of the Metro's draft responses to written comments), Metro facilitated 10 focused meetings with the City of Vernon Executive Leadership Team to present information, data, and technical analysis prepared to address comments raised by the City of Vernon and property owners, business stakeholders, and other members of the public that work or reside in Vernon. Metro also extended meeting invitations to each of the 13 individual property owner meetings conducted during preparation of the Final SEIR and Final EIS, and no representatives from City staff attended. Vernon staff was also invited to meetings held with Los Angeles County Board of Supervisors, District 4, Supervisor/Metro Board Chair Janice Hahn's office and the City of Vernon Community Meeting and Open House held on March 26, 2024

The presentations to City staff, property owners, Metro Board Chair Janice Hahn's office and the Community Meeting/Open House, Vernon Chamber of Commerce, Vernon City Council relate to the key topic areas raised during the environmental process and particularly during the 45-day public comment period for the Draft EIS/SEIR. Key topics discussed prior to transmitting Metro's draft responses to written comments include:

- Impacts on properties and businesses

- Impacts on citywide circulation
- Freight movements, frequency, lengths of trains and existing and proposed operations
- Impacts on emergency response times and public safety
- Impacts on planned residential land uses
- Outreach in the City of Vernon
- Loss of businesses, potentially affecting business owner and employee livelihood
- Pollution and decreased air quality
- Increased traffic congestion
- Increased train traffic and train activity impacts on work delays and quality of life for Vernon residents
- Alternative sites considered

During preparation of the Final SEIR and Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final SEIR and Final EIS as OMMs. Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16 (Community Analysis)** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

22 Please refer to **Response to Comment 6** above.

Metro understands the roles and responsibilities and actions that need to be taken to implement the Malabar Yard railroad improvements. For this reason, and as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 1**, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City of Vernon requirements, and viewpoints and perspectives so they can be addressed. Metro is committed to making meaningful progress in an attempt for a mutual agreement to fulfill the mitigation requirements of the Link US Project.

Malabar Yard Mitigation Measure TR-6 meets 14 CCR § 15126.4(a)(2) requirements. As identified in the Final SEIR's MMRP, the City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required

Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and the CPUC on roadway design, railroad safety devices, and accessibility.

For the Project itself, CHSRA and Metro do not require any permissions from the City of Vernon. The City of Vernon has no approval authority over the core Project elements. However, for certain improvements (such as roadway modifications, traffic signal adjustments, or safety enhancements at local crossings) that would be implemented as part of identified mitigation measures, CHSRA and Metro may conceivably require some level of coordination or permission from the City of Vernon. This could include permits for work within city-owned streets, temporary traffic control during construction, or integration with local infrastructure and potential land use entitlements (e.g., Circulation Element update). While these permissions are not guaranteed to be necessary for every mitigation measure, they may be required to implement specific improvements that extend beyond railroad property and into municipal rights-of-way.

This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. It is reasonable to anticipate that the City of Vernon will fully cooperate in the NEPA process, as such collaboration is mandated and reinforced by applicable federal regulatory frameworks. Under NEPA (42 U.S.C. § 4321–4336), federal agencies are required to use "all practicable means" to coordinate with state and local governments to foster mutually beneficial environmental planning. For transportation projects, 49 U.S.C. § 310 mandates coordinated and concurrent environmental reviews across federal agencies and agencies of jurisdiction, ensuring coherent alignment of purpose, need, alternatives, and permit decisions. This interagency cooperation enhances procedural efficiency, maximizes resource utilization, and ensures that the resulting transportation infrastructure network is sustainable, legally compliant, and responsive to community goals, thereby fulfilling both federal mandates as well as Metro's and the City of Vernon's planning priorities. Although the invitation to become participating agency was not accepted by the City of Vernon, Metro and CHSRA remain committed to a cooperative process with the City of Vernon.

Under California law, the CPUC has exclusive jurisdiction over the approval of new railroad crossings. The CPUC process is governed by Public Utilities Code Sections 1201 through 1205, 7537, 99152 and CPUC General Orders 75 and 88, as amended. The CPUC process generally proceeds as follows:

1. *Application by Metro*: Metro would submit an application to the CPUC for approval of a new crossing. This application must demonstrate compliance with safety standards and include proposed mitigation measures consistent with applicable requirements, such as Malabar Yard Mitigation Measure TR-6.
2. *Coordination with City of Vernon:* Metro would seek the City of Vernon's assistance in designing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6 to address local concerns and enhance safety. This collaborative approach is encouraged but not legally required for CPUC approval.

3. *CPUC Authority to Approve:* Even if the City of Vernon does not participate in designing mitigation measures, the CPUC retains authority to approve the new crossing if it meets safety and regulatory requirements.
4. *Opportunity for Objections:* The City of Vernon may file formal objections during the CPUC proceeding. These objections would be considered as part of the CPUC's decision-making process.
5. *Post-Decision Participation:* If the CPUC denies the City of Vernon's objection and approves the crossing, the City of Vernon may still assist in implementing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6. This ensures that local input can influence the final design and safety features, even after CPUC approval.

It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain required approvals from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications. Malabar Yard Mitigation Measure TR-6 meets the *CEQA Guidelines* §15370 criteria (b, c, and d). However, the Final SEIR also acknowledges that the effectiveness of Malabar Yard Mitigation Measure TR-6 will depend on ongoing coordination with the City of Vernon and CPUC. CHSRA and Metro are committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

23 Please refer to **Response to Comment 21** above for the reasons why sufficient time has been provided. Please refer to **Response to Comment 4** above for the reasons why Malabar Yard railroad improvements are mitigation for project-related impacts on freight. Please refer to **Response to Comment 7** above regarding an operational agreement.

24 During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

Metro Executive Management Committee Meeting Comments – Received 10/16/25

Comment Transcription and Response to Comments

Responses to Comments Received During Metro Executive Committee Meeting on 10/16/25

1. Brian Saeki

Good morning. Thank you very much for the opportunity to address the Board. Supervisor Hahn, Chair Dutra, thank you very much for the motion. It is very much appreciated. I'm going off script, so we're all in really deep trouble here, but there's a couple of things that I wanted to clarify. Under the presentation from the Metro staff, there were six alternatives identified. One of the main criteria was that the yard be west of Hobart. Malabar was the only yard analyzed west of Hobart, that's one. Two, as they've stated the trains on the east side of town, the east side ones are going to triple from two a day to six a day. If they're between 2 and 4,000 feet, how is that not impactful? 4,000 feet is basically essentially four straight city blocks. And so we think that you know, there needs to be significant analysis done as it relates to those movements. If action is needed today we ask you, if you need to certify the EIR and project as planned, remove all elements including Vernon. If that's not feasible, we need an agreement between Vernon and BNSF. Thank you.

Response:

The comment states Malabar Yard was the only site that meets Criteria 1. This is incorrect. As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process)**, a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) for the loss of storage tracks that would result at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the following identified screening criteria:

- *Initial Screening Criterion:* The freight rail storage track replacement site shall be located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards.
- *Secondary Screening Criterion:* The freight rail storage track replacement site shall replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations.

Based on the screening and evaluation process in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process)**, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard.

- BNSF Hobart Yard does not have capacity to replace lost storage capacity in kind or preserve the current levels of freight rail operations.
- BNSF Commerce Yard does not have capacity to replace lost storage capacity in kind or preserve the current levels of freight rail operations.
- Los Angeles Junction does not have capacity to replace lost storage capacity in kind or preserve the current levels of freight rail operations

The train movements noted in the comment is correct. Trains currently operating on the East Seville Connection would increase from 2 trains per day to 6 trains per day. Trains would be 3,000 feet long in the existing and proposed condition – this is based on most recent information received from BNSF in 2024.

A thorough analysis of potential impacts under CEQA and NEPA was conducted for the Malabar Yard railroad improvements, as presented in the **Final SEIR Table 7-31, Final EIS Appendix Q, and Final EIS Volume III**. The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[1] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

2. Francisco Castillo

Good afternoon, members of the board. My name is Francisco Castillo. I am a member of my local union, Laborers Local 300, here in Los Angeles, California. I have been a member for the past 11 years, and I'm here today seeking the approval of the Metro Link Union project. Metro Link Union project will not only provide a source of safe transportation, but it will also create jobs for many different trades and construction locally. These trades consist of hardworking working men and women, like myself, who are committed to paying their bills and providing for their families. Thank you.

Response:

Metro appreciates the commenter's support for the Project.

3. Zaynah Moussa-Milward

Hi, good morning. My name is Zaynah Moussa-Milward. I'm the City Attorney for the City of Vernon. Director Hahn really emphasized a lot of our concerns, and we appreciate that. The Vernon piece of this proposal, so the Malabar Yard expansion is being presented to you as mitigation for the loss of BNSF Rail storage at the West Bank, but the loss of private rail storage is not an environmental impact under CEQA and does not require mitigation. BNSF has been

[1] 2025-0931 - MALABAR YARD MITIGATIONS AND CONTINUED COLLABORATION MOTION - Metro Board

asking Vernon for these same approvals going back at least 15 years. The City has repeatedly denied their request because of the same impacts we're talking about now. Metro's analysis is based on assumptions about BNSF operations, but neither Metro nor BNSF has made any commitments to Vernon on the extent or frequency of road closures or train traffic. The City actually asked BNSF for an operational agreement, and Metro staff were present at that meeting when it was refused. How can we study impacts and mitigate when BNSF has an open-ended right to change their usage? If the project proceeds without addressing these impacts, the City will likely have no choice but to pursue all available legal remedies. Thank you.

Response:

Metro were not made aware of any pre-Link US proposals or negotiations between BNSF and Vernon on the 49th Street Closure or the 46th Street Connector Regardless of any previous requests made by BNSF in past years, the Malabar Yard railroad improvements are proposed as mitigation for direct and indirect effects. Mitigation Measure TR-3 is intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or

9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify,

reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of freight rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

Just compensation references a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. Any financial payment would not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service.

On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Final EIS Appendix Q includes a full environmental evaluation of the Malabar Yard railroad improvements and identifies direct and indirect effects and 29 proposed mitigation measures for adverse effects. The **Final SEIR Table 7-31** includes a full environmental evaluation of the Malabar Yard railroad improvements pursuant to the requirements of CEQA.

4. Ernesto Pantoja

Good morning, Chair Dutra, board members. My name is Ernesto Pantoja here on behalf of Sergio Rascon, Business Manager for Laborers Local 300. We brought some of our members here that are speaking. These are members that are currently sitting on the out of work list. Some have been on there for weeks to months. Why? Because the administration, the federal administration, is taking a lot of money away from our projects and these for us are signs of recession. And as Chair Dutra knows when we go into recession, construction is the last out and the last in. How do we resolve that? How do we avoid recession? Jobs like this. This is something that we need to move forward, and we ask you, put our people to work. Our hiring halls are getting larger and larger with our people out of work. We ask you to support this and certify the SEIR. Thank you.

Response:

Metro appreciates the commenter's support for the Project.

5. Lily Hernandez

Good morning, my name is Lily Hernandez, Assistant to the City Administrator for Vernon. The proposed closure on 49th and new rail connector on 46th Street and Vernon would also cause delays to transit services. This much is acknowledged in the final SEIR documents. These changes would adversely impact Metro Bus Lines 60, 105, 251, 611, 751, and 760 running along

Pacific, Santa Fe, and Soto. As you may already know, Metro's ridership consists of predominantly minority groups with a significant portion of riders having lower household incomes and relying on the system because they lack or are unable to afford a car. Each day, approximately 50,000 workers from surrounding communities in your districts traveled to Vernon to earn a living, many of them relying on Metro's buses to get to their jobs on time. Delays in transit services could jeopardize jobs for these workers who support the regional economy and depend on their jobs to support their families. We ask that you consider these impacts in your decision-making today. Thank you.

Response:

Metro recognizes the unique economic and industrial importance of Vernon, with its employees, businesses, and interconnected network of operations.

The Draft EIS/SEIR included an analysis of potential impacts on bus transit services during construction and operation of the Malabar Yard railroad improvements. As shown in **Final EIS Appendix Q, Section 3.3 (Transportation), Figure 3.3-4**, three local bus routes, operated by Metro, currently operate within the study area. Routes 751 and 251 carry passengers along Soto Street with stops at Vernon Avenue and Fruitland Avenue. Route 611 carries passengers along Vernon Avenue and Leonis Boulevard with a stop at Santa Fe Avenue. Metro Rapid Line 760 runs along Santa Fe Avenue and Pacific Boulevard. These bus routes would be potentially impacted during construction and operational activities.

Malabar Yard Mitigation Measure TR-1 (Prepare a Construction Traffic Management Plan for Malabar Yard Railroad Improvements) requires a construction TMP to be prepared by the contractor and reviewed and approved by Metro and the City of Vernon. Any identified street closure schedules in the construction TMP is required to be approved by the City of Vernon and coordinated among the construction contractor, Metro, BNSF, private businesses, **public transit and bus operators**, the bicycle community, Los Angeles Unified School District, and emergency service providers to minimize construction-related vehicular and non-vehicular traffic impacts during the peak hour.

The transportation analysis was performed to determine if the Malabar Yard railroad improvements would result in traffic congestion, roadway hazards, impacts to emergency access, impacts to public transit, bicycle or pedestrian facilities, and/or impacts on freight. Indirect impacts related to economic and fiscal impacts resulting from increased traffic delays and congestion would not occur because all traffic impacts associated with traffic delay would be mitigated with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, to address the impacts related to traffic delay that would occur at three intersections and one roadway segment (Fruitland Avenue), Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) are proposed to maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all level-of-service-related traffic impacts.

In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard, which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad

improvements, most train building activities will be relocated off of City of Vernon streets to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City of Vernon. With implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur. This circulation improvement would support bus operators ability to cross the Harbor Subdivision tracks in a more efficient manner throughout operations.

The mitigation measures outlined in **Final EIS Appendix Q** and summarized in **Final EIS Volume I, Executive Summary, Tables ES-1 and ES-2** would avoid, minimize, and mitigate the identified impacts in the City of Vernon. After mitigation, unavoidable adverse effects remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Metro values local business and is committed to reducing potential negative effects of the proposed Malabar Yard railroad improvements. However, as stated in Section 15131 of the CEQA Guidelines, the focus of the analysis shall be on the physical changes.

CEQA Guidelines Section 15131 (Economic and Social Effects), states that:

> *"Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes."*

6. Marissa Olguin

Good morning. Thank you Supervisor Hahn, Solis, Dutra and Walker, immensely. I'm with the Chamber of Commerce, Marissa. We all want to be behind a great transformative project that will reshape our region, but not at the expense of an entire city that's going to alter its infrastructure for decades. This plan rewards Metro to BNSF for a slice of Vernon. You're being told that this will improve circulation, reduce emissions, and meet the city's economic growth goals. It's in fact the opposite. It does indeed cut the city in half, expanding rate freight rail lines up to 400 cars six times a day. It'll gridlock critical crossings, create disruptions for employers, workers, and the flow of goods that so many California industries rely upon. The studies just don't account for the level of congestion on the east side of town that's three times. We urge you to consider working, and thank you for urging to work with BNSF.

Response:

Alteration of the City of Vernon's infrastructure for decades is not proposed, nor would this occur as part of the Malabar Yard railroad improvements. The commenter cites "this plan" which is interpreted to mean the Malabar Yard railroad improvements. There are no rewards to Metro or BNSF as part of the Malabar Yard railroad improvements. Mitigation Measure TR-3 is required to minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need. No response to the commenter's opinion that the outcome of the Malabar Yard railroad improvements are opposite of what Metro has reported can be provided because no backup or technical details to prove otherwise were provided with the claim.

During the Draft EIS/SEIR public comment period, comments were received expressing a perception that the Malabar Yard railroad improvements would result in more trains traveling through the City of Vernon and that the closure of 49th Street and addition of the 1,000-foot connector track would physically divide the community. In response to public and agency comments related to physical division of the community, additional analysis was completed to demonstrate no adverse effect related to division of communities or reduced community connectivity would occur, consistent with the conclusions presented in the Draft EIS/SEIR, Final SEIR, and Final EIS. Clarifications were made in the Final EIS to demonstrate that:

- The BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening of the Alameda Corridor in 2002, the BNSF Harbor Subdivision also provided connectivity between the local ports and national railroad networks.
- In the 1920s, the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.
- The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned, would be reduced from 4 existing daily train movements to 0.85 daily train movements. Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned.
- In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad improvements, most train building activities will be relocated to

BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City of Vernon and off of City of Vernon roadways on the westside of the City of Vernon.

- The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer daily train movements would reduce existing gate down time that temporarily restricts vehicular, bicycle, and pedestrian circulation in the community.
- In response to inquiries related to queuing and traffic congestion, a calculation was performed that demonstrates trains using the 46th Street Connector track (from Malabar Yard to Los Angeles Junction) would block a driveway (or an intersection) approximately 2 percent of the day, half of which would occur during the night (7pm-2am).

Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, and that access to all properties throughout the community would be maintained or replaced, no direct adverse effect would occur during operation.

The Malabar Yard railroad improvements would consolidate freight service in the City of Vernon and reduce the overall number freight train movements in the city per day. Trains operating on the 46th Street Connector would be up to 3,000 feet long (similar to the existing condition) and would not result in 400 new rail cars six times per day. Using the typical number of rail cars traveling on the 46th Street Connector (**Final EIS Appendix Q, Chapter 2.0, Section 2.2.3**) and the length of each train anticipated to operate on the 46th Street Connector (up to 3,000 feet as clarified in **Final EIS Volume III, Response to Comments, Key Issue Response 2**), each train is expected to carry up to 45 cars. Based on the future Project-related train movements that would operate on the 46th Street Connector (4 daily train movements), up to 180 rail cars would move along the 46th Street Connector per day as a result of the Malabar Yard railroad improvements. As disclosed in **Key Issue Response 2**, half of the trains operating on the 46th Street Connector (with 90 of the total 180 rail cars) would operate during the night (7:30pm to 2:00am).

In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all level-of-service-related traffic impacts. As such, traffic delays would gridlock critical crossings or create disruptions for employers, workers, and the flow of goods.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, the traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips and would only result in localized redistribution of existing traffic (**Final EIS**

Appendix Q, Section 3.3 (Transportation), Page 3.3-9). Trains currently operate across Pacific Boulevard/Vernon Avenue, Pacific Avenue and 46th Street, Seville Avenue, Soto Street, 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road. No operational changes along the East Seville Connection and Hobart Yard/Los Angeles Junction Connection routes would be attributable to the proposed Malabar Yard railroad improvements; therefore, traffic analysis was not conducted at those corresponding intersections.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While Metro recognizes BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[2] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to

[2] 2025-0931 - MALABAR YARD MITIGATIONS AND CONTINUED COLLABORATION MOTION - Metro Board

the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

7. Freddie Agyin

Good morning. Freddie Agyin with Vernon Health. I have serious concern regarding the proposal Malabar Yard mitigation project and its potential impact on our community. Within just a few 100 feet of this site are several highly sensitive populations, private homes, medical clinics, a church for the deaf community, and an elementary school that serves historically disadvantaged students. These residents, patients, and children will bear the blunt of increased rail activity. Metro's own analysis acknowledged significant risks, including traffic congestion, air pollution, and safety hazards, yet it draws the highly questionable conclusion that these impacts are less than significant. This finding does not reflect the lived reality of our community. We respectfully urge the Board to defer action on this project to allow the transparent data-driven process that will show full and proper protection of our community health and safety. Thank you.

Response:

Metro recognizes the sensitive populations in the City of Vernon. The concerns raised regarding proximity to sensitive receptors and potential community health and safety impacts were fully considered in the Final SEIR and Final EIS (see **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-15**, **Final EIS Appendix Q Section 3.6 (Noise and Vibration), Page 3.6-7**, **Final EIS Appendix Q, Section 3.10 (Hazardous Waste and Materials)**, and **Final EIS Appendix Q, Section 3.16 (Community Analysis)**).

The location of a medical clinic, a church serving a deaf community, and Vernon elementary school were all considered in the analysis using the appropriate methodologies respective to each discipline (i.e., air quality screening distance, and FTA/FRA methodology).

As stated in **Final EIS Volume III, Response to Comments, Key Issue Response 3** and **Exhibit "C" Response to Comment C-4**, a localized air quality analysis was conducted to determine whether the Malabar Yard railroad improvements would result in adverse air quality impacts to nearby sensitive receptors. As stated in **Final EIS Appendix Q, Section 3.5, Pages 3.5-20**, "…[i]n addition to a regional analysis, a localized analysis was completed for the construction of the Malabar Yard railroad improvements (see **Appendix F of Final EIS Appendix Q**). The localized analysis showed that onsite emissions would be below the SCAQMD's localized significance thresholds during construction."

The SCAQMD uses the *Localized Significance Thresholds (LSTs) Methodology* to determine localized air quality impacts to sensitive receptors. The *SCAQMD LST Methodology* screens projects from more intensive air quality modeling, such as a hot spot analysis, through the use of mass rate look up tables that have been pre-determined to meet the ambient air quality standards for that location. Localized air quality impacts for the Malabar Yard railroad improvements were

evaluated using SCAQMD's *LST Methodology*. Because on-site emissions from the Malabar Yard railroad improvements are below the applicable SCAQMD LSTs, the Malabar Yard railroad improvements would not result in adverse localized air quality impacts. Further, because the Malabar Yard railroad improvements localized emissions during construction and operation are below the applicable SCAQMD LSTs, SCAQMD guidance did not require a separate, hot-spot dispersion modeling analysis. A detailed PM_{10} and $PM_{2.5}$ hot-spot analysis was not completed because the Clean Air Act and 40 CFR 93.116 requirements would be met without an explicit hot-spot analysis.

LSTs are pollutant and location specific thresholds developed by SCAQMD based on allowable on-site project emissions and the size of the project site. They represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards. If emissions are below LSTs, then the impact to the localized air quality would not be significant. The *SCAQMD LST Methodology Guidelines*[3] state:

> *If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality.*

The mass rate LSTs and associated look up tables provide a practical screening approach, allowing agencies to determine whether a project may generate significant localized air quality impacts without the need for dispersion modeling.

Localized Air Quality Project-Specific Inputs

The analysis in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change)** estimates air pollutant emissions compared to the LSTs set by the distance to the nearest sensitive receptor, Project footprint, and location of the Project. It analyzed whether the emissions exceeded the SCAQMD LST thresholds established for the Malabar Yard railroad improvements, and it concluded the emissions did not. Therefore, the Malabar Yard railroad improvements would not cause an adverse effect to localized air quality. As shown in **Appendix F of Final EIS Appendix Q**, the localized air quality analysis uses the mass rate look up tables from SCAQMD to determine the appropriate LST for NO_x, CO, PM_{10}, and $PM_{2.5}$ based on the source receptor area, distance to nearest receptor, and Project footprint (Source: Localized Significance Thresholds). The source receptor area used for the analysis is SRA 1 Central LA for the City of Vernon (Source: Source Receptor Areas within South Coast AQMD Jurisdiction | SCAQMD). As specified in **Appendix F of Final EIS Appendix Q**, the nearest receptor (2415-2427 E 53rd St residences) is 403.8 meters away from the Project footprint, which is measured from the outermost boundary of the Project footprint for both design options considered to the

[3] https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=8c641d61_2

receptor location. Since thresholds are provided in the mass rate look up tables[4] for a distance to receptor of 200 meters and 500 meters, the threshold for the Malabar Yard railroad improvements was scaled using a linear interpolation between the two values to account for the nearest receptor location of 403.8 meters.

The Project footprint is approximately 4 acres, however the SCAQMD mass rate look up tables assume emissions for a 1-acre site, a 2-acre site, and a 5-acre site. Inspection of the mass rate LST look-up table shows that for the same source receptor area and distance to receptor, a smaller project site would have a lower LST. Analysis was prepared assuming a 2 acre site to yield a lower and more conservative pollutant threshold. Using these parameters, while maintaining consistency with the Localized Significance Threshold methodologies,

- the NO_x threshold is set at 162 lb/day;
- the CO threshold is set at 6,834.5 lb/day;
- the PM_{10} threshold is set at 154.7 lb/day and
- the $PM_{2.5}$ threshold is set at 83.7 lb/day.

Localized Air Quality Results

As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Per SCAQMD guidance, since the pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below SCAQMD's LSTs, these pollutants are not considered to be significant air quality impacts and no additional localized analysis is required.

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in

[4] SCAQMD. Appendix C – Mass Rate LST Look-up Table. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf?sfvrsn=8e641d61_2

emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin.

Regarding increased noise, the closest noise and vibration sensitive land use is a place of worship (Holy Angels Church of the Deaf, FTA Category 3 use) located at 4433 South Santa Fe Avenue, west of Malabar Yard and south of the Vernon Avenue/Pacific Boulevard intersection. The church is located behind intervening buildings and is outside of the 1,000 foot FTA screening distance as depicted in **Final EIS, Appendix Q, Section 3.6, Figure 3.6-1**. Construction of the Malabar Yard railroad improvements would occur in phases over an approximately 18-month schedule and would result in temporary periods of elevated noise levels primarily during daytime hours. **Final EIS Appendix Q, Section 3.6, Table 3.6-2 and Table 3.6-3** provide the predicted daytime noise level at various distances for both the 46th Street Connector and 49th Street Closure, respectively. The daytime construction noise impact criterion is 80 A-weighted decibels (dBA) equivalent continuous sound level (Leq)and construction noise is predicted to attenuate to this level at approximately 150 feet from the loudest construction phase (track installation). Since there are no noise-sensitive land uses within 150 feet, no direct adverse effect would occur during construction.

The Malabar Yard railroad improvements would create additional storage capacity and operational efficiency but would not result in a change to the track alignment of Malabar Yard or in how the yard or trains using the yard operate. The 46th Street connector would be located between two active rail lines (West Seville Connection and East Seville Connection). Therefore, there would be no perceptible change in operational noise under either design option because trains already operate on these two lines each day. No direct adverse effect would occur throughout operation.

The consolidation of freight train movements in Vernon would result in 3.15 fewer trains operating along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street. This reduction of train movements would result in a benefit of less train noise and vibration-related annoyance to nearby noise/vibration sensitive receptors that are currently present, in addition to future noise/vibration sensitive receptors that may be present upon the City of Vernon's implementation of the 2023 Vernon Westside Zone Change and General Plan Amendment. In this context, a beneficial indirect adverse effect would occur throughout operation. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Pages 3.6-10 and 3.6-17**.

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q,**

Section 3.3, Section 3.3.5) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

CHSRA and Metro respectfully disagree with the commenter's opinion that impacts related to safety and hazards are less than significant. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue. Notwithstanding the application of Mitigation Measure TR-6, unavoidable adverse effects under NEPA remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Under CEQA, the significant and unavoidable impact would remain after mitigation for Transportation (Threshold C and D) as disclosed in the **Final SEIR Table 7-31, Page 7-260**

- Threshold C - Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)
- Threshold D - Result in inadequate emergency access

In addition, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would offset adverse effects disclosed in the Final SEIR and Final EIS. These measures are incorporated in the Final SEIR and Final EIS as Offsetting Mitigation Measures (OMMs). The OMMs complement existing mitigation measures, limit potential impacts that were raised by members of the public during the 45-day public comment period, and provide benefits to the local community at large. The OMMs further support the City's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16 (Community Analysis)**. These community improvements would also have corresponding

benefits to existing and future residential land uses on the westside of the City, the Vernon City School and the Holy Angels Church of the Deaf.

8. N/A

Alright, yes class 1 has always got to get in the way of everything. Class 1 rail freight railroads. So I admit that I'm not very familiar with the issues this community is saying they have. I'm mostly just hearing about them today, but I do think it is important that you resolve whatever these issues are and make sure that their community is taken care of here. And also, so that this project can proceed because I think it will really improve rail service, allowing faster connections through the station, allowing possibly some combination of Metrolink trains to allow easier service for people. So, I think it is important that you get through whatever this is and make sure that their community isn't going to be affected, so that we can have this good service for everyone. Thank you.

Response:

The commenter's support for the larger Link US Project is noted. The commenter's concern for the Project's impacts on businesses and the community as a result of implementation of the Malabar Yard railroad improvements is also noted.

9. Nicholas Perez

Good morning, board members. My name's Nick Perez, and I'm the Captain with the City of Vernon Police Department. I'm here because the proposed Malabar Yard mitigation will have serious impacts on public safety. The impacts will cause avoidable harm by increasing response times, among other things. Vernon PD is currently meeting our standards of averaging three-and-a-half-minute response times to priority one calls for service. The proposal will introduce a risk factor that will change that. The analysis assumes that the response times will be reduced by 5 minutes, and I'm confused by that analysis, being that Vernon PD was never asked for supporting data. In addition, the EIS/SEIR misstates how emergency response times occur in the City of Vernon. No consideration is given to east and westbound train movements between Malabar Yard and the LA Junction. These movements will create potential delays to north-south streets. What I do agree with in the SEIR's ultimate conclusion that the project could impede access for emergency responders. I urge you to avoid this unnecessary risk.

Response:

Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment

period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

The commenter mentions Vernon PD was never asked for supporting data; however, Metro made diligent efforts as mentioned above to account for feedback from the Police Chief in the analysis of emergency response times. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Through these meetings, the Police Chief provided valuable insight into emergency response operations, including dispatch routes from the police station and interactions with existing train movements. This coordination directly informed the development of the OMMs that include Emergency Response Upgrades, pan-tilt-zoom (PTZ) smart cameras, AI-based traffic control systems, new traffic signal controllers, radio and communications upgrades, and a mobile Emergency Operations Center. These OMMs are above and beyond the mitigation measures to reduce environmental impacts under CEQA and NEPA, some of which were proposed by Metro solely based on the requests by the Police Chief.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block

access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While Metro recognizes BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

10. Sochi Medrano

Good morning, my name is Sochi Medrano here, representing my sisters and brothers of the LA OC Building Trades Council. We're here to support agenda item 10. We urge that you get started on this now. We are ready to break ground. We are ready to bring back those local jobs into this community. We are willing to work with all of our community partners, but the time is now. We are seeing so much being cut on the federal side. This is our way to localize our stable economies here. We have to make sure that we know what is in our best interest to bring back these jobs in the community. Please consider supporting this today. Thank you.

Response:

Metro appreciates the commenter’s support for the Project.

11. Nick Ghirelli

Thank you, my name is Nick Ghirelli. I'm an attorney that's been hired by the City of Vernon to advise on the project CEQA documentation, in the next week we will provide additional comments explaining the SEIR's flaws, not the least of which is its failure to consider the Vernon Elementary School and the Catholic parish as sensitive receptors for noise and air quality, despite being well within 1,000 feet of the Malabar Yard. Your board letter is insensitive to this fact, and I apologize for having to say that. But it concludes that Vernon is an appropriate location for these trains simply because it is largely industrial. We don't believe that this is environmental justice, but we agree with one important conclusion. The Malabar Yard proposal will cause significant unavoidable traffic and emergency response impacts and this is totally unnecessary. The entire premise for the Malabar Yard is to mitigate a perceived inconsistency with a few policies that encourage but don't mandate goods movement and they don't even apply to Metro. The SEIR

can be revised to achieve Metro's very important goal of moving forward with the Link Union Station Project without forcing infeasible mitigation on Vernon. Thank you.

Response:

Metro acknowledges receipt of the letter submitted by Richards Warson and Gershon. Please refer to the City of Vernon's Additional Comments on Link Union Station Project's Environmental Impact Statement/Supplemental Environmental Impact Report, and Objection to Certification of EIR and Project Approval dated October 22, 2025 and responses to comments in Exhibits A through E.

Vernon City School and Holy Angels Church of the Deaf was considered in the environmental evaluation (see **Final EIS Appendix Q, Section 3.5, Final EIS Appendix Q, Section 3.6, Final EIS Appendix Q, Section 3.10**, and **Final EIS Appendix Q, Section 3.16**).

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the identification of sensitive receptors is based on SCAQMD's definition. SCAQMD defines sensitive receptors as residences, schools, playgrounds and athletic facilities on school property, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. These are land uses where people stay for extended periods of time, such as 24-hours or more, or land uses where more vulnerable populations (children or people recreating that have higher breathing rates) congregate.

The Holy Angels Church of the Deaf is not a sensitive receptor for air quality because churches are not classified as sensitive receptors under SCAQMD's definition. Additionally, the church is located at a greater distance from the Project than the nearest sensitive receptor, which was determined to have no adverse emission impacts. Therefore, the Project would not result in adverse air quality impacts at the Holy Angels Church of the Deaf.

The closest sensitive receptors to the Malabar Yard railroad improvements that were considered and evaluated for potential impacts are shown in **Final EIS Appendix Q, Section 3.5, Figure 3.5-1** and summarized below:

- Residences at 2415-2427 E 53rd St. (located approximately 1,325 feet [0.25 mile] south from the Malabar Yard railroad improvements).
- Vernon City School at 2360 East Vernon Avenue (located approximately 1,350 feet [0.25 mile] northwest from the Malabar Yard railroad improvements).
- Residences on Furlong Place (located approximately 1,650 feet [0.31-mile] northwest from the Malabar Yard railroad improvements).

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses the localized significance threshold (LSTs) to evaluate if projects qualify to be screened out, and therefore determined to not have an adverse effect to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would

not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which is determining the impact to localized air quality. Because the Project's emissions did not exceed the LSTs and because LSTs represent the maximum emissions from a project that would not occur to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin.

For noise and vibration analysis, the screening distances (Section 4.3 of the FTA Transit Noise and Vibration Impact Assessment Manual, FTA 2018) were calculated from the Project footprint (maximum extent of design options considered where changes to infrastructure would occur). This was disclosed in the Draft EIS/SEIR as part of the noise and vibration methodology which identified a 1,000 foot buffer from the proposed 46th Street Connector new rail line and 49th Street intersection with Malabar Yard (without obstructions) or within 650 feet from the proposed 46th Street Connector rail line and 49th Street intersection with Malabar Yard (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6-1**). This screening assessment was performed and, per the FTA and FRA guidelines, no noise sensitive land uses (including the residences at 2415-2427 E 53rd St, Vernon City School, Holy Angels Church of the Deaf, and the residences on Furlong Place) are located within 1,000 feet of the Project footprint

(without obstructions) or within 650 feet of the Project footprint (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6 1**).

The industrial nature of Vernon is not the sole reason for identification of Malabar Yard as the location to mitigate project-related impacts on freight. Based on the screening and evaluation process in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process)**, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard.

While the commenter is correct that significant and unavoidable impacts under CEQA would remain, even after implementation of Malabar Yard Mitigation Measure TR-6, the Malabar Yard railroad improvements are proposed as mitigation for direct and indirect effects. Mitigation Measure TR-3 is intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino

Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to

identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). **Table 4** shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

12. Paul Mereno

Good afternoon. Paul Mereno Iron Workers Local 433 and just want to say we're here in support of the project. Not only good paying jobs, local hire, veterans, all that good stuff, it'll expand our apprenticeship opportunities for men and women that we have in in our trades. So we're looking forward to keep growing that and we originally built this under union labor and we're hoping that we could be the ones to modernize it to move forward for the future. So thank you.

Response:

Metro appreciates the commenter’s support for the Project.

13. Alvero Chavez

Good morning everybody, my name is Alvero Chavez. I've never been big in politics or voting, but I have learned through time that every vote counts, every word, speech doesn't matter. So I ask you to approve this election, not just for my local, behind me, for other locals and definitely for the community. Thank you so much. God bless.

Response:

Metro appreciates the commenter’s support for the Project.

14. Ricardo Rosales

Yes, good afternoon. My name is Ricardo Rosales, Financial Secretary for the Cement Masons Local 600 and also a delegate for the LA OC building trades. I'm here in favor of this project and I would like to command Director Han for willing to move forward on a separate portion, but this project would just add to MTA's robust track fuel of great jobs, local hire, you know, giving opportunities to other vendors from the community. It works. I myself being a resident from the Southeast, you know, I frequently go to the lunch trucks down Pacific and Santa Fe and shrimp tacos. So I'm real familiar with the area. But I will leave this to the City of Vernon. I know recently they changed their slogan to integrity, community, and innovation. But I think if they're rejecting this, they're going against their new slogan. So I recommend them to really rethink that and approve this project. Thank you.

Response:

Metro appreciates the commenter's support for the Project.

15. Jesus Cabanas

Good morning to the board. My name is Jesus Cabanas. I'm also here representing LIUNA Laborers International Union of North America. I'm here to let my voice be heard and hope that you guys consider these motions and approve the funds for us to seek and maintain local jobs that we're looking for and that's pretty much it thank you.

Response:

Metro appreciates the commenter's support for the Project.

16. Steve Vaughn

Good afternoon board or Chair Dutra and metro board. My name is Steve Vaughn. I'm a business agent for plasterers Local 200 and a delegate for the LA Orange County building trades. The Link Union Station project will put hundreds of union members to work creating good paying jobs, local jobs that support families and strengthen our economy. It will expand the apprenticeship and training opportunities, giving workers a chance to learn while they earn and careers in construction. I strongly support this project. Thank you.

Response:

Metro appreciates the commenter's support for the Project.

17. Gary Hunter

This is Gary Hunter with Railroad Industries. I'm a consultant for the City of Vernon. I have 49 years of service in the railroad industry. Spent 3 1/2 years, 3 1/2 years as an internal consultant for BNSF looking at terminals, yards and facilities. And I had a chance to look at Malabar Yard a couple weeks ago and based on the yard and it's availability the yard could be utilized today without any improvements for storing rail cars, and if that doesn't work, there's also other facilities that could be utilized for this 5,500 feet of storage. Bottom line is you don't have to bother the City of Vernon on this project and you could proceed with what we have today.

Response:

In the existing condition, BNSF Malabar Yard would not serve as a viable alternative to the project because General Code of Operating Rules (GCOR) limit storage of standing trains within 250 feet of the 49th Street at-grade crossing. Furthermore, the tracks at Malabar Yard currently serve their own purpose, to facilitate storage of local cars for local customers. As an example, it is understood the track south of Malabar Yard is only used by BNSF to facilitate train building at Malabar Yard and is not used for through moves to customers or other destinations.

While details on the other facilities mentioned in the comment were not provided, CHSRA and Metro prepared detailed responses to the Railroad Industries Incorporated Report that was appended to the RWG Letter to Metro Board and the RWG Letter to CHSRA Board as Exhibit A.

18. John Rhee

My name is John Rhee. I'm a property owner on 46th Street where LA Metro would have to take my property and give it to BNSF. I engaged with BNSF and LA Metro in 2020 where after entitlements and permits, they asked me to pause my construction so that I could reconsider my design to benefit their project. I engaged with them for six months and then they disappeared from me. In 2022, BNSF asked us to stop our project and claim that existing rail that ran adjacent to our property was too close, our building was too close to theirs, we stopped our project and it turned out that their rail was in the wrong place. This Malabar Yards project has been strife with inconsistencies and unprofessionalism and predatory behavior by both LA Metro and BNSF and I will be litigating this based on the facts of the situation with my property. Thank you.

Response:

The commenter is correct that Metro did hold several meetings with the property owner in 2020 and 2021; however, the project was placed on hold in April 2021 until January 2023 when Metro elected to prepare a Supplemental EIR for the Project. Stakeholder engagement activities in the City of Vernon were not conducted from April 2021 through April 2024 as Metro was dedicated to drafting environmental documents that were substantive and meaningful for public and stakeholder consideration and feedback. Reinitiation with the property owner commenced again in December 2024 when Metro and Link US Project Team met with the commenter.

Metro researched the commenters' assertions by conducting an aerial imagery analysis of the property and its relation to BNSF tracks from March 2017 to June 2023. The following observations were made:

- March 2017 – Both sites appeared vacant, with BNSF tracks converging into a turnout, transitioning from two tracks to a single track between the sites.
- April 2019 (before the property owner's building was constructed) – Both sites appeared vacant, with the BNSF turnout removed, and two tracks traverse through the properties. The second track appeared to have been shifted to the northwest, away from the proposed building.

- August 2021 – Site grading was visible, indicating preparation for the building construction on the property was underway.
- March 2023 – Construction of the building was in progress.
- June 2023 – The building construction southeast of the tracks appeared to be completed.

The existing BNSF tracks, which were in place prior to the building construction, currently meet CPUC horizontal clearance requirements. Following the construction of the building on the property, BNSF installed “Close Clearance” signs as a precaution, and crews are restricted from riding locomotives or cars past this location. The Draft EIS/SEIR includes a consideration of both the existing building and tracks, using up to date information to assess the environmental impacts of the Malabar Yard railroad improvements related to the property.

CHSRA and Metro remain committed to complying with applicable CEQA and NEPA requirements, engaging in good-faith coordination with affected stakeholders, and maintaining transparency throughout the planning and environmental review process and mitigation efforts. CHSRA and Metro have concluded that the Final EIS and Final SEIR fully satisfies NEPA and CEQA, respectively, and that it discloses and analyzes the project’s potential effects.

19. Anastasia Komarovsk

Hello, my name is Anastasia Komarovsk. I'm hearing about your project and I'm interested. I'm running for governor. California, 2026. Hello and thank you.

Response:

Metro appreciates the commenter’s support for the Project.

20. Elissa Diaz

Good afternoon. My name is Elissa Diaz, Director of Public Policy for the Los Angeles Area Chamber of Commerce. The Chamber respectfully urges the committee to approve this item to continue improvement and investment in Southern California regions mobility and connectivity via the Link Union Station project. With Union Station being the major multimodal transportation hub in the state, it’s vital this project moves forward to improve rail passenger travel by allowing more frequent, reliable and efficient service and operations. Increased connectivity and mobility options are vital to strengthen access to jobs and housing, thus supporting our region's economy, especially during these uncertain times. Thank you for your time and consideration.

Response:

Metro appreciates the commenter’s support for the Project.

Vernon Chamber of Commerce Letter to Metro Board of Directors – Dated October 22, 2025

October 22, 2025

Metro Board of Directors
One Gateway Plaza, MS 99-18-2
Los Angeles, CA 90012
RE: Link US – Draft EIS / SEIR

Dear Metro Board of Directors

Vernon Chamber of Commerce submits the following comments in response to the final Environmental Impact Statement and Supplemental Environmental Impact Report (EIS / SEIR) for the Los Angeles County Metropolitan Transportation Authority (Metro) Link US Project as it relays to the expansion of rail tracks around the BNSF Railway Malabar Yard in the City of Vernon. 1

On behalf of 1,400 business and property owners, a daytime population of 40,000 workers, and the residents and community members who come to the City of Vernon every day, Vernon Chamber urges Metro Board to omit the Malabar Yard from the Link US project.

We applaud Chairman Dutra, Supervisor Hahn, Supervisor Solis, and Boardmember Dupont-Walker who approved a motion for Metro CEO to work with BNSF on alternative solutions. In addition to supporting Metro Executive Committee Member's motion, we urge all Board Members to omit the Vernon Malabar Yard from the Link US Project and identify alternative solutions for rail storage with fewer impacts. 2

We agree with Metro Executive Committee Member's motion that outlines key elements below:

A. Collaborate with BNSF to explore any other alternative solutions for rail storage that may have fewer impacts, while still meeting their operational needs.

B. Convene meetings with BNSF and the City of Vernon to secure written commitments, where possible, that include:
    a. Limiting future rail operations to non-peak or nighttime hours;
    b. Ensuring any increased train activity stays below a mutually agreed-upon threshold;
    c. Capping train lengths at levels acceptable to both the City of Vernon and BNSF.

C. Coordinate with BNSF and California High-Speed Rail Authority (CHSRA), as the NEPA lead agency, to consider reaching an agreement to implement and operate this mitigation measure in the City of Vernon after the elimination of tracks at the West Bank Yard.

D. Continue collaboration with the City of Vernon and the Vernon Chamber of Commerce to incorporate design strategies and mitigations that reduce disruptions to local businesses and their operations.

E. Coordinate with the City of Vernon's traffic engineering and public safety departments to:

a. Develop and implement traffic management plans that prevent congestion and circulation issues caused by rail activity;
b. Ensure emergency service routes remain fully accessible and are not adversely affected post-implementation.

F. Coordinate with schools, churches and other sensitive receptors to minimize potential impacts of new train patterns on those uses.

G. Explore any opportunities to incorporate eligible businesses into Metro's Business Interruption Fund, during construction of the project (BIF).

H. Maintain close coordination with BNSF and the City of Vernon to ensure full transparency throughout all phases of project planning, design, and implementation.

BNSF Malabar Yard Expansion Threatens Vernon's Economic Engine 3

Vernon is the economic engine of Los Angeles County's manufacturing and logistics network. As a last-mile destination city, Vernon's employers generate $8.5 billion in economic output including goods still made in the U.S., food manufacturing, plastics, cold storage, 40,000 workers and generate over $8 billion in annual output.

This Project Cuts Vernon in Half 4
It creates barriers — physical, economic, and civic.

- The expanded freight rail line will *cut Vernon in half*, separating businesses from suppliers, workers, and emergency services.
- Vernon's unique industrial ecosystem depends on seamless access between east and west — this project breaks that.
- **Long trains (up to 3,000 feet in length)** will routinely block critical crossings, impeding access between key employment zones. 5
- The EIR acknowledges potential **"impacts to local circulation and emergency response times"** in industrial corridors (Draft EIS/SEIR, Chapter 3.4).
- Emergency vehicles could be blocked at crossings during key response windows — a public safety risk that cannot be brushed aside.
- Altering a **100-year-old, well-functioning industrial grid** without a clear, proportional benefit is not modernization — it's disruption without a plan. 6

A City That Works — and Works for the Region 7
Why would Metro disrupt what's already successful?

- Vernon is a **job magnet** for Los Angeles County, with thousands of residents from surrounding communities depending on Vernon jobs to afford homes, insurance, and college for their children.
- These are **high-value, median-income jobs** that come from real industry — working hands, not speculative development.

- Vernon's economy generates **billions of dollars annually** in regional output — through manufacturing, food processing, textiles, and logistics.
- Products made in Vernon move efficiently out to the nation and around the world — thanks to **an infrastructure network that has worked for over a century**.
- Why would Metro gamble with this success to serve an **undefined set of customers with an unclear benefit** to the region?

7 cont'd

Bad for Transportation and Mobility
Longer trains = more blockages, more congestion, more delays.

8

- Metro claims "fewer trains," but **each one could block multiple intersections simultaneously** — up to 3,000 feet, nearly 10 football fields long.
- Major crossings such as **Downey Road, Seville Avenue, Soto Street, and 46th Street** are particularly vulnerable to delays and backups.

9

- The project will increase **grade crossing delays and vehicle idling**, undermining both mobility and air quality.

10

- According to the EIR (Chapter 3.4), **truck delays and intersection level-of-service (LOS) ratings are expected to worsen** along key corridors.

11

- Metro's "improvements" do not include any new overpasses or underpasses for vehicles — meaning **no solution for blocked access.**

12

- By shifting rail congestion into Vernon, **the plan exports rail inefficiencies from Union Station and imports them into the industrial heart of LA County.**

13

- BNSF has **cited inconsistent numbers of customers** throughout this process — previously naming just one, and now referring vaguely to "multiple" or "anticipated" customers.

14

- Metro presentations change frequently — making it hard to pin down **exactly who benefits** from this project.

15

- Most properties in Vernon **no longer have rail access** — raising the question: *Who is this really for?*

16

Environmental Harm, Not Help
Pollution won't disappear — it will shift and grow.

17

- Extended crossing blockages lead to **longer idling periods for trucks and cars**, raising levels of particulate matter (PM10, PM2.5) and NOx.
- Metro's EIR lacks full modeling for **localized, cumulative emissions**, especially around idling hotspots in Vernon (Draft EIS/SEIR, Chapter 3.2).

18

- Freight rail yards are already one of the top contributors to **toxic air contaminants in industrial zones** — this project makes it worse.

19

- The plan fails to address how increased freight operations near Malabar Yard will affect **nearby businesses and workers who are exposed daily**.

20

- Noise pollution will grow with longer, more frequent trains — impacting both daytime operations and overnight schedules.

21

- Metro has not offered any **real-time air monitoring commitments** or site-specific emissions offsets for Vernon industries or workers. 22

"Community Mitigation" That Misses the Mark
Bus shelters and cameras don't fix blocked crossings. 23

- Metro highlights $24 million in mitigation — but **the bulk is spent on decorative or non-traffic-related projects**:
  - Bus shelters
  - Pavement striping
  - "Cool pavement" installations
  - Landscaping upgrades
- None of these investments reduce freight train delays, prevent blockages, or help trucks move more efficiently.
- **No grade separations, signal prioritization, or emergency vehicle bypasses** are included in the mitigation package.
- These upgrades might look good in a slideshow — but they do *nothing* to address the day-to-day operational realities of doing business in Vernon.
- Metro's "mitigation" is a public relations strategy, not a transportation strategy.

While Vernon Chamber of Commerce can appreciate Metro's plans to usher in the largest multi-modal transportation hub that will create an interconnection rail system between six counties, Metro Link US's approach to consider the City of Vernon's progress and current community character has been misguided. 24

Offloading freight train cars from Union Station onto the community and streets of Vernon only pushes the emissions further South to disadvantaged communities and hard-working, blue collar workers who come to Vernon every day. This proposed plan unravels the great progress and transformation Vernon has achieved over the past decade to improve air quality in the City, reduce noise and odors, historically amend its zoning ordinance to add more housing and residents, and its efforts to strategically attract "greener" industries, a pivot from traditional heavy industrial users of the past.

Vernon has worked very hard to adopt ordinances for cleaner air quality and become a more environmentally friendly community to the Southeast Los Angeles region.

We believe this approach to include BNSF's Malabar Railyard with a rushed-through adoption of the EIS/SEIR, which includes incomplete research or recognition of the transformative change that the City of Vernon has implemented over the 10-13 years, must be understood.

Vernon Chamber strongly urges Metro Link US to reconduct all studies that will accurately reflect a post-pandemic economic environment, and to properly conduct stakeholder outreach that allows for true community input.

Sincerely,

Marisa Olguin, President / CEO

Vernon Chamber of Commerce

2724 Leonis Blvd

Vernon, CA 90058

Response to Comments

Response to Vernon Chamber of Commerce Letter to Metro Board Dated 10/22/25

1 Metro reviewed the comments provided by the Vernon Chamber of Commerce. Metro recognizes the concerns of the Vernon Chamber of Commerce, which represents a large number of businesses and residents in the area. The comment provided is an introductory statement with no technical details to provide further response.

2 *FRA's Procedures for Considering Environmental Impacts* (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Mitigation Measure TR-3 is intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

- As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
- In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank

Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

    - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon. The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project.

On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions passed on October 23, 2025. Within that correspondence, Metro requested BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Metro and CHSRA understand the roles, responsibilities, and actions that need to be taken to implement the Malabar Yard railroad improvements. For this reason and as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 1**, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City of Vernon requirements, and viewpoints and perspectives so they can be addressed.

3 Metro understands the concerns about potential economic impacts, and Metro staff has been meeting with property owners to provide a Project update and obtain valuable feedback. It is important to note that the Project is designed to improve long term transportation infrastructure, which is expected to bring broader economic benefits to the region. Additionally, Metro has proposed mitigation measures aimed at minimizing construction impacts and ensuring continued access to businesses. As discussed in the **Final EIS Appendix Q, Section 3.13 (Economic and Fiscal Impacts)**, a thorough analysis of potential impacts to businesses was conducted, including a discussion of both short-term construction effects and long-term operational effects, such as potential job displacement and reductions in property tax revenues associated with the required right-of-way acquisitions. The analysis within the Final EIS provides a balanced analysis of local and regional economic effects in accordance with CEQA (§15126.2(a)) and NEPA's requirements for consideration of indirect and cumulative impacts (40 C.F.R. §1502.16 and§1508.8). The commenter's claims regarding threats to the City of Vernon's economic engine are speculative, with no technical details to provide further response.

4 Metro respectfully disagrees with the commenter's statement that the expanded freight line will cut Vernon in half and the project would break the industrial ecosystem. **Final EIS Appendix Q, Section 3.15 (Socioeconomics and Communities Affected)** contains an evaluation of whether the Malabar Yard railroad improvements would divide an established community in a way that limits circulation, social interaction, and access to businesses and community facilities or causes a change that affects the cohesion or social or cultural character of the established community. The area surrounding the 49th Street closure is accurately described on **Final EIS Appendix Q, Section 3.2 (Land Use and Planning), Page 3.2-34** as a primarily industrial area adjacent to the Malabar Yard with no residential uses in the immediate vicinity. With no established neighborhood or residential uses in the vicinity of 49th Street, there are no indicators of community cohesion that would be interrupted by the closure. The Vernon City School, Holy Angels Church of the Deaf, and established residential area are all located along Santa Fe Boulevard, west of Malabar Yard, and pedestrian access to these resources from Santa Fe Boulevard would be enhanced by high visibility crosswalks provided as an Offsetting Mitigation Measure (OMM). Vehicular access to these civic resources on Santa Fe Boulevard would be maintained on Fruitland Avenue and Pacific Boulevard, and via those routes, citizens

could easily reach the Stacey Medical Center and the Vernon City Hall from residences on the west side of the Harbor Subdivision and vice versa.

As identified in **Final EIS Appendix Q, Section 3.3 (Transportation), page 3.3-41**, although the Project would result in the closure at 49th Street, "…[t]his proposed closure occurs only at the existing at-grade railroad crossing location and not the entire segment between Pacific Boulevard and South Santa Fe Avenue. Although some through traffic at the railroad crossing would need to be diverted to adjacent local roads, the relatively low traffic demand along 49th Street (less than 200 vehicles during the peak hours under all conditions) is not anticipated to contribute to traffic congestion that would cause adverse impacts on traffic. Properties located on the east or west side of the railroad crossing would still be accessible from outside destinations." This shows that vehicles would be able to easily navigate this closure.

As discussed in **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-11**, the BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening on the Alameda Corridor in 2002 the Subdivision also provided connectivity between the local ports and national railroad networks. Please refer to **Final EIS Appendix Q, Section 1.0 (Introduction), Figure 1-2** for the location of the Harbor Subdivision. The Harbor Subdivision is also shown in **Final EIS Volume III, Response to Comments, Section 1.1 (Introduction), Figures 4 through 8**. In the 1920s the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.

The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision would be reduced from 4 existing daily train movements to 0.85 daily train movements (Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2, Table 2, Figures 7 and 8**). Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision. The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer train movements on the Harbor Subdivision would increase opportunities for enhanced community connectivity.

In response to inquiries related to queuing and traffic congestion at the railroad crossings from Soto Street to Los Angeles Junction, a calculation was performed that demonstrates trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am). Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, and the

duration of the day trains would operate between Malabar Yard and Los Angeles Junction, no adverse effect related to division of communities or reduced community connectivity would occur.

5 Metro respectfully disagrees with the commenter's statement that long trains will routinely block critical crossings, impeding access between key employment zones and that public safety risks were brushed aside.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a thorough and comprehensive analysis of emergency response times associated with the Malabar Yard railroad improvements in the City of Vernon.

After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received form the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received.

Through these meetings, the Police Chief provided valuable insight into emergency response operations, including dispatch routes from the police station and interactions with existing train movements. This coordination directly informed the development of the OMMs that include Emergency Response Upgrades, pan-tilt-zoom (PTZ) smart cameras, AI-based traffic control systems, new traffic signal controllers, radio and communications upgrades, and a mobile Emergency Operations Center. These OMMs are above and beyond the mitigation measures to reduce environmental impacts under CEQA and NEPA, some of which were proposed by Metro solely based on the requests by the Police Chief.

In addition, the project includes Safety and Mobility Improvements such as establishment of a quiet zone, train-detection systems, intersection upgrades, traffic optimization measures, and new pedestrian infrastructure.

Based on the comprehensive quantitative analysis performed, the total daily delay that could potentially occur to an emergency response destination would be 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in **Table 4** of the **Final EIS Volume III, Response to Comments, Section 1.1 (Introduction)**, the total daily delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction of total daily delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

6 Based on site observations, the current traffic congestion and intersection blockage of freight trains on city streets does not align with the claims of being a well-functioning industrial grid. **Final EIS Volume I, Executive Summary, Section ES.14** includes a summary of Project benefits under the Build Alternative, with a Malabar Yard railroad improvements specific list. Of the ten benefits listed, all ten would benefit the City of Vernon, not just Metro and/or BNSF. These benefits include the following:

- Fewer daily train movements, decreased local emissions, minimized traffic delays.
- Optimized emergency response times with less congestion on local roadways.
- Train detection cameras that provide real-time local emergency dispatch to identify trains approaching at-grade rail crossings.
- Upgraded communications and radio systems and a mobile Emergency Operations Center to provide rapid deployment to disaster areas or large-scale events while contributing to faster, more effective emergency response efforts.
- Enhanced community features with crosswalk improvements to improve visibility and enhance pedestrian and driver safety, bus shelters to improve accessibility, convenience, comfort and provide weather protection for passengers.
- Quiet zone infrastructure to reduce train horn noise, promote safety, enhance pedestrian connectivity, and improve quality of life for existing and future residents and businesses.
- Improved traffic control with road restriping to maintain traffic flow, AI-based traffic control system, and pan-tilt-zoom smart cameras to monitor traffic, roads, intersections, and enable first responders to quickly identify incidents.
- Reduced fuel consumption by rail and associated rail emissions.

- Redistribution of train movements would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place.
- Up to 143 and 151 temporary jobs are anticipated to be generated, along with $9.4 to $9.7 million in labor income, and $3.3 to $3.5 million in total federal, state, and local tax revenues generated.

Metro proposed a $25 million dollar package of additional OMMs that provide benefits to the City of Vernon.

- OMM MY TR-7 High Visibility Crosswalk, Mid-Block Location (1 location) - $368,000
- OMM MY TR-8 Intersection Crosswalk Improvements with Cool Street Paving (7 locations) - $1,400,000
- OMM MY TR-9 Bus Shelters (25 locations) - $5,700,000
- OMM MY TR-10 PTZ Smart Cameras, Software, and Screens for Monitoring (3 locations) - $135,000
- OMM MY TR-11 AI-Based Traffic Control System (47 locations) - $281,000
- OMM MY TR-12 Metro Transit Oriented Communities Program Support - $6,500,000
- OMM MY NV-1: Quiet Zone Design and Physical Infrastructure (5 locations) and OMM MY NV-2: Quiet Zone Technical Support - $9,500,000
- OMM MY SS-1 Train Detection Cameras (4 locations) - $80,000
- OMM MY SS-2 Mobile Emergency Operations Center - $300,000
- OMM MY SS-3 Communications and Radio Systems Upgrade - $300,000

7 As discussed in **Response to Comment 3** above, the **Final EIS Appendix Q Section 3.13, Economic and Fiscal Impacts**, includes a thorough analysis of potential impacts to businesses, including a discussion of both short-term construction effects and long-term operational effects, such as potential job displacement.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 5** for a discussion on operational and physical impacts to businesses in the City of Vernon. Metro acknowledges that the City of Vernon would result in some job loss from potential building demolitions, however, as part of Metro's Relocation Assistance Program and the Uniform Relocation Act benefits processes, any businesses subject to building demolition or displacement would be compensated or referred to potential and/or suitable replacement sites.

Metro is not gambling with the City of Vernon's past success to serve an undefined set of customers. Please refer to **Response to Comment 2** above for the reasons why mitigation is required for impacts to the BNSF West Bank Yard.

8 The Final EIS includes clarifications that trains would be 3,000 feet long in the existing and proposed condition – this is based on most recent information received from BNSF in 2024. In addition, as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Volume I, Section 2.2.2 (Table 2-4)**, the Malabar Yard railroad improvements would result in 3.15 fewer train movements in the City of Vernon per day (fewer train movements along the Harbor Subdivision per day). Based on the train observations conducted in April 2025, assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. The data supports the conclusion that with implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur.

9 Please refer to **Response to Comment 8 above.** Please also refer to **Final EIS, Volume III, Response to Comments, Key Issue Response 2** for a summary of intersection blockage analysis and results that were conducted after the 45-day public comment period. Based on the train observations conducted in April 2025, assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. The data supports the conclusion that with implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur.

Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

10 Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, mobility and air quality is not undermined.

11 Metro respectfully disagrees with the commenter's statement that truck delays and intersection LOS would worsen. In regard to traffic delays, the v/c ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue operations, and Fruitland Avenue operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-6 are proposed to reduce LOS-related traffic delay impacts. While enhancing safety may be perceived as a secondary benefit, the impacts are "level of service" based and traffic mitigation reduces impacts related to traffic congestion.

The purpose of the traffic-related mitigation measures, and all mitigation measures in the Final EIS, is very clear in the documentation.

One example of this is on **Page 3.3-45** of the Final EIS:

> For the Future Horizon Year (2040) Build condition, implementation of Malabar Yard Mitigation Measure TR-4 (described in **Final EIS Appendix Q, Section** Error! R eference source not found.) is proposed to minimize the potential increase in V/C ratio at Intersection #4: Pacific Boulevard/Fruitland Avenue.

Another example to highlight is on **Page 3.3-54** of the Final EIS:

> Implementation of Malabar Yard Mitigation Measures TR-3 and TR-4 (described in **Final EIS Appendix Q, Section** Error! Reference source not found.) are proposed to i mprove the V/C ratio at Intersection #6: Santa Fe Avenue/Pacific Boulevard and Intersection #4: Pacific Boulevard/Fruitland Avenue, respectively. Implementation of Malabar Yard Mitigation Measure TR-5 (**Final EIS Appendix Q, Section** Error! R eference source not found.) is proposed to maintain the LOS along Roadway Segment #4: Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard. Implementation of Malabar Yard Mitigation Measure TR-3 through TR-5 would minimize operations-related effects related to emergency response and access and evacuation along designated disaster routes.

12 As discussed in **Response to Comment 9** above, the data supports the conclusion that with implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur. No overpasses or underpasses would be required to prevent blocked access. Furthermore, during a July 2020 presentation to the City of Vernon, Metro staff discussed the feasibility of grade-separating the 49th Street rail crossing in accordance with Metro's Grade Separation Policy, which specifies that grade separations are typically warranted at crossings with:

- High vehicle traffic volumes
- High train frequencies
- Frequent accidents

For context at this crossing:

- 49th Street Average Daily Traffic (ADT) is approximately 100 vehicles per day, which is well below typical thresholds.
- Train movements amount to just two per day (one during the day and one at night).
- There have been no reported accidents at this crossing since 1985.

Under Metro's initial screening criteria, such crossings are categorized as "At Grade Should be Feasible", meaning grade separation is not required based on current conditions. These findings directly support the conclusion that maintaining the crossing at-grade aligns with Policy CI 1.5 and Metro's own design standards.

13 Metro respectfully disagrees with the commenter's opinion that rail congestion is shifted to Vernon, and that rail inefficiencies from LAUS are exported. As discussed in multiple responses above, the Malabar Yard railroad improvements would result in 3.15 fewer train movements in the City of Vernon per day (fewer train movements along the Harbor Subdivision per day) and would not shift rail congestion from LAUS to the City of Vernon.

14 The BNSF customer base is proprietary/trade secret information and NEPA does not require agencies to predict rail operations with absolute precision or to disclose proprietary/trade secret operational details. Instead, it requires reasonable forecasting based on the best available information at the time of analysis. The Final EIS satisfies this standard by presenting quantitative estimates, identifying the operational assumptions underlying those estimates, and using those projections to assess environmental impacts.

The only inconsistency in the environmental documentation related to customers is the acknowledgement of the Exxon customer in the Final EIS. Exxon was not identified in the Draft EIS/SEIR. Existing and future train operations information were obtained from BNSF in 2020 and 2021 to support the analysis presented in the Draft EIS/SEIR and in 2024 to support the Final EIS and responses to comments from the public and agencies after the close of the 45-day public comment period.

15 **Final EIS Volume I, Executive Summary, Section ES.14** includes a summary of Project benefits for the Build Alternative, with a specific list for the Malabar Yard railroad improvements. Of the ten benefits listed, all ten would benefit the City of Vernon, not just Metro and/or BNSF.

The Link US Project would include multiple regional benefits to enhance regional mobility. Metro's proposed OMMs also enhance safety, reduce traffic delays, increase safety and emergency response near train crossings, and enhance mobility (please refer to **Response to Comment 6** above and **Final EIS Appendix Q, Section 3.16 and Appendix G**).

16 The Malabar Yard railroad improvements are proposed to offset the loss of storage track capacity at BNSF West Bank Yard. The Malabar Yard railroad improvements are mitigation for impacts to BNSF's facility.

17 Idling emissions from vehicles occur when vehicles are on but not moving, such as when there is traffic delay or queuing on the roadway or at intersections. Idling presents a localized air quality issue, in the immediate vicinity of the idling vehicles. The Malabar Yard railroad improvements will decrease rail operation emissions, which offsets some vehicle idling emissions. Ultimately, the traffic analysis shows traffic delay impacts would be mitigated with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5 and therefore, minimal additional idling from implementation of the Malabar Yard railroad improvements would occur. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the Malabar Yard railroad improvements would not generate new traffic trips or add any additional diesel vehicles that could add idling emissions but would rather redistribute existing traffic. Vehicle idling emissions would be so minimal that it would not cause a violation of any air quality standard.

Localized Air Quality Analysis using Localized Significance Thresholds (LSTs)

SCAQMD Localized Significance Thresholds (LSTs) Methodology

As stated in **Final EIS Appendix Q, Section 3.5, Pages 3.5-20**, "…[i]n addition to a regional analysis, a localized analysis was completed for the construction of the Malabar Yard railroad improvements (see **Appendix F of Final EIS Appendix Q**). The localized analysis showed that onsite emissions would be below the SCAQMD's localized significance thresholds during construction."

The SCAQMD uses the *Localized Significance Thresholds (LSTs) Methodology* to determine localized air quality impacts to sensitive receptors. The *SCAQMD LST Methodology* screens projects from more intensive air quality modeling, such as a hot spot analysis, through the use of mass rate look up tables that have been pre-determined to meet the ambient air quality standards for that location. Localized air quality impacts for the Malabar Yard railroad improvements were evaluated using SCAQMD's *LST Methodology*. Because on-site emissions from the Malabar Yard railroad improvements are below the applicable SCAQMD LSTs, the Malabar Yard railroad improvements would not result in adverse localized air quality impacts. Further, because the Malabar Yard railroad improvements localized emissions during construction and operation are below the applicable SCAQMD LSTs, SCAQMD guidance did not require a separate, hot-spot dispersion modeling analysis. A detailed PM10 and PM2.5 hot-spot analysis was not completed because the Clean Air Act and 40 CFR 93.116 requirements would be met without an explicit hot-spot analysis.

SCAQMD guidance explicitly states that if calculated emissions for construction activities are below the applicable LST values for NO_x, CO, PM_{10}, and $PM_{2.5}$, no further localized dispersion modeling or health risk assessment is required. The thresholds themselves

represent conservative screening levels that ensure compliance with ambient air quality standards.

LSTs are pollutant and location specific thresholds developed by SCAQMD based on allowable on-site project emissions and the size of the project site. They represent the maximum emissions from a project that are not anticipated to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards. If emissions are below LSTs, then the impact to the localized air quality would not be significant. The *SCAQMD LST Methodology Guidelines*[1] state:

> *If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality.*

The mass rate LSTs and associated look up tables provide a practical screening approach, allowing agencies to determine whether a project may generate significant localized air quality impacts without the need for dispersion modeling.

Localized Air Quality Project-Specific Inputs

The analysis in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change)** estimates air pollutant emissions compared to the LSTs set by the distance to the nearest sensitive receptor, Project footprint, and location of the Project. It analyzed whether the emissions exceeded the SCAQMD LST thresholds established for the Malabar Yard railroad improvements, and it concluded the emissions did not. Therefore, the Malabar Yard railroad improvements would not cause an adverse effect to localized air quality. As shown in **Appendix F of Final EIS Appendix Q**, the localized air quality analysis uses the mass rate look up tables from SCAQMD to determine the appropriate LST for NO_x, CO, PM_{10}, and $PM_{2.5}$ based on the source receptor area, distance to nearest receptor, and Project footprint (Source: Localized Significance Thresholds). The source receptor area used for the analysis is SRA 1 Central LA for the City of Vernon (Source: Source Receptor Areas within South Coast AQMD Jurisdiction | SCAQMD). As specified in **Appendix F of Final EIS Appendix Q**, the nearest receptor (2415-2427 E 53rd St residences) is 403.8 meters away from the Project footprint, which is measured from the outermost boundary of the Project footprint for both design options considered to the receptor location. Since thresholds are provided in the mass rate look up tables[2] for a distance to receptor of 200 meters and 500 meters, the threshold for the Malabar Yard

[1] https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=8c641d61_2

[2] SCAQMD. Appendix C – Mass Rate LST Look-up Table. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf?sfvrsn=8e641d61_2

railroad improvements was scaled using a linear interpolation between the two values to account for the nearest receptor location of 403.8 meters

Localized Air Quality Results

As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**, pollutant emissions for NO_x, CO, PM_{10}, and $PM_{2.5}$ were below the appropriate LST for respective pollutants in the screening process. Per SCAQMD guidance, since the pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below SCAQMD's LSTs, these pollutants are not considered to be significant air quality impacts and no additional localized analysis is required.

18 The Clean Air Act does not require a hot spot (or localized) analysis for the Malabar Yard railroad improvements. As detailed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the Malabar Yard railroad improvements are subject the General Conformity Rule under the Clean Air Act because the Link US Project (and Malabar Yard railroad improvements) would receive federal funding and the improvements are in federal nonattainment for ozone and PM2.5 and attainment/maintenance for PM10 and CO. As explained in **Final EIS Volume II, Appendix G (Air Quality and Global Climate Change Assessment)**, the Link US Project's emissions (Build Alternative and Malabar Yard railroad improvements combined) are compared to the *de minimis* emissions levels. **Final EIS Volume II, Appendix G,** includes calculations for both construction and operational emissions at a regional level for the whole Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively). The *de minimis* levels serve as a threshold to determine if a project would cause significant air quality impacts. Because the Project's emissions are below the *de minimis* levels with implementation of mitigation, no further analysis is required. Therefore, the Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively) satisfies general conformity requirements, and neither NEPA nor the CAA requires a localized air quality analysis.

Comparison to SCAQMD Air Quality Localized Significance Thresholds

A localized air quality analysis was conducted only for CEQA purposes.

As described in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening

process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

Localized impacts during construction

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of the Final EIS Appendix Q**. The commenter mentions DPM emissions during construction as a reason to conduct a construction health risk assessment. DPM emissions are included as part of the PM_{10} emissions (which serve as a subset of DPM) analyzed in the LST analyses therefore localized air quality is already analyzed and was determined to not be significant.

Localized impacts during operations

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Link US Project would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

19 The Malabar Yard railroad improvements will decrease overall rail operations in the City of Vernon, which would more than offset any increase in emissions from locomotive idling. As presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate**

Change), Page 3.5-19, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

It can be assumed locomotive idling would be reduced on the west side of the City of Vernon because train building would occur within a designated rail yard at Los Angeles Junction. Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**.

20 The South Coast Air Quality Management District's definition of a sensitive receptor is not defined as a location where an individual could remain for one to eight hours. SCAQMD defines sensitive receptors as land uses such as residences, schools, playgrounds and athletic facilities on school property, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. These are land uses where people stay for extended periods of time, such as 24-hours or more, or land uses where more vulnerable populations (children or people recreating that have higher breathing rates) congregate.

The Holy Angels Church of the Deaf is not a sensitive receptor for air quality because churches are not classified as sensitive receptors under SCAQMD's definition. Additionally, the church is located at a greater distance from the Project than the nearest sensitive receptor, which was determined to have no adverse emission impacts. Therefore, the Project would not result in adverse air quality impacts at the Holy Angels Church of the Deaf.

Although the Stacy Medical Center is a healthcare facility, it is not a long-term facility where patients or workers stay onsite overnight, therefore Stacy Medical Center is not considered a sensitive receptor.

Factories do not qualify as sensitive receptors. Workers at commercial and industrial facilities are not included because these individuals do not remain onsite for 24 hours and because these individuals are not young children or chronically ill with a long exposure time.

Based on the response above, the SEIR or EIS does not need to be recirculated because impacts on sensitive receptors were fully evaluated in the Draft EIS/SEIR and Final SEIR and Final EIS.

Air Quality Impacts on Sensitive Receptors

Additionally, pollutant emissions for NO_x, CO, PM_{10}, and $PM_{2.5}$ were below the appropriate LST for that pollutant in the screening process. Therefore, based on the SCAQMD LSTs methodology, a dispersion analysis was not warranted. As stated in **Response to Comment 18** above, if calculated emissions are below LSTs, then the proposed activity is not significant for air quality. No additional analysis in the form of dispersion modeling as part of a health risk assessment is required. The purpose of a health risk assessment is to determine the pollutant concentrations and risk to sensitive receptors. Because the Project is not significant for air quality through the SCAQMD LST methodology, a health risk assessment is not required in order to determine the impact to air quality.

21 Metro respectfully disagrees with the commenter's statement that trains would be longer and more frequent. The Final EIS includes clarifications that trains would be 3,000 feet long in the existing and proposed condition – this is based on most recent information received from BNSF in 2024. In addition, as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS, Section 2.2.2, Table 2-4**, the Malabar Yard railroad improvements would result in 3.15 fewer train movements in the City of Vernon per day (fewer train movements along the Harbor Subdivision per day).

Fewer train movements on the Harbor Subdivision would not result in increased noise pollution.

22 As discussed in multiple responses above, fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require real-time air monitoring commitments.

23 Bus shelters and cameras are not intended to fix blocked intersections or reduce freight train delays, these were proposed by Metro as additional community improvements to further offset perceived impacts. During preparation of the Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that are incorporated in the Final SEIR and Final EIS as OMMs. Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16**

(Community Analysis) and **Appendix G (Offsetting Mitigation Measures of Appendix Q)**.

Metro respectfully disagrees with the commenter's opinion that the OMMs do nothing to address the day-to-day operational realities of doing business in Vernon or help trucks move more efficiently.

The proposed OMMs were developed through engagement with the City of Vernon and would complement the City's planning initiatives as part of the Westside Zone Change and General Plan Amendment and further citywide goals and objectives.

PTZ cameras have the ability to remotely pan (move left and right), tilt (move up and down), and zoom to provide flexible and dynamic traffic monitoring of an area. The cameras would be equipped with automated tracking, motion detection, and real-time alerts to improve security and traffic management. The City requested PTZ cameras to be installed a specific locations citywide to provide the City with technology to assist with traffic management through the City. The AI-based traffic control system includes controllers and associated cloud-based software that would provide an integrated platform to enable signal controls to adapt to real time traffic conditions, improving traffic circulation and safety for the community, particularly at the 46th Street and Seville Avenue intersection, where new queueing would occur. The system would also be capable of rerouting emergency vehicles along alternate routes, ensuring faster response times and minimizing delays for critical emergency services.

See **Response to Comment 12** above for reasons why a grade separation is not warranted for the 49th Street Closure.

24 Metro respectfully disagrees with the commenter's opinion that Metro's approach has been misguided or that thew Malabar Yard railroad improvements would unravel the progress and transformation Vernon has achieved over the past decade. Contrary to the comment's assertions, Metro has involved the City of Vernon from the early stages of consideration of the Malabar Yard railroad improvements. As discussed above in **Response to Comment 23**, the proposed OMMs were developed through engagement with the City of Vernon and would complement the City's planning initiatives as part of the Westside Zone Change and General Plan Amendment and further citywide goals and objectives.

The Project's consistency with the *City of Vernon General Plan* and zoning framework has been thoroughly recognized and analyzed in **Final EIS Volume III, Key Issue Response 6** and further addressed in the **Final EIS Volume III, Response to Comments, Response to Comments AGE 3-7, 3-8, 3-16, 3-24, 3-29, 3-30, 3-31, 3-34; ORG 12-4; and IND 35-4**. As documented in these analyses and responses, the Malabar Yard railroad improvements are consistent with the overarching goals and policies of the *City of Vernon General Plan*, including those promoting economic development, efficient land use, and environmental stewardship. While certain zoning classifications may require amendments, these changes are anticipated and necessary to implement the *City of*

Vernon General Plan's vision for the area and to accommodate planned growth and proposed infrastructure improvements. The Final EIS concludes that these amendments do not constitute a fundamental conflict with adopted plans; rather, they represent a logical evolution of land use patterns that align with regional planning objectives. Furthermore, the proposed changes include measures to ensure compatibility with adjacent uses and compliance with applicable state and local planning requirements. Collectively, these findings demonstrate that the land use and zoning adjustments that may be required are consistent with established policy frameworks and support long-term community development goals.

As discussed in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-21**, on-site operational emissions would decrease due to the reduction in train movements on the Harbor Subdivision which would have local benefits. Implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard.

Regional benefits from operation of Malabar Yard railroad improvements include reduced intermodal railcar miles of travel, resulting in reduced fuel consumption by rail and associated rail emissions. In addition, the Malabar Yard railroad improvements would improve mainline rail network capacity to support regional freight rail growth, thereby avoiding the diversion of rail served demand to long-haul trucking. The reduction in truck VMT results in reduced fuel consumption by truck and reduced truck emissions. Metro calculated these beneficial effects as part of a 2020 TCEP grant application. Operational direct effects are quantified for the first, 20th, and 30th years of operation and the total net benefit over a 30-year period. The avoided emissions account for both the reduction in train miles and reduction in truck VMT (Metro 2020 TCEP grant application). Please refer to **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Section 3.5.2 (Methods for Evaluating Environmental Effects)** for a discussion on the parameters used to show the operational benefits of the Project.

Metro's proposed OMMs further support the City of Vernon's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in **Final EIS Appendix Q, Section 3.16 (Community Analysis)** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

The commenter is incorrect in asserting Malabar Yard was "rushed-through" to adopt the Final SEIR and Final EIS. The environmental planning process to address the Malabar Yard railroad improvements as part of the Link US Project has extended over 5 years since the release of the Revised NOI. As summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 1**, Metro has engaged the City of Vernon staff and other business stakeholder in multiple coordination meetings in 2020, 2021, 2024, and

2025 to identify key concerns, City of Vernon requirements, and viewpoints and perspectives so they can be addressed. Metro facilitated 15 individual property owner meetings in Vernon during preparation of the Draft EIS/SEIR, and an additional 13 individual property owner meetings in Vernon during preparation of the Final SEIR and Final EIS. Metro is committed to making meaningful progress in an attempt for a mutual agreement to fulfill the mitigation requirements of the Link US Project.

The commenter provides a broad statement that all studies need to be reconducted but provides no reasoning or technical backup to provide a further response.

City of Vernon Letter to Metro Board Chair Dutra and Members of the Metro Board of Directors – Dated 10/22/25

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October 22, 2025

Office of Board Administration
LA Metro Board of Directors
One Gateway Plaza
MS: 99-3-1
Los Angeles, CA 90012

Via email:
BoardClerk@metro.net

Subject: Agenda Item No. 10 – AGAINST. The City of Vernon has significant concerns over impacts on our community and opposes the Link US Project as long as it includes the expansion of the Malabar Yard in Vernon.

Dear Chair Dutra and Metro Board of Directors:

On behalf of the City of Vernon, I am submitting written comment regarding Board of Directors Item No. 10. The City shares Metro's broader goals for the LINK Union Station project and understands its regional importance. We are open to collaborating with Metro and BNSF Railway on limited, clearly defined improvements at the Malabar Yard. However, as currently proposed, the project raises serious concerns for our community. 1

We have repeatedly heard Metro's presentations and assumptions about the benefits this project will bring to our community. But not once has Metro or BNSF provided Vernon with any commitment or assurances on the extent and frequency of road closures and train traffic. The City of Vernon asked BNSF to consider an operational agreement and Metro staff were present at the meeting when BNSF refused. Metro's proposal would grant BNSF, a private corporation, significant operational and economic benefits while shifting all environmental, health, and safety burdens onto the City of Vernon. That outcome is neither equitable nor consistent with sound public policy. 2 3

The Malabar Yard Mitigation includes a hard, permanent closure at 49th Street and significant new closures caused by 1,000 feet of new track and crossing infrastructure at 46th Street. Over the last 15-20 years, and separate from any proposed Link US project, BNSF has sought the City's approval to implement the operational changes that make up the Malabar Yard Mitigation. Dating back to 2006, Vernon has repeatedly denied BNSF's request because of the project's well-known impacts, particularly on traffic. Conveniently, this major operational change is now being presented as necessary "mitigation" for BNSF's loss of rail storage at West Bank Yard. We are informed that BNSF 4

has told the City of Vernon and Metro staff that it will not enter into any contractual agreement setting parameters on the length and frequency of trains in Vernon as a result of the proposed changes. However, BNSF has never once sat at the table with Vernon to negotiate the terms of such an agreement. 5

This is a two-way street. Vernon must approve the closure at 49th Street and the crossing at 46th Street. But no rational public agency would agree to overhaul its already congested traffic system without such assurances and based upon a flawed traffic study taken during the height of the COVID-19 shutdown. Thus, the proposed "mitigation" to offset BNSF's purported loss of storage space is infeasible and cannot be implemented without the City's required approvals. With this important point in mind, **the City urges Metro to either defer action on the Link Union Station project or remove the Malabar Yard mitigation measure from the EIR and identify a feasible BNSF storage option that omits Malabar Yard.** 6 7 8

Mischaracterization of "Mitigation"

The rationale for the proposed Malabar Yard expansion is fundamentally flawed and contrary to the goals of CEQA and NEPA. Metro's environmental review characterizes the Malabar Yard improvements as a "mitigation measure" for the potential loss of storage capacity at the West Bank Yard. However, the loss of private rail storage is not an environmental impact under CEQA or NEPA and does not require mitigation. The vague and generic planning policies in the Los Angeles Mobility Plan, which the Malabar Yard is intended to address, are simply irrelevant and do not raise environmental impacts (e.g., "Identify and implement strategies to facilitate the flow of freight traffic."). Framing the proposal as necessary mitigation is a misrepresentation that grants BNSF an operational advantage at the expense of our community. In truth, the project itself creates new and significant environmental impacts. 9

Traffic and Safety Concerns

Metro's presentation and environmental documents include several inaccurate and incomplete assumptions. The overall message presented by Metro staff is that the Malabar Yard expansion will reduce train trips and traffic congestion citywide and reduce emergency response times by five minutes, but there is no analysis of the impact of additional vehicle queuing and traffic triggered by the proposed closure of 49th Street and connector on 46th Street. The Metro analysis did not even consider additional train movements going east from the Malabar Yard, creating potential delays in emergency response times on key arterial streets that the Vernon Police Department utilize running north and south (Seville Avenue, Soto Street, Boyle Avenue, Alcoa Avenue, and Downey Road – See enclosed map). 10 11

Further, Metro's own documentation acknowledges that the proposed rail crossing at Seville Avenue and 46th Street could cause vehicle backups and safety hazards, even with Metro's proposed mitigation measures. Additional train movements to and from the 12

Los Angeles Junction Railway will compound congestion, delay emergency response, and increase air emissions throughout the City. 12 cont.

During meetings about this project, Vernon Police Department staff also emphasized the need for Metro to consult with the Los Angeles County Fire Department to address potential impacts on their response times, considering their need to maneuver large firefighting vehicles; to our knowledge, those meetings never took place. 13

Environmental and Community Impacts

The burden of this project would fall entirely on Vernon and its neighboring SELA communities. The affected area includes not only industrial zones but also nearby homes (less than 550 feet from the Malabar Yard), a church serving the Deaf community, Stacy Medical Center (our only 24/7 medical clinic) and the Vernon City School, which serves elementary students from disadvantaged communities. Contrary to the environmental review's claims, the school is located less than 700 feet from the Malabar Yard, not more than a quarter mile away. The resulting increases in noise, pollution, and traffic will directly impact these children and other sensitive populations. 14

The proposed closure of 49th Street and new rail connector on 46th Street would also impact bus transit services running through the City (Metro bus lines 60,105, 251, 611, 751, and 760). Each day, approximately 50,000 workers from the SELA communities and beyond travel to Vernon to earn a living; many of them rely on Metro's buses to get to their jobs on time. Delays in transit services due to increased traffic could jeopardize jobs for the thousands of workers in our communities who support the regional economy and depend on their jobs to support their families. 15

Lack of Transparency and Unanswered Questions

Before this project can move forward, BNSF and Metro must provide clear answers to basic operational questions, including: 16

- How many trains currently use the Yard, and how many are anticipated after the project?
- What will be the length and frequency of those trains?
- How many customers in Vernon are currently served by BNSF?
- Can displaced storage be distributed across multiple existing yards rather than concentrated in Vernon? 17
- Will BNSF enter into an operational agreement that enforces limits on the volume and type of train traffic at the Malabar Yard? 18

Misconception of Community Benefits

Metro documents include community benefits estimated at $24.5 million worth of improvements to the City of Vernon that include train detection cameras, high visibility crosswalks, new bus shelters, road restriping and AI-based traffic control systems. These are not additional benefits that the City is going to receive, but rather necessary mitigations that are needed to address the significant environmental impacts that the 19

proposed Malabar Yard improvements have on the City and surrounding community. A benefit to the Vernon community would be to not move forward with the proposed Malabar Yard improvements and to seek other alternatives. Additionally, the City does not agree with the data/methods utilized by Metro in drawing its conclusions with regards to reduced train trips as there has been no data or cap on train trips confirmed to the City by BNSF, traffic delays as initial studies took place during the COVID-19 pandemic, and improvement to emergency response times as the City's response time for Priority 1 emergency calls is currently 3.5 minutes. 19 cont. 20

Insufficient Time to Review Final SEIR

The City has not been allowed sufficient time to review the Final SEIR documents or Metro's responses to the City's written comments. Given the magnitude of the Link US project related improvements proposed for Vernon and the City's expressed concerns for public safety and community impacts, the City cannot rush through the voluminous documents and data recently released by Metro as follows: 21

- October 10, 2025 – Metro response to City's written comments (160 pages).
- October 13, 2025 – Final Supplemental Environmental Impact Report (SEIR) (Environmental Evaluation of Malabar Yard Mitigation alone is 762 pages and includes new information).

This timeline allowed the City only one (1) day to review the Final SEIR prior to Metro's Planning and Programming Committee Meeting held on October 15, 2025, only two (2) days before the Executive Management Committee Meeting held on October 16, 2025, and only ten (10) days to review the documents prior to the Metro Board Meeting scheduled for October 23, 2025.

This is wholly insufficient. We respectfully request at least a thirty (30) day review period to allow meaningful participation by the City, residents, and affected businesses, and to bring BNSF to the table. Without an operational agreement with BNSF, we do not see a path forward.

Approval of SEIR Without Malabar Yard Mitigation

Based on the City's understanding of the CEQA process, we believe that inclusion of the proposed Malabar Yard improvements in the Final SEIR is not necessary for Metro to move forward with the Link US Project. Metro staff has cited impacts to funding opportunities as the reason for the rushed timeline for approval of the Final SEIR. Removing the Malabar Yard Mitigation entirely from the Project, would address this concern, as the Board would then be able to certify the Final SEIR on October 23, 2025, without opposition from the City. Subsequently, the City would be amenable to ongoing discussions with Metro and BNSF regarding desired changes in Vernon, including a written three-party operational agreement between Metro, BNSF, and the City of Vernon that establishes clear parameters regarding the frequency, length, and train activity associated with any such changes. 22 23

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City Authority and Next Steps
The Malabar Yard improvements cannot proceed without the City's cooperation. The project requires City approvals for at-grade crossings, right-of-way vacations, and various permits. These approvals are not suggestions, they are required by mitigation measures in the project's own EIS/SIER (MY TR-6). At this time, the Vernon City Council has directed staff to oppose the Malabar Yard proposal until these issues are fully addressed and the environmental review is corrected. 24

Request to the Metro Board of Directors
The City recognizes the regionwide importance of the Link US Project but has consistently expressed its concerns regarding the impact of the proposed Malabar Yard improvements. **Accordingly, we request that the Board consider taking the following action:** 25

- **Remove the proposed Malabar Yard improvements (Mitigation Measure TR-3), and Appendix Q of the Draft SEIR from the Final SEIR, and certify the Final SEIR omitting any and all proposed changes in Vernon.**

Vernon is prepared to consider other options that would both protect the City and allow the larger Link US Project to move forward, so long as the Malabar Yard is not a part of the Metro Board's approval.

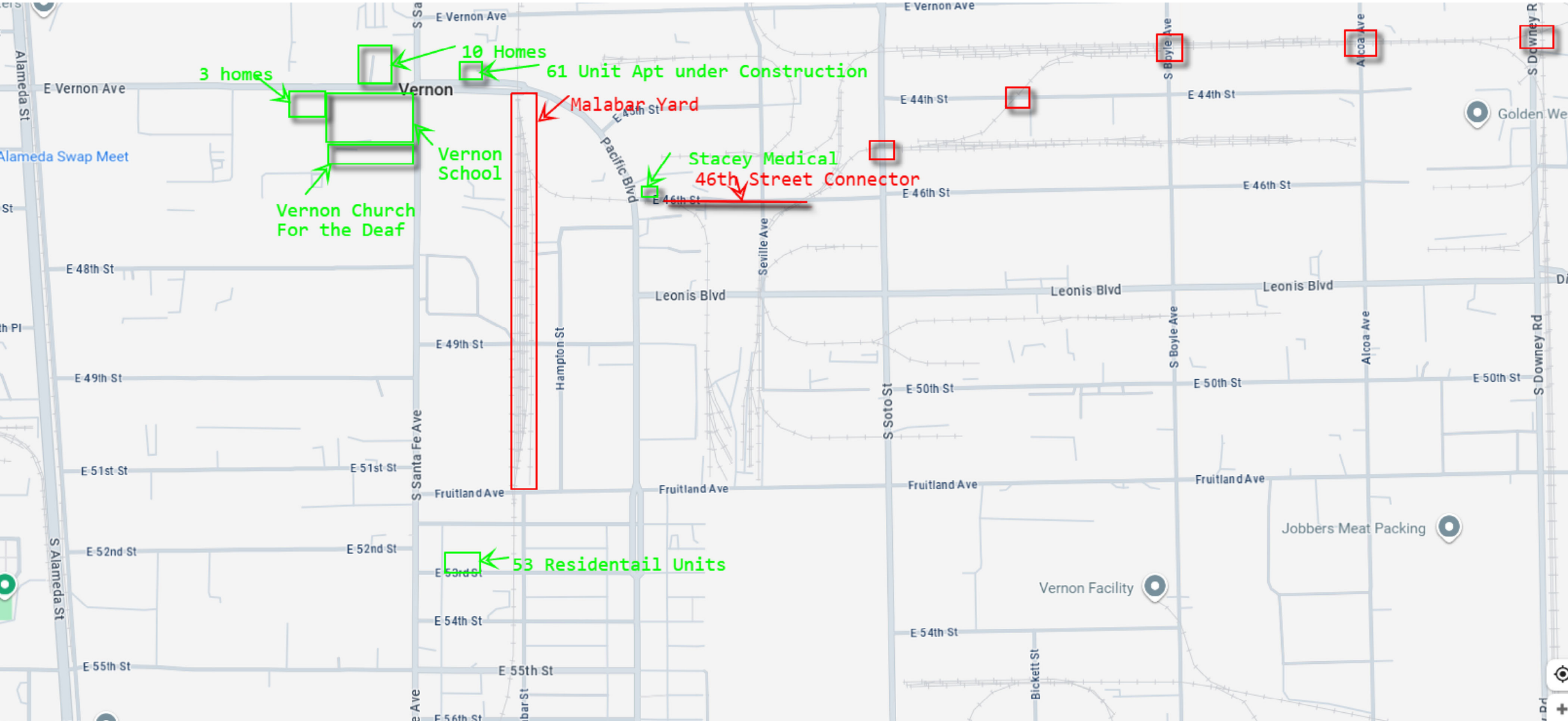
Conclusion
The City of Vernon stands ready to engage in good-faith discussions with Metro and BNSF to achieve a balanced, transparent, and equitable outcome. However, if approval of the Final SEIR proceeds as proposed with the Malabar Yard Mitigation, the City will have no choice but to pursue all available legal remedies to protect our community.

Thank you for your attention and for your continued support of environmental justice and responsible regional planning. 26

Sincerely,

Leticia Lopez
Mayor
City of Vernon

Attachment: Map of Sites Impacted by Proposed Malabar Yard Improvements


3 homes
10 Homes
61 Unit Apt under Construction
Malabar Yard
Vernon School
Vernon Church For the Deaf
Stacey Medical
46th Street Connector
53 Residentail Units
Vernon
E Vernon Ave
Alameda Swap Meet
Pacific Blvd
Seville Ave
Hampton St
S Santa Fe Ave
S Soto St
S Boyle Ave
Alcoa Ave
S Downey Rd
Leonis Blvd
Fruitland Ave
E 44th St
E 46th St
E 48th St
E 49th St
E 50th St
E 51st St
E 52nd St
E 54th St
E 55th St
Golden We
Jobbers Meat Packing
Vernon Facility
Bickett St
S Alameda St

Response to Comments

Response to City of Vernon Letter to Metro Board Dated 10/22/25

1 Metro appreciates the City of Vernon's desire for collaboration with Metro and BNSF. The comment provided is an introductory statement with no technical details to provide further response.

The 49th Street Closure and 46th Street Connector infrastructure improvements and changes in freight train operations resulting from the consolidated freight service are clearly defined in **Final EIS, Appendix Q Section 2.** Please refer to the *City of Vernon's Additional Comments on Link Union Station Project's Environmental Impact Statement/Supplemental Environmental Impact Report, and Objection to Certification of EIR and Project Approval* provided by RWG Law dated October 22, 2025 for additional responses related to the City of Vernon's concerns.

2 As the commenter states, Metro has repeatedly committed to share information and details from information provided by BNSF with regards to extent and frequency of road closures and train traffic.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 1** for a discussion of the history of stakeholder engagement activities with the City of Vernon. During multiple meetings with City of Vernon staff, Metro provided information related to affected train routes, train movements, train speeds, train lengths, the duration of time each train takes to pass intersections, the time of day trains would operate, gate down times. This information was used by Metro to conduct a thorough and detailed environmental analysis specific to vehicular traffic delays, queuing, emergency response, and potential community impacts (see **Draft EIS/SEIR, Final SEIR, Final EIS Volume III, and Final EIS Appendix Q**) and responses to comments below. The extent and frequency of road closures and train traffic was presented in multiple presentations to City of Vernon and summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. This information is summarized below.

Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the

Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

3 As discussed in **Response to Comment 2** above, on December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

The commenter asserts that the Project would grant BNSF significant operational and economic benefits while shifting all the environmental impacts onto the City. **Final EIS Volume I, Executive Summary, Section ES.14** includes a summary of Project benefits under the Build Alternative, with a specific list of benefits related to the Malabar Yard railroad improvements. Of the ten benefits listed, all ten would benefit the City of Vernon, not just Metro and/or BNSF. These benefits include the following:

- Fewer daily train movements, decreased local emissions, minimized traffic delays.
- Optimized emergency response times with less congestion on local roadways.
- Train detection cameras that provide real-time local emergency dispatch to identify trains approaching at-grade rail crossings.
- Upgraded communications and radio systems and a mobile Emergency Operations Center to provide rapid deployment to disaster areas or large-scale events while contributing to faster, more effective emergency response efforts.
- Enhanced community features with crosswalk improvements to improve visibility and enhance pedestrian and driver safety, bus shelters to improve accessibility, convenience, comfort and provide weather protection for passengers.
- Quiet zone infrastructure to reduce train horn noise, promote safety, enhance pedestrian connectivity, and improve quality of life for existing and future residents and businesses.
- Improved traffic control with road restriping to maintain traffic flow, AI-based traffic control system, and pan-tilt-zoom smart cameras to monitor traffic, roads, intersections, and enable first responders to quickly identify incidents.
- Reduced fuel consumption by rail and associated rail emissions.
- Redistribution of train movements would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place.

- Up to 143 and 151 temporary jobs are anticipated to be generated, along with $9.4 to $9.7 million in labor income, and $3.3 to $3.5 million in total federal, state, and local tax revenues generated.

The approximately $25 million Offsetting Mitigation Measure (OMM) package benefits Vernon directly, not Metro and not BNSF.

4 The Malabar Yard railroad improvements are proposed as mitigation for direct and indirect effects. The 49th Street closure would be permanent; however no significant new closures on 46th Street are proposed. Access to businesses would be maintained and roadway crossing improvements are proposed to enhance safety at each of the existing (and one proposed) at-grade crossings.

A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and direct impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

- As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
- In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and

traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

a) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately

5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of freight rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

Just compensation references a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. Any financial payment would not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service.

5 The commenter states that BNSF has never approached the City of Vernon, yet, that statement is contradictory to the prior statement that BNSF has reached out to the City since 2006.

Metro remains committed to continued collaboration with BNSF, the City of Vernon, local businesses, property owners, the Vernon Police Department, schools, and other key community stakeholders as our goal is to work toward a balanced agreement that supports regional mobility. During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

6 For the Project itself, CHSRA and Metro do not require any permissions from the City of Vernon. The City of Vernon has no approval authority over the core Project elements. However, for certain improvements (such as roadway modifications, traffic signal adjustments, or safety enhancements at local crossings) that would be implemented as part of identified mitigation measures, CHSRA and Metro may conceivably require some level of coordination or permission from the City of Vernon. This could include permits for work within city-owned streets, temporary traffic control during construction, or integration with local infrastructure and potential land use entitlements (e.g., Circulation Element update). While these permissions are not guaranteed to be necessary for every mitigation

measure, they may be required to implement specific improvements that extend beyond railroad property and into municipal rights-of-way.

This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. It is reasonable to anticipate that the City of Vernon will fully cooperate in the NEPA process, as such collaboration is mandated and reinforced by applicable federal regulatory frameworks. Under NEPA (42 U.S.C. § 4321–4336), federal agencies are required to use "all practicable means" to coordinate with state and local governments to foster mutually beneficial environmental planning. For transportation projects, 49 U.S.C. § 310 mandates coordinated and concurrent environmental reviews across federal agencies and agencies of jurisdiction, ensuring coherent alignment of purpose, need, alternatives, and permit decisions. This interagency cooperation enhances procedural efficiency, maximizes resource utilization, and ensures that the resulting transportation infrastructure network is sustainable, legally compliant, and responsive to community goals, thereby fulfilling both federal mandates as well as Metro's and the City of Vernon's planning priorities. Although the invitation to become participating agency was not accepted by the City of Vernon, Metro and CHSRA remain committed to a cooperative process with the City of Vernon.

Under California law, the CPUC has exclusive jurisdiction over the approval of new railroad crossings. The CPUC process is governed by Public Utilities Code Sections 1201 through 1205, 7537, 99152 and CPUC General Orders 75 and 88, as amended. The CPUC process generally proceeds as follows:

1. *Application by Metro*: Metro would submit an application to the CPUC for approval of a new crossing. This application must demonstrate compliance with safety standards and include proposed mitigation measures consistent with applicable requirements, such as Malabar Yard Mitigation Measure TR-6.
2. *Coordination with City of Vernon:* Metro would seek the City of Vernon's assistance in designing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6 to address local concerns and enhance safety. This collaborative approach is encouraged but not legally required for CPUC approval.
3. *CPUC Authority to Approve:* Even if the City of Vernon does not participate in designing mitigation measures, the CPUC retains authority to approve the new crossing if it meets safety and regulatory requirements.
4. *Opportunity for Objections:* The City of Vernon may file formal objections during the CPUC proceeding. These objections would be considered as part of the CPUC's decision-making process.
5. *Post-Decision Participation:* If the CPUC denies the City of Vernon's objection and approves the crossing, the City of Vernon may still assist in implementing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6. This ensures that local input can influence the final design and safety features, even after CPUC approval.

An overhaul of the City's traffic system is not proposed. Rather, Metro has demonstrated how the consolidated train movements results in a citywide circulation improvement. Please refer **to Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, which includes a detailed explanation of the COVID-19 Factor Methodology – Normalizing Traffic Counts to Pre-COVID Conditions.

Section 15151 of the *CEQA Guidelines* states the following regarding standards from which adequacy is judged:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*

As disclosed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, traffic counts were conducted in August 2020 for the intersections and roadway segments used in the traffic analysis to characterize the existing conditions. However, due to the timing of when the Revised NOI was released (September 2020) and impact of the COVID-19 pandemic, the amount of traffic on the streets and intersections was lower than the normal (non-COVID-19) conditions due to "new quasi-normal" day to day activities and businesses operating under various restrictions, including shelter-in-place and complete business shutdowns. To ensure the credibility of baseline traffic conditions, on which future year conditions (post COVID-19) are based, the raw traffic count data that was collected in August 2020 was 'normalized' to the traffic levels which existed pre-COVID-19, before it was applied to the traffic analysis. This "COVID Factor" approach was used to estimate traffic conditions in 2020 without COVID-19.

The approach to normalize the traffic count data collected in August 2020 during the COVID-19 pandemic to the traffic levels that existed pre-COVID-19 is presented in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-4** and summarized in Key Issue Response 2. This methodology utilized is an industry standard approach taken during the COVID-19 pandemic and was coordinated with the City of Vernon to obtain feedback on the approach before using the adjusted volumes in the traffic analysis. The traffic volumes presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the traffic conditions to use for environmental documentation purposes.

7 Please refer to **Response to Comment 6** above. Metro understands the roles and responsibilities and actions that need to be taken to implement the Malabar Yard railroad improvements. For this reason, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City

requirements, and viewpoints and perspectives so they can be addressed. Metro is committed to making meaningful progress in an attempt for a mutual agreement on the requirements of the Link US project.

To further demonstrate a good-faith effort in ongoing coordination with the City of Vernon, two Board Motions were passed by the Metro Board that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF during the October 23, 2025 Metro Board Meeting. In addition, on December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions passed in October 2025. Within that correspondence, Metro requested BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

The claim that the proposed mitigation (Malabar Yard railroad improvements) are infeasible because they require City approvals is not supported by CEQA or case law. CEQA expressly contemplates mitigation measures that involve approvals or actions by other agencies. *CEQA Guidelines* §15126.4(a)(2) state that a measure is feasible if it can be accomplished within a reasonable timeframe considering economic, environmental, social, and technological factors, not whether the lead agency has unilateral authority. Courts have upheld measures requiring another entity's exclusive jurisdiction. In *Tiburon Open Space Committee v. County of Marin* (78 Cal.App.5th 700, 746–748 (2022)), the court confirmed that a lead agency may adopt measures that "should be adopted" by another entity, even when those measures involve discretionary approvals.

CEQA requires substantial evidence, not statements or predictions, to support infeasibility findings. (*CEQA Guidelines* §15091(b).) A city's expressed reluctance does not constitute binding evidence that approvals cannot be obtained, particularly when the approvals involve standard regulatory processes such as right-of-way vacations and encroachment permits.

The argument that the City of Vernon requires approvals does not render the mitigation measure infeasible. CEQA does not prohibit mitigation measures requiring discretionary approvals; it only requires that such measures be capable of implementation. (Pub. Resources Code §21061.1.)

Metro has committed to pursuing all necessary approvals and coordinating with the City of Vernon to implement the Malabar Yard railroad improvements. Courts have repeatedly rejected arguments that reliance on another jurisdiction's discretionary approval renders a measure infeasible. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*, 57 Cal.4th 439, 466 (2013).)

The fact that the City of Vernon holds jurisdiction over certain approvals does not make Mitigation Measure TR-3, or any mitigation requiring City of Vernon approval (Malabar Yard Mitigation Measure TR-6) infeasible under CEQA. CEQA and case law allow mitigation measures requiring other agencies' cooperation, and speculation or stated intent does not constitute substantial evidence of infeasibility. Mitigation Measure TR-3 remains feasible and proper.

Despite the concerns expressed by the City of Vernon, CHSRA and Metro reasonably expect to obtain the necessary approvals to implement the Malabar Yard railroad improvements. This expectation is based on the CHSRA's and Metro's authority under applicable state and federal regulations and the collaborative framework established under NEPA and CEQA. Even if the City of Vernon does not actively participate in designing mitigation measures, CHSRA and Metro retain the ability to propose and implement reasonable, enforceable mitigations that meet regulatory standards. Therefore, CHSRA and Metro anticipate that the required approvals will be secured to implement the Malabar Yard railroad improvements and maintain compliance with environmental commitments.

CEQA Guidelines §15126.4(a)(1)) states:

> *The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will considered, analyzed, and potentially incorporated in the mitigation measure.*

Neither CEQA or NEPA require that all permitting agencies reach a final agreement on specific mitigation prior to a project's approval. Consistent with U.S. Supreme Court in *Robertson v. Methow Valley Citizens Council*, federal agencies may proceed with decision making even when subsequent coordination and approvals are required to refine and implement mitigation measures. Mitigation Measure TR-3 (and Malabar Yard Mitigation Measure TR-6) identifies the mitigation framework and responsible agencies while allowing for subsequent agency review and approval.

8 As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1** (Alternatives Evaluation Process), a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) to offset the loss of storage tracks that would occur at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the identified screening criteria and to preserve the current levels of freight rail operations in accordance with the provisions of the Link US Project's purpose and need as identified in **Final EIS, Chapter 1.0 (Purpose and Need)**.

Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 discloses the justification as to why each of these sites meet or do not meet screening criteria.

- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-1 (Freight Rail Storage Track Replacement Sites Initial Screening Criterion Analysis)**, Hobart Yard, Commerce Yard, Malabar Yard, and Los Angeles Junction met initial screening criteria while Pico Rivera Yard and locations further

east on the San Bernardino Subdivision were rejected from further consideration because they are located east of BNSF Hobart/Commerce Intermodal Yards.

- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-2 (Freight Rail Storage Track Replacement Sites Secondary Screening Criterion Analysis)**, Hobart Yard, Commerce Yard, and Los Angeles Junction were determined to not meet secondary criteria of replacing storage capacity in-kind or preserving the current levels of freight rail operations, primarily for the following reasons (summarized from **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1.1**:
    - Hobart Yard – The existing footprint of BNSF Hobart Yard is at full capacity. Any change to the existing intermodal facilities at BNSF Hobart Yard (production tracks, storage tracks, lead tracks, main line tracks, receiving tracks, departure tracks, tie up tracks, and/or maintenance tracks) would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Several dozen parcel acquisitions would be required and there may also be a potential requirement for new intermodal facilities to offset any modifications to BNSF Hobart Yard facilities (ripple effect). In addition, mitigating the Link US Project permanent impacts to BNSF storage tracks at BNSF's Hobart Yard is not feasible because the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.
    - Commerce Yard – Similar to Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. Any change to the existing intermodal facilities at BNSF Commerce Yard would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses would be required.
    - Los Angeles Junction – All space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. As shown in **Figure 1-3** of the **Final EIS Appendix Q**, expansion of the Los Angeles Junction to accommodate additional storage tracks would require

full parcel acquisition of seven private properties with active businesses/buildings.

The analysis presented in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1** demonstrates CHSRA and Metro performed a thorough alternatives evaluation of potential replacement sites, and provided measured evidence with reasons why these sites do not meet specified criteria. The conclusions are not based on broad generalized claims. Rather, they are based on optimal operational parameters and the potential for increased impacts to property owners and the environment.

Based on the screening and evaluation process in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard.

9 Please refer to **Response to Comment 4**. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives." 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system. CEQA also requires analysis of reasonably foreseeable indirect physical changes in the environment which may be caused by the project. Mitigation Measure TR-3 not only mitigates for direct impacts related to Land Use and Planning, but also mitigates for direct and indirect impacts related to the freight transportation system.

As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

The inclusion of Malabar Yard railroad improvements in the Project is not solely driven by compliance with the *Los Angeles Mobility Plan 2035* or the *California Transportation Plan 2040*. While these plans provide important regional and statewide policy frameworks that

encourage efficient, multimodal transportation systems, the primary purpose of the Malabar Yard railroad improvements is to preserve current levels of freight operations. The improvements are designed to mitigate the loss of critical rail infrastructure and ensure continuity of goods movement, which is essential for economic vitality and environmental sustainability.

Metro is not granting BNSF operational advantages. Metro has proposed mitigation for Project-related impacts at the BNSF West Bank Yard. While the Malabar Yard railroad improvements would cause environmental impacts, Metro has identified 29 mitigation measures that would be implemented in Vernon to avoid and reduce identified impacts that may occur upon implementation of the Malabar Yard railroad improvements.

10 The following responses are summarized from **Final EIS Volume III, Response to Comments, Key Issue Response 2 and 4**:

All data and information collected from BNSF in 2020, 2021, and the latest information received in 2024 was incorporated in the analysis and discussed in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies (see **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Section 2**). The impacts of moving trains was considered in the environmental analysis, particularly for traffic impacts, the queuing analysis performed, and the emergency response analysis conducted (see results of **Final EIS Volume III, Response to Comments, Key Issue Response 4**).

As discussed in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-3**, the geographic area considered to determine potential traffic-related effects is the traffic study area. The traffic study area was reviewed and approved by the City of Vernon Public Works Director prior to conducting the traffic impact analysis. The traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips once the Project is operational; however, it would result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-8**). Due to the Project-related redistribution of existing traffic, a localized traffic analysis was conducted for intersections and roadway segments within the proximity to the Malabar Yard railroad improvements where traffic redistribution is expected to occur.

As discussed in **Key Issue Response 2**, trains currently operate across Pacific Boulevard/Vernon Avenue, Pacific Avenue and 46th Street, Seville Avenue, Soto Street, 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road. No operational changes along the East Seville Connection and Hobart Yard/Los Angeles Junction Connection routes would be attributable to the proposed Malabar Yard railroad improvements; therefore, traffic analysis was not conducted at those corresponding intersections.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two

movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While Metro recognizes BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

As presented in the **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-10** and in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, a queuing analysis was prepared at six locations in response to stakeholder engagement activities to determine whether the existing travel lane storage capacity is adequate to accommodate the queue formations generated from redistributed traffic. The results of the queuing analysis demonstrate for the Opening Year (2024), no increase to the queue formation would be attributable to the Malabar Yard railroad improvements with exception of northbound through movements at Railroad Crossing #4 where there is 20 feet of incremental addition to the existing queuing that already occurs. The increase in queue formation is not considered a substantial change for two main reasons:

1. the additional 20 feet of queue formation translates into less than a vehicle of queue since one vehicle queue is 25 feet; and
2. because the added queue can be adequately accommodated with the current configuration of the roadway and it would take only one cycle of phasing to clear out the additional 20 feet of incremental addition to the existing queuing that already occurs without the need for any further improvements in lane configuration.

During coordination meetings with the City of Vernon staff after the close of the public comment period, queuing Downey Road was raised as a topic of concern. At Railroad

Crossing #6 (Downey Road south of Vernon Avenue), the queue formation already exceeds the storage capacity in the existing condition (Table 3.3-10) and would continue to exceed the storage capacity during the 2024 No-Build scenario. The queue formation on Downey Road south of Vernon Avenue in the northbound through and southbound through direction remains the same during AM and PM peak hours.

With the Malabar Yard railroad improvements, fewer trains would operate in the City of Vernon and half of the train movements would occur at night, which have very little to no impact on traffic. For trains operating during the day, if a train movement occurs during the AM and PM peak periods, there could be some effect, but trains are not anticipated to operate at the same time every day and are not all occurring during the AM or PM peak periods. The hourly schedule to service Vernon customers fluctuates and is variable throughout the week based on customer demand.

11 After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received from the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon to determine the worst potential daily delay trains could cause to emergency response in the existing and proposed condition. Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers

12 Please refer to **Final EIS, Volume III, Response to Comments, Key Issue Response 2** and **Response to Comment 6** above for a summary of intersection blockage analysis and results that were conducted after the 45-day public comment period. Based on the train observations conducted in April 2025, assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. The data supports the conclusion that with implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur.

Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

Refer **to Final EIS Volume III, Response to Comments, Key Issue Response 4** and **Response to Comment 11** above for the analysis performed to demonstrate the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2,** a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that

may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses the localized significance threshold (LSTs) to evaluate if projects qualify to be screened out, and therefore determined to not have an adverse effect to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which is determining the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

Localized impacts during construction

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

Localized impacts during operations

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and**

3.5-20. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City of Vernon would not occur.

13 The commenter's statement on Los Angeles County Fire Department attendance during Vernon coordination efforts is inaccurate. Although multiple meetings with City of Vernon staff were conducted, Los Angeles County Fire Department did not elect to participate in the meetings.

Metro performed an extensive emergency response analysis in coordination with the City of Vernon. Please refer to **Response to Comment 11**.

14 The commenter notes an affected area that includes nearby homes Holy Angels Church of the Deaf, Stacy Medical Center, and Vernon City School, but provides no geographic context for how this "affected area" was derived, or any technical analysis to prove how noise, pollution, and traffic would impact children at the school or other sensitive populations.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the identification of sensitive receptors is based on SCAQMD's definition. SCAQMD defines sensitive receptors as residences, schools, playgrounds and athletic facilities on school property, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. These are land uses where people stay for extended periods of time, such as 24-hours or more, or land uses where more vulnerable populations (children or people recreating that have higher breathing rates) congregate.

Although the Stacy Medical Center is a healthcare facility, it is not a long-term facility where patients or workers stay onsite overnight, therefore Stacy Medical Center is not considered a sensitive receptor.

The Holy Angels Church of the Deaf is not a sensitive receptor for air quality because churches are not classified as sensitive receptors under SCAQMD's definition. Additionally, the church is located at a greater distance from the Project than the nearest sensitive receptor, which was determined to have no adverse emission impacts. Therefore, the Project would not result in adverse air quality impacts at the Holy Angels Church of the Deaf.

For noise and vibration analysis, the screening distances (Section 4.3 of the FTA Transit Noise and Vibration Impact Assessment Manual, FTA 2018) were calculated from the project footprint (maximum extent of design options considered where changes to infrastructure would occur). This was disclosed in the Draft EIS/SEIR as part of the noise and vibration methodology which identified a 1,000 foot buffer from the proposed Malabar

Yard rail line along the 46th Street and 49th Street intersection with Malabar Yard (without obstructions) or within 650 feet from the proposed Malabar Yard rail line along the 46th Street and 49th Street intersection with Malabar Yard (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6-1**). This screening assessment was performed and, per the FTA and FRA guidelines, no noise sensitive land uses (including the residences at 2415-2427 E 53rd St, Vernon City School, Holy Angels Church of the Deaf, and the residences on Furlong Place) are located within 1,000 feet of the project footprint (without obstructions) or within 650 feet of the project footprint (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6 1**). A detailed noise assessment was not performed because no noise-or vibration-sensitive land uses are present within the designated screening distances for the Malabar Yard railroad improvements.

The FTA Transit Noise and Vibration Impact Assessment Manual provides the methodology for the identification of noise sensitive land uses, screening procedures, and criteria for determining when a detailed analysis is required (FTA Report No. 0123). Noise sensitive land use categories are intentionally tiered based on duration of exposure and human sensitivity. While the Stacy Medical Center is classified as a noise sensitive land use, it is considered a Noise Category 1 or 2 land use under the FTA Transit Noise and Vibration Impact Assessment Manual.

As discussed in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration)**, Noise Category 3 land uses are defined as institutional land uses (schools, places of worship, libraries) with use typically during the daytime and evening. Other uses in this category include some medical offices (when vibration-sensitive testing equipment such as Magnetic Resonance Imaging [MRI] systems are present), conference rooms, recording studios, concert halls, cemeteries, monuments, museums, historical sites, parks, and recreational facilities. Category 3 land uses are evaluated using less stringent criteria than Category 1 or 2 land uses because they do not involve nighttime occupancy or sleep disturbance. Stacy Medical Center is located within the screening distance; however, this type of facility (similar to an urgent care) is not sensitive to noise because nighttime occupancy does not typically occur at an urgent care facility and is not sensitive to vibration because this facility does not utilize sensitive testing equipment such as MRI systems. On December 17, 2025, HMMH contacted Stacy Medical Center to confirm the types of medical equipment in use at the facility, and it was confirmed via phone that this facility does not utilize sensitive testing equipment such as MRI systems; therefore, the facility is not categorized as a FTA Category 3 land use.

As previously described in **Response to Comment 12** above and on **Final EIS Volume III, Response to Comments,** on **Page 30,** a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses the LSTs to evaluate if projects qualify to be screened out and therefore determined to not have an adverse effect to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis

with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which is determining the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25** and **3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Project would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors.

The commenter states that nearby homes and Vernon City School are less than 550 feet and 700 feet from Malabar Yard. The closest sensitive receptors to the Malabar Yard railroad improvements that were considered and evaluated for potential impacts are shown in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Figure 3.5-1** and summarized below:

- Residences at 2415-2427 E 53rd St. (located approximately 1,325 feet [0.25 mile] south from the Malabar Yard railroad improvements).

- Vernon City School at 2360 East Vernon Avenue (located approximately 1,350 feet [0.25 mile] northwest from the Malabar Yard railroad improvements).
- Residences on Furlong Place (located approximately 1,650 feet [0.31 mile] northwest from the Malabar Yard railroad improvements).

The quarter-mile radius shown on **Final EIS Appendix Q, Section 3.5, Page 3.5-17** is an industry standard best practice. The map with the quarter mile buffer was not used to determine air quality impacts on sensitive receptors. LSTs were determined independent of the radius shown in the figure. It is a coincidence that the

nearest receptor is also .2509 miles away. Pollutant concentrations decline with increasing distance as demonstrated in the studies and guidance referenced in the section below. These studies demonstrate that the highest concentrations are typically seen within distances less than a quarter mile, which is why the map uses a quarter mile buffer to capture the highest pollutant concentrations.

The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur. The EPA states, *"Research findings indicate that roadways generally influence air quality within a few hundred meters – about 500-600 feet downwind from the vicinity of heavily traveled roadways or along corridors with significant trucking traffic or rail activities."*[1] The CARB Air Quality and Land Use Handbook states that, "*the distance between roadway and truck densities were key factors affecting the strength of the association with adverse health effects. Adverse health effects were seen within 1,000 feet and was strongest within 300 feet.*"[2] This demonstrates that the adverse effects diminished with distance. This is consistent with the Bay Area Air Quality District CEQA Air Quality Guidelines which uses an overlay zone of at least 500 feet from all freeways and high volume roadways as a threshold of significance for local risks and hazards. Further academic research shows that pollutant concentrations level out to background levels after approximately 400 meters (1/4 mile) away from the source.[3] As shown in an academic study of ultrafine particles near a freeway by Yifang Zhu, et al. in Atmospheric Environment, both CO and black carbon

[1] EPA, 2014. Near Roadway Air Pollution and Health: Frequently Asked Questions. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi/P100NFFD.PDF?Dockey=P100NFFD.pdf

[2] CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

[3] Mishra, S. & Shah, S. (2025). "Analytical Study of Atmospheric Pollution Dispersion with Distance Dependent Wind and Constant Removal Dynamics." International Journal of Scientific Research in Science and Technology, volume 12, issue 3. https://www.researchgate.net/publication/391457827_Analytical_Study_of_Atmospheric_Pollution_Dispersion_with_Distance_Dependent_Wind_and_Constant_Removal_Dynamics

concentrations as a function of the distance from freeway follow a decay curve. This curve levels out 300 meters away from the emission source.[4]

Final EIS Appendix Q, Section 3.5 accurately measured the distance between sensitive receptors and the expected emission sources. The distances identified in **Final EIS Appendix Q, Section 3.5, Page 3.5-15** were measured from the outermost extent of the Project footprint to the nearest receptor, not from the center point of 49th Street or 46th Street, as the comment states. **Final EIS Appendix Q, Section 3.5, Figure 3.5-1**, was revised to include the distance of each receptor from the outermost extent of the Project footprint. The quarter-mile radius shown in **Final EIS Appendix Q, Section 3.5, Figure 3.5-1** was measured from the outermost extent of the Project footprint.

15 The Draft EIS/SEIR and Final EIS analyzed potential impacts associated with bus transit services during construction and operation of the Project. As shown in **Final EIS, Section 3.3 (Transportation), Figure 3.3-4**, three local bus routes, operated by Metro, currently operate within the study area. Routes 751 and 251 carry passengers along Soto Street with stops at Vernon Avenue and Fruitland Avenue. Route 611 carries passengers along Vernon Avenue and Leonis Boulevard with a stop at Santa Fe Avenue. Metro Rapid Line 760 runs along Santa Fe Avenue and Pacific Boulevard. These bus routes would be potentially impacted during construction and operational activities.

Malabar Yard Mitigation Measure TR-1 (Prepare a Construction Traffic Management Plan for Malabar Yard railroad improvements) requires a construction TMP to be prepared by the contractor and reviewed and approved by Metro and the City of Vernon. Any identified street closure schedules in the construction TMP would be required to be approved by the City of Vernon and coordinated among the construction contractor, Metro, BNSF, private businesses, public transit and bus operators, the bicycle community, Los Angeles Unified School District, and emergency service providers to minimize construction-related vehicular and non-vehicular traffic impacts during the peak hour.

The transportation analysis was performed to determine if the Malabar Yard railroad improvements would result in traffic congestion, roadway hazards, impacts to emergency access, impacts to public transit, bicycle or pedestrian facilities, and/or impacts on freight. Indirect impacts related to economic and fiscal impacts resulting from increased traffic delays and congestion would not occur because all traffic impacts associated with traffic delay would be mitigated with implementation of Mitigation Measures TR-1 through TR-5.

Metro values local business and is committed to reducing potential negative effects of the proposed Malabar Yard railroad improvements. However, as stated in Section 15131 of the CEQA Guidelines, the focus of the analysis shall be on the physical changes.

CEQA Guidelines Section 15131 (Economic and Social Effects), states that:

[4] Zhu, Yifang et al. (2002). "Study of ultrafine particles near a major highway with heavy-duty diesel traffic." Atmospheric Environment 36. 4323-4335. https://www.sciencedirect.com/science/article/pii/S1352231002003540

> *"Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes."*

16 The following provides service times, train lengths, train lengths and frequencies:

- Service times - BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am
- Train Lengths – Trains operating in Vernon extend up to 3,000 feet (existing and proposed condition)

Malabar Yard is currently used to stage and store general merchandise cars for local customers. Proposed use of Malabar Yard (after closure of 49th Street) is to store empty bare tables (chassis only) for intermodal trains.

- ***Existing Frequency and Schedule:***
  - Hobart Yard to/from Malabar Yard
    - Total daily train movements – 4
    - Time of Travel:
      - 2x Day: 6:30am – 2:00pm
      - 2x Day: 7:30pm – 2:00am
  - Malabar Yard to/from West Seville
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am
  - Malabar Yard to/from Exxon
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am
- ***Proposed Frequency and Schedule:***
  - Hobart Yard to/from Malabar Yard

- Total daily train movements – 0.85
- Time of Travel:
  - 3x Week: 7:30pm – 2:00am

o LAJ to West Seville (via 46th Street Connector)

- Total daily train movements – 2
- Time of Travel:
  - 1x Day: 6:30am – 2:00pm
  - 1x Day: 7:30pm – 2:00am

o LAJ to Exxon (via 46th Street Connector)

- Total daily train movements – 2
- Time of Travel:
  - 1x Day: 6:30am – 2:00pm
  - 1x Day: 7:30pm – 2:00am

It should be noted that BNSF customer base is proprietary/trade secret information. Additionally, the environmental analysis does not require this specified information to support any conclusions.

17 No alternative sites are available that would accommodate intermodal storage without resulting in greater property impacts or decreased operational efficiency for BNSF freight movements. Multiple locations in the region were considered to offset the permanent loss of freight rail storage track capacity at BNSF West Bank Yard that would result from the Link US Project. The BNSF facilities that were considered as potential replacement sites are described below, along with reasons why these sites are infeasible to accommodate new storage tracks:

- **BNSF Hobart Yard:** The existing footprint of BNSF Hobart Yard is at full capacity. Additional tracks would require full parcel acquisition of several dozen commercial properties south of Washington Boulevard, closure of 26th Street, and potentially new intermodal facilities to offset the loss of storage track capacity in kind. In addition, the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.
- **BNSF Commerce Yard:** Similar to BNSF Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. The addition of a storage track at BNSF Commerce Yard, would require full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion

thereof) and relocation of multiple large commercial businesses. Additionally, there are operational restrictions at BNSF Commerce Yard associated with the current passenger train movements that occur at the Commerce Metrolink Station platform, which impede BNSF's ability to enter and/or store a long train into the facility.

- **Los Angeles Junction:** Los Angeles Junction does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Any physical improvements and/or modifications to existing operations at Los Angeles Junction are not feasible because reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. Expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of seven private properties with active businesses/buildings.
- **BNSF Pico Rivera Yard and Locations further east on BNSF San Bernardino Subdivision Main Line Tracks:** BNSF Pico Rivera Yard and locations further east on the San Bernardino Subdivision main line tracks are located east of BNSF Hobart/Commerce Intermodal Yards and would therefore require use of the San Bernardino Subdivision main line tracks. This would result in decreased efficiencies for BNSF freight operations.

18 During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

19 Metro respectfully disagrees with the assertion that OMMs are necessary mitigation to address significant environmental impacts. For example, Metro proposed 5 bus shelters and City staff requested 20 additional shelters. Bus shelters do not mitigate environmental impacts under NEPA or CEQA. Please refer to **Response to Comment 3** above for a discussion on benefits to the City.

During preparation of the Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final EIS as OMMs. Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to

implement. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16 (Community Analysis) and Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

See **Response to Comment 4** on the reasons why Malabar Yard railroad improvements are required under NEPA and CEQA, and **Response to Comment 18** above on Metro's most recent attempt to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements

20 All data and information collected from BNSF in 2020, 2021, and the latest information received in 2024 was incorporated in the analysis and discussed in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies (see **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Section 2**). The impacts of moving trains was considered in the environmental analysis, particularly for traffic impacts, the queuing analysis performed, and the emergency response analysis conducted (see results of **Final EIS Volume III, Response to Comments, Key Issue Response 4**).

After the release of the 2020 Revised NOI, the City of Vernon Public Works Director provided input and approved the Traffic Study Area prior to conducting the analysis – no objections were received on the study area and feedback was incorporated into the COVID factor prior to conducting the analysis. Please refer to RWG Letter to Metro Board dated October 22, 2025 - **Exhibit "A" Response to Comment A-8** that discusses why a localized traffic analysis was conducted.

Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received from the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received.

21 The Final SEIR includes clarifications and minor corrections to the analysis presented in the Draft EIS/SEIR. No changes to the conclusions of the analysis were made in the Final

SEIR; however additional technical information and analysis was provided in response to comments to provide additional substantial evidence to support the existing conclusions. The Response to Comments includes revisions, clarifications, and responses; however, the revisions do not introduce significant new circumstances or information. The City of Vernon was provided with a copy of Volume III Responses to Comments in accordance with CEQA requirements.

NEPA and CEQA regulations detail requirements for public involvement during preparation of an EIS/EIR to ensure meaningful engagement during the planning process and ensure decision makers are informed by the views of the public (40 CFR 1506.6, *CEQA Guidelines* §15201). CHSRA and Metro as the NEPA and CEQA lead agencies, respectively are committed to exceeding the public involvement and outreach requirements of CEQA and NEPA. Please refer to **Final EIS Volume III, Key Issue Response 1** for a detailed explanation of the stakeholder engagement activities conducted by CHSRA and Metro working in good faith with the City of Vernon.

In 2020, during the Revised NOI scoping period no formal comments, especially those related to alternatives considered or any overall concerns of the proposed railroad improvements, were received from the City of Vernon. The City of Vernon was also invited to be a NEPA participating agency and no response to the invitation was received.

During preparation of the Final SEIR and Final EIS (prior to the October 10, 2025 submittal of the Metro's draft responses to written comments), Metro facilitated 10 focused meetings with the City of Vernon Executive Leadership Team to present information, data, and technical analysis prepared to address comments raised by the City of Vernon and property owners, business stakeholders, and other members of the public that work or reside in Vernon. Metro also extended meeting invitations to each of the 13 individual property owner meetings conducted during preparation of the Final SEIR and Final EIS, and no representatives from City staff attended. Vernon staff was also invited to meetings held with Los Angeles County Board of Supervisors, District 4, Supervisor/Metro Board Chair Janice Hahn's office and the City of Vernon Community Meeting and Open House held on March 26, 2024

The presentations to City staff, property owners, Metro Board Chair Janice Hahn's office and the Community Meeting/Open House, Vernon Chamber of Commerce, Vernon City Council relate to the key topic areas raised during the environmental process and particularly during the 45-day public comment period for the Draft EIS/SEIR. Key topics discussed prior to transmitting Metro's draft responses to written comments include:

- Impacts on properties and businesses
- Impacts on citywide circulation
- Freight movements, frequency, lengths of trains and existing and proposed operations
- Impacts on emergency response times and public safety

- Impacts on planned residential land uses
- Outreach in the City of Vernon
- Loss of businesses, potentially affecting business owner and employee livelihood
- Pollution and decreased air quality
- Increased traffic congestion
- Increased train traffic and train activity impacts on work delays and quality of life for Vernon residents
- Alternative sites considered

During preparation of the Final SEIR and Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final SEIR and Final EIS as OMMs. Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16 (Community Analysis)** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

22 Please refer to **Response to Comment 4** above for the reasons why Malabar Yard railroad improvements are mitigation for project-related impacts on freight.

In September 2020, CHSRA issued a Revised NOI for the Malabar Yard railroad improvements. In December 2022, Metro elected to prepare a CEQA Supplemental EIR (SEIR) to address the Malabar Yard railroad improvements among other project changes. The City of Vernon was invited to be involved in all steps of this multi-year process. The timeframe to address comments received on the Draft EIS/SEIR extended for over one year from August 2024 when the 45-day public comment period closed to October 2025. This process is not considered rushed.

23 During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

24 Please refer to **Response to Comment 6** above.

Metro understands the roles and responsibilities and actions that need to be taken to implement the Malabar Yard railroad improvements. For this reason, and as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 1**, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City of Vernon requirements, and viewpoints and perspectives so they can be addressed. Metro is committed to making meaningful progress in an attempt for a mutual agreement to fulfill the mitigation requirements of the Link US Project.

Malabar Yard Mitigation Measure TR-6 meets 14 CCR § 15126.4(a)(2) requirements. As identified in the Final SEIR's MMRP (**Page 26**), the City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and the CPUC on roadway design, railroad safety devices, and accessibility. For the Project itself, CHSRA and Metro do not require any permissions from the City of Vernon. The City of Vernon has no approval authority over the core Project elements. However, for certain improvements (such as roadway modifications, traffic signal adjustments, or safety enhancements at local crossings) that would be implemented as part of identified mitigation measures, CHSRA and Metro may conceivably require some level of coordination or permission from the City of Vernon. This could include permits for work within city-owned streets, temporary traffic control during construction, or integration with local infrastructure and potential land use entitlements (e.g., Circulation Element update). While these permissions are not guaranteed to be necessary for every mitigation measure, they may be required to implement specific improvements that extend beyond railroad property and into municipal rights-of-way.

This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. It is reasonable to anticipate that the City of Vernon will fully cooperate in the NEPA process, as such collaboration is mandated and reinforced by applicable federal regulatory frameworks. Under NEPA (42 U.S.C. § 4321–4336), federal agencies are required to use "all practicable means" to coordinate with state and local governments to foster mutually beneficial environmental planning. For transportation projects, 49 U.S.C. § 310 mandates coordinated and concurrent environmental reviews across federal agencies and agencies of jurisdiction, ensuring coherent alignment of purpose, need, alternatives, and permit decisions. This interagency cooperation enhances procedural efficiency, maximizes resource utilization, and ensures that the resulting transportation infrastructure network is sustainable, legally compliant, and responsive to community goals, thereby fulfilling both federal mandates as well as Metro's and the City of Vernon's planning priorities. Although the invitation to become participating agency was not accepted by the City of Vernon, Metro and CHSRA remain committed to a cooperative process with the City of Vernon.

Under California law, the CPUC has exclusive jurisdiction over the approval of new railroad crossings. The CPUC process is governed by Public Utilities Code Sections 1201 through 1205, 7537, 99152 and CPUC General Orders 75 and 88, as amended. The CPUC process generally proceeds as follows:

1. *Application by Metro*: Metro would submit an application to the CPUC for approval of a new crossing. This application must demonstrate compliance with safety standards and include proposed mitigation measures consistent with applicable requirements, such as Malabar Yard Mitigation Measure TR-6.
2. *Coordination with City of Vernon:* Metro would seek the City of Vernon's assistance in designing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6 to address local concerns and enhance safety. This collaborative approach is encouraged but not legally required for CPUC approval.
3. *CPUC Authority to Approve:* Even if the City of Vernon does not participate in designing mitigation measures, the CPUC retains authority to approve the new crossing if it meets safety and regulatory requirements.
4. *Opportunity for Objections:* The City of Vernon may file formal objections during the CPUC proceeding. These objections would be considered as part of the CPUC's decision-making process.
5. *Post-Decision Participation:* If the CPUC denies the City of Vernon's objection and approves the crossing, the City of Vernon may still assist in implementing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6. This ensures that local input can influence the final design and safety features, even after CPUC approval.

It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain required approvals from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications. Malabar Yard Mitigation Measure TR-6 meets the *CEQA Guidelines* §15370 criteria (b, c, and d). However, the Final SEIR also acknowledges that the effectiveness of Malabar Yard Mitigation Measure TR-6 will depend on ongoing coordination with the City of Vernon and CPUC. CHSRA and Metro are committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

25 Please refer to **Response to Comment 4** above for the reasons why Malabar Yard railroad improvements are mitigation for project-related impacts on freight.

26 During the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with

the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

RWG Letter to Metro Board Chair Dutra and Members of the Metro Board of Directors – Dated 10/22/25

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October 22, 2025

VIA ELECTRONIC MAIL

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One Gateway Plaza, MS 99-18-2
Los Angeles, CA 90012

Re: City of Vernon's Additional Comments on Link Union Station Project's Environmental Impact Statements/Supplemental Environmental Impact Report, and Objection to Certification of EIR and Project Approval

Dear Chair Dutra and Members of the Board of Directors:

This firm has been retained by the City of Vernon ("City") to provide additional comments on the Los Angeles County Metropolitan Transportation Authority ("Metro") Link Union Station project ("Link US") and Environmental Impact Statement / Supplemental Environmental Impact Report ("EIR") being considered for certification by Metro's Board of Directors ("Metro Board"). 1

As set forth in our earlier correspondence to the Metro Board on the Draft EIR, dated August 6, 2024, **the City supports regional efforts to expand rail service and the larger Link US Project**. But the City remains deeply concerned about the Project's unmitigated impacts on businesses and vulnerable communities arising from the proposed changes at the Malabar Yard ("Malabar Yard Mitigation"). 2

The City requests that Metro consider alternative options to "mitigate" the loss of BNSF Railway ("BNSF") storage space caused by the Link US Project. We believe that suitable options exist, and request that Metro seriously consider such options before moving forward. Many of the deficiencies that the City has identified in the EIR relate to the Malabar Yard Mitigation. **If Metro commits to removing the Malabar Yard Mitigation from the EIR and evaluating other options to address BNSF's request for additional rail storage, the City would likewise commit to working in good faith with Metro to address these issues.** This is a win-win for both Metro and the City, 3

as it would save years of litigation and legal expenses for both agencies, while promoting the worthwhile cause of improving the region's rail infrastructure. 3 cont'd

The Metro Board must understand one important point about this project: the Malabar Yard Mitigation, inclusive of a closure of 49th Street and 1,000 feet of new track and associated crossing infrastructure at 46th Street, **requires the City of Vernon's approval**. The City must vacate the necessary right-of-way, convey easements or licenses, and issue applicable encroachment permits, all of which are discretionary in nature and have yet to be negotiated. This is no small undertaking, and there is no avoiding this fact. Mitigation Measure MY TR-6 states: "For all new and existing at-grade railroad crossing modifications, Metro and BNSF shall obtain required approvals from the City of Vernon . . . ." Despite Metro staff's repeated "coordination" efforts, Metro has failed to comprehend that **the City is very unlikely to issue the approvals** for the Malabar Yard Mitigation to proceed. As a result, this Mitigation Measure is not feasible or enforceable. (14 CCR § 15126.4(a)(2).) 4

This should not be surprising. No rational public agency would agree to overhaul its already congested traffic system without BNSF's assurances on the extent and frequency of road closures and based upon a flawed traffic study taken during the height of the COVID-19 shutdown. Over the years, BNSF has repeatedly sought the City's approval to implement the Malabar Yard Mitigation, only to be denied because of its well-known impacts. With this important point in mind, the City urges Metro to eliminate the Malabar Yard Mitigation and identify an alternative storage option for BNSF. The City stands ready to support Metro's further exploration of alternative options. This approach will ultimately save Metro and the City time and resources by avoiding unnecessary litigation, uncertainty, and delay to an otherwise important regional transportation project. 5

For the foregoing reasons, the EIR's analysis of the Malabar Yard Mitigation is flawed and appropriate corrective action is to remove the Malabar Yard Mitigation from the EIR. The City's comments are largely intended to reflect CEQA, but the City intends to provide further comment as part of the NEPA process before the California High Speed Rail Authority. 6

I. <u>Fundamental Flaws with the EIR's Treatment of the Malabar Yard</u>

a. Freight Rail Is Not an Environmental Impact Requiring Mitigation

The Malabar Yard Mitigation is not an environmental mitigation. It is not a part of the Link US Project description in the EIR. Treating it as mitigation is inappropriate under CEQA for several reasons. 7

First, Metro staff has admitted—on the record—that **the Malabar Yard is not necessary to mitigate any environmental impacts** caused by the Link US Project. Metro staff has repeatedly said that Metro's preference is to compensate BNSF for the taking of its property at the BNSF West Bank Yard, rather than pursue the Malabar Yard Mitigation. The payment of just compensation is the appropriate and legally justified way to compensate a property owner for the taking of property needed for a public improvement, such as the Link US Project. By Metro's own admission at the October 16th Executive Board meeting, if BNSF accepts just compensation (or other negotiated amount), then the Malabar Yard Mitigation would be unnecessary and dropped from the EIR. Yet, the City is straddled with the impacts of the Malabar Yard Mitigation simply because BNSF has rejected monetary compensation for the taking of its property *and requested the Malabar Yard Mitigation*. Tellingly, BNSF has asked the City for approvals to expand the Malabar Yard starting at least 10 years ago, unrelated to the Link US Project. Therefore, the Malabar Yard Mitigation is and never was environmental mitigation, but rather a negotiated solution by Metro to avoid condemning property from BNSF and deliver BNSF the operational benefit it has long sought from the City. (see *Cleveland Nat'l Forest Found. v. San Diego Assn. of Governments*, 17 Cal.App.5th 413, 433 (2017) ("A mitigation measure is not part of the project.")). 7 cont'd

Second, an impact to freight rail storage is not an environmental impact under CEQA or NEPA. We have found no case suggesting that the loss of freight rail storage alone requires mitigation under CEQA or NEPA, nor is it listed as an environmental topic under the checklists for CEQA or the Federal Transportation Administration's NEPA checklist.[1] For purposes of Metro's consideration of the EIR under CEQA, the lone basis for imposing the Malabar Yard Mitigation is an inconsistency with one program and one policy of the Los Angeles Mobility Plan 2035 and the California Transportation Plan 2040. These are not Metro's plans, but guiding documents for other public agencies. Moreover, the perceived inconsistencies involve aspirational language that encourage goods movement projects, address climate change, and improve multimodal transportation. None of these plans suggest that Metro's Link US Project results is an inconsistency. Moreover, an inconsistency with a plan, such as the Los Angeles Mobility Plan, is not by itself a significant environmental impact. The inconsistency would have to cause an environmental impact to be considered significant under CEQA. The potential loss of freight storage space is not an environmental impact under CEQA. It is an operational issue for BNSF. (See *The Highway 68 Coal. v. Cnty. of Monterey*, 14 Cal.App.5th 883, 893 (2017) ("[T]he 8

[1] https://www.transportation.gov/administrations/office-policy/checklist-environmental-requirements-and-resources-1313-and-appendix

issue of whether a proposed project is consistent with a county's general plan is not a CEQA issue . . . .")). 8 cont'd

Further, the City of Los Angeles Mobility Plan and the California Transportation Plan are not even the relevant plans for purposes of this analysis. **What about the City of Vernon General Plan?** The Circulation and Infrastructure Element at Section 2.1 states: "**Many at-grade rail crossings remain in the City. These should gradually decrease** as the City encourages rail lines to merge facilities, to abandon spur lines, and to participate in separating streets from remaining railways." The Malabar Yard Mitigation is inconsistent with virtually every planning policy in the General Plan:

- **POLICY CI-1.2**: Continue to coordinate with the rail companies to provide for efficient rail service that minimizes impacts on the local street system. *No coordination has taken plan between BNSF and the City, and the EIR admits that the Malabar Yard Mitigation will impact the local street system.*

- **POLICY CI-1.3**: Limit rail yards to areas agreed on and consolidate rail spurs where feasible. *The City has not agreed to the expansion of the Malabar Yard.*

- **POLICY CI-1.5**: Continue to pursue grade separation for railroad crossings on designated streets. *The Malabar Yard Mitigation's 46th Street crossing is at-grade, not grade separated.*

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Despite these clear inconsistencies, the EIR does not even consider the Link US Project's and the Malabar Yard Mitigation's consistency with the City's General Plan. Instead, the EIR focuses on the cherry-picked policies that would drive a decision to adopt the Malabar Yard Mitigation. If the EIR will consider the planning policies as environmental impact (and it need not), then it needs to consider the most relevant plan of all: the City of Vernon General Plan.

The City has a long history with BNSF's efforts to modify the Malabar Yard, which the City has repeatedly resisted because of the City of Vernon's clear policies that prohibit the project. Former Vernon Public Works Director Kevin Wilson was in contact with BNSF about potential realignment of the Malabar Yard dating back to at least 2006. (*See*, email between Mr. Wilson and BNSF Project Engineer Greg Rousseau, dated September 27, 2006, attached hereto as Exhibit "F".) Mr. Wilson also previously met with BNSF's General Manager for the Los Angeles Junction regarding the proposed 46th Street connection on several occasions. He informed BNSF that the proposed crossing's impacts would be significant and unacceptable to the City. Separately, former Vernon Public Works Project Engineer Brandon Araujo met with BNSF between 2016-

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2019 to discuss the City's proposed Atlantic Bridge expansion project. According to Mr. Araujo, BNSF would not grant the necessary approvals for the City's proposed bridge unless the City agreed to the 49th Street closure to expand the Malabar Yard. In sum, BNSF is now using Metro to improperly obtain operational benefits through CEQA what it could not otherwise obtain from the City. By all accounts, BNSF is doing so in a way that is fully intended to **increase train traffic into and out of Vernon without any assurance to the contrary.** 10 cont'd

b. The Malabar Yard Does Not Fully Mitigate the Alleged Impact

Even assuming freight rail impacts are an environmental impact in need of mitigation, the Malabar Yard Mitigation does not fully mitigate the loss of freight rail storage. The EIR states that 5,500 feet of track space is being taken from the West Bank Yard, but the Malabar Yard Mitigation only accommodates an additional 3,350 feet of storage space. The 46th Street cross track does nothing to mitigate the loss of freight rail storage. 11

Yet, the EIR does not identify an adverse impact or significant adverse effect even after implementation of the Malabar Yard Mitigation. We assume this means that Metro does not view the loss of freight rail storage as an environmental issue. Instead, as Metro staff stated at the October 16th Executive Board meeting, the Malabar Yard Mitigation is the result of an agreement between Metro and BNSF because Metro could not purchase the West Bank Yard property from BNSF. Metro is improperly converting a real estate transaction into a mitigation measure under CEQA and NEPA, and pushing the impacts of its project onto the residents, workers, and businesses of Vernon. 12

c. The Malabar Yard Does Not Meet Metro's Specified Mitigation Criteria

The EIR conducted a screening process to identify a suitable location for a replacement site to offset the loss of freight rail storage at BNSF's West Bank Yard. Two criteria were established for this screening analysis. First, the "freight rail storage track replacement shall be located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards." (Final EIS/SEIR, Appendix Q, pg. 1-9). Second, the alternate location must provide **"full replacement** of 5,500 track feet of lost storage track capacity." (Final EIS/SEIR, Appendix Q, pg. 1-10). The Malabar Yard Mitigation satisfies neither of these requirements. 13

First, Malabar Yard is located two miles from the Hobart/Commerce Intermodal Yards, further from the Hobart Yard, Commerce Yard, and LA Junction. Of the four options that meet this initial criteria, it is the furthest away from the desired location.

Second, Malabar Yard does not provide full replacement of 5,500 track feet of lost storage capacity. According to the EIR, it provides 3,350 feet of storage capacity. Thus, it does not satisfy the secondary screening criteria.

As a result, the EIR's own evidence concludes that the Malabar Yard Mitigation was improperly selected as the location for the replacement for freight rail storage. This further supports the conclusion that the Malabar Yard Mitigation is not really mitigation, but an operational benefit specifically requested by BNSF.

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The City of Vernon contracted with Gary Hunter of Railroad Industries Incorporated ("RII") to evaluate BNSF's existing capacity and the EIR's alternatives analysis, among other issues. Mr. Hunter has over 45 years of experience in the railroad and transportation industry. His report concludes that numerous options are available to BNSF to offset the loss of freight rail storage at the West Bank Yard, including modifications to the existing Malabar Yard configuration that do not require the closure of 49th Street or additional crossings on 46th Street. As noted in Mr. Hunter's report, only cursory evaluation is given to the options outlined in the EIR, and the EIR completely fails to analyze a variety of other feasible mitigations that achieve a similar objective and do not cause environmental impacts on Vernon. (*Cleveland Nat'l Forest Found. v. San Diego Assn. of Governments*, 17 Cal.App.5th 413, 433 (2017) (holding that CEQA requires an EIR to discuss mitigation alternatives that would both substantially lessen a project's significant impacts and can be feasibly implemented)). Mr. Hunter's analysis is attached hereto as Exhibit "A" ("RII Report").

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d. The Malabar Yard Mitigation Improperly Causes Environmental Impacts

Under CEQA, a mitigation measure must reduce a project's environmental impacts. Mitigation, as defined in 14 CCR § 15370, includes avoiding, minimizing, reducing, or compensating for impacts. An EIR must include feasible mitigation measures, which are modifications of the proposed design and implementation of a project imposed **that reduce the project's adverse environmental effects**. (See Pub. Res. Code § 21002.1; *Natural Resources Defense Council, Inc. v. City of Los Angeles*, 98 Cal.App.5th 1176 (2023)).

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CEQA does not require mitigation measures that completely eliminate a project's environmental impacts. (Pub. Res. Code § 21002; 14 CCR § 15370; *Save the Hill Group v. City of Livermore*, 76 Cal.App.5th 1092 (2022)). Indeed, a mitigation measure can cause a new significant effect in addition to those caused by the project. (14 CCR § 15126.4(f)). What CEQA does not allow is for the EIR to manufacture a significant impact, such as freight rail impacts, and propose mitigation that would cause additional significant and unavoidable impacts. This is especially true where,

as here, the impacts to traffic and emergency response are the precise impacts that Metro contends the Malabar Yard Mitigation would avoid. This subverts CEQA's command to mitigate environmental impacts in a way that avoids, minimizes, or reduces environmental impacts. 15 cont'd

e. The Malabar Yard Mitigation Is Infeasible

Finally, the Malabar Yard Mitigation is infeasible, and thus improper, because it cannot be implemented without the agreement of the City. As noted above, Mitigation Measure MY TR-6 states: "For all new and existing at-grade railroad crossing modifications, Metro and BNSF shall obtain required approvals from the City of Vernon . . . ." The City has conveyed to Metro on numerous occasions that it is very unlikely to grant the required approvals. 16

Under CEQA, a mitigation measure must be "feasible." A feasible mitigation measure is one that is "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (Pub. Resources Code, § 21061.1; see also 14 CCR § 15126.4(a)(2).) The EIR's traffic mitigation plan for the Modified Proposed Project at the Malabar Yard does not have a reasonable plan for mitigation because it is infeasible and relies entirely on approval from another jurisdiction.

In *Tiberon Open Space Committee vs. County of Marin*, 78 Cal.App.5th 700, 748 (2022), an EIR for a development included the adoption of a comprehensive scheme of traffic mitigation measures, some of which required approval from another town. For example, the town would have to approve truck haul routes. The neighboring town argued that some of the traffic mitigation measures were unenforceable and illusory in violation of CEQA because they required town approval. In examining whether the mitigation measures were unreasonable and infeasible, the court noted that a mitigation measure may be within the jurisdiction of another entity, and a project may be approved with a finding that a mitigation measure "should be adopted" by another entity that has exclusive jurisdiction. (*Tiburon Open Space Comm. v. Cnty. of Marin*, 78 Cal. App. 5th 700, 746 (2022).) It also stated that "[S]peculation a municipality might not agree ... is not sufficient to show the agency violated CEQA by adopting [the] mitigation measure." (*Id.*, citing *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*, 57 Cal.4th 439, 466 (2013) (plur.opn.).) 17

Here, unlike in *Tiberon Open Space*, the entirety of the Malabar Yard Mitigation is within the jurisdiction of the City of Vernon. The Malabar Yard Mitigation is the closure of 49th Street and a new segment of train track on 46th Street, **all of which is predicated on the City's approval of a right-of-way vacation, easements or licenses, and encroachment permits**. Vernon's involvement is not limited to a mere ministerial permit or tangential approval as part of a larger 18

scheme of mitigation. **And, no cause for speculation is required here: the City of Vernon does not intend to grant these approvals**. Therefore, unlike in *Tiberon Open Space*, the proposed mitigation measures are not feasible. 18 cont'd

The proposed Malabar Yard Mitigation is also infeasible because it is not "consistent with all applicable constitutional requirements." (14 CCR § 15126.4(a)(4)). In order to be implemented over Vernon's clearly stated objection, Metro must condemn the City's right-of-way. In order to initiate eminent domain proceedings, Metro must find that the right-of-way is necessary for a public use. This finding cannot be made because, as stated above, the mitigation is not needed to mitigate an environmental impact and not needed to compensate BNSF for the loss of freight rail capacity. The Malabar Yard Mitigation is therefore improper. 19

II. Inadequacies in the EIR Analysis

a. Project Description for Malabar Yard Railroad Improvements

The EIR's analysis of the Malabar Yard Mitigation impacts is based on existing train operations data and future projections provided by BNSF. (Final EIS/SEIR, Appendix Q, pg. 2-2.) There are a number of fundamental issues with the descriptions of current and projected train operations as presented in the EIR. These comments are supplemented by the analysis of Railroad Industries attached hereto as Exhibit "A". 20

1. Outdated baseline train traffic data.

Even though the Draft EIR was released in June 2024 and the Final EIR issued in October 2025, the EIR still uses the year 2020 as the baseline for its impact analysis, and does not account for changes in train operations despite tumultuous changes in global trade and freight demand in the intervening period. The data is clearly stale. As such, it is unclear whether the baseline figures provided by BNSF are still accurate. To provide an accurate analysis of project impacts, the baseline numbers must be updated to reflect the actual existing train traffic at the Malabar Yard. Any discrepancies in the 2020 figures and the updated numbers must be incorporated into an updated impact analysis. 21

2. No factual basis for train traffic projections.

The EIR does not provide a clear factual basis for its estimates of future train movements. The EIR relies solely on figures provided by BNSF in March 2021, but does not explain how BNSF derived those projections. (Final EIS/SEIR, Appendix Q, p. 2-2.) They are entirely speculative. 22

The City has repeatedly requested that Metro and BNSF provide accurate information about ongoing and future planned operations at the Malabar Yard in order to evaluate and plan for increased train traffic at this central location within the City. (*See, e.g.*, City Letter to BNSF Railway, October 6, 2025, attached hereto as Exhibit "B".) However, neither Metro nor BNSF has provided responsive information. While the City understands that BNSF may not wish to divulge proprietary information about its business operations, BNSF must provide enough information about train traffic volume in order for the EIR to meet its disclosure obligations and for the City to evaluate whether to approve the planned operations at the Malabar Yard. Indeed, the EIR cannot effectively study the impacts of the project without an accurate accounting of future train traffic. 23

Further, if BNSF and Metro still consider the train movement projections in Tables 2-1 and 2-2 accurate, the EIR should include a mitigation measure capping train traffic at approximately those levels. Absent such a limitation, any increase in train traffic beyond the analyzed volumes could render the EIR's conclusions invalid. 24

3. Apparent inaccuracy of stated train traffic projections.

Aside from not providing any factual basis for the numbers presented, the EIR appears to grossly understate future train traffic volume. In its description of future operations at the Malabar Yard, the EIR states that improvements would "increase operational efficiency for BNSF because merchant train traffic would be redistributed from the north Entrance of Malabar Yard to the east entrance." (Final EIS/SEIR, Appendix Q, p. 2-4). However, the estimated future train movements for the north and east entrances presented in Table 2.1 and Table 2.2, respectively, do not reflect such a redistribution. Table 2.1 shows an estimated reduction in total weekday train movements from 20 movements to 3 movements in the first four years following completion of the Malabar Yard Mitigation. However, Table 2.2 does not show a proportionate increase in traffic train movements from the yard's east entrance. Upon completion of the 46th Street Connector, Table 2.2 estimates that there will be a total of just 10 movements at the east entrance, though there will be a reduction in 17 movements at the north entrance. 25

Moreover, what has been provided is clearly flawed. The EIR assumed train movements will occur during the five-day work week and six train movements per day would occur into and out of Malabar Yard using the northern entrance across Pacific Boulevard on the Harbor Subdivision. (Final EIS/SEIR, Appendix Q, p. 2-5). However, Table 2-1 makes the erroneous assertion that train movements would be reduced to 0.5 per day. **Six train movements per day divided by five weekdays is 1.2 train movements per day, not 0.5 per day. This flaw is carried through the** 26

entire EIR, and it overestimates the Malabar Yard Mitigation's benefits in a way that misleads the reader. 26 cont'd

4. Inadequate analysis of projected train lengths.

The EIR describes the Malabar Yard Mitigation in terms of increases in train movements, but does not properly quantify the potential increase in train lengths. In describing the "future operational characteristics" of trains along the proposed 46th Street Connector, the EIR suggests that "typical train lengths" will be 2,000 feet to 4,000 feet (Final EIS/SEIR, Appendix Q, pg. 2-9), whereas existing typical train lengths are up to 1,250 feet. Based on the project increase of 10 weekday train movements per week, this means that there could be an additional 27,500 feet (approximately 5.24 miles) of trains moving across 46th Street Connector in a given week. Analyzing project impacts in terms of train movements rather than train lengths conceals the true scope of increased train traffic associated with this Project. Moreover, the EIR uses wide ranges of train lengths that make it difficult to quantify such impacts. There is a marked difference between the impacts of a train that is 2,000 feet (0.38 miles) versus 4,000 feet (0.76 miles) long. The EIR analysis is frankly incomplete if it does not accurately consider the length of the trains that will be passing through the Malabar Yard and 46th Street Connector. 27

Further, the EIR notes that "[i]f commercial demand increases during future operations, BNSF will add train cars to train sets traveling out of the east entrance; therefore, train volumes would remain constant through 2040, and no increase in train movements would occur through 2040." (Final EIS/SEIR, Appendix Q, pg. 2-5.) The EIR does not provide estimates on how long trains could extend if required by an increase in commercial demand. Moreover, this assertion is entirely speculative as BNSF will not commit to any particular train length or frequency of movements. 28

b. <u>Air Quality</u>

As detailed below, the Air Quality analysis for the Malabar Yard Improvements are technically deficient and do not properly account for impacts on sensitive receptors in the vicinity of the Malabar Yard, including a church, residences and an LAUSD elementary school. The City engaged air quality experts at Urban Crossroads to closely review the EIR's air quality analysis. (*See*, Urban Crossroads, Malabar Yard Railroad Improvement Air Quality Impact Analysis Peer Review ("AQ Peer Review"), dated October 10, 2025, attached hereto as Exhibit "C".) Expert analysis highlighted, among other things, the following failures in the EIR's methodology and findings: 29

1. Failure to evaluate localized emissions

Section 3.5 of Appendix Q evaluates impacts related to air quality and global climate change. In its analysis of criteria air pollutants, Appendix Q compares the projected emissions from the Malabar Yard against federally set General Conformance *De Minimis* thresholds, rather than regional thresholds established by the South Coast Air Quality Management District (SCAQMD). 30

Generally speaking, CEQA mandates that EIRs measure air quality impacts against regional or local air quality standards, such as those set by SCAQMD. (*See*, CEQA Handbook, Appendix G.) Indeed, Mitigation Measure AQ-3 for the larger Link Union Station project requires rail operators to keep criteria pollutant emissions below the significance thresholds set by SCAQMD — rather than those set by the federal government. (Final EIS/SEIR, Appendix G, p. 69.)

Without measuring project impacts against regional air quality standards, the EIR fails to properly quantify significant impacts and identify potential mitigation measures to reduce those impacts. Therefore, the EIR must be updated and recirculated to incorporate an analysis of air quality impacts against SCAQMD standards. (*See*, Air Quality Impact Analysis, pp. 1-2.) 31

2. Failure to identify and evaluate impacts on nearby sensitive receptors

The EIR must study the Project's potential to expose sensitive receptors to substantial pollutant concentrations. (*See*, CEQA Handbook, Appendix G.) The EIR identifies three sensitive receptors within the vicinity of the Malabar Yard improvements, including the Vernon City School (Vernon's only school) and residents along 53rd Street and Furlong Place. The EIR does not, however, analyze potential impacts on those sites because they are deemed to be located more than a quarter mile from the Project. (Final EIS/SEIR, Appendix Q, pp. 3.5-13; EIS/SEIR Response to Comments, Volume III, pp. 29-30.) 32

The EIR's analysis of impacts on sensitive receptors is inadequate for the following reasons.

i. Distance threshold is arbitrary and does not comport with SCAQMD guidance.

The EIR arbitrarily and improperly applies a quarter-mile screening radius without clearly explaining why that distance was selected. SCAQMD does not impose such a strict screening radius when analyzing impacts on sensitive receptors. In its prior guidance, SCAQMD "recommended that the AQMD be consulted to obtain facility-specific emissions information and accepted assessment methods for determining relative exposure and health risk for proposed 33

projects." (See, SCAQMD, "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning", May 6, 2005, p. 2-4. https://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf?sfvrsn=9e021c61_4.)

The EIR must explain why the quarter-mile screening radius was selected. Given the increase in train traffic and idling in the area, air quality impacts may very well extend beyond the quarter-mile threshold applied in the EIR analysis.

We also note that the quarter-mile (or 1,320 feet) threshold appears to have been deliberately chosen to very narrowly exclude analysis of the nearby Vernon City School (alleged to be 1,350 feet away) and the Residences at 53rd Street (alleged to be 1,325 feet away). (Final EIS/SEIR, Appendix Q, pp. 3.5-13.) This is improper given that the Malabar Yard is located less than 1,000 feet from these sensitive receptors.

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ii. Impact radius appears incorrectly drawn.

Even if the quarter-mile radius were proper, the EIR does not accurately measure the distance between sensitive receptors and the expected emission sources. As shown in Figure 3.5-1 of Appendix Q, the EIR appears to center the quarter-mile radius from the 49th Street intersection and from certain portions of 46th Street. (Final EIS/SEIR, Appendix Q, pp. 3.5-15.) However, this Project will introduce mobile emission sources along the ***entire length*** of the Malabar Yard and across the 46th Street connector. As is obvious in Figure 3.5-1, portions of the Malabar Yard tracks come much closer than a quarter mile to the residences and Vernon City School. For example, in some instances, increased train traffic would likely pass approximately 750 feet (approximately 0.14 miles) from the Vernon City School. (*See*, AQ Peer Review, p. 3.) Therefore, even assuming a quarter-mile radius, the school and residences fall squarely within the impacted area, and the EIR must be updated and recirculated to include a full analysis of the air quality impacts on those sensitive receptors.

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iii. Other sensitive receptor sites have not been properly considered.

The EIR also omits key sensitive receptor sites that would be impacted by increased activity at the Malabar Yard:

- **Stacy Medical Center**, 4580 Pacific Blvd, Vernon, CA 90058

The City's only health care facility is located approximately 200 feet from project construction and operations at the Malabar Yard site.

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- **Holy Angels Church of the Deaf**, 4433 S Santa Fe Ave, Vernon, CA 90058

This church is immediately adjacent to the Vernon City School, and frequently holds on-site services and community events for parishioners.

- **Nearby Factories**

There are a number of factories in close proximity to the Malabar Yard where factory workers would be exposed to heightened air pollutants during their 8-hour shifts. (*See*, AQ Peer Review, p. 3.)

In order to properly study the air quality impacts of the Malabar Yard improvements, the EIR must be updated and recirculated to address impacts on these additional sensitive receptor sites. 35 cont'd

3. Failure to consider emissions from idling trucks and passenger vehicles

As set forth in Table 3.5-6, the EIR expects an overall reduction in criteria air pollutant emissions where more-efficient rail trips offset long-haul trucking trips. (*See*, AQ Peer Review, p. 3.) As a peer review of the EIR's air quality analysis points out, however, the modeling does not account for expected increases in train idling times at the Malabar Yard as storage capacity grows and more rail traffic is diverted. In order to accurately show Project impacts, the air quality analysis must be updated and recirculated to address the expected increase in train idling at the Malabar Yard. 36

4. Use of outdated emissions models

Appendix Q uses CalEEMod (Version 2016.3.2) to calculate construction emissions, even though CalEEMod Version 2022 was available at the time the modeling was performed. Because there were material changes to the model between 2016 and 2022, the figures presented in the EIR should be re-run with the latest available model to improve the accuracy of the figures presented. (*See*, Air Quality Impact Analysis, p. 4.) 37

c. <u>Traffic / Transportation</u>

The City engaged traffic and transportation experts at Lochner to closely review the EIR's analysis. (*See*, Memo re: Technical Adequacy of Link US FSEIR Responses to City of Vernon Transportation 38

Comments, dated October 22, 2025, attached hereto as Exhibit "D".) This analysis identifies a number of significant flaws in the EIR, as explained in detail in the report. 38 cont'd

d. Noise / Vibration

As detailed below, the Noise analysis for the Malabar Yard Improvements are technically deficient and do not properly account for effects on sensitive receptors in the vicinity of the Malabar Yard, including a church and LAUSD elementary school. The City engaged noise experts at Urban Crossroads to closely review the EIR's air quality analysis. (*See*, Urban Crossroads, "Environmental Evaluation For Malabar Yard Railroad Improvements - Noise Section 3rd Party Review" ("Noise Peer Review"), dated October 20, 2025, attached hereto as Exhibit "E".) This analysis identifies a number of significant flaws in the EIR, as explained in detail in the report. 39

e. Public Safety

To address safety impacts, the EIR vaguely states that "further coordination with CPUC and the City of Vernon is required," without providing any additional details about what coordination might be necessary. (Final EIS/SEIR, Appendix Q, pp. 3.14-22.) Without such information, the EIR cannot accurately conclude that the impacts will be less than significant. Furthermore, as has been stated by the Vernon Police Department, no coordination has occurred between the Police Department and Metro to identify the impacts on emergency response times caused by the Malabar Yard Mitigation. The Police Department prides itself on meeting its standard average of 3.5 minutes per response, but the Malabar Yard Mitigation causes a significant and unavoidable impact to response times. This impact is unacceptable to the Police Department and endangers lives. 40 41

f. Land Use

The EIR fails to properly analyze the land use impacts of the Malabar Yard expansion in the following ways:

i. Bifurcation of City's central hub.

Taken together, the closure of 49th Street and the expansion of the rail crossing at 46th Street would effectively bifurcate a key civic and business hub of the City. In describing the 49th Street closure, the EIR states that "the street closure is located in a primarily industrial area adjacent to the Malabar Yard with no residential uses or established communities in the vicinity." (Final EIS/SEIR, Appendix Q, pp. 3.2-34.) This cursory description of the area surrounding the Malabar 42

Yard belies the importance of this area to the City. As mentioned above with respect to Air Quality, the Malabar Yard is in close proximity to the City's only school, its only residential center, and its only 24/7 medical care facility. In addition, the Malabar Yard is within approximately 1,000 feet of the Vernon City Hall. The closure of 49th Street and increased traffic blockage along Pacific Boulevard caused by the 46th Street crossing would effectively cut off access from the eastern half of the City to essential public services in the west for extended periods of time throughout the day. This major impact must be more carefully studied as part of the EIR. 42 cont'd

Further, the EIR states that the 46th Street crossing "would facilitate safe pedestrian, bicycle, and vehicular access and connectivity and would not inhibit access to surrounding properties." (Final EIS/SEIR, Appendix Q, pp. 3.2-34.) Given that the goal of the 46th Street crossing is to facilitate increased train traffic, it is unclear how it would not "inhibit access" to surrounding properties. Without further analysis and explanation, this conclusion cannot be the basis for finding no significant impact under the EIR. 43

ii. Amendments to General Plan and zoning classifications.

The EIR states that the City would need to change existing General Plan and zoning classifications to accommodate the proposed design options for both the 49th Street closure and the 46th Street connector. (Final EIS/SEIR, Appendix Q, pp. 3.2-17.) Despite this, the EIR claims that "no direct adverse effects would occur because the properties would still be usable after implementation of the railroad improvements at this location and the potential land use entitlements mentioned above are administrative procedures that would support the continuation of movement of goods and people along roadways and railways in the City." (Final EIS/SEIR, Appendix Q, pp. 3.2-17.)

In addition to being conclusory, Appendix Q's analysis of the land use impacts of the Malabar Yard improvements are not based in fact. In meetings and correspondence, the City and business owners have repeatedly told Metro that the railroad improvements—and the accompanying traffic impacts—would have serious negative impacts on business operations in the immediate vicinity of the Malabar Yard and beyond. 44

Further, the General Plan and zoning amendments mentioned above would not be mere "administrative procedures." Rather, they would require close study by City staff and the City Council, and cannot at this time be considered a foregone conclusion.

III. Alternatives Analysis

Section 1.1 of Appendix Q of the EIR sets forth a cursory consideration of alternative sites for the addition of train storage. As described below, the EIR did not sufficiently study feasible alternative storage locations within nearby existing BNSF yards. 45

a. Inadequacy of the proposed Project to meet the stated mitigation objectives

The EIR claims that the Malabar Yard improvements and accompanying closure of 49th Street would mitigate the loss of freight storage at the BNSF West Bank Yard. Specifically, the EIR states that "[c]losure of the at-grade railroad crossing at 49th Street would accommodate BNSF storage capacity at the BNSF West Bank Yard by approximately 3,350 track feet." (Final EIS/SEIR, Appendix Q, p. 2-1.) Yet, the Link US Project is expected to result in a loss of 5,500 track feet of freight rail storage at the BNSF West Bank Yard. (Final EIS/SEIR, Transportation, p. 3.3-67.) As the EIR indicates, BNSF would still lose 2,150 feet of track even with the Malabar Yard improvements. (Final EIS/SEIR, Transportation, p. 3.3-69.) Given that the Malabar Yard improvements would only replace approximately 60 percent of the track being lost, it is not sufficient mitigation for the operational impacts at the BNSF West Bank Yard. 46

b. Metro did not properly analyze feasible alternatives.

As noted above, the City has engaged Gary Hunter of RII, a train expert with more than 45 years of experience working in the railroad industry, including advising on BNSF yard and terminal operations. Pursuant to an analysis of BNSF operations at the Malabar Yard and surrounding train yards, BNSF likely would have ample storage space at the existing Malabar Yard and other BNSF facilities to relocate displaced trains from the BNSF West Bank Yard, without having to close 49th Street. (*See*, RII Report.) 47

IV. Conclusion

Given the significance of the Link US Project, the City respectfully requests a continuance of the Board's consideration of the EIR so that the Board has sufficient time to carefully consider these comments and those submitted by others. The Final EIR makes numerous changes to the Draft EIR that the City has been forced to evaluate in mere days. Yet, Metro took nearly a year and a half to release the Final EIR following the initial comment period for the Draft EIR. The City has asked for additional information from BNSF, including in the City's letter to Metro dated October 6, 2025, but has repeatedly been rebuffed. The City is undertaking this work at its own expense 48

for BNSF's benefit, but BNSF is not even at the table to discuss its operations so that the City can evaluate appropriate options. 48 cont'd

Should the Metro Board not defer consideration of certification of the EIR, the City submits that the Board must remove the improper Malabar Yard Mitigation. In the spirit of cooperation, the City has proposed the following options to achieve this result without burdening the larger Link US Project:

- Remove Mitigation Measure TR-3, the Malabar Yard Improvements, and Appendix Q of the SEIR, and make findings that the disclosure of the potential loss of freight storage space at the West Bank Yard and the planning document inconsistency are provided for informational purposes, but they are not an environmental impact that requires mitigation under CEQA. 49

- Remove Mitigation Measure TR-3, the Malabar Yard Improvements, and Appendix Q of the SEIR, make findings that no feasible mitigation currently exists to offset the inconsistency with the Mobility Plan, and deem the inconsistency significant and unavoidable that must be addressed in the statement of overriding considerations. The Malabar Yard is not feasible as additional storage space (although we believe there is currently storage capacity) because Metro cannot obtain the needed approvals from the City of Vernon to implement the Malabar Yard Improvements. 50

- Remove the Malabar Yard Improvements and modify Mitigation Measure TR-3 as follows: "Metro shall work cooperatively with BNSF and surrounding jurisdictions to identify additional locations for freight train car sets that may no longer be able to be stored at the BNSF West Bank Yard. If a mutually acceptable location is identified, Metro, BNSF, and the affected jurisdiction shall enter into an operating agreement governing the terms of use that prevents impacts to the affected jurisdiction. Metro and BNSF must obtain all necessary permits, approvals, and real estate from the affected jurisdiction(s). The timing for implementation and operation of this mitigation measure shall be mutually agreed upon Metro, BNSF, and the affected jurisdiction(s)." We feel this mitigation is both feasible and consistent with the motion adopted by the Executive Committee. 51

The City remains willing to cooperate with Metro and BNSF on feasible alternatives, including appropriate alterations to the Malabar Yard that would increase its capacity. The City is willing to continue its coordination after the SEIR has been certified without the Malabar Yard Mitigation. 52

Should Metro fail to revise the EIR as requested, the EIR will remain inadequate under CEQA. The City therefore objects to certification of the EIR in its current form, and to any further action on the Project until the necessary and proper environmental review has been completed, and all potential impacts have been analyzed, disclosed, and properly mitigated.

In short, if the SEIR is certified with the Malabar Yard Mitigation, the City will have no choice but to explore potential legal options to protect its community from the Project's significant environmental impacts. 52 cont'd

The City reserves its right to submit additional comments as deemed appropriate. Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Nicholas R. Ghirelli

cc: Honorable Mayor and City Council
Brian Saeki, City Administrator
Zaynah Moussa, City Attorney

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EXHIBIT "A"

Railroad Industries Incorporated Report

Review of "Link Union Station Draft Environmental Impact Statement/Supplemental Environmental Impact Report"

Prepared For:

The City of Vernon, California
4305 S. Santa Fe Ave. Vernon, CA 90058









Report Date: October 17, 2025

Prepared By:

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Executive Summary

Background



The Los Angeles Metropolitan Transit Authority (Metro) and California High Speed Rail Authority (CHSRA) are expanding rail service operations and infrastructure in the Los Angeles area. This includes an expansion of the Los Angeles Union Station in a new location that will require the removal of 5,500 feet of track currently owned and used by BNSF Railway (BNSF) to store empty intermodal flat cars.

Metro proposes to replace BNSF's lost storage capacity in a manner that maintains the current freight flows and smooth operations in the area. Metro has approached the City of Vernon with a proposal to use BNSF's under-utilized Malabar Yard located in Vernon, outside Los Angeles, about 3.05 miles south of where the tracks are to be removed for the new Link Union Station (LUS). Metro has requested that a large at-grade railroad crossing at 49th Street be closed to connect two portions of Malabar Yard. In addition, BNSF would like to build a connector track along 46th Street to connect Malabar Yard with Los Angeles Junction (LA Jct.) Yard. This connection would utilize other existing tracks within Vernon to allow trains to flow directly between the two yards.

A-1

Metro has released a Draft Environmental Impact Statement (EIS) for the entire project, including the proposed modifications in Vernon.

Purpose

The purpose of this report is to review this Draft EIS and determine if the impacts to the City of Vernon have been thoroughly examined and mitigated, including but not limited to scale and breadth of impacts, any additional impacts not examined, additional mitigations needed and alternatives to the Metro proposal.

A-2

Railroad Industries Incorporated (RII) inspected the area on September 30 and October 1, 2025 including the proposed construction areas at Malabar Yard, 49th Street and 46th Street, intersections throughout the city between the two yards, as well as the West Yard, Hobart Yard, Commerce Yard and LA Jct. Yard.

In order to perform this assessment, RII reviewed the following documents:

Link US Draft Environmental Impact Statement Supplemental Environmental Impact Report
Appendix G - Air Quality and Global Climate Change Assessment and Health Risks Assessment
Appendix D - Community Impact Assessment
Appendix E - Traffic Impact Assessment
Appendix F - Visual Impact Assessment
Appendix H - Noise and Vibration Study
Appendix O - Economic and Fiscal Impact Assessment
Appendix Q - Environmental Evaluation of Malabar Yard Mitigation
Appendix R - Coordination and Outreach Plans
City of Vernon Notice of Preparation Draft Environmental Impact Report and Public Scoping Meeting for Vernon Wsetside Specific Plan April 20, 2022
City of Vernon Website
Link Union Station Project - City of Vernon Coordination Meeting March, 6, 2025

A-2

In addition, RII examined the mitigations and alternatives and developed several other alternatives to the proposed option. RII has made some recommendations for the City of Vernon for further study and negotiation to assist with its discussions with Metro.

Summary of Findings

The City of Vernon has such a bustling industrial history, that it is easy for others to forget that it is an evolving city. It may be small in comparison to Los Angeles, but it has come a long way during the last decade toward modernizing, cleaning up the city and diversifying its economy, residence options and plans for the future. The current city council has gone to extreme efforts to improve the attractiveness of the city, draw in new industries, expand housing opportunities and voter pools, and truly grow into the modern post-industrial era.

The City recognizes that BNSF is one of its valued industries in the city and appreciates its service to Vernon's existing rail-served customers. The City supports rail and intermodal development as host to BNSF largest intermodal yard, Hobart Yard on its east side. The city is also well aware of the numerous rail assets throughout the city that BNSF inherited with LA Jct. Vernon understands what operations would be best for BNSF and utilization of its own assets and capacity, but Vernon has to consider a bigger picture. Vernon has to consider the whole city, all including 95% of industries not served by rail, all of the 55,000 employees, service personnel and carrier drivers working in the city every day, the small but growing population of residents and the quality of life, work, safety, and future for all of these stakeholders.

A-3

Metro's obligation to BNSF is to provide just compensation for what it is taking, not to provide infrastructure investment to a private freight railroad. If improved freight

movements are a consequential boon of Metro's obligation, that would be great. However, implementing improvements beyond those proposed to compensate BNSF directly for the loss of a specific number of storage spaces at the expense of another party is beyond the scope of Metro's project, obligation and authority.

Metro also has the prerogative and flexibility to negotiate with BNSF in many ways regarding its own vast properties, jurisdictions, privileges and intersections where the two major railways meet throughout the state. It can work out creative deals to make both parties winners as they grow the transit and freight operations in California. However, Metro cannot force its own obligations to BNSF upon other stakeholders to shoulder the burden. The City of Vernon has nothing to do with Metro's new station plans three miles away in a different city. Metro and BNSF's negotiations regarding this facility are between those two parties.

A-3 cont.

The City of Vernon should have been asked for its input as soon as the idea for utilizing its assets and impacting its community were under consideration. If the City of Vernon had been included in the discussions regarding Malabar Yard and 46th Street connection before these ideas were studied, it could have helped direct the studies to ensure they included all potential negative impacts to Vernon for safety, traffic, health, air quality, economic development, etc. and it also could have fully examined alternatives. The way it unfolded appears as if the deal was made solely between Metro and BNSF, knowing that Vernon would object, so it was quickly pushed through as a revised plan and the "only option" that would allow the Metro project to move forward to prevent objections.

A-4

The key is that there are alternatives. This grand proposal to burden Vernon with all of these traffic impediments is completely unnecessary for BNSF to continue its operations as they always have. Replacing 5,500 feet of empty flatcar storage is not as difficult as the EIS implies (or 3,350 feet as it implies is enough). There are alternatives, which were not thoroughly looked for, let alone examined in detail. RII has illustrated some of these options, but they are by estimates only, have not been explored in engineering detail and by no means exhaust all of the potential alternatives.

A-5

This is effectively a merger of two previously unconnected railroads and the town of Vernon evolved around the experience and assumption that full trains were never moving through it. There were ever only slow moving switching trains serving its industries. What BNSF is attempting to do here is merge the previously separate operations to streamline its own regional operations, which would be devastating to the city of Vernon. BNSF has been trying to get the city to approve connecting these yards for the last 20 years, and the answer is still "No."

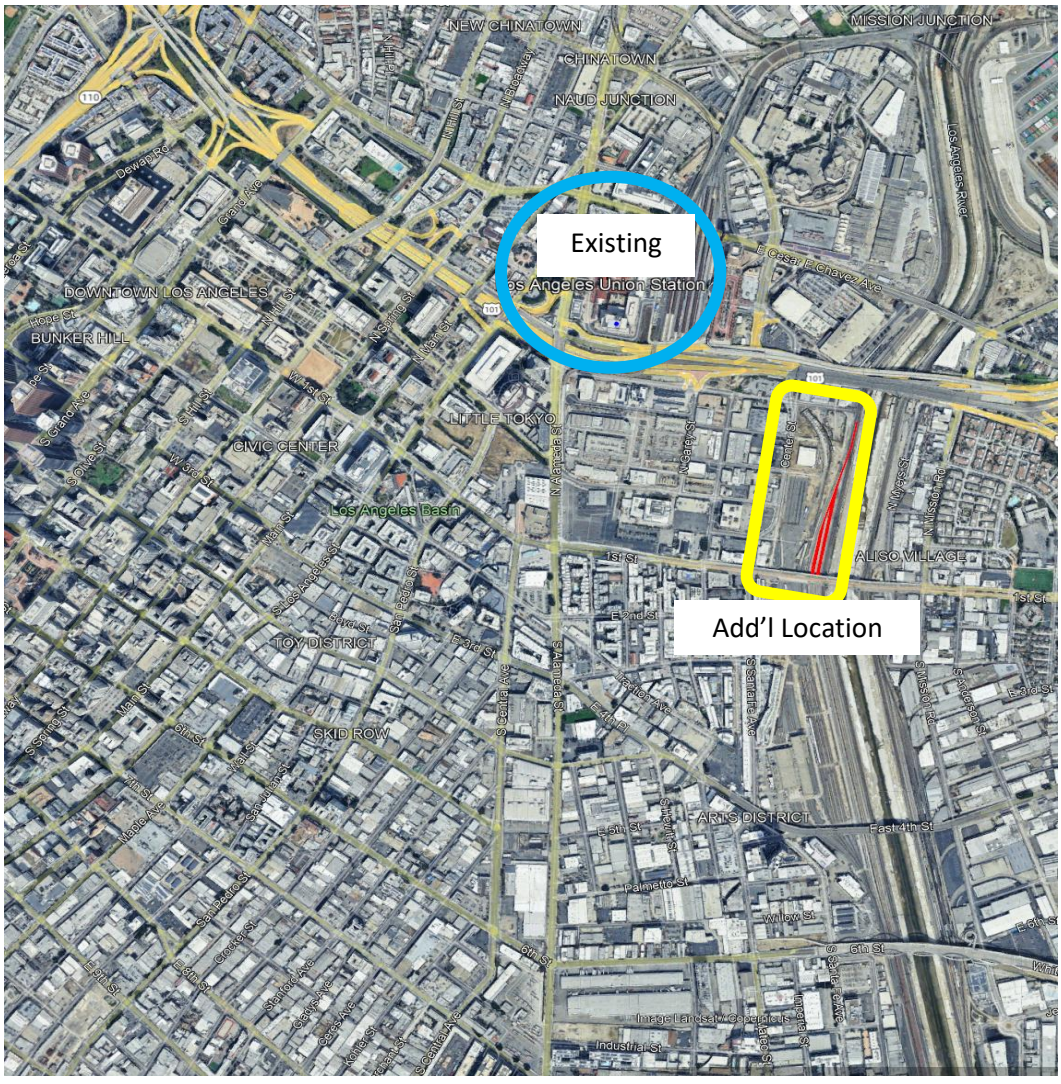
A-6

The Draft EIS itself falls short in numerous areas:

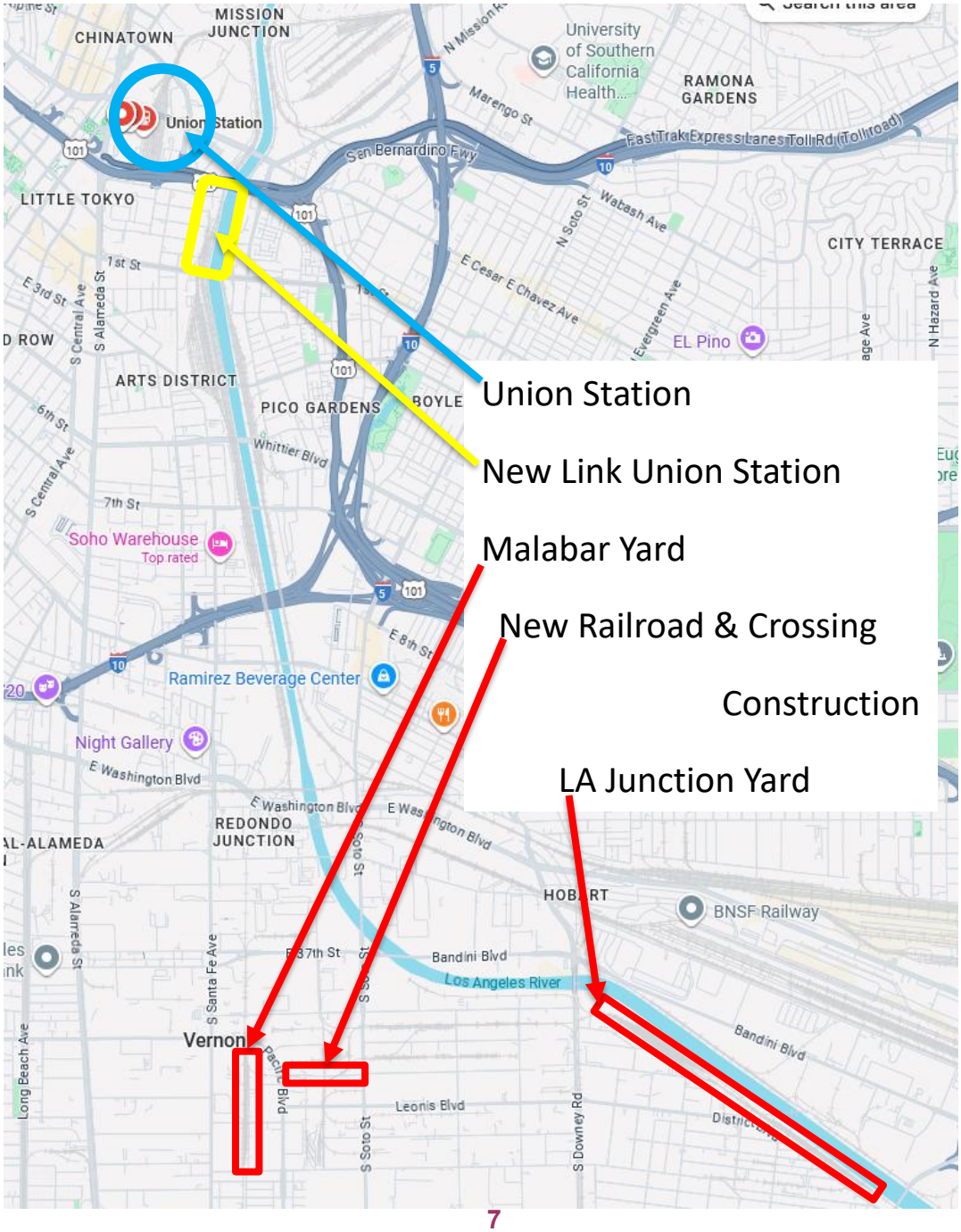
a) Old data is used for traffic which skews the results and makes the impacts measured irrelevant. A-7
b) The impacts of actually moving the trains were completely overlooked or intentionally omitted.
c) Train impacts left out include all of the following at a minimum: A-8
   a. additional traffic intersections affected by the trains
   b. additional roadway segments affected by the trains A-9
   c. air quality impacts from increased idling of vehicles delayed A-10
   d. economic impacts of increased traffic delays and congestion
d) Where adverse effects were acknowledged, many provided no mitigation or minimal attempt at mitigation.
e) Several mitigation strategies mentioned are essentially a simple commitment to be compliant with any laws without any actual mitigation for the negative impact. A-11
f) Several mitigation strategies mentioned requiring coordination with California Public Utilities Commission (CPUC) and City of Vernon, meaning there is no mitigation and the burden is either on the City to suffer it or mitigate itself.
g) Several aspects of the project require approvals from outside authorities for components that are unlikely to be approved as is and the project should not move forward until such issues have been resolved. A-12
h) There are numerous misstatements and fallacies in the EIS where sufficient details were not provided to support them. A-13
i) There were several instances where the language in the EIS convoluted the reality of what the impacts would be that could be due to any of the following:
   a. Simple but broad innocent mistakes and accidental omissions of important details and impacts
   b. Genuine ignorance of how the specific language and omissions skewed the perspective A-14
   c. Intentional use of language to deflect from attention on certain issues, to justify predetermined actions, to imply impacts are less than they are, to distract from the very specific impacts to the City of Vernon, to exaggerate benefits that are not relevant and to
   d. A combination of any of the above that truly had a misleading and catastrophic impact on the assumptions and results of this study.
j) Lack of involvement of the City of Vernon itself in identifying parameters for the study, alternatives and updated data points. A-15
k) Old environmental standards were used. Any changes that will have this mucn impact on a community need to be using the modern standards that were developed in 2018. A-16

Link Union Station Plans

The Link Union Station (LUS) has been in the works for over a decade. Passenger ridership was studied to estimate an increase of 100,000-200,000 passengers per day by 2040. This station connects the LA region to Amtrak's national network, as well as connecting six California counties for commuters and general local mobility. In order to plan for the expected growth, the LA Metropolitan Transit Authority (Metro) and California High Speed Rail (CHSRA) partnered to develop the LUS Project, which will expand Union Station with another location called LUS approximately 2,000 feet southwest from Alameda Street between Center Street and the LA River. Construction of the new facility is proposed to increase regional/intercity rail capacity, improve transit connectivity and make way for the planned high-speed rail system at the previous facility.



From the project's official public notice in 2016 through most of 2020, the project proceeded through public notices, stakeholder discussions and changes in project ownership. Abruptly in September 2020, a revised plan was posted regarding "minor changes" including 1) closing the 49th Street crossing through Malabar Yard in Vernon to vehicle traffic as "the only option" for replacing BNSF's storage tracks at the new LUS and 2) construction of new track and railroad crossing along 46th Street in Vernon to connect Malabar Yard to LA Jct. Yard. Both of these changes have major impacts on the City of Vernon and its own traffic, safety, air quality and economic development prospects.



A-17 cont.

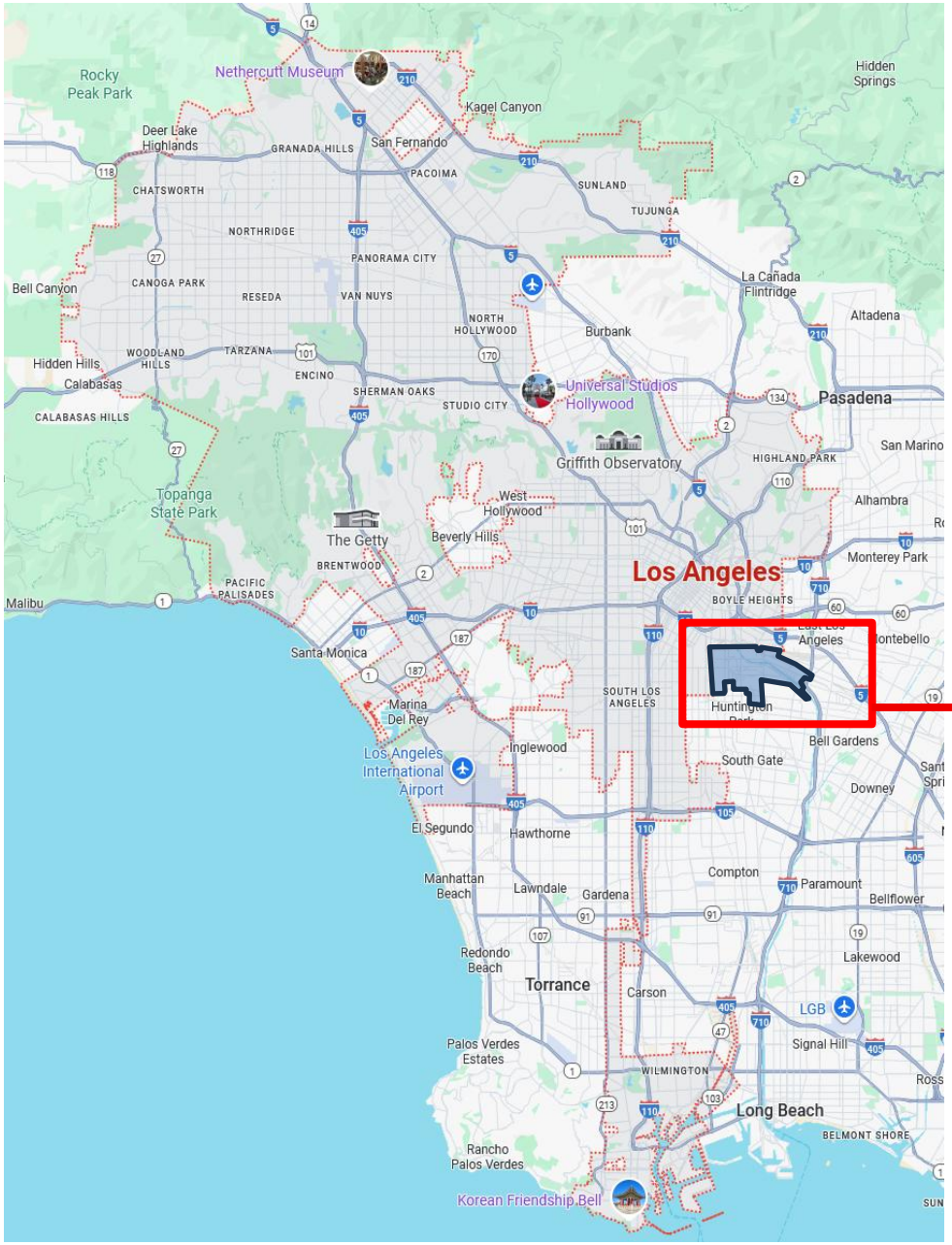
City Of Vernon Now and Future

The City of Vernon is an independent municipality located adjacent to Downtown Los Angeles, on its southeast side. The entire city is only 5.2 square miles, including .2 miles of the Los Angeles River. Although there are only just over 200 residents at this time, there are over 1,800 businesses and up to 50,000 employees of those businesses. According to the Economic Policy Institute, this equates to almost 159,000 additional indirect jobs for suppliers and another 301,000 induced jobs from their general spending. Businesses in the City of Vernon directly employ up to 50,000 people commuting every day, including personnel contracted to work in Vernon from outside agencies. By adding the daily number of service personnel providing services within the city to its 1,800 businesses on a given day, truck and passenger vehicles commuting through the City, as well as the extensive ongoing transportation traffic (inbound materials and outbound product) for Vernon's heavy manufacturing base, Vernon has estimated current daily traffic exceeding 55,000.

Throughout its history, from its rancher beginnings and incorporation as a city outside Los Angeles in 1905, the city of Vernon has fostered industry. The city has been able to attract and keep companies through business and industrial friendly city policies, low cost power and development direction.

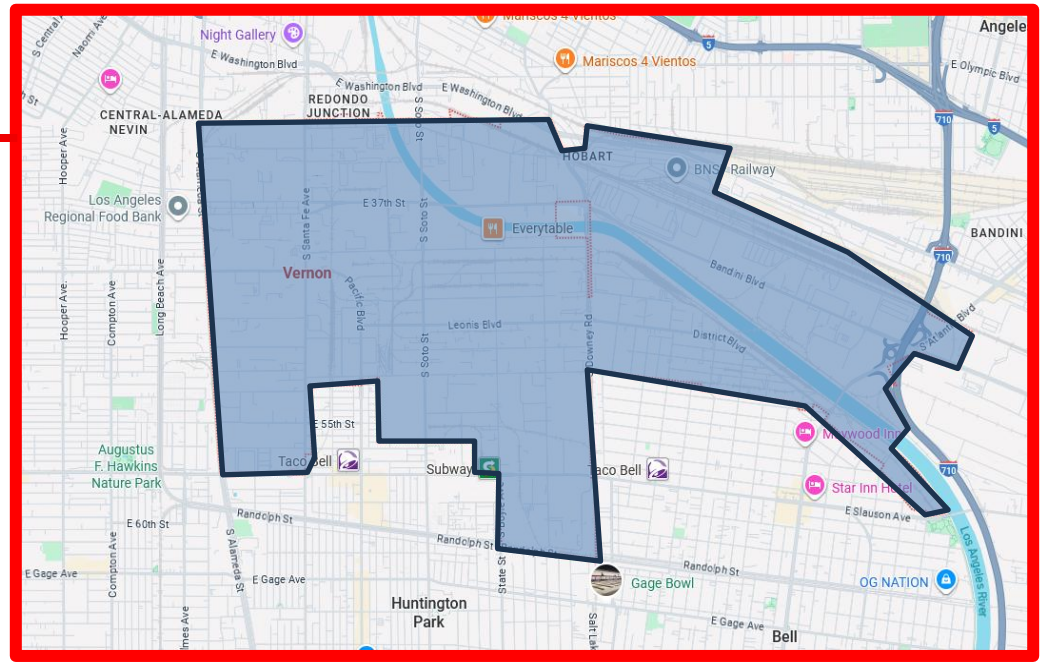
Today, Vernon has its own municipal health department that specializes in industrial issues. It has a police force and its own light and power generation facility, ensuring lower competitive rates for its own industries. In October 2020, it kicked off planning for the Westside Project. The identification of opportunities and constraints took place in early 2021, leading into an extensive stakeholder engagement process. Between February 2021 and November 2022, a series of seven Stakeholders Advisory Committee (SAC) meetings were held, The Environmental Impact Report (EIR) scoping period occurred from April 20 to May 20, 2022, including a public scoping meeting, The process concluded with a public hearing and zoning amendment adoption in Summer 2023, marking the culmination of a comprehensive, multi-year planning and community engagement effort. Those zoning amendments were the cornerstone of the City's Housing Element Update which was recently found to be in compliance with State Housing and Community Development requirements.

A-18



Vernon is almost surrounded by the greater Los Angeles city, bordered by Alameda Ave, on its west side, Downtown Los Angeles on its north side, City of Commerce on the east side and residential community of Huntington Park to the south. Even though it provides most of its own services, because it is completely bound by congested development on all sides, it must plan for its own development based on what is going on in the neighboring cities. Its West Side Specific Plan is one of those strategies, paying close attention to development patterns surround the city.

A-18 cont.



Issues

The LUS Plan abruptly made changes on 2020, suddenly stating that it would require major changes to the City of Vernon's streets:

1) Permanently closing one of its main crossings (49th Street)
2) Adding a new dangerous at-grade crossing (46th Street)
3) Taking property along 46th Street to construct a connector track between Malabar Yard and LA Jct Yard, which harms Vernon's industries
4) Increasing train traffic (all Exxon traffic) directly through the city versus going around the city as it currently does.

A-19

Vernon does not approve these changes to the plan. It is not involved in the development of the LUS within the city of Los Angeles, nor the discussions with BNSF that resulted in these decisions. The entire Draft EIS for the LUS was developed and put out with numerous deficiencies:

A-20

A) Almost all data used to determine "impacts" are extremely old, especially the traffic data for Vernon, which was from 2020 (during COVID-19 shutdowns) or from even earlier 2015. Vernon has had immense traffic growth since those times.

A-21

B) No impacts were measured for the City of Vernon for the new trains that will pass directly through the city under the proposed plan between the two yards. Trains have not moved through this area in many years and increasing train traffic directly through the city increases traffic delays, air quality issues, economic growth concerns, safety hazards, noise pollution and city aesthetic issues. Increased operations at LA Jct. would also have an impact on water quality at the river.

A-22

C) Alternatives to Malabar Yard as the "only option" to replace the storage were not thoroughly explored. The reasons were taken at face value from BNSF, who has a vested interest far beyond replacing the storage tracks in connecting Malabar Yard to LA Jct. for its own operational benefits. No analysis of space, traffic growth, traffic diversions, etc. was performed to compare other options.

A-23

D) Malabar Yard does not solve the train length issue for BNSF anymore than any other option.

E) There are material facts misrepresented in the Draft EIS implying that more track is needed than is true and that the 46th street connector to Malabar Yard is "necessary" for the LUS project, when it has nothing to do with that project.

A-24

F) The LUS project as presented currently in the Draft EIS directly conflicts with the development plan already in progress with the City of Vernon, and appeasing BNSF at Vernon's expense is not acceptable. The 2020 "changes" to the LUS Plan that directly involve the City of Vernon are not welcomed by Vernon.

A-25

Metro's Rationale for Changes

The reason provided for the 2020 changes to the LUS Plan that involve Vernon is to "replace 5,500 feet of storage capacity" to BNSF because of property and track that will be taken at the new LUS facility. The LUS Plan at the new location will remove the north end of BNSF's West Yard along the river. This yard is currently used to store intermodal flat cars waiting to build intermodal trains in nearby Hobart Yard. A-26

Existing BNSF West Yard

BNSF currently owns four tracks on the property that it uses to store empty intermodal flat cars. The total trackage owned by BNSF in the West Yard is over 31,000 feet; however, some of this trackage is access lead and access tracks for each of the actual four storage tracks in the yard. After allowing clearances for accessing each track, RII agrees with the assessment that there are approximately 30,145 feet of actual storage capacity. The longest track will allow a single train set up to 7,950 feet long. The following statements in the Draft EIS are false:

BNSF West Bank Yard can accommodate a continuous 9,000-foot-long trainset in any of the four storage tracks (EIS page 3.3-27)

The existing BNSF West Bank Yard can accommodate up to an 8,000-foot-long trainset in any of the four storage tracks. (Appendix Q-Alternatives page 1.1-10)

The only way to get a 9,000-foot long complete train set on the West Yard would be to fill one track all the way up the north lead that accesses the tracks, cutting off the other three tracks of the yard.

Existing storage capacity by track in the West Yard is as follows: A-27

Track 1 (riverside) = 7950 feet
Track 2 = 7650 feet
Track 3 = 7450 feet
Track 4 = 7095 feet
Maximum storage 31,145 feet

These figures are corroborated by the "railroad professional" measurements of car storage capacity and the historical cars stored measurements in the EIS pages 3.3-67-69. These same historical aerial images were measured by RII and verified. It is possible that this language is a simple mistake by different writers of the EIS understanding the difference between track feet and storage capacity.



Much of the track feet is excluded from the actual storage capacity because it must remain clear for safety and access to the other tracks. In the image above, only the green portions are included in the car storage capacity measurements. Similar clearances are assumed for all measurements in this report.

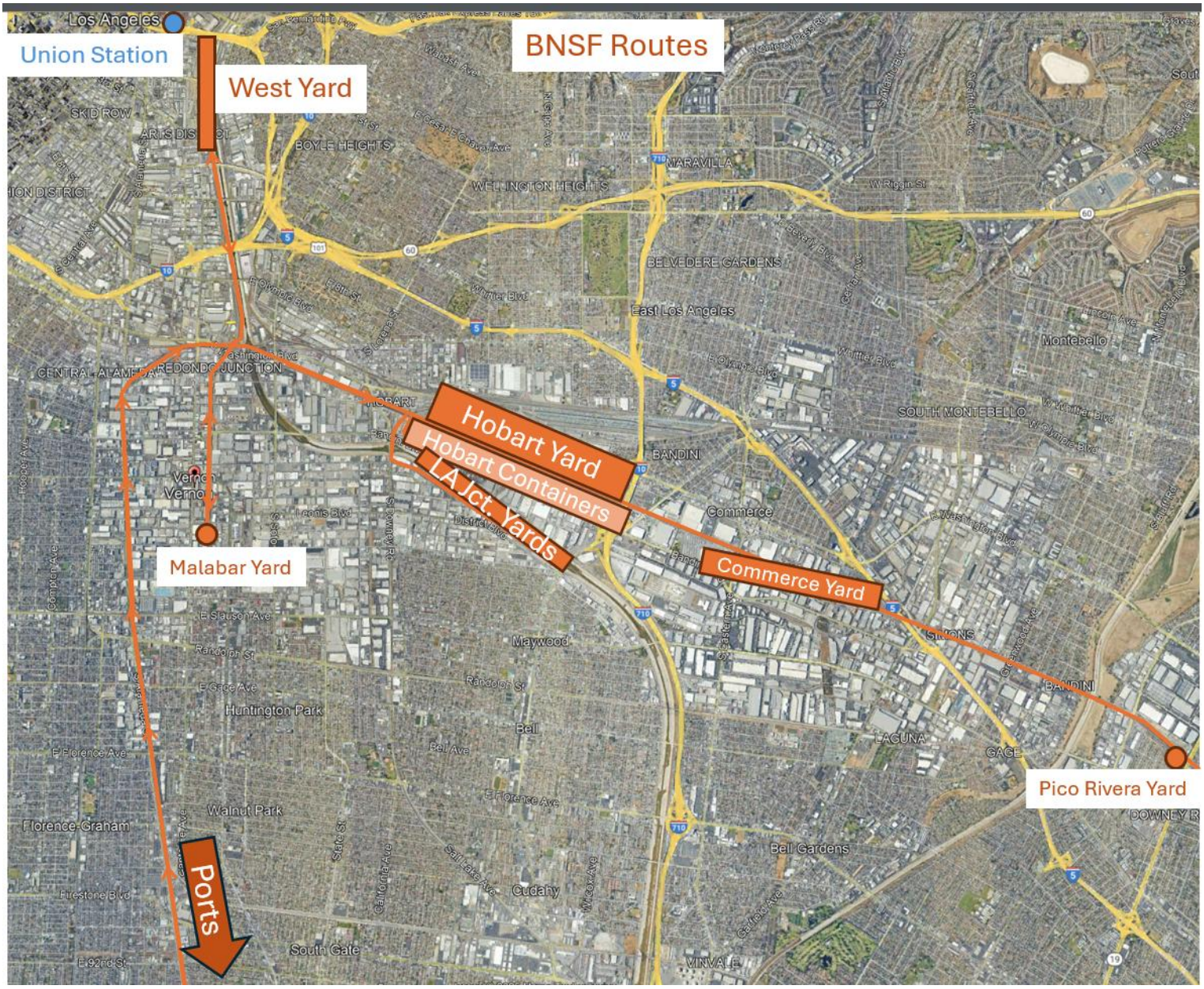
One point to clarify from the approach taken in the EIS is that intermodal trains are of various lengths depending on their destination and BNSF picks up as many cars as it needs for a given movement. For example, although a 7,000-foot track may be full with 104 cars (approx. 67 feet per car), if BNSF is sending an 80-car train, it uncouples what it needs to load and moves only the 80 cars in a set. If it needs 120 cars and has two tracks with 60 cars each, it can pull out, switch tracks and attach the rest it needs. There is extra time involved for the switch, but it does not involve a whole train movement back and forth between the yards. Today, if BNSF wants a 9,000-foot trainset pulled into Hobart Yard, it will require hooking up cars from two track in West Yard anyway as none of those tracks hold 9,000 feet. Only one track can hold almost 8,000 feet of storage, tapering down to 7095 storage feet for the shortest track.

A-28

The point is that the length of the storage tracks is less relevant when understanding intermodal train-building than the car capacity. The EIS leans heavily on the language of replacing the “8,000-foot track” or even “8,000 or 9,000 feet long” throughout the document(s) implying that specific length is needed when it is not. In fact, it is misleading and detracts from potential alternative locations by implying they need to be a certain length. Longer storage track would of course be more convenient and efficient, but it is rare to have that convenience available. In fact, the proposed “added capacity” of 3,350 feet of storage that the EIS states closing 49th St. will add to Malabar Yard is the combined feet of six different tracks that will require multiple switches to attach the stored cars to build a train set. Therefore, this opens several options for alternatives that were not explored.

Intermodal containers and returning empty chassis currently come up from the ports along the Alameda Street Corridor to be sorted in BNSF's Hobart and Commerce intermodal yards. Empty cars must be stored as close to Hobart Yard as possible, ideally somewhere easily accessible between Hobart and where the track diverts from Alameda. The West Yard is the ideal location for this operation, and BNSF will likely continue to utilize the remaining storage in West Yard once the LUS is constructed.

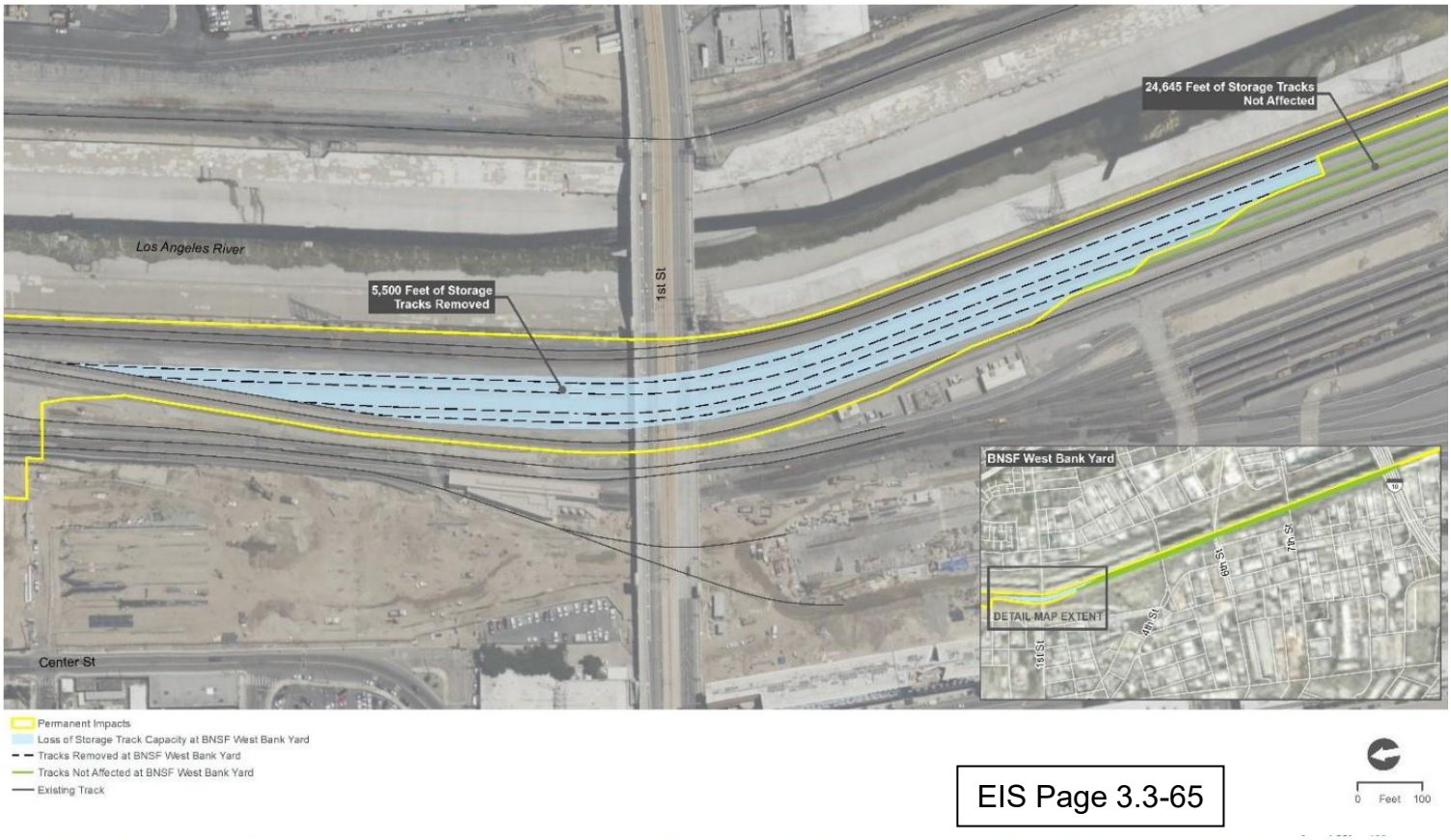
A-29



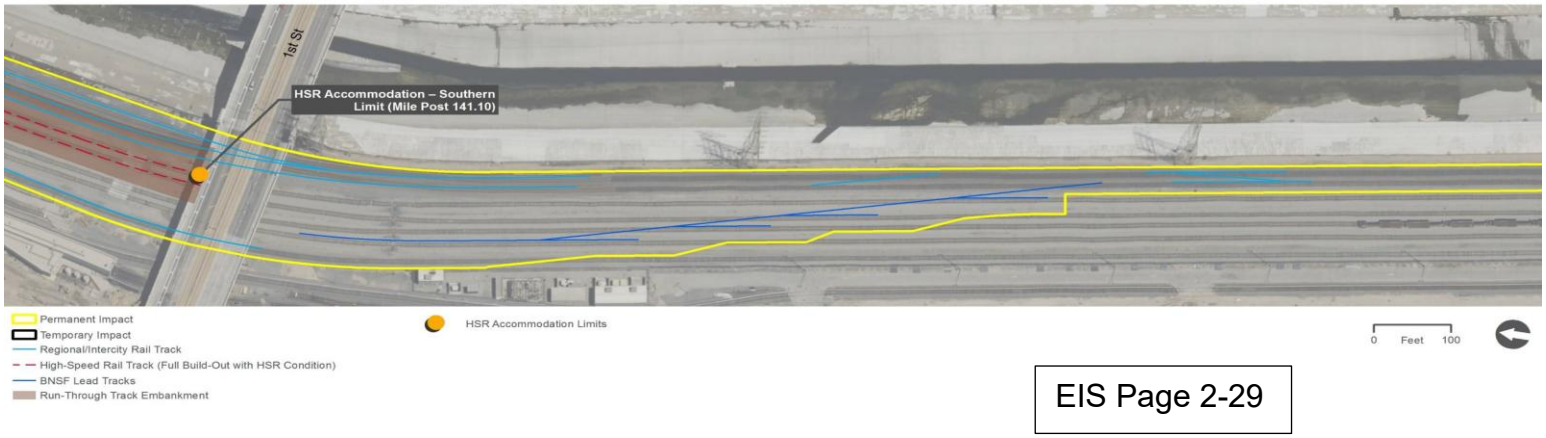
Metro Mitigation Proposal

The Metro Plan is to remove 5,500 feet of storage on all four tracks from their existing switch points to new switch points located south of 1st Street as shown in the following two images from the Draft EIS. A-30

Figure 3.3-7. Loss of Storage Track Capacity at BNSF West Bank Yard



EIS Page 3.3-65



EIS Page 2-29

This will allow BNSF to continue to access the yard from the north. Based on this new alignment and how the tracks line up at the south end, the remaining storage capacity on the four tracks would be divided as follows:

Track 1 (riverside) = 6100 feet
Track 2 = 6130 feet
Track 3 = 6190 feet
Track 4 = 6225 feet
Maximum storage 24,645 feet

A-30

Intermodal volumes fluctuate year over year, so the yard moves between empty and full depending on intermodal traffic. The key is that BNSF needs to retain the capacity for when intermodal traffic is heavy, even if all tracks are not used all of the time. Therefore, Metro is obligated to provide or assist BNSF in re-establishing the 5,500 feet of intermodal storage space elsewhere without losing significant operational efficiency that the West Yard provided.

Malabar Yard

Metro is proposing to use BNSF's Malabar Yard in Vernon to replace this storage. Currently, Malabar Yard is used only for local traffic, which is only four customers: Exxon and the west side of BNSF's Team Track/Transload. Cars are staged in the yard before being built into trains to take northward and down to LA Jct. The yard is rarely very full. Malabar Yard has seven tracks including the through track. A through track is typically left clear in a yard but in this case, the westernmost "through track" is actually owned by Metro itself, preserving a right of way lane for future transit development and no track south of Malabar Yard/Fruitland Ave. is currently in service or maintained. Therefore, it is assumed Metro would allow this track to be used as part of its trade off with BNSF for the lost storage at the new Metro station in Los Angeles. There are also two industry tracks along the east side of the yard which are not addressed in the existing yard storage capacity on the next page, but are addressed later in the Alternatives chapter.

A-31

The EIS mentions a rule by the California Public Utilities Commission (CPUC) requiring 150 feet of clearance from the crossing for stored railcars at 49th Street. However, CPUC does not govern specific railroad operations on the tracks; the CPUC helps enforce Federal Railroad Administration (FRA) rules, which simply states the railroad must allow enough distance to ensure safety and prevent collision by other rail equipment of vehicles. 49th Steet is a wide paved roadway with only two lanes of traffic and slow moving trains within a yard operation.

A-32

You can see from this aerial taken in July 2025, BNSF currently uses both ends of Malabar yard as needed and parks railcars as close as 20 feet of the pavement.



RII measured the tracks within Malabar from clearance of the switch (where the track begins to taper toward another track), leaving any access track clear so that all tracks are accessible. This resulted in the following feet of storage capacity available for storage or train building in Malabar Yard:

Malabar Yard	With 49th St. Crossing in Place															With 49th St. Crossing Removed	
in Feet	South End	Storage	Capacity	By ft road clearance		North End	Storage	Capacity	By ft road clearance		Total Yard	Storage	Capacity	By ft road clearance		Total Track	Storage
Track	Total Track	150ft	100ft	50ft	20ft	Total Track	150ft	100ft	50ft	20ft	Total Track	150ft	100ft	50ft	20ft		Capacity
Through Track	960	700	750	800	830	1680	1370	1420	1470	1500	2640	2070	2170	2270	2330	2700	2430
Yard Track 1	870	595	645	695	725	1550	1300	1350	1400	1430	2420	1895	1995	2095	2155	2470	2245
Yard Track 2	780	530	580	630	660	1485	1240	1290	1340	1370	2265	1770	1870	1970	2030	2300	2105
Yard Track 3	690	450	500	550	580	1400	1150	1200	1250	1280	2090	1600	1700	1800	1860	2215	2025
Yard Track 4	615	370	420	470	500	1345	951	1001	1051	1081	1960	1321	1421	1521	1581	2020	1681
Yard Track 5	545	290	340	390	420	1120	875	925	975	1005	1665	1165	1265	1365	1425	1720	1520
Yard Track 6	440	280	330	380	410	1020	864	914	964	994	1460	1144	1244	1344	1404	1510	1494
Access Tracks	1044					700					1744					1744	
Totals:	**5944**	**3215**	**3565**	**3915**	**4125**	**10300**	**7750**	**8100**	**8450**	**8660**	**16244**	**10965**	**11665**	**12365**	**12785**	**16679**	**13500**

*Access Track includes paved track in crossing, lead track to access each track and crossovers.
*Storage capacity deducts switch clearances and roadways clearances.
*Does not count industry tracks branching off from the yard.

The EIS determined that closing the 49th Street crossing would "add 3,350 feet of storage capacity," likely assuming a 150 clearance on either side of the road. However, RII's measurements for this yard provided only 3,215 feet total for all storage available in the south segment of the yard, and only 2,555 feet added for closing the 49th Street crossing: 150 clearance x 2 sides + 65 feet wide roadway x 7 tracks. This passage is from the EIS:

The 3,350 feet of freight rail track storage capacity added from the 49th Street Closure, combined with the remaining capacity of BNSF West Bank Yard that would not be affected by the Link US Project (24,645 feet south of First Street), BNSF's ability to stage and store empty bare tables from BNSF Hobart/Commerce Intermodal Yards and nearby ports would be maintained. (Appendix Q – Alternatives page 1.1-12)

RII is uncertain how exactly the 3,350 feet was determined as added capacity, or how it equals the 5,500 to be replaced, but it also states that BNSF's ability to serve the ports and store the cars is maintained with the addition of 3,350 feet.

Since BNSF already uses the south part of Malabar Yard when it wants to and operates with clearances of only about 20 feet from the road, the storage capacity added by closing the 49th St. crossing amounts to approximately 715 feet, or the equivalent of about 10 cars.

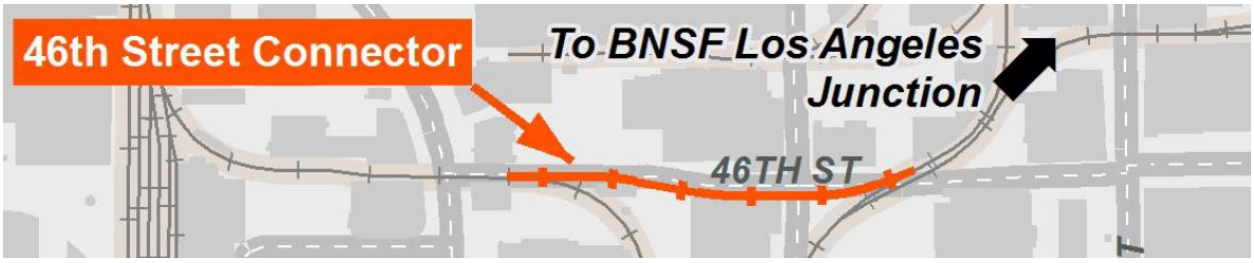
Regardless of how the storage would be configured or measured, BNSF would still need to switch from at least three tracks to pull as many cars to make up for the in-kind 5,500 feet lost at West Yard, pull from at least four tracks to build an 8,000 foot trainset and from five tracks to build a 9,000-foot trainset.

A-33

The track south of Malabar Yard is not used by BNSF and is not an outlet for Malabar Yard. The track is pulled up, paved over or fouled in most areas and Metro now owns the right of way and track.

46th Street Extension

BNSF has said that it would need to divert manifest traffic from Malabar Yard to make enough room for the intermodal storage, so the proposal includes constructing a connector track about 900 feet long along 46th Street. This new track would connect the closest two operational tracks from the east and west sides, effectively connecting Malabar Yard with LA Jct. directly through Vernon.



A-34

Source: March 6, 2025 City of Vernon Coordination Meeting Presentation

This track would allow BNSF to move the Exxon traffic directly over to LA Jct. through Vernon. Currently, the Exxon traffic is all handled on the west side near Exxon's facility, with some storage and train building in Malabar Yard, and the trains move up the west side line, over the north side of Vernon and into Hobart Yard/LA Jct. It is a significant amount of traffic amounting to four trains per day. BNSF would prefer this situation over its current method because it would save operational costs.

However, because there is so much unused storage space in Malabar Yard and it is never full with Exxon cars, it is unclear why diverting all of this traffic out of Malabar Yard is "necessary" in order to compensate for the loss in intermodal storage space at West Yard. BNSF's Exxon operations and LA Jct. operations are not the purpose of this

project. If the trade off were improving freight operations as an added bonus without so many negative impacts for the City of Vernon, all stakeholders would be cheering it on. Unfortunately, this plan takes Vernon for granted and drops major issues into this small city's lap.

A-34 cont.

It appears as if the EIS is using the *"City of Los Angeles' Mobility Plan 2035"* as part of the justification for the BNSF Malabar Yard/LA Jct. scenario, as if it is the "necessary" improvement needed to comply with the plan. However, the City of Vernon is not part of the City of Los Angeles and is not bound by the plan, nor should be used as the dumping ground for any plans for Los Angeles development.

A-35

These negative impacts and benefits for the Malabar Yard plan are listed in the Draft EIS, Executive Summary – page ES-xviii – xix:

Implementation of the Malabar Yard railroad improvements would result in unavoidable adverse effects in the following topic areas:

- *Transportation – Operations (potential roadway hazard due to queuing)*
- *Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)*
- *Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)*
- *Transportation (Malabar Yard Railroad Improvements only)*

o Throughout operations, implementation of the Malabar Yard railroad improvements would cause a potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delays to transit services, or disrupt pedestrian and bicycle access.

A-36

Thankfully, the EIS has addressed several negative impacts that will severely affect the City of Vernon. Unfortunately, all of the benefits listed benefit only Metro and BNSF.

A-37

Impacts to City of Vernon

It appears that the impacts of actually running new trains through the City of Vernon were completely overlooked in the EIS. The impacts of the improvements themselves and their construction – 49th Street crossing closure and 46th Street connector – were examined in detail, but no examination whatsoever was performed regarding the impacts of these trains, including but not limited to the following:

A-38

- Changes in rail traffic increase safety concerns and traffic flows
- Vehicle traffic, commute times, crossing delays, etc.
- Increased idle times and air quality
- Access to emergency services within the city
- Mobility and opportunities for Vernon employees, business and residents
- Water quality for increased rail operations in LA Junction, right next to river
- Impacts to economic development and future growth plans

For those effects that were examined, RII has commented or attempted to show the impacts for missing pieces. The impacts during the Construction stage appeared to be examined in the most detail, presenting a solid analysis of environmental impacts and standard mitigations for Construction work. Therefore, RII has made little comment regarding the construction stage. Unfortunately, it appears that the impacts for the operations once trains are moving on the new infrastructure were only examined as an afterthought. Where negative impacts are identified, they have not been detailed and there is insufficient mitigation recommended (and sometime no mitigation offered).

A-39

Railroad Traffic

The City of Vernon rose up through industry with heavy rail-served manufacturing once being its primary driver. At one point, nearly every industry had its own spur track and the private railroad started by the Central Business District of Chicago switched them all as a terminal railroad, i.e. providing switching and interchange to a line haul carrier versus transporting the freight over distances.

Railroad Timeline:

1923 – Railroad is constructed in Vernon by the Central Business District of Chicago to connect Vernon industries to all three Class I railroads in the area.

1929 – LA Jct. acquired by Atchison, Topeka and Santa Fe Railway (ATSF)

1930-1960's – Industrial business boomed in Vernon and rail traffic was heavy. Peak traffic was over 85,000 carloads annually during World War II.

A-40

Next 40 years – Vernon remains Industrial complex, but heavy rail traffic slowly thins

1995 – Burlington Northern and Santa Fe acquires ATSF and its assets, including LA Jct.
Next 10 years – rail traffic continues to dwindle on west side of river as other industries rise up

2005 – BNSF contacts the City of Vernon for possibility of 46th St. connector concept, which is rejected by the city

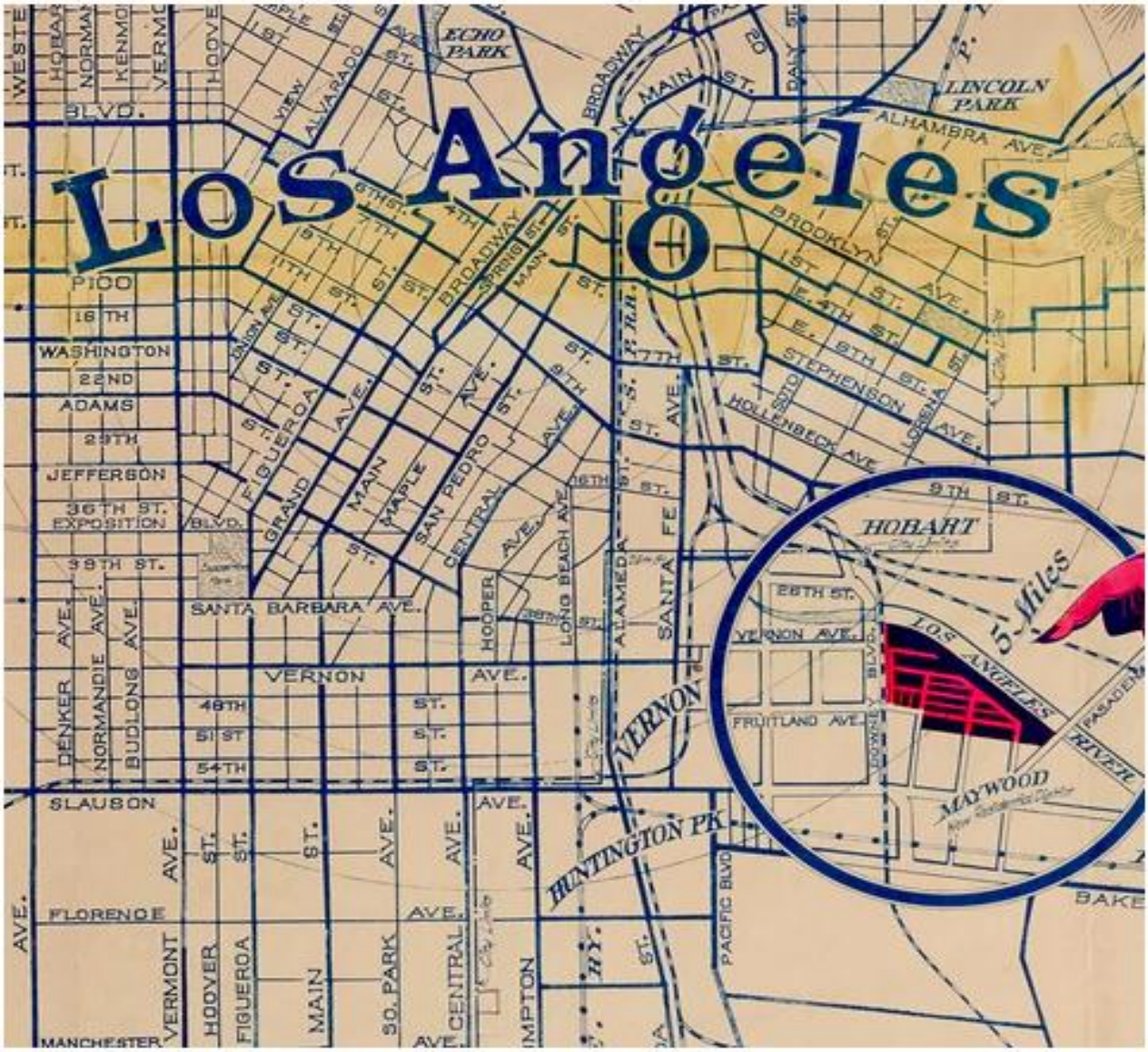
2008 – Traffic down to 15,000 carloads

2010 – City of Vernon again contacted for options for BNSF to connect its old Santa Fe assets in the west to its acquired ATSF assets in the east of Vernon.

2015 – City of Vernon begins development plans that ween out the derelict tracks and spurs within the city, especially on the west side of town. Plans are complementary to the newly planned Union Station being developed to the north, for which Notice of Intent and plan was released in 2016.

2020 – Metro revises its plan for the new LUS and releases Notice of Intent, informing City of Vernon about plans to force a 46th St. connector on behalf of BNSF.

This map from 1923 shows the industrial complex in Vernon with the Class I railroads before the LA Jct. was constructed.

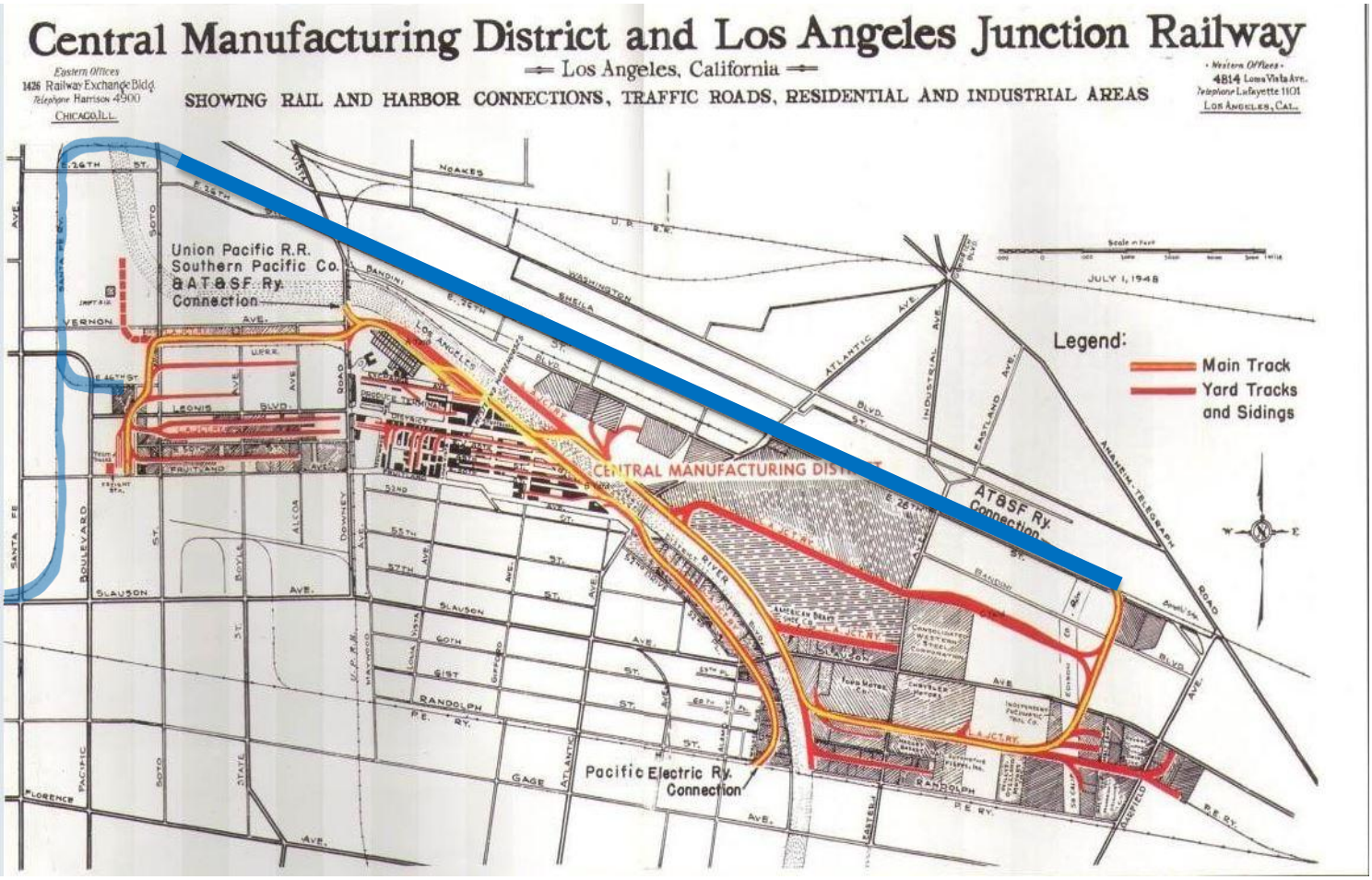


1923 Central Manufacturing District of Los Angeles map - Vernon rail lines & streets, Public domain, via Wikimedia Commons

A-40 cont.

The following map from BNSF Facebook shows the original main lines and yard tracks of the LA Jct., with the City of Vernon in the top left quadrant. The blue line has been added, which was the Santa Fe Railroad prior to its merger with Burlington Northern Railroad. Note that this line never connected to LA Jct. in this western section. They were two separate railroads whose later parent inherited the other.

A-40 cont.



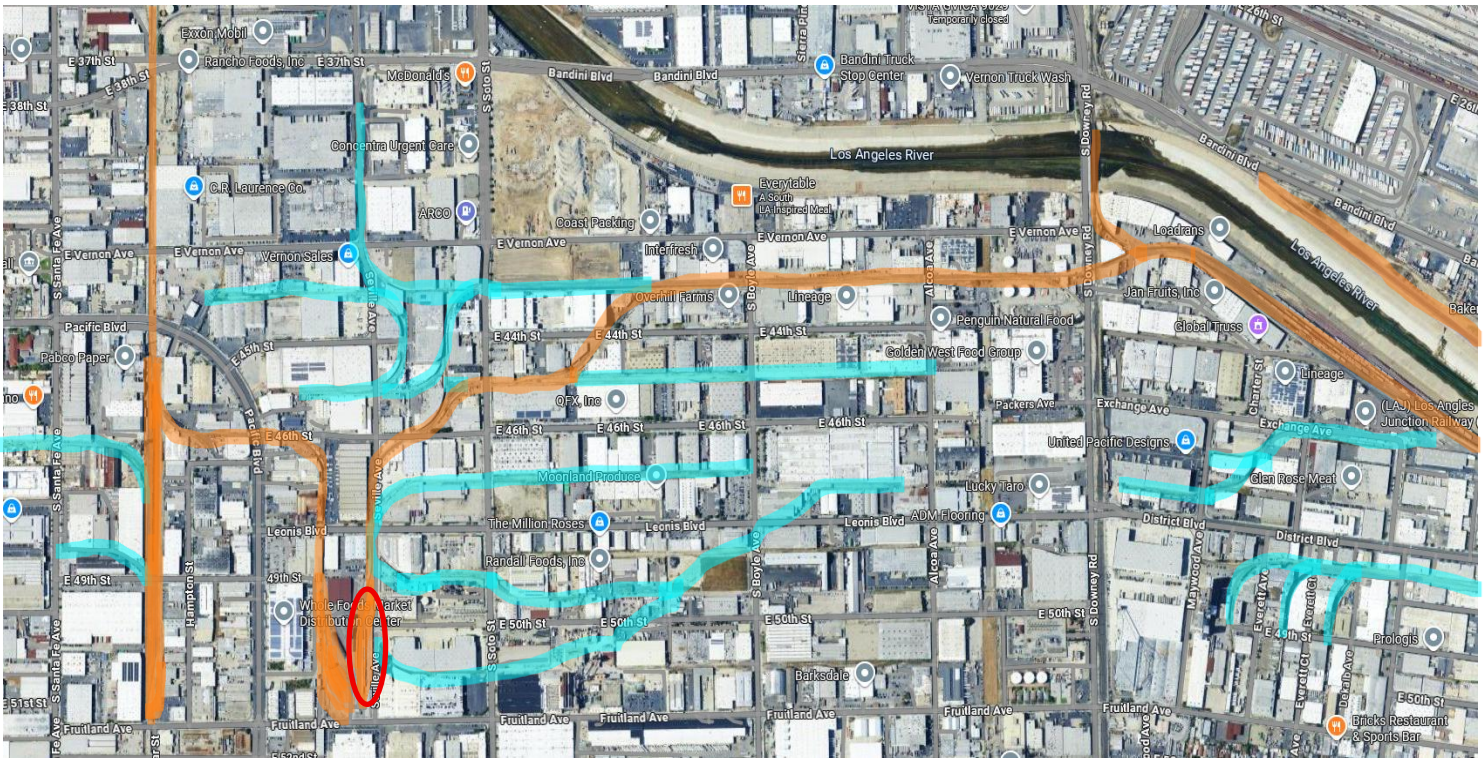
A-40
cont.

Today, most of the businesses on the west side of the river have converted to manufacturing that does not require rail. They ship using trucks for local market distribution or transload to rail off site. This has left a spaghetti bowl of tracks leading to nowhere, sidings and into new industries that would never use rail, and curved corners on buildings designed around the curving right of way. Some of the tracks are pulled up and paved over, while others remain in place, overgrown and rusted. According to Los Angeles County assessor records, some of the segmented rights of way are owned in fee by BNSF in a patchwork of widths ranging from 75 feet wide to only 17 feet in some locations and some were granted as easements by adjacent shippers between 1922 and 1940.

Aerial shot right of way between Soto and Boyle, 46th and Leonis.



This image shows the many out of service tracks or remnants of tracks throughout the city in blue as compared to the BNSF service tracks in orange (south of Fruitland is UP).



It is important to note that the single in-service track running through the city only serves the Team tracks located in the east side of the BNSF yard on Fruitland (red circle). This yard has several stub-end tracks that BNSF customers use to transload their own products. The east and west sides do not connect.

A-40 cont.

The following details from the EIS provide the existing operations and make up of trains currently moving in Vernon:

• *Typical Speed of Trains: 10-20 miles per hour*

• *Typical Length of Trains: Up to 1,250 feet (up to 15 Rail Cars)*

• *Typical Number of Engines: One locomotive*

… Malabar Yard…

• ***North Entrance*** *(Malabar Yard to Hobart Yard Connection – There are 2 round trips per weekday into/out of Malabar Yard using the northern entrance across Pacific Boulevard on the Harbor Subdivision (4 train movements total).*

• ***East Entrance*** *(Malabar Yard to Spur Line Track East of Pacific Boulevard – There is one round trip per weekday into/out of Malabar Yard using the east entrance across Pacific Boulevard to serve local customers on the existing commercial spur line that leads south toward Fruitland Avenue.*

A-41

• ***South Entrance –*** *Trains do not enter Malabar Yard from the south, but the south entrance at Fruitland Avenue is utilized to perform "head-end moves." These moves can occupy track southwest of BNSF Malabar Yard to the 2nd Street crossing in the vicinity of Slauson Avenue.*

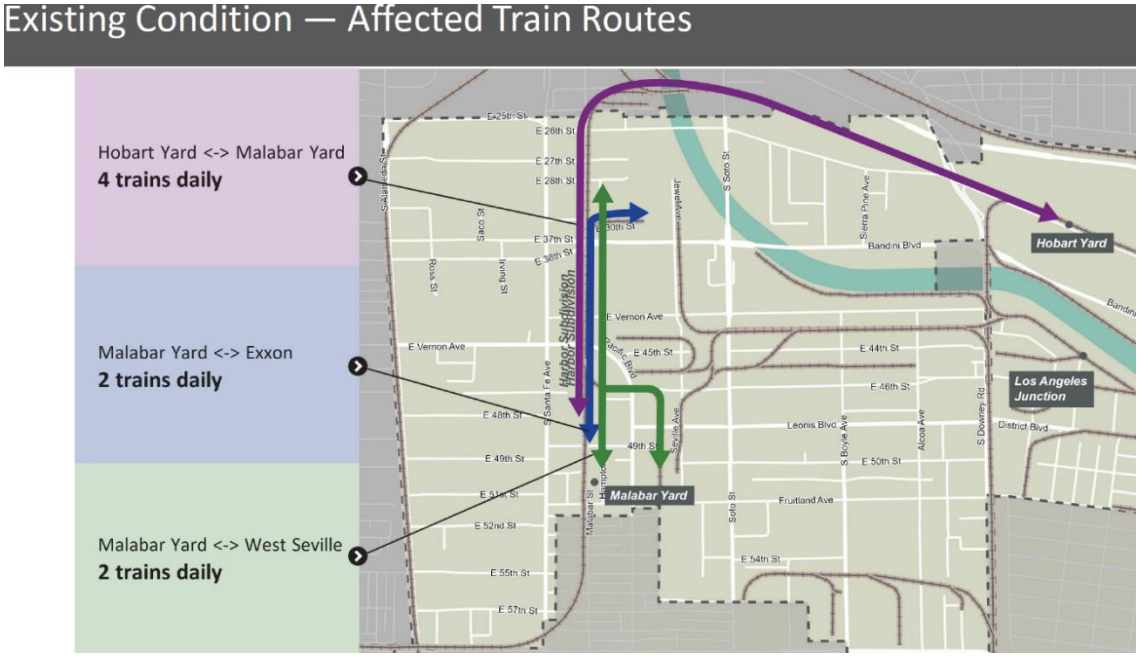
After the proposed modifications in Vernon, the train operations will be as follows:

• *Typical Speed of Trains: 10-20 miles per hour*

• *Typical Length of Trains: 2,000 feet – 4,000 feet (up to 60 cars)*

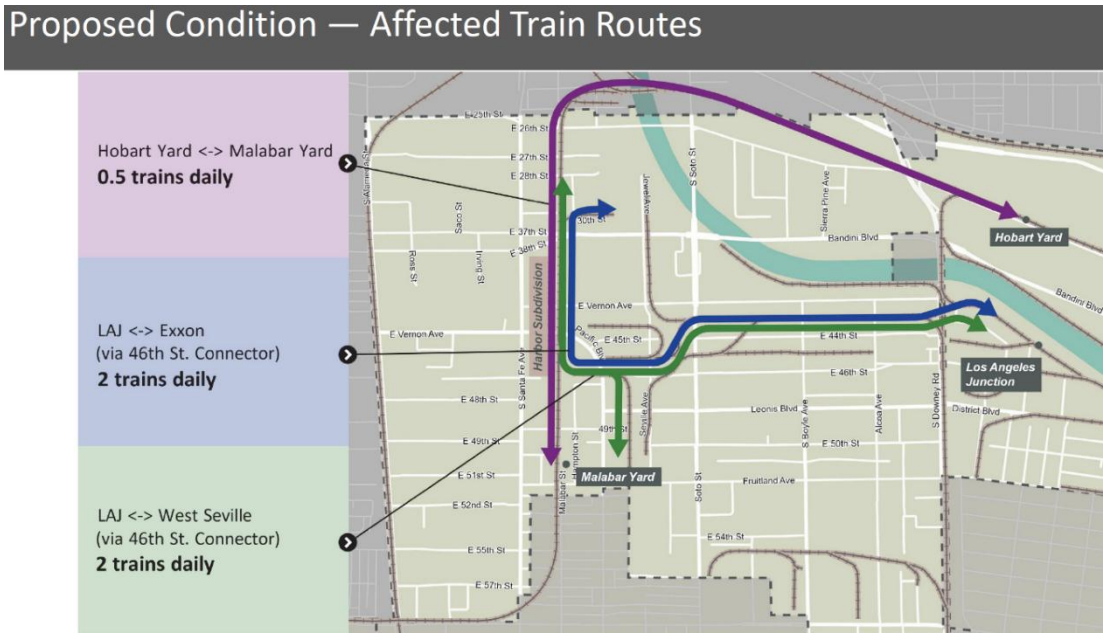
• *Typical Number of Engines: Two locomotives*

These slides from the March 6, 2025 City of Vernon Coordination Meeting illustrate how there are many tracks within Vernon, but they do not host significant rail traffic.



Currently, the vast majority of traffic flows northward and around the city to come down into LA Jct. Yard or Hobart Yard, depending upon whether it is intermodal or manifest traffic. The next image shows the expected traffic to begin moving consistently through Vernon once the connection between Malabar and LA Jct. yards is made. Basically, the 4 Exxon trains that were moving by the north track will now move through town and the few cars that made up the previous “2 trains daily” will simply be attached to these larger trains.

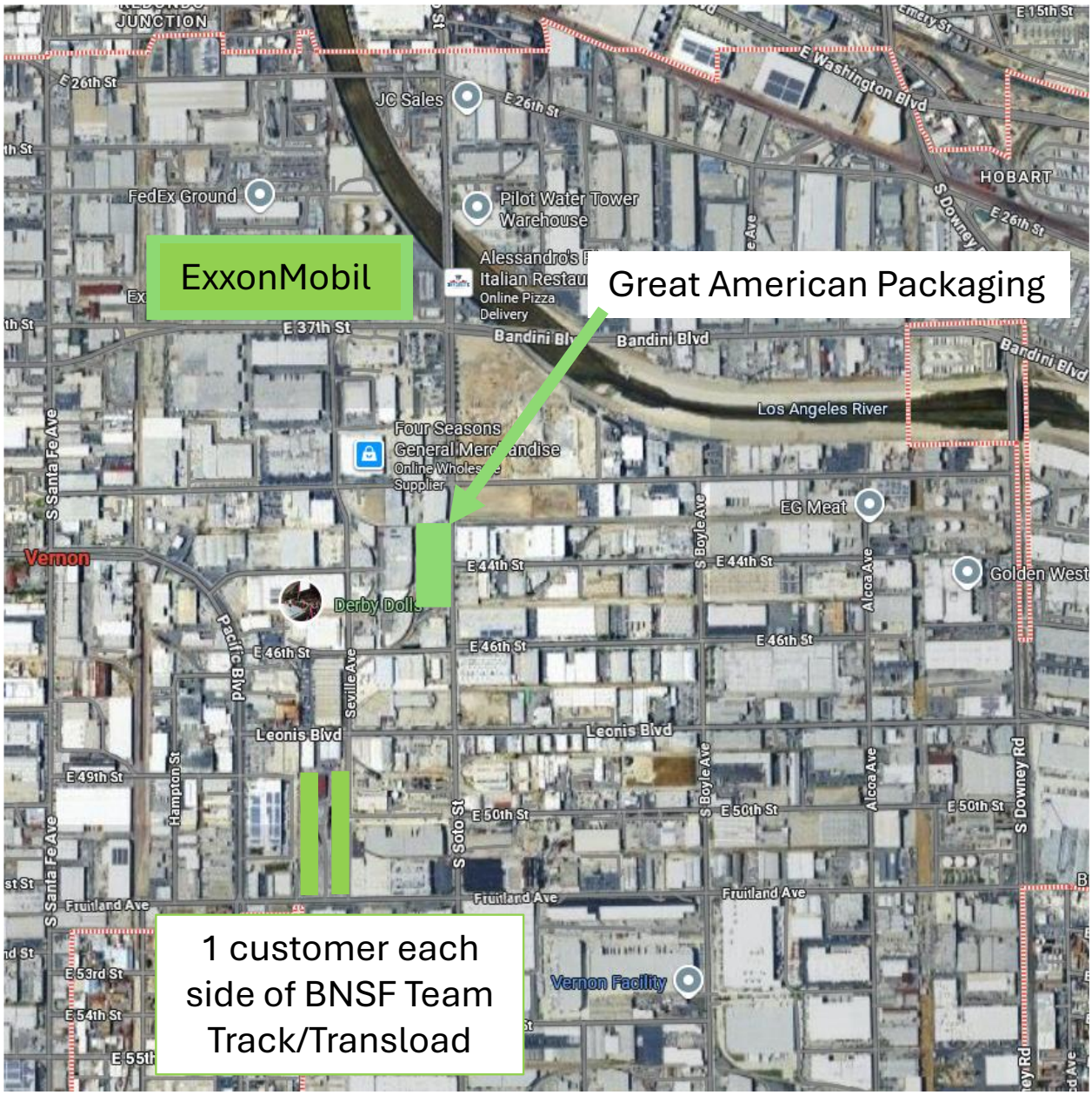
A-42



This would be long four trains every day moving through the middle of Vernon where previously there was only a short (a few cars) train for the transload. This is a major traffic change that was completely ignored by the EIS.

A-42 cont.

There seems to be a misunderstanding that because Vernon is mainly an industrial city and has many tracks running all through its streets, this new train traffic would be a “minor change” as was stated in the Revised EIS notification. There are only four customers still served by rail on the west side of the river in Vernon.



All traffic from Exxon and the west side of the transload move only at Malabar and northward out of Vernon and only Great American Packaging and the east side of the transload are served via LA Jct. moving cars through the city.

A-43

The Revised EIS Plan for a connector in Vernon to LA Jct. would have four much longer trains running through the city every day between Malabar and LA Jct. that include all of the Exxon traffic and west side transload. BNSF has not provided information on the expected length of the trains to pass through Vernon. As an example, the most recently available aerial shot of Malabar yard shows 20 Exxon cars stored in the yard as the train is built. That implies that trains will be at least this long. If we were to believe that "8,000 or 9,000-foot trains" are the norm, then a single train would bisect the entire city at once.

The assumed operation is that two trains per day are brought in to Exxon and two trains per day of empty tank cars are brought out, totaling the four trains. It is also assumed that each train size is usually roughly the same, estimated at 20-40 cars per train, or a train length of 1,500 – 2,880 feet in length.

A-43 cont.

This point was deftly glossed over in the EIS by emphasizing that there would be no increase in number of trains while the number of cars in those trains would increase exponentially. Exxon is the largest customer on the west side of the river prompting its own four trains daily northward. Moving all of that traffic across Vernon would be four major trains with numerous cars every day versus the few cars at a time in today's trains in Vernon. Adding Malabar Yard and LA Junction plans in Vernon to the EIS plan was in no way a minor change and these mitigations for Metro's negotiation with BNSF are not acceptable to the City of Vernon.

In addition, the Exxon facility in Vernon is a Lube Oil distribution facility. An analysis of five different forecasts for lube oil over the next 5-8 years shows an average forecasted growth rate in demand for lube oil of 4.5% per year, meaning the volumes to be transported for Exxon, and resulting train lengths, will only increase, and significantly.

The City of Vernon has been approached by BNSF in the past several times to allow it to connect its yards through the city and Vernon has prohibited such a move due to the impacts mentioned above. BNSF reached out in 2005 to the city and again in 2010. BNSF cannot negotiate some side deal with Metro to try and force Vernon into capitulating.

A-44

Vehicle Traffic

One of Vernon's major concerns is how the trains will affect traffic in its busy streets. Vernon has 1,800 businesses that depend on timely transportation for their employees, services and goods carriers. Traffic delays are costly to businesses, inconvenient for visitors and customers, cause vehicle idling times to increase and affect air quality, contribute to collision incidents and pedestrian/bicyclist safety concerns, emergency service access and noise.

A-45

The Draft EIS included several issues with how it analyzed the Malabar Yard mitigations and their impacts on Vernon's traffic:

1. Out-dated and skewed traffic data was used for the analysis
2. Traffic that was examined was near the construction areas and missed some important points
3. Traffic was not examined at all for streets to be impacted by new trains moving through the city

Traffic Data

The traffic data used to analyze the impacts to Vernon was old and skewed. Anytime a study like this is completed, it is almost always utilizing data from the previous year, or even up to five years. It takes time to compile data into something useable, and it would be understandable for the data to be a few years old and possibly projected forward for growth in Vernon.

However, not only were no projections applied to the Vernon traffic for growth, but the traffic counts were taken in **August 2020** right in the middle of COVID shut downs. It was excruciating attempting to gather data and values during 2020 and 2021 for meaningful analysis. However, in order to "normalize" the traffic against the skewing of COVID, the traffic counts were normalized ***backwards*** to earlier years, with much of the data supplemented with data from 2015. This makes the bulk of the data used to measure impacts to Vernon's traffic a decade old – completely inaccurate and inappropriate for this purpose.

Language has been used in the EIS to imply that Vernon has undergone very little change since that time so that old numbers can still work. Focus was paid to Vernon's small number of residents and its overall "industrial" as a catch all for all industry, including rail operations. This is an egregious assumption that completely ignores Vernon's growth in businesses, changes in industries, employment and traffic flows, and

A-46

Means of Commuting	2023(1)	
	Number	Percent
Total Workers	4,749,934	100.0%
All Commuters	4,053,687	85.3%
Means of Commuting	**2023(1)**	
	Number	Percent
Commuted by Car, truck, or van	3,622,186	76.3%
Drove alone	3,152,184	66.4%
Carpooled	470,002	9.9%
In 2-Person Carpool	341,889	7.2%
In 3-Person Carpool	78,248	1.6%
In 4-or-More-Person Carpool	49,865	1.0%
Means of Commuting	**2023(1)**	
	Number	Percent
Public Transportation (excluding taxi)	194,530	4.1%
Bus	165,494	3.5%
Subway or Elevated Rail	17,071	0.4%
Long-Distance Train or Commuter Rail	5,650	0.1%
Light Rail, Streetcar or Trolley	4,333	0.1%
Ferryboat	1,982	0.04%
Means of Commuting	**2023(1)**	
	Number	Percent
Bicycle	27,349	0.6%
Walked	118,196	2.5%
Taxicab, Motorcycle, or Other Means(3)	91,426	1.9%

growth in employees. Vernon's active employees within the city were 39,542 in 2018 (EIS Appendix Q, pg. 3.13-4) Today, Vernon's employees and contractors within the city daily amount to 55,000+.

That is a 39% increase over the last seven years and employees comprise the bulk of Vernon's traffic. The scope of this analysis and report did not include collecting new traffic data within the City of Vernon, but simply by applying Vernon's known growth in employees of 39% to the traffic, a more accurate picture of Vernon's traffic today would add at least 12,800 additional vehicles to Vernon's current traffic for both peak morning (in) and evening (out) traffic counts. This is adjusted assuming that 9.9% carpooled, 4.1% take public transportation and 3.1% walk or bicycle to work according to Los Angeles County statistics as of 2023 (chart to the left).

Vernon's traffic includes employees, thousands of contractor vehicles traverse Vernon's streets every day delivering services, supplies, shipping and distribution services for Vernon's 1,800 businesses, often using the large trucks possible for California of 65 feet long. These larger trucks make their service calls and deliveries during the day as opposed to the morning and evening peak traffic times when the bulk of employees are coming changing shifts. Peak traffic times are defined by the number of vehicles and omits the impacts for delays that occur during the daytime with the influx of fewer but much longer vehicles/trucks.

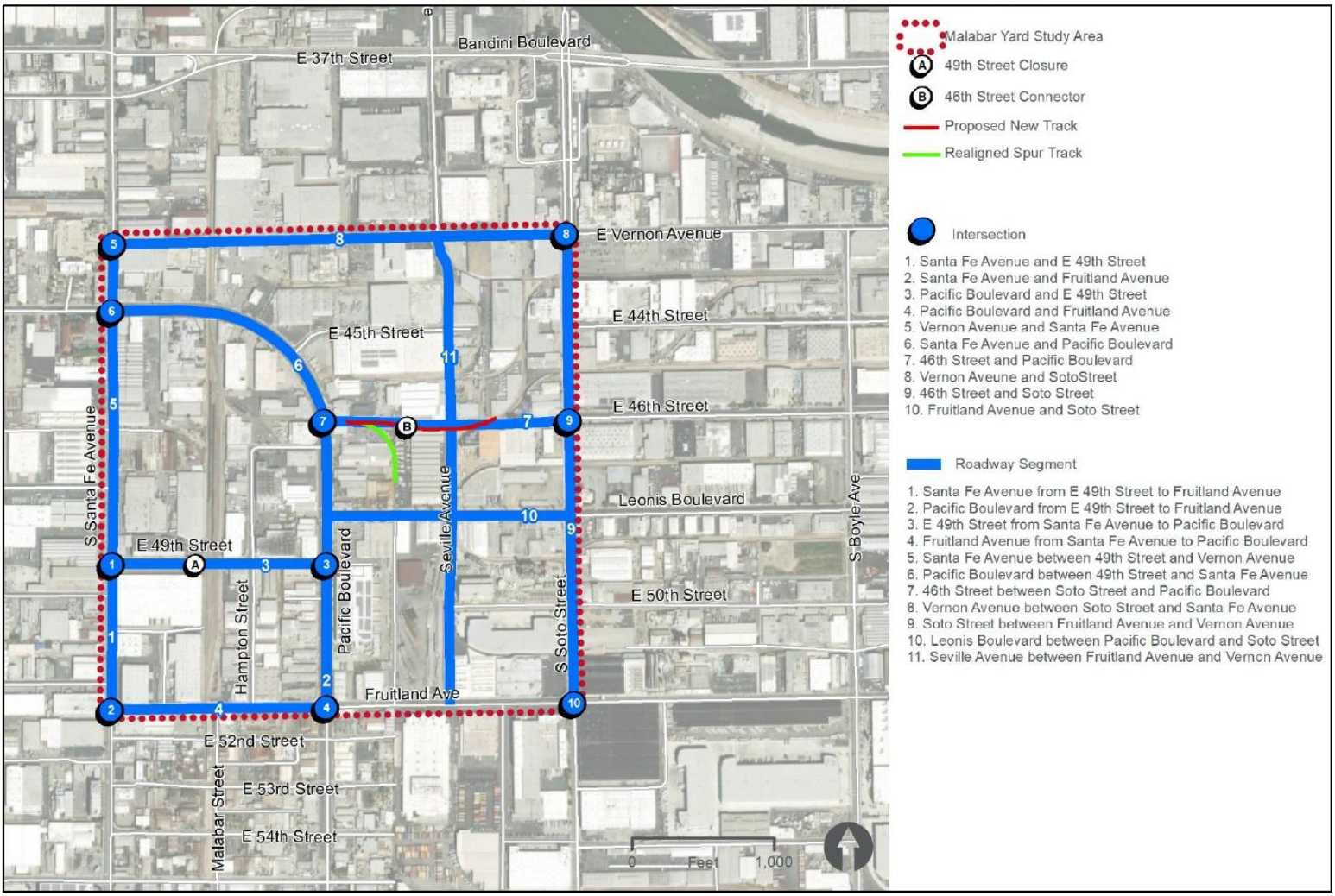
It is unfortunate that this project has taken so long that studies using prior years' data have aged so much. However, it has crossed the point where the data is even still valid and updated information must be examined. The traffic data should be updated with accurate, on-the-ground figures and all traffic types should be examined.

A-46 cont.

Roadways and Intersections Examined

The ESI established a “Study Area” that included approximately a .25 mile radius from the construction areas of the physical improvements at Malabar Yard and the 46th Street connector track. This area defined the intersections and roadway segments to be studied for impacts as shown in the following map from the EIS:

Figure 3.3-1. Traffic Study Area and Intersection/Roadway Segment Locations



Based on this table from the EIS and its 2015 traffic numbers, increasing the volumes on each respective street by 39% to match modern traffic more closely puts the entirety of Santa Fe Ave. and Soto St. currently almost at capacity. A-47

Table 3.3-9. Existing (2020) Conditions Roadway Segment Level of Service Summary

Number	Roadway Name	Capacity	AM Peak Hour			PM Peak Hour		
			Volume	V/C	LOS	Volume	V/C	LOS
1.	Santa Fe Avenue between 49th Street and Fruitland Avenue	5,600	2,535	0.45	A	3,043	0.54	A
2.	Pacific Boulevard between 49th Street and Fruitland Avenue	8,400	1,567	0.19	A	1,928	0.23	A
3.	49th Street between Santa Fe Avenue and Pacific Boulevard	2,800	163	0.06	A	156	0.06	A
4.	Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard	2,800	765	0.27	A	843	0.30	A
5.	Santa Fe Avenue between 49th Street and Vernon Avenue	5,600	2,649	0.47	A	3,121	0.56	A
6.	Pacific Boulevard between 49th Street and Santa Fe Avenue	8,400	1,459	0.17	A	1,871	0.22	A
7.	46th Street between Soto Street and Pacific Boulevard	2,800	194	0.07	A	243	0.09	A
8.	Vernon Avenue between Soto Street and Santa Fe Avenue	5,600	782	0.14	A	786	0.13	A
9.	Soto Street between Fruitland Avenue and Vernon Avenue	5,600	2,239	0.40	A	2,681	0.48	A
10.	Leonis Boulevard between Pacific Boulevard and Soto Street	5,600	1,199	0.21	A	1,369	0.24	A
11.	Seville Avenue between Fruitland Avenue and Vernon Avenue	2,800	315	0.11	A	334	0.12	A

Notes:
LOS=level of service; V/C=volume-to-capacity

Remember this is a minimum figure accounting for the growth between 2018 and 2025, where the EIS traffic counts are mainly from 2015, so three additional years of growth are missing. They may well indeed be at or beyond capacity now.

In addition, the roadway segments for where the trains will actually start running were not examined at all. These will be streets where true trains have never run before – only switching services of a few cars at a time, and even those were long ago. Especially on Vernon Ave. east of Santa Fe, all of 44th St., 46th St. east of Santa Fe and Leonis Bl. where most traffic will be diverted, these segments should be evaluated. A-48

The intersections that were examined are as follows in this EIS Table:

Table 3.3-8. Existing (2020) Conditions Intersection Level of Service Summary

Number	Intersection	Traffic Control	AM			PM		
			V/C	Delay (sec)	LOS	V/C	Delay (sec)	LOS
1.	Santa Fe Avenue/49th Street	Two-way stop	>1	>50	F	>1	>50	F
2.	Santa Fe Avenue/Fruitland Avenue	Signalized	0.75	—	C	0.77	—	C
3.	Pacific Boulevard/49th Street	Two-way stop	>1	55.9	F	>1	>50	F
4.	Pacific Boulevard/Fruitland Avenue	Signalized	1.15	—	B	0.63	—	B
5.	Vernon Avenue/Santa Fe Avenue	Signalized	0.97	—	E	0.97	—	E
6.	Santa Fe Avenue/Pacific Boulevard	Signalized	0.97	—	E	1.07	—	F
7.	46th Street/Pacific Boulevard	Two-way stop	0.98	46.0	E	>1	>50	F
8.	Vernon Avenue/Soto Street	Signalized	0.77	—	C	0.92	—	E
9.	46th Street/Soto Street	Two-way stop	>1	>50	F	>1	>50	F
10.	Fruitland Avenue/Soto Street	Signalized	0.79	—	C	0.89	—	D

Notes:
Bold indicates LOS E or F
LOS=level of service; Sec=seconds; V/C=volume-to-capacity

A-49

The method of traffic analysis raises two issues:

1) If current traffic were used instead of 2015 traffic, these intersections would show much more tension, especially the outlet from 46th St. to Pacific. RII also feels that Leonis intersections should have been studied since this is a major street through Vernon and would likely be where much of the 46th St. traffic were to be diverted if the proposed infrastructure were put in.
2) The EIS shows the traffic data collection in good detail (notwithstanding missing intersections as stated), but it does not identify the capacity for the intersections and hides issues behind a lump ">1" so we cannot tell what the impacts of the proposed operation are – as if just because the intersection is already beyond capacity that new congestion won't make a difference. A proper analysis would identify the capacity of the intersection, then volumes to come to the V/C figure, exactly as they did for the roadway sections.

The EIS states that it examined delays and storage capacity at existing railroad crossing (only as a courtesy it claims since it was not required to do so for the EIS) and a non-comprehensive examination was performed for a few of the crossings. However, that is not what the stakeholders were asking for. They wished to know how traffic would be affected at the intersections that are nearest to the crossings with the new trains moving through the city. This analysis was not performed.

The following adverse effects were noted in the EIS and yet, no mitigation was proposed. There were comments about mitigations requiring "coordination with CPUC and City of Vernon," as if those parties were responsible for mitigating the impacts.

Adverse Effect

• The New Railroad Crossing #5 at the intersection of Seville Avenue and 46th Street would introduce a potential roadway hazard due to queuing that would cause southbound vehicular traffic to extend across 46th Street. On Seville Avenue south of 46th Street, two separate sets of gate arms proposed near each other would introduce a potential roadway hazard due to northbound and southbound vehicle queuing.

Adverse Effect

• Implementation of the Malabar Yard railroad improvements would exceed the applicable V/C ratio threshold at two intersections (Intersection #6: Santa Fe Avenue/Pacific Boulevard and Intersection #4: Pacific Boulevard/Fruitland Avenue) and one roadway segment (Roadway Segment #4: Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard), which may impede access for emergency responders throughout operations. Intersection #6 is located along a designated disaster route.

A-50

• A potential roadway hazard may occur from vehicle queuing along Seville Avenue, which in turn may also impede access for emergency responders.

Adverse Effect

• A potential roadway hazard may occur from vehicle queuing along Seville Avenue, which in turn may also cause schedule delays to transit services or disruption of pedestrian and bicycle access.

• A potential roadway hazard may occur from vehicle queuing along Seville Avenue, which in turn may also affect access to the Stacy Medical Center.

Adverse Effect

• The applicable V/C ratio threshold would be exceeded at two intersections (Intersection #6: Santa Fe Avenue/Pacific Boulevard and Intersection #4: Pacific Boulevard/Fruitland Avenue) and one roadway segment (Roadway Segment #4: Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard).

MY-TR 3 through 6 below have been proposed to solve this Adverse Effect.

Restriping of the Santa Fe Avenue/Pacific Boulevard Intersection: *During the final*

engineering phase and at least 30 days prior to implementation of the Malabar Yard railroad improvements, Metro and BNSF shall obtain approval from the City of Vernon to restripe one eastbound through lane to an eastbound turn lane at Vernon Avenue.

Restriping of the Pacific Boulevard/Fruitland Avenue Intersection (Future Horizon Year 2040): *In the Future Horizon Year (2040), Metro and BNSF, in coordination with the City of Vernon, shall restripe the northbound shared through/right-turn lane to a right-turn-only lane and a through lane at Pacific Boulevard.*

A-51

Add a New Vehicular Lane on the Fruitland Avenue Roadway Segment between Santa Fe Avenue and Pacific Boulevard (Future Horizon Year 2040): *In the Future Horizon Year (2040), Metro and BNSF, in coordination with the City of Vernon, shall add a new westbound vehicular lane on Fruitland Avenue.*

Adverse Effect

• The New Railroad Crossing #5 at the intersection of Seville Avenue and 46th Street would introduce a potential roadway hazard due to queuing that would cause southbound vehicular traffic to extend across 46th Street. On Seville Avenue south of 46th Street, two separate sets of gate arms proposed near each other would introduce a potential roadway hazard due to northbound and southbound vehicle queuing.

It appears that the EIS's solution is to gain approval for an at-grade crossing and simply implement whatever protections that CPUC or FRA require. Unfortunately, such protections are focused on safety at the particular crossing, not maintaining traffic flows.

Many of the mitigation strategies are designed to make the measurement itself look good rather than solve the actual problem. For example, changing lanes at intersections to "right turn only" when most traffic is trying to go straight through only backs up more traffic into one or two lanes versus the two or three it had previously. It may force traffic out of the intersection to maintain the measured delay score, but it does not move the traffic where it needed to go. It is confusing to drivers and increases individual drive time to be diverted to the right. This method may reduce idling and improve air quality, but at the expense of quality of life and commuter travel time. The City of Vernon is not simply interested in whether the impacts and their mitigations are "compliant" with California Environmental Quality Act rules, FRA rules or other authorities. It is interested in how the project impacts the City of Vernon negatively, regardless of whether it complies with some other authority. Mitigations that simply divert traffic to achieve a passing V/C score at the expense of traffic capacity and Vernon citizen and workers' convenience are not sufficient.

A-52

Another misunderstanding about mitigations is safety protections versus traffic flow. Almost all traffic controls are designed to ***stop or slow*** uncontrolled traffic to make it safer. Whether that involves signals, stop signs, turn lanes or a round-about median, the purpose is to slow traffic to improve safety regardless of delay impacts. Traffic protections may sometimes be designed in a manner that maximizes traffic flow, but safety is the goal, not traffic capacity. Therefore, it is important to identify the purpose of the traffic metric being used and the mitigations being relied upon. If the mitigation is designed to meet a certain metric for which the goal is safety, the metric may be irrelevant to solving the capacity and delay concern presented by the City of Vernon. The mitigation may even exacerbate the problems, causing more delays, congestion, or worse, diversion of interest in Vernon as a place to work, live, do business and grow.

A-53

This is an interesting qualifier:

Based on the property owner and business stakeholder engagement conducted in the City of Vernon, queuing analysis results for existing and proposed at-grade crossings are presented for informational purposes only; however, they are not a required component of the methodology to determine LOS impacts, and therefore, do not contribute to the NEPA determination of effects for LOS traffic impacts.(pg. 3.3-6)

The queuing resulting from adding a new crossing and railroad traffic across every vertical street in West Vernon is a required component of the methodology to determine LOS impacts as far as the City of Vernon is concerned for approving this project or not.

A-54

The reason delays from railroad crossings are not considered in the impacts of an EIS is that the safety of the crossing outweighs any considerations of traffic flow. The safety protections are determined based on the trains running in the area (volumes and speeds) and the vehicle traffic (volumes and speeds). The protections are there to ensure vehicles yield to the trains since the trains cannot stop. Therefore, at-grade crossings always have the effect of slowing vehicle traffic, even if it is simply a passive crossing where the driver must look both ways for a train. As stated before, the City of Vernon is opposed to installing any new infrastructure that impedes its traffic capacity. Traffic delays are a serious concern for Vernon and canned responses about FRA compliance do not address the issue Vernon is bringing up.

Similarly, Vernon's precious employers would be negatively impacted:

For Design Option 1, Driveway Nos. 7 and 8 would be closed, and Driveway No. 9 would be reconfigured and remain open for continued business access/egress and operations. For Design Option 2, Driveway No.7, Driveway No.8, and Driveway No. 9 would all be reconfigured and will remain open for continued business access/egress and operations.

o ***Driveway No. 10:*** *Trucks do not use this driveway. Driveway No. 10 will be closed as part of the Malabar Yard railroad improvements. The access to this property will be maintained from Driveway No. 9.*

o ***Driveway Nos. 11 and 12:*** *The raised median on either side of the railroad crossing along 46th Street would reconfigure the truck turning ingress/egress for these two driveways. Both driveways would be maintained but would become right-in/right-out only as a result of either design option for the 46th Street Connector.*

o ***Driveway No. 13:*** *This is a new driveway and under either design option would provide right-in/right-out only access.*

A-55

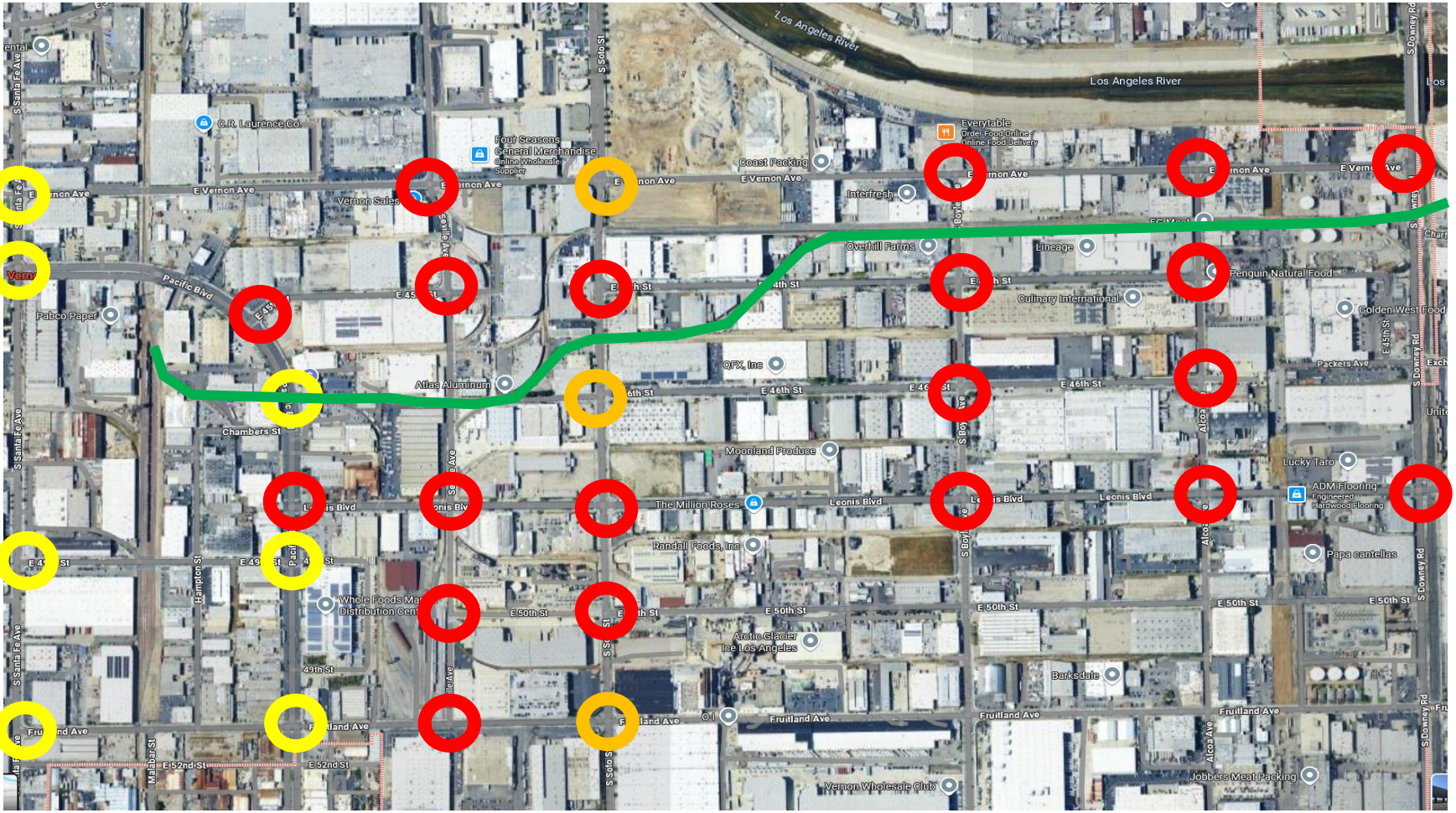
Vernon's businesses are its lifeblood. This proposal does nothing but take property, negatively impact property, cause inconveniences at a minimum and cost significant operational dollars in transportation delays, worker productivity, worker and customer access, satisfaction and liability, not to mention the increased worker and customer health and safety risks.

There are no benefits for Vernon in this proposal, only sacrifices it is being expected to tolerate for the greater good of indirect regional transit and freight goods movements. Vernon gains no goods movement benefits since BNSF does not market new customers or freight traffic in the area, in fact, it discourages adding rail traffic to the west side due to the circuitous track access. This yard-to-yard link for BNSF in the Metro proposal does not facilitate developing new rail business in Vernon; it is simply a cost saving convenience for BNSF and its handling of the existing Exxon traffic. Development direction of Vernon has accepted this fact, focusing on non-rail commercial, transit oriented and residential development on the west side and focusing rail-service needs on the east side of the river.

A-56

Roadways and Intersections Neglected

None of the intersections or roadways affected by the trains moving through the city were examined at all. The following map shows the intersections examined in the EIS in yellow and orange, and all of the remaining potentially affected intersections in red.



A-57

Especially the intersections at Pacific/Leonis, Seville/Leonis, Soto/Leonis, 46th/Soto, Vernon/Soto, Vernon/Boyle, Vernon/Alcoa, Vernon/Downey and five intersections along 44th that will run parallel with the active tracks. There seems to be some misunderstanding between the delays at intersections from the new trains versus the delays from the at-grade railroad crossings themselves. Delays from at-grade crossings are not usually included in an EIS because they are there for safety reasons and cannot be considered a new impact. However, the delays at the crossings themselves are not the same as the delays created at vehicle intersections half a block from the crossing.

A-57 cont.

BNSF could maintain its track and use these "active" crossings now if it wished. Railroads typically have preemption to run whatever traffic they wish over their rights of way. However, BNSF is a fiscally responsible corporation and has not maintained the tracks and crossings because there is no benefit to it to maintain the tracks and crossings nor to run trains if there is not enough business. The result is that it has been decades since trains have passed over most of these streets. Four new daily trains of up to 60 cars traveling up to 20 mph over these tracks would be a major change in traffic, safety and hazards for the city that has grown up around it. Just because the track and crossings remain "active" by railroad terminology does not mean the impacts to the intersections can be ignored under the auspices of railroad preemption.

A-58

BNSF has no reason to run these trains unless the 46th St. connector is installed and Vernon will not be approving such a project until and unless the pertinent traffic intersections are examined for their impact, whether the writers of the EIS feel it is "required" or not.

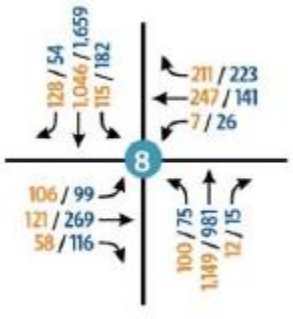
As mentioned previously, the scope of this analysis and report did not allow for collecting new traffic data within the City of Vernon, but we have extrapolated estimates for the main roadways these train routes would impact based on the data presented in the EIS for adjacent intersections and adjusted for Vernon's growth through 2025.

The trains would run partly along 46th St. then slightly north to move along an LA Jct. right of way behind businesses between Vernon St. and 46 St. Therefore, the most heavily impacted streets and intersections would be Vernon Ave., 46th St., 44th St. and Leonis Ave.

A-59

Because the traffic data is so incomplete and the intersection capacities were not documented, it is difficult to confirm the results or apply the methods to the missing intersections and roadways. A new thorough traffic analysis should be preformed on all of Vernon's streets to fully analyze the impacts of this new train operations where all steps and methodologies for all data gathering and analysis are thoroughly detailed and documented.

However, RII has attempted to extrapolate some of the data to give a picture of what the impact to the omitted intersections and roadways might look like for these trains. RII has taken the LOS ratings from the EIS for the same streets (or nearest street) with the same controls to assign the LOS rating and estimate the delays for the additional intersections. Volumes are based on the analysis below, adjusted for Vernon's known growth.



As an example, let us look at Vernon Ave. The EIS only looked at two intersections for this major roadway through Vernon. Soto/Vernon shows 248 vehicles continuing eastbound down Vernon from Soto in the morning and 466 continuing eastbound in the evening. No intersection was examined east of this point to give a better reference for westbound traffic, but we can see that at least 465 vehicles are entering the Soto/Vernon intersection from westbound Vernon in the morning and 390 vehicles are entering this intersection from westbound Vernon in the evening. Therefore, we can extrapolate the volumes for the Vernon Ave. between Soto St. and Downey Rd. to be roughly 750 vehicles x 1.39 = 1,043 vehicles in 2025. This method not as accurate as physical counts and should only be used for high level comparisons like this. It is essentially counting all traffic into the street a certain direction and subtracting what does not show up at the next intersection as traffic diverted at the intersection between them. It does not account for traffic diverting into and out of driveways, cutting through parking lots, etc.

A-60

Roadway Segment affected by Trains	# of Intersections affected w/ delays	Control Type	AM Volume	PM Volume	AM 2025 Adjusted Volume	PM 2025 Adjusted Volume
E. Vernon Ave: Soto St. to Downey Rd.	4+2	4-Way Stop Signs	713	756	991	1051
45th St: Pacific Bl. to Seville St.	2	1 Way Stop/Yield	118	75	164	104
44th St: Soto St. to Alcoa St.	3	1-4 Way Stop/Yield	150	74	209	103
Leonis Bl: Pacific Bl to Downey Rd	6	Mostly Signalized	512	308	712	428
46th St: Seville St. to Alcoa St.	4	1-2 Way Stop/Yield	150	74	209	103

Regardless of the current condition of the intersections and traffic in Vernon, the trains would add their own delays that are not there presently. It is 7,700 feet from the start of the track leaving Malabar Yard to the start of LA Jct. on the proposed rail path. It would take a train traveling at 20 mph 4 minutes and 22.5 seconds to traverse this distance. It would take a 2,880-foot long train 1 minute and 38.2 seconds to clear a crossing at that speed. For a train approaching a crossing at 20 mph, the signals will activate at least 20 seconds before the train arrives and continue for 20 seconds after the train clears the crossing. This is a minimum delay of 2 minutes and 18 seconds (138 seconds) per

A-61

crossing adding to the delays of any existing delays at the adjacent intersections. It can take up to 15 minutes for pre-crossing flows to resume after the crossing is cleared.

In reality, BNSF will run trains as long as possible to maximize its operations and the EIS mentions trains as long as 4,000 feet (up to 60 cars). In that case, trains would move more slowly, slowing as they see fit for crossings, curves, etc., even stopping in some intersections while switching in the yard, causing longer delays. By estimating an average train speed of 10mph, including 20 second lead times on each side of the crossing, the minimum delay for a 4,000-foot long train would be 5 minutes and 13 seconds (313 seconds).

Based on the above assumptions and methods, the following is an account of the delays that could be expected for each of these roadway segments at all intersections along the proposed rail route.

DAILY DELAYS

Roadway Segment affected by Trains	Average 2025 Peak Volume	Total seconds of traffic delay for 4 trains	Total Minutes Delays	Total Hours Delays
E. Vernon Ave: Soto St. to Downey Rd.	255	91580	1526	25.44
45th St: Pacific Bl. to Seville St.	34	12032	201	3.34
44th St: Soto St. to Alcoa St.	39	13964	233	3.88
Leonis Bl: Pacific Bl to Downey Rd	142	51120	852	14.20
46th St: Seville St. to Alcoa St.	39	13964	233	3.88
Total for 5 street segments	**509**	**182661**	**3044.34**	**50.74**

*2,880-foot long train at 20mph

Roadway Segment affected by Trains	Average 2025 Peak Volume	Total seconds of traffic delay for	Total Minutes Delays	Total Hours Delays
E. Vernon Ave: Soto St. to Downey Rd.	255	207713	3462	57.70
45th St: Pacific Bl. to Seville St.	34	27290	455	7.58
44th St: Soto St. to Alcoa St.	39	31673	528	8.80
Leonis Bl: Pacific Bl to Downey Rd	142	115946	1932	32.21
46th St: Seville St. to Alcoa St.	39	31673	528	8.80
Total for 5 street segments	**509**	**414295**	**6905**	**115.08**

*4,000-foot long train at average speed 10mph

A-61 cont.

* We do not have traffic counts for non-peak hours or any information on proposed train schedules to estimate delays per vehicle for non-peak hours, so a ballpark estimate for purposes of this comparison attributes the follow volumes for each of the four daily trains using 2025 projected traffic:

- 1 train = peak hours = 100% of peak time traffic
- 2 trains = daytime/business hours = 65% of peek time traffic
- 1 train = off hours (before 6am or after 7pm) = 30% of peak time traffic
- Peak traffic divided by ¼ of an hour for vehicles exposed to the train.

It is important to point out that these delays would be <u>daily</u> and do not include other intersections/streets likely impacted by these delays.

In reality, once BNSF has authority to run over this route as a main connector, it will not be required to follow any schedule. These estimates are extremely high level to give an idea of the scale of impacts neglected in the Draft EIS. To determine the true impacts, a thorough traffic analysis of all traffic, during all parts of the day, for all affected roadways and intersections should be performed. The City of Vernon should be the one to shoulder the cost of such an analysis that should have been performed as part of the EIS in the first place. The city should, however, be involved in selecting any future study parameters, approving the study tasks and scope, and ensuring an independent neutral firm is selected for the study.

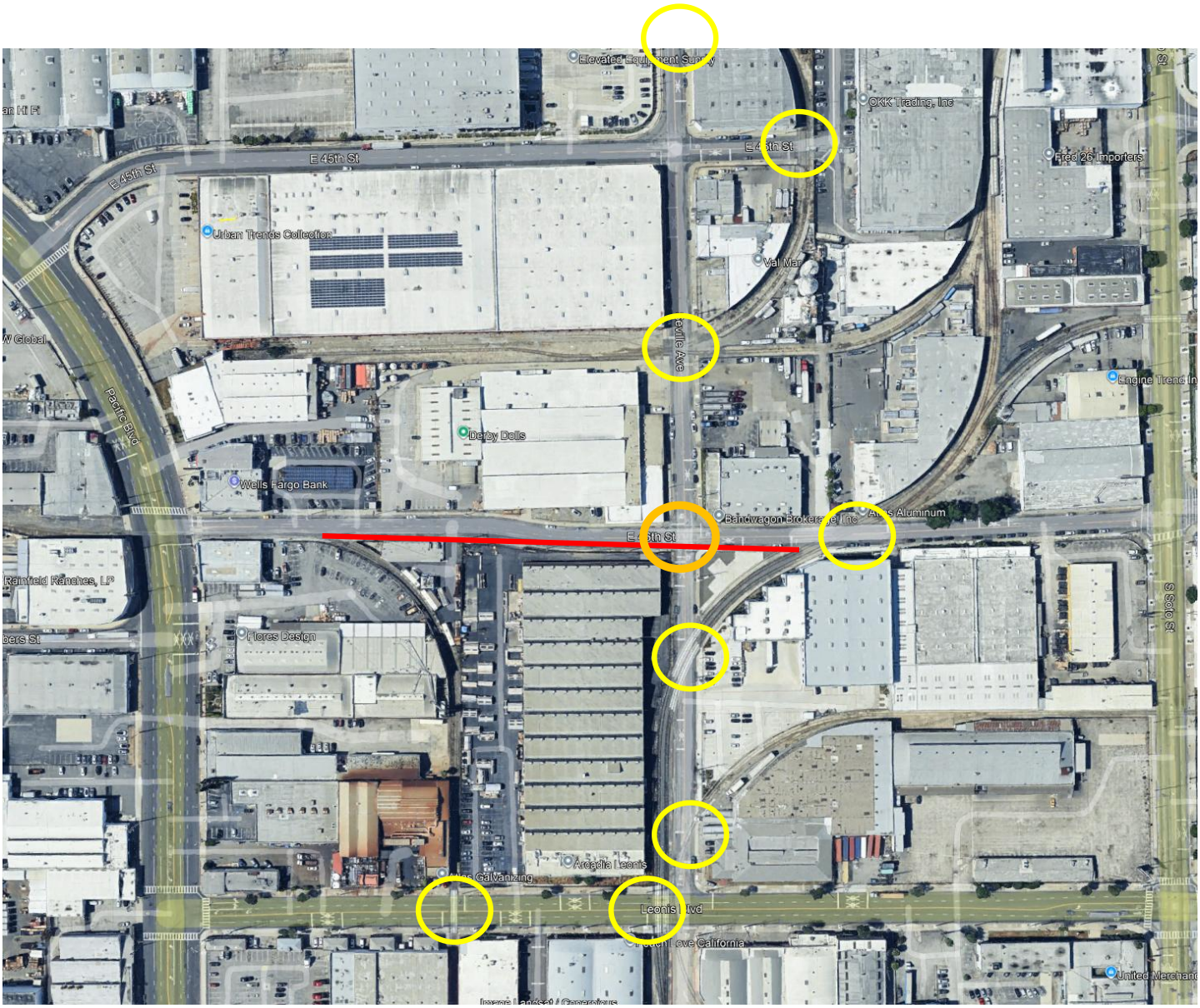
A-62

Health and Safety

Implementing this operation in Vernon presents significant impacts to the people in Vernon, including the 55,000 in employees who work there every day, service personnel serving the industrial areas and the currently small resident population.

Safety Hazards:

This new proposal suggests adding a dangerous at-grade railroad crossing to an area that is already inundated with railroad crossings across almost every street. The specific location of this crossing is an odd angle affecting traffic in several directions and is set right on the middle of a patch of other crossings.



A-63

The proposed location for this crossing is 120 feet from another to the south, 170 feet from another to the east, 300 feet from another to the north, and adds a fourth crossing on Seville, a street with already three railroad crossings within a two block distance. A-63

The likelihood of the CPUC approving a new railroad crossing is low. A proponent must meet a "heavy burden" of proof of necessity to gain approval. An applicant must convincingly show two things to receive approval:

- **A separation is impracticable:**
- **Public convenience and necessity absolutely require a crossing at grade:** The applicant must prove that the public's need for the new crossing is so great that it outweighs the inherent dangers. A-64

This is not a great need; it is a private improvement for BNSF. CPUC has been approached regarding installing another at-grade crossing in Vernon and has not been receptive at all. BNSF is now trying to get Metro to fight that battle for them and circumvent the City of Vernon.

Based on 2019 data from FRA, there were 122 roadway/highway-rail grade crossing incidents in Los Angeles County from January 2014 to December 2018. Four of those incidents occurred within the City of Vernon during the time period mentioned above, though none occurred within the Malabar Yard study area (FRA 2018). (pg. 3.14-14)

Because of the increased freight traffic at the extension, most of the existing crossings will require upgrades. The following image from the EIS shows the improvements needed at specific crossings, including exits from private businesses onto the street.

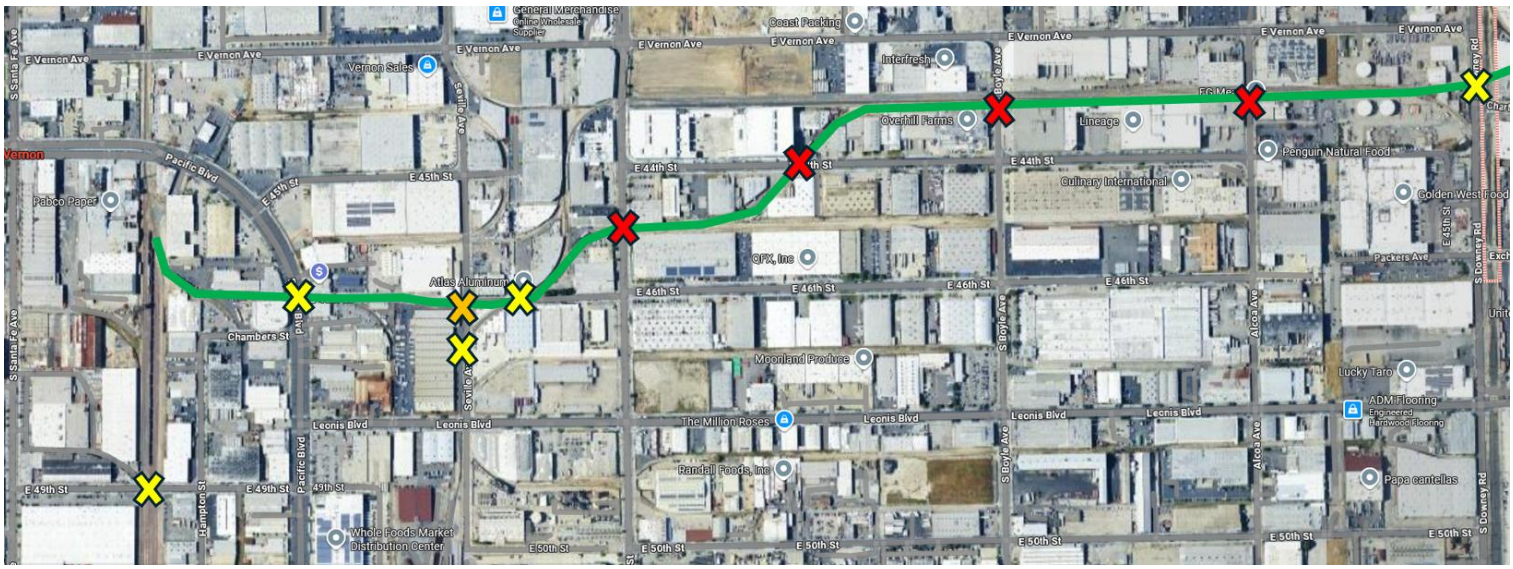
Figure 2-3. BNSF Malabar Yard Railroad Improvements (49th Street Closure and 46th Street Connector Design Option 1)



A-65

The new track and protections practically box in one industry whose employees will not even be able to enter or exit its own property while a train is moving. The unique angle of the tracks for this 900-foot length will require holding up traffic in this way in six different locations with full gates preventing traffic movement.

What the disclosures on Adverse Effects to Safety do not reveal is the chain of crossings across the city that currently have no rail traffic at all. These have been passive crossings with no trains over them for many years. Most drivers in the area likely cannot remember seeing a train cross. Regardless of the fact that these are “active” crossings in BNSF’s system, adding four daily trains to this route would effectively be like installing four additional new at-grade crossings (red X’s). A-65



The yellow X’s are the only crossings reported on in the EIS. The EIS claims that it is not “required” to include delays from railroad crossings in its analysis, but only did so based on discussions with shipper stakeholders (Vernon businesses). The EIS therefore included delays from the six noted crossings, including the orange X, the new crossing proposed for Seville St.

However, with the changed traffic profiles for many of these crossings, many of them may require new protections. That is, with the increased vehicle traffic since these crossings were last assessed and the planned new railroad traffic, they may all now require active protections: gates, flashing lights, medians, etc. The study should include a much more thorough traffic analysis so that the FRA and CPUC can assess these safety concerns. These studies will have to be done anyway to get FRA and CPUC approvals, but Vernon should require they be completed prior to moving forward versus after the fact when choice have been diminished.

Air Quality:

It is understandable that when Metro first started this project in 2015, releasing its Notice of Intent in 2016, that it used the current Air Quality guidelines from the most recent National Environmental Protection Agency (NEPA) guidelines, which were from 1978 and 1986. However, this project has now dragged on for almost a decade and clinging to the original Notice of Intent date just to bypass current health and safety codes is ludicrous. Once the entire plan was changed to involve major changes in Vernon with a Notice of Intent dated 2020, the project should have been subject to the updated environmental rules. These rules were effective for any projects started after 2018 and were a long overdue update for the outdated 1978/86 rules. Using environmental regulations that are almost 5 decades old is unacceptable. Any parts of the proposal that affect the City of Vernon should be required to base their studies on the current rules and standards. A-66

It should be very clear that the air quality benefits claimed in the EIS are a general indirect regional benefit and in no way benefit the City of Vernon. NO traffic is moved from truck to rail for this operation, so to imply that is does is grossly misleading. There are minimal air quality benefits to the north in Los Angeles by moving the problem into Vernon; it's the same traffic moving, just consolidated in Vernon yards vs. West Yard.

In fact, the traffic delays in Vernon will have a significant negative impact on air quality due to vehicle idling. The following chart from Department of Energy is the same data used by the IMPLAN program and the EIS. It presents the emissions from an average car idling for one second. A-67

Table 1. Idling Emissions and Fuel Use per Second

NO_x (mg)	THC (mg)	CO (mg)	CO_2 (g)	Fuel (cc)
0.0097	0.266	0.108	0.588	0.279

When applied to the idling vehicles added to the City of Vernon due to increased rail traffic and crossing delays, it reveals the following added emissions at a minimum as an adverse effect:

Minimum Added Emissions	NOx(mg)	THC(mg)	CO(mg)	CO2(g)	Fuel(cc)
DOE emission per second:	0.0097	0.266	0.108	0.588	0.279
Total Daily Delay Seconds					
182661	**1771.808**	**48587.72**	**19727.34**	**107404.4**	**50962.31**

This is an outstanding increase and does not account for the heavier emissions from the multitude of trucks that will be operating

The EIS notes the following sensitive receptors for air quality impacts:

• *Residences at 2415-2427 E 53rd St. (located approximately 1,325 feet [0.25 mile] south from the Malabar Yard railroad improvements).*

• *Vernon City School at 2360 East Vernon Avenue (located approximately 1,350 feet [0.25 mile] northwest from the Malabar Yard railroad improvements).*

• *Residences on Furlong Place located approximately 1,650 feet (0.31 mile northwest from the Malabar Yard railroad improvements).*

It seems odd that the study would cut off the boundary for sensitive receptors literally right on the edge of such receptors. In RII's experience, if a radius is set and sensitive receptors are found to be right on the edge of the radius, they are included in the assessment. The point of the assessment is to protect those sensitive areas, not skirt dealing with them. A-68

Then it is incredulous that Stacy Medical Center was not included as a sensitive receptor. This is the main emergency central for occupational health and injuries for the high industrial city. Stacy Medical Center sits at the center of these operations, both during construction and operations, at the northeast corner of Pacific Bl. and 46th St. at 4580 Pacific Bl.

The map on the following page from the EIS shows how the buffer zone for air quality concerns cuts off exactly at the sensitive receptors. Stacy Medical Center has been added to the map to show its location within the buffer zone and proximity to the proposed construction.

Figure 3.5-1. Sensitive Receptors Closest to Malabar Yard Railroad Improvements



A-68 cont.

The EIS claims that air quality impacts for these operations will be beneficial.

Direct Effects – Operations

As shown in Table 3.5-6, any combination of design options for the Malabar Yard railroad improvements would result in a net reduction in regional CO2 emissions because it would reduce train miles for empty intermodal railcars and reduce truck VMT. Direct effects would be beneficial.

This made no sense whatsoever since there is less than a mile difference in distance between how the cars are handled now, how they would be handled out of Malabar Yard or how they are proposed to be handled between Malabar and LA Jct.

West Yard = 2.95 rail miles between closest points of West Yard and Hobart Yard

Malabar Yard = 2.41 rail miles between closest points of Malabar to Hobart Yard via north connection

Malabar Yard = 1.47 rail miles between Malabar Yard and LA Jct. A-Yard via 46th St. connector

A-69

Then we realize that the air quality assessment is comparing Barstow as the alternative, as if BNSF would ever store the orphaned trainset that far. It would never happen. BNSF would sooner repair tracks in Vernon to park the cars than transport them that far and back in. It is understood that capacity within the city is strained during peak time, but manipulating the figures with this kind of hyperbole is misleading and false.

Also, NO trucks would take this freight; it will still move by rail no matter where BNSF parks the trainset. Lastly, as stated, any air quality benefits, if indeed there are actually any, would be spread out over the southern half of the state, while Vernon takes the brunt of the significant negative local air quality impacts.

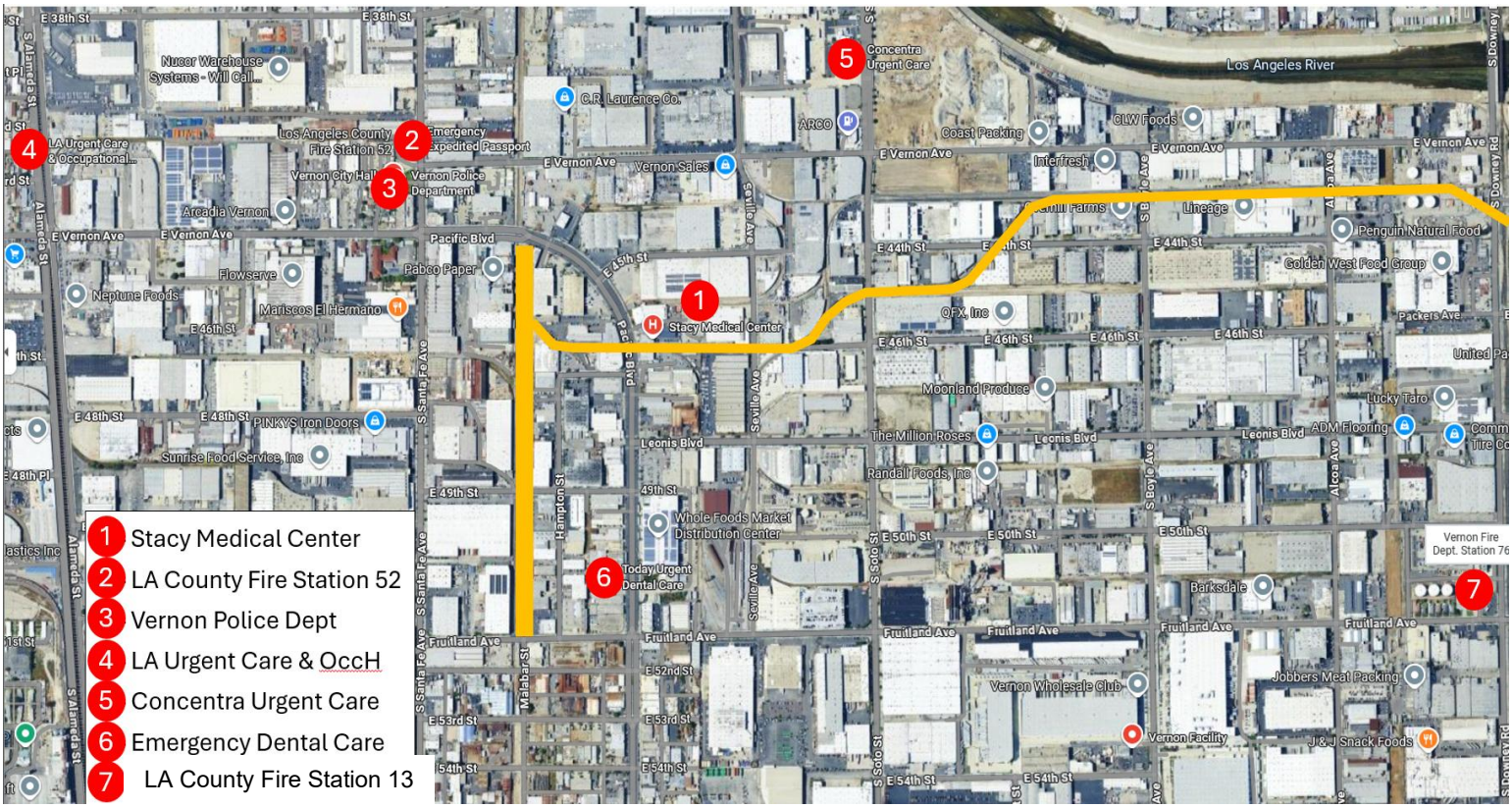
The EIS is actually not clear on how it arrived at the air quality savings figures. It would help to know the exact parameters they used for comparison, such as origin and destination point in Hobart for distance, number of cars estimated and projected for the conversion rate, and exactly how they calculated it. If it was IMPLAN's calculation based on number of trucks moved to railcar, the above statements hold true that the cars would never be stored so far away and would never move to truck.

Our assessment shows that there are several options for storing the cars within the immediate vicinity.

Emergency Services:

The proposed services effectively cut off half the city from the other half whenever a train is running. The traffic delays shown for the intersections will have a compounded effect for the emergency services within the city.

A-70



1. Stacy Medical Center is a hospital located literally right next to the proposed extension. This is the primary emergency facility for work injuries in this highly industrial manufacturing city with 40,000-50,000 direct employees. While a train is moving, no emergency vehicles can reach the entire south half of the city without waiting or by going all the way up and around Malabar Yard, almost a mile out of the way.

2. LA County Fire Dept 52 works in conjunction with #7 LA County Fire Station 13 (formerly Vernon Fire Dept 76). These two Fire Stations protect the City of Vernon west of the LA River, with the closest station responding to emergencies. With a train bisecting the city, the closest fire station will not be able to reach everything in its jurisdiction in a timely manner. For example, an incident at Pacific and Leonis, only 2000 feet away from Fire Station 52, would need to be served by Station 13, over a mile away.

3. Vernon Police Dept. has the same issue reaching the entire south half of the city in an emergency whenever a train is present.

4. LA Urgent Care and Occupational Health and the Concentra Urgent Care are both located north of the proposed bisection and the south half of Vernon would be delayed in reaching these emergency facilities.

5. Concentra Urgent Care – see #4 above

6. Emergency Dental Care facility may seem like a rare type pf emergency, but because of the heavily industrial area, injuries can be to the extent requiring these services more often than general commercial areas, which is the reason the facility is located in Vernon. Similarly to the urgent care centers north of the bisection, injured people would face delays from trains or long traffic diversions to get around the trains to this facility south of the bisection.

7. LA County Fire Dept 13 – see #2 above

A-70 cont.

The vehicle traffic delays expanded in the traffic section of this chapter escalate the concerns for these services where seconds make the difference between life and death.

Hazardous Materials

The following statement in the EIS describes the risks from haz-mat in the city:

Direct Effects – Operations

The routine transport, storage, use, or disposal of hazardous materials and wastes during operations of the Malabar Yard railroad improvements could result in accidental releases from improper handling of hazardous materials and wastes. However, the volume of hazardous materials and wastes to be transported, used, or disposed of during operations would not be substantially different than the existing condition in the vicinity of Malabar Yard. Freight storage would be accommodated at Malabar yard, which could potentially increase the quantity of hazardous materials on site but would not substantially increase the risk of accidental release. The limited potential for release of hazardous materials and wastes during the routine transport, use, storage, and disposal of such substances used during operation of any combination of design options would not create substantial hazards to the public or the environment. BNSF facilities already in operation would continue to provide areas for safe storage, containment, and disposal of chemicals and hazardous materials during operations, including waste materials, in compliance with existing regulations and legislation governing the safe handling and disposal of hazardous materials. Therefore, no direct adverse effect would occur. (Page 3.10-18)

A-71

However, Metro and BNSF are not asking to continue storing haz-mat railcars in the yards, they are asking to transport it daily through the city. How is that not an increased risk to Vernon? It increases the area of risk and risks to the number citizens, businesses, visitors and employees of Vernon. Then again on page 3.10-21, stating that general railroad operations involve the risk of *"hazardous materials and wastes, such as gasoline, brake fluids, and coolants that could be subject to accidental releases"*, but since there are already heavy rail operations "in the immediate surrounding area," the rest of Vernon will just have to accept it. "*No adverse effect*." Reliance on compliance with regulations is not helpful for Vernon in this case.

Water Quality

The effect of the increased trains by the river was acknowledged as an adverse effect. However, the best mitigation offered is to make BNSF comply with "Best Management Practices" to minimize water degradation. Railroad operations automatically produce said chemicals, metals and pollutants, and BNSF will be free to operate any way they wish once started, so BMPs are a false mitigation. The point is that the impact to Vernon's water quality, which is negative, and no mitigation has been offered for this new pollutant of increased trains or risks of contamination.

A-72

Future Development

The City of Vernon has its own vision of development within its boundaries. Vernon began formulating new development ideas and concepts in 2015. These plans include diversifying development with new mixed use areas and open spaces, increasing the population and voter numbers by adding more housing options, diversifying the economy by bringing in new modern industries while still supporting its manufacturing base, expanding transportation options with trails, bicycle paths and transit routes, and supporting cleaner energy with electric charging stations for heavy trucks, hydrogen generation energy facility and making its own natural gas-fired power generation facility available for new industries.

Vernon has come a long way in the last decade. It is a small city in comparison to Los Angeles, but it has unique qualities and resources that make it stand out. Vernon has been working hard to capitalize on those special qualities rather than be dismissed as the dirty industrial area that is taken for granted. As a self-governing and responsible authority, the City of Vernon has a right to self-determination as far as its development and activities within its boundaries go.

A-73

The EIS Plan is referencing outdated City of Vernon Plans from 2007 and 2015 in order to deem the effects of its proposed modifications as "Consistent" with their plans. The following excerpt and tables from the EIS state that there are no residential units in the study area, when the Vernon West Side Specific Plan absolutely shows residential units in the area.

3.15, Socioeconomics and Communities Affected • Local Gov't Services (Schools/ Libraries) o Schools – The Malabar Yard railroad improvements do not include residential development that would directly generate population growth. As no residential units are proposed, there would not be an increase in the number of school-age children in the area, and thus, no new demand for educational services would be generated. The schools located in the vicinity of the Malabar Yard study area would not be physically impacted or altered in a way that would cause relocation or need for new facilities. No effect would occur.

Table 3.2-2. Consistency with Applicable Plans, Policies, and Local Land Use Controls

Policy/Goal	Malabar Yard Railroad Improvements
Federal	
Partnership for Sustainable Communities Livability Principles	
Principle 1. Provide more transportation choices. Develop safe, reliable and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions and promote public health.	**Consistent.** Any combination of design options for the Malabar Yard railroad improvements would provide for efficient rail service that minimizes impacts on the local street system.

State	
California Transportation Plan 2050 (2021)	
Goal 1: Safety. Provide a safe and secure transportation system. Goal 8. Infrastructure. Maintain a high-quality, resilient transportation system.	**Consistent.** Implementation of any combination of design options would support physical railroad improvements and operational modifications capable of maintaining BNSF's operations and preserving the current levels of freight rail operations and regional goods movement. All Malabar Yard railroad improvements would be designed and constructed to comply with FRA and CPUC standards and specifications to maximize safety for both motorized and non-motorized forms of transportation. Safety improvements at identified at-grade crossing locations would be implemented to minimize potential safety concerns between motor vehicles, pedestrians, bicyclists, and freight trains.
Smart Mobility Framework (2010)	
Smart Mobility Principles: Reliable Mobility. Manage, reduce, and avoid congestion by emphasizing multimodal options and network management through operational improvements and other strategies. Provide predictability and capacity increases focused on travel that supports economic productivity. Robust Economy. Invest in transportation improvements – including operational improvements – that support the	**Consistent.** As the Malabar Yard railroad improvements are associated with the Link US Project, the railroad improvements would contribute to enhancing rail yard capacity for regional and intercity rail trains, and providing interconnectivity to the planned HSR system, making it an attractive alternative to congested highways.

economic health of the state and local governments, the competitiveness of California's businesses, and the welfare of California residents.

A-73 cont.

This is simply a canned generic railroad response assuming that every railcar equals cars off roads and improves freight for all. This project moves no cars off roads and benefits only BNSF, hiding behind the benefits to Metro and general freight at the expense of Vernon health and prospects. Metro needs to wrangle these side-deals with BNSF using its own assets or at least for communities who can benefit from them.

A-74

All claims to be "Consistent" with City of Vernon's plans are false and misleading, relying on old documents. City of Vernon rejects this plan as it is NOT consistent with its city plans and vision of the future.

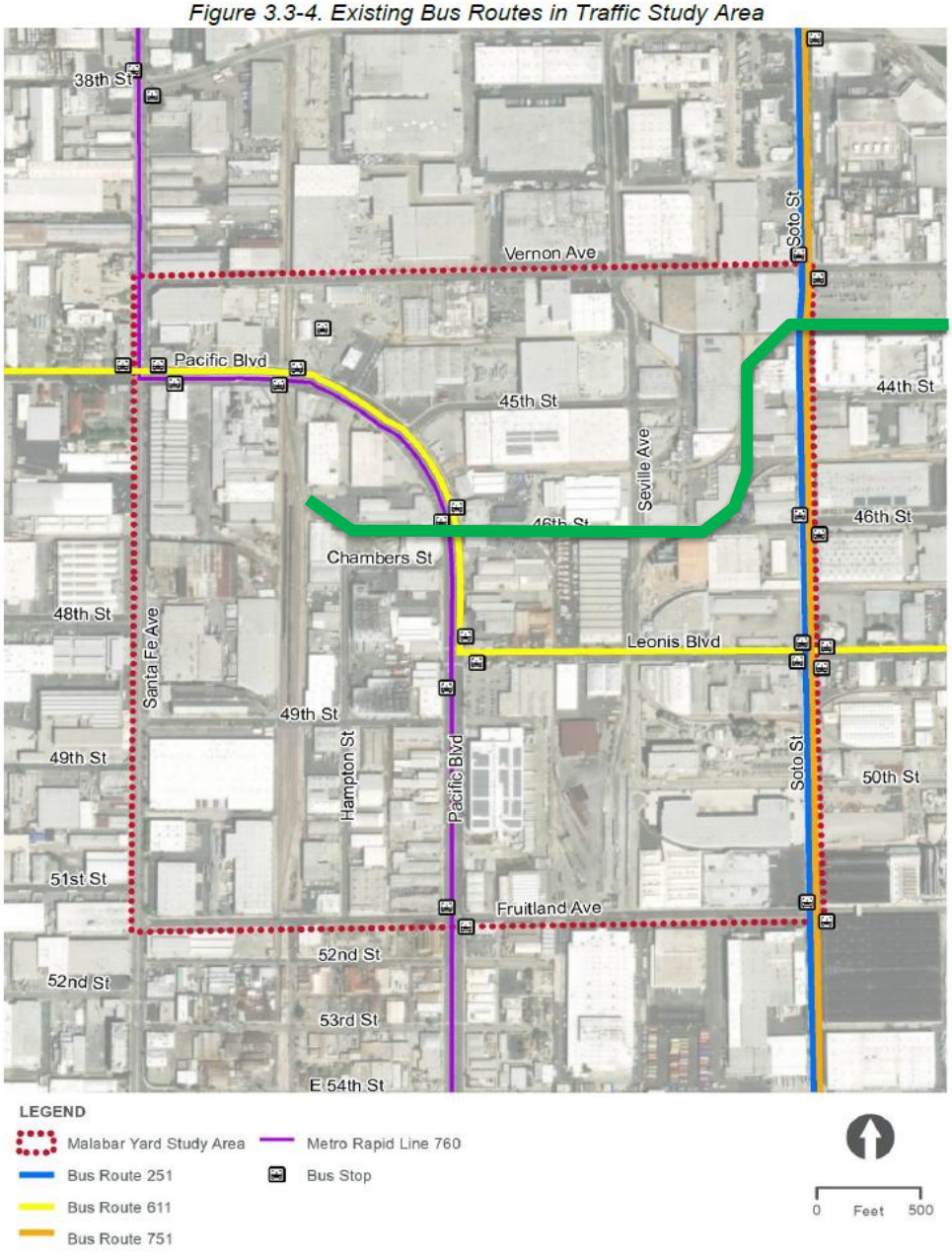
Mobility and Transportation Diversity

Availability of public transit is strongly linked to the growth and success of cities. It makes the city more attractive to workers, makes jobs more accessible, expands the workforce options for employers and allows businesses to be more competitive. The City of Vernon likely does not need to express to Metro the importance of reliable transit lanes serving the city. Yet, this proposed freight rail expansion would bisect all four public transit routes currently serving Vernon. This map from the EIS has been overlayed with the freight rail route in green. A-75

The EIS acknowledges that the proposed operations would likely impact these transit routes, and yet the only mitigations offered are "further coordination with CPUC and City of Vernon."

The mitigation strategies for TR-3-6 only attempt to preserve compliance, without actually addressing impacts to the systems in Vernon. Just because a mitigation brings a negative impact into compliance, does not mean that Vernon did not still suffer a decline.

Figure 3.3-4. Existing Bus Routes in Traffic Study Area



The City of Vernon has been planning a bicycle system since 2016. It has been measuring traffic on key streets to determine which lanes can support an extra bicycle lane, and vehicle traffic and capacity are the key determining factors for the planning and success of any Vernon bicycle program. This chart shows how the city examined traffic in 2016 to show which traffic lanes could support addition of a bike lane without putting intersections into the "F" level of service category.

Table 5-1: Intersection Volume/Capacity and LOS for 2016 Base Conditions and Lane Reduction Alternatives for Bikeways

Intersection	2016 - No Build	Alternative 1	Alternative 2	Alternative 3
Alameda St & Slauson Ave LOS (AM/PM)	B/B	B/B		
Santa Fe Ave & 25th/26th St LOS (AM/PM)	C/D	-1 SBT F/F		
Santa Fe Ave & Vernon Ave/Pacific Blvd LOS (AM/PM)	C/D	-1 NBT F/F		
Pacific Blvd & Leonis Blvd * HCM 2000 LOS (AM/PM)	B*/C*	B*/C*		
Soto St & 26th St LOS (AM/PM)	C/C	-1 SBT F/F		
Soto St & 37th St/Bandini Blvd LOS (AM/PM)	E/E	-1 SBT F/F		
Soto St & Leonis Blvd LOS (AM/PM)	D/C	-1 SBT & -1 EBT E/F	-1 EBT D/D	-1 SBT E/F
Boyle Ave & Leonis Blvd LOS (AM/PM)	B/B	-1 EBT B/C		
Boyle Ave & Slauson Ave LOS (AM/PM)	E/E	-1 SBT & -1 EBT F/F	-1 SBT E/F	-1 EBT F/F

A-76

Cost to Economic Development

An economic impact study by Hymel examined traffic congestion and employment growth in 85 metropolitan areas between 1990 and 2003 and found evidence of rising regional traffic congestion choking employment growth. For example, a 50 percent reduction in congestion could boost employment by 10 to 30 percent in America's top 10 most congested cities. For Los Angeles, the most congested city in the U.S. in several measurement categories according to the Texas Transportation Institute, a 10 percent increase in regional congestion reduced employment growth by 4 percent, according to Hymel's estimates. By contrast, 10 percent reduction in travel times could boost production of goods and services by 1%. A-77

This project would negatively affect the competitiveness of Vernon's businesses in numerous ways:

1. Diminished workforce because employees only look for work that they can reach within a certain amount of time
2. Downtime for delayed employee arrivals
3. Rescheduling deliveries and pickups to miss traffic/train times
4. Lost productivity
5. Extra fuel and labor costs for shipping

The EIS states: *Overall, it is estimated that the ROW acquisitions required would displace approximately 48,872 square feet of building space. These ROW acquisitions may result in some property tax losses to the county and city as well as job losses. Specifically, it is expected that up to 46 jobs2 could be displaced and property taxes would decrease by $61,001 approximately every year.*

Yet, it proceeds to conclude that this results in *"No adverse effects."* This makes no sense and is by definition an adverse effect for the city. It does not even include the adverse effects of the trains running through town and their adverse traffic effects. A-78

A 2019 study by American Road and Transportation builders Association measured the cost to the economy per hour for traffic congestion for cities across the United States. It reported that the average cost per hour for traffic congestion in Los Angeles on streets near Vernon (Cesar Chavez Ave. and Azusa Ave.) to be $420. This equates to a cost of almost $7.8 million annually to the City of Vernon in economic development opportunity if the proposed trains were running, not counting indirect and induced costs.

Daily Hours Delays	Annual Hours Delays	Cost per Hour	Annual Hours Delays
50.74	18519.75	$ 420	$ 7,778,297

Alternatives

The EIS appears to have explored alternatives to Malabar Yard for storage of the intermodal cars, but it did not examine them very closely. There was no examination of traffic, projections, yard capacity, distances, etc. It appears that BNSF was consulted regarding which location(s) would work and provided its wish list. The reasons for eliminating the other prospects are broad and vague. It appears as if the alternatives were only examined through confirmation bias with the goal of Malabar Yard being the only option, and all studies ploughed forward with this assumption as if it was the only option. A-79

Both via historical aerial imagery and through RII's inspections in September and October 2025, there appear to be several alternative options to replace 5,500 feet of storage capacity, or even 3,350 as the EIS stated would be enough to maintain "… *BNSF's ability to stage and store empty bare tables from BNSF Hobart/Commerce Intermodal Yards and nearby ports …" (Appendix Q – Alternatives page 1.1-12).*

Hobart Yard, Commerce Yard, LA Jct. Yard and even Pico Rivera have numerous tracks that are rarely ever full and could easily serve as storage for the needed empty train sets. In addition, there were numerous unused tracks in the area owned by both Metro and BNSF, from sidings and unused industry tracks to leads and other abandoned rights of way that could be upgraded. Many of these have space to build additional tracks if necessary. It is up to Metro and/or BNSF to give better evidence and study as to why any and all of these options are not viable. The explanations in the EIS for eliminating these options are vague and give no measured evidence or reasons other than broad generalization about them being at 100% capacity, have too many other facilities and would take too much property acquisition and reconfiguration to consider. The City of Vernon has pointed out much more to "consider" for the Malabar Yard option, so perhaps these things should also be considered for the other options. A-80

Even Malabar Yard itself as an option could be utilized more to compensate for the lost storage capacity without the proposed enhancements. The key is that all Metro has to accomplish with BNSF for this project is replacing the car storage being lost – nothing more. The alternatives were not looked at closely, the obstacles to the few that were identified have been exaggerated and there are numerous options available. A-81

Malabar Yard Alternatives

There are numerous options for using Malabar Yard as it is without the purported changes of the proposal:

Existing Malabar Tracks:

BNSF could simply use the existing tracks in Malabar when necessary for intermodal overflow. Malabar Yard is currently rarely full and there is space for extra empty intermodal flat cars on a given day. RII has demonstrated on Page 14 that there is substantial space available in Malabar Yard today if needed. Since the EIS was not clear on whether the 3,350 spaces it said would be available if 49th Street crossing was removed, we cannot be certain whether that included the Metro track through the yard (westernmost track). If it did not, Metro should allow it as an example of it giving up something through its negotiations versus expecting Vernon to give so much up with no benefits. That track alone is 2,330 feet of car storage space. A-82

Malabar Yard	With 49th St. Crossing in Place															With 49th St. Crossing Removed	
in Feet	South End	Storage	Capacity	By ft road clearance		North End	Storage	Capacity	By ft road clearance		Total Yard	Storage	Capacity	By ft road clearance		Total Track	Storage
Track	Total Track	150ft	100ft	50ft	20ft	Total Track	150ft	100ft	50ft	20ft	Total Track	150ft	100ft	50ft	20ft		Capacity
Through Track	960	700	750	800	830	1680	1370	1420	1470	1500	2640	2070	2170	2270	2330	2700	2430
Yard Track 1	870	595	645	695	725	1550	1300	1350	1400	1430	2420	1895	1995	2095	2155	2470	2245
Yard Track 2	780	530	580	630	660	1485	1240	1290	1340	1370	2265	1770	1870	1970	2030	2300	2105
Yard Track 3	690	450	500	550	580	1400	1150	1200	1250	1280	2090	1600	1700	1800	1860	2215	2025
Yard Track 4	615	370	420	470	500	1345	951	1001	1051	1081	1960	1321	1421	1521	1581	2020	1681
Yard Track 5	545	290	340	390	420	1120	875	925	975	1005	1665	1165	1265	1365	1425	1720	1520
Yard Track 6	440	280	330	380	410	1020	864	914	964	994	1460	1144	1244	1344	1404	1510	1494
Access Tracks	1044					700					1744					1744	
Totals:	**5944**	**3215**	**3565**	**3915**	**4125**	**10300**	**7750**	**8100**	**8450**	**8660**	**16244**	**10965**	**11665**	**12365**	**12785**	**16679**	**13500**

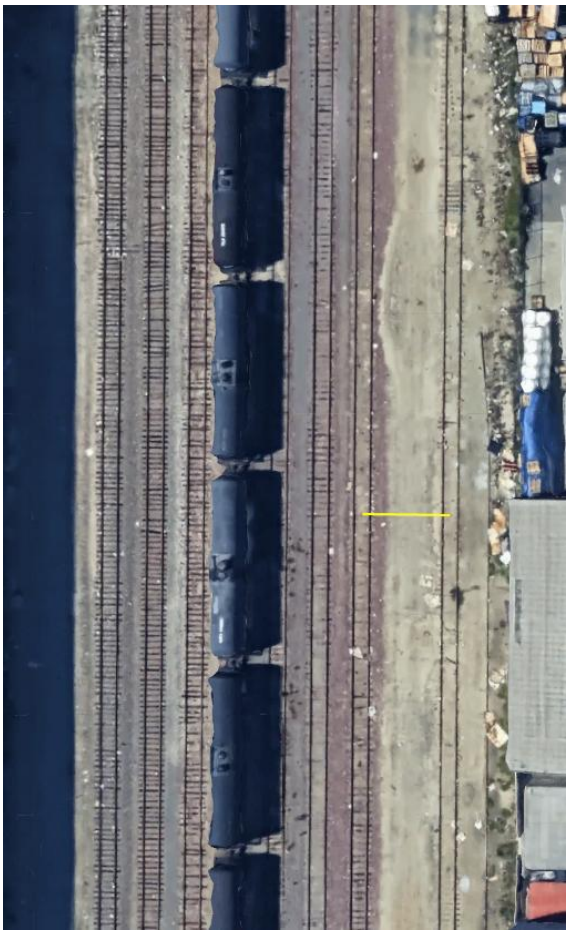
*Access Track includes paved track in crossing, lead track to access each track and crossovers.

*Storage capacity deducts switch clearances and roadways clearances.

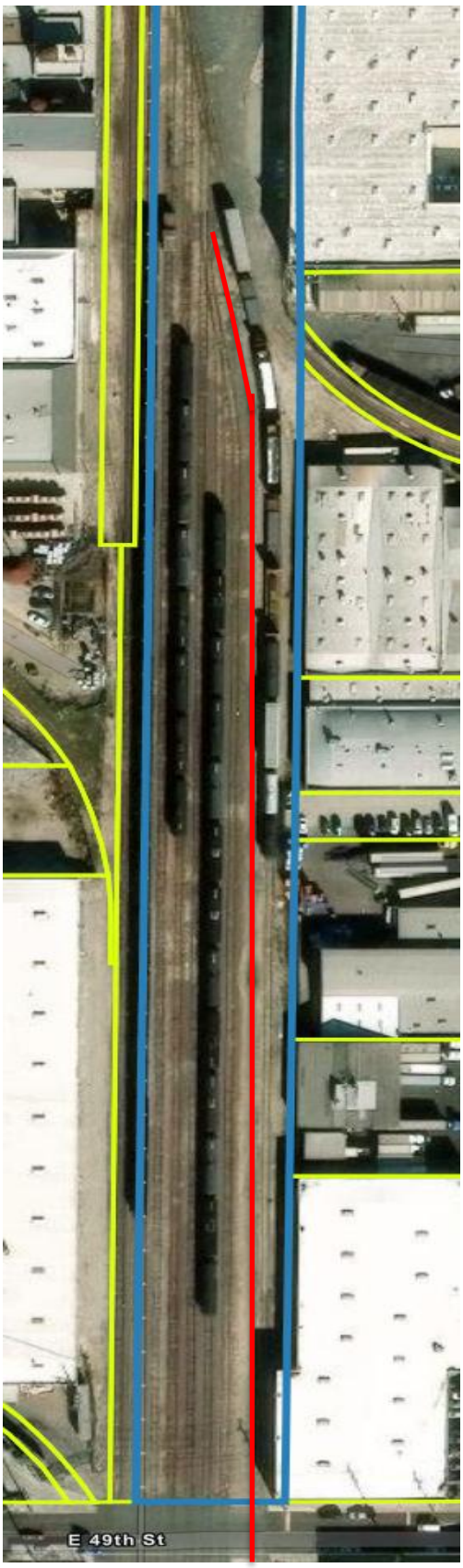
*Does not count industry tracks branching off from the yard.

Build One More Track in Malabar:

BNSF could build one more track in Malabar along the east side off the lead track on BNSF property. Parcel lines show BNSF owns this property and there is enough space for exactly one more track to maintain the 13 feet distance from the centerline of any other track in the yard. There is enough space to add a track over 1,700 feet long.



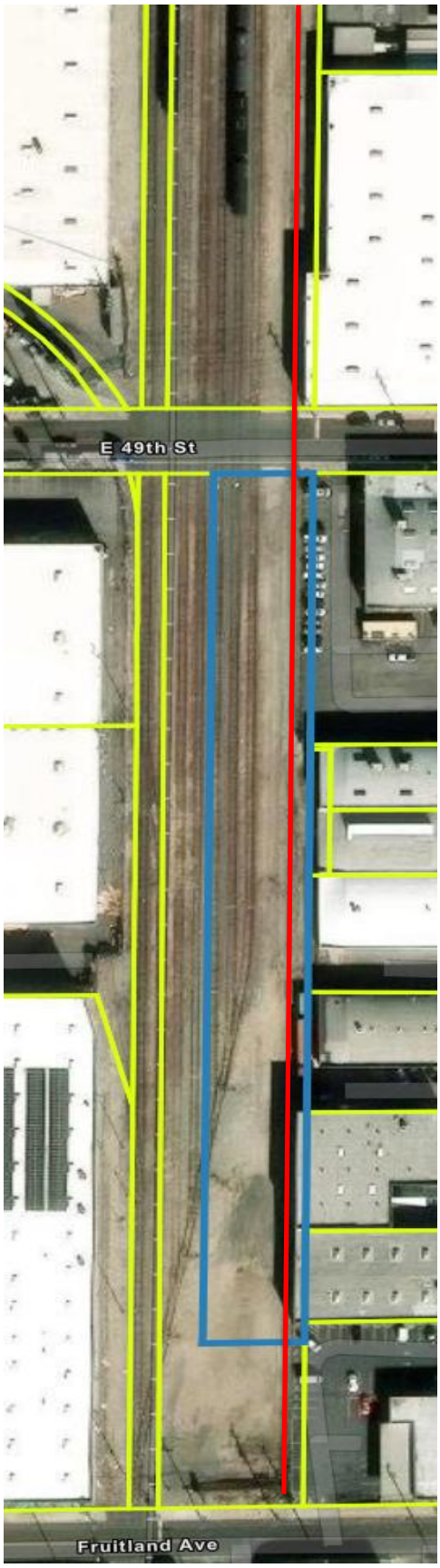
The blue and yellow lines show the parcel lines, with BNSF owning the blue parcel. The narrow strip along the west side is the Metro-owned track. The red line denotes where the new track could be constructed within the existing yard, parallel to existing tracks.



A-83

Rehabilitate the Siding in Malabar Yard:

Also, property records show BNSF owns the property all the way up to the buildings along the east side. There are two existing tracks running behind those buildings within the yard, with one running the entire length of the yard along the back of the buildings that has not been used in a long time. These tracks were not included in the overall Malabar Yard measurements for storage capacity. Rehabilitate one or both of these existing tracks to handle additional storage on property already owned and controlled by BNSF.



The red line to the right is an existing track within the yard running along the back of the buildings. This is railroad property and BNSF could use it for storage if it was truly needed. This track begins as two tracks on the north side of the yard with one track ending in the north yard. Aerials show random cars are placed on these tracks sometimes.

The other track extends all the way across 49th Street, through the south end of the yard to Fruitland Ave. Both tracks together total 2,900 feet of potential storage space.

The key point is that there is space in Malabar Yard to replace the lost storage space at West Yard without closing 49th Street.

Construct additional Track = 1,700 feet

Rehabilitate existing eastern tracks = 2,900 feet

Fully utilize the south end of the yard, observing a 20-foot clearance from 49th Street as is the current clearance practiced = 4,125 feet

A-84

LA Junction Alternatives

LA Jct. Railroad has numerous options throughout its 64-mile system for railcar storage. None of these appeared to be explored; only broad general dismissals about “no land area available,” “too many industries around it,” “the river is a barrier,” and again, “any reconfiguration would require….” None of these are true for many of the options.

A-85

LA JCT. A- Yard:

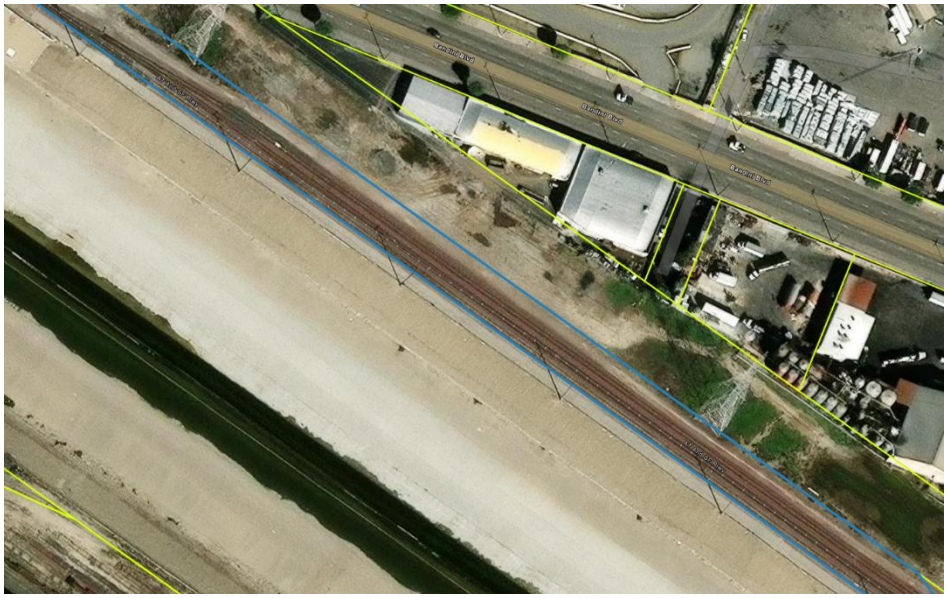
We find it hard to believe that not a single track in the main LA Jct. Yard can be dedicated to intermodal storage. If the closest track to the river were dedicated, easily pulled across the bridge to Hobart, it would add 2,200 feet of storage capacity. Property lines also indicate there is room for one more track to be constructed along the south side for another 1,300 feet, if needed.

More important are the three tracks located right across the river. These tracks are usually empty based on historical aerial images. They are used for overflow traffic when either intermodal or manifest traffic is heavy. The northern/easternmost track is used to serve two industries off the yard, but most of the tracks on those leads have been pulled up, although BNSF still owns the right of way.

A-86

By not even touching the outer track to those industries and using only the two tracks nearest the river, there is over 7,000 feet of storage capacity. If the industry were accessed only from the south/east end (where the bridge is anyway), another 2,000 feet of storage capacity could be dedicated on the north/west end of that track. This is all on existing track rarely used today.

The property line for BNSF also extends well to the north of the tracks, allowing enough room for one more track to be constructed if needed, for another 2,000+ feet of storage.



LA Jct. B Yard:

This yard appeared to be quite busy, and investigation shows that it indeed appears to have no land available for additional tracks. It is bound by the river, industries and other leads. Perhaps this is the LA Jct. Yard that was being described in the EIS. It fits the description of why it is not a candidate for storage capacity. Its situation is unique from the other locations on the LA Jct. railroad, however.

A-87

LA Jct. C-Yard:

This is a 15.58-acre parcel located in the City of Commerce behind the industries between Bandini Bl. And Rickenbacker Rd.; it already stores empty intermodal trainsets, is ideally located for easy transport to and from Hobart and Commerce Yards, and has room to add more tracks. Without moving anything else in the yard and attaching to existing tracks, there is room to add 5,500 feet of storage capacity. By cleaning up and consolidating (or even relocating) the track materials located at this site, even more tracks could be put in. Track materials and equipment have many more options for storage than railcars and the tracks for them. There is no need to waste long parcels like this if they are truly needed for intermodal storage, especially at the expense of other stakeholders like Vernon who otherwise have negative impacts.

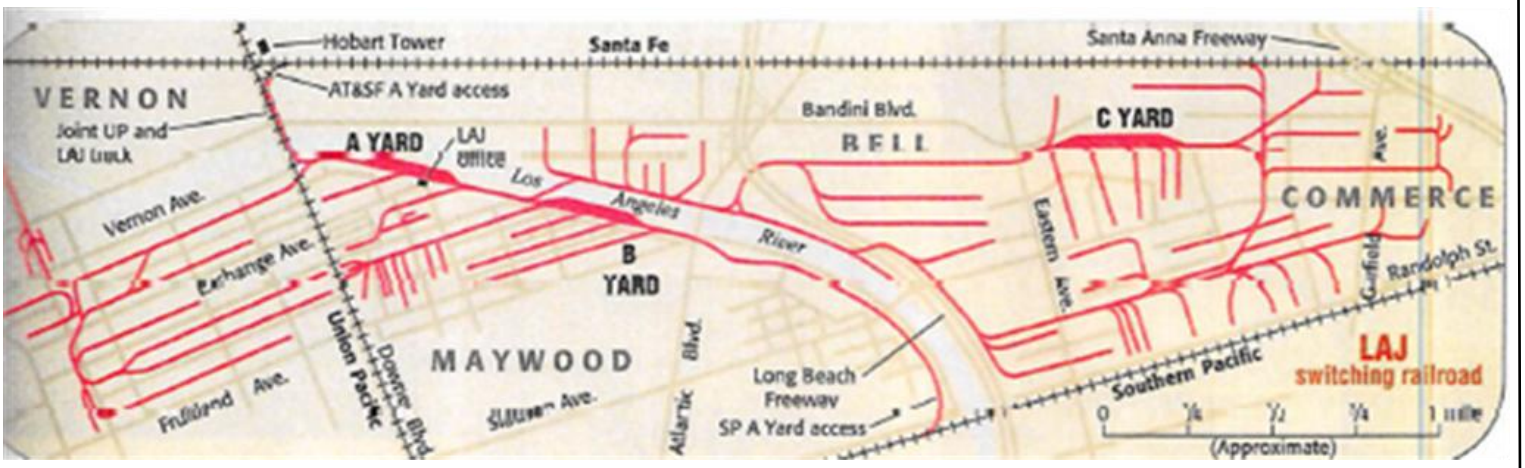
A-88



LA Jct. Unused Right of Way:

LA Jct. has 64 miles of track running through Vernon, Bell, Maywood and Commerce, most of it unused. The following map from 1992 illustrates the numerous spurs branching out all of the small area. Although BNSF has sold off some of these rights of way, it still owns many of them, with track pulled up or sitting idle.

A-89



This report has highlighted numerous specific spots where tracks could be reconstructed or rehabilitated on BNSF owned right of way that has been left to deteriorate. Many are long corridors and leads ideal for storage. Even in corridors where BNSF still has current operations, often the right of way is wide enough for more than one track and excess tracks could be used for storage.

A-90

BNSF could utilize any of this property to store railcars as needed. Existing properties of BNSF and Metro should be the priority here.

Commerce Yard Alternatives

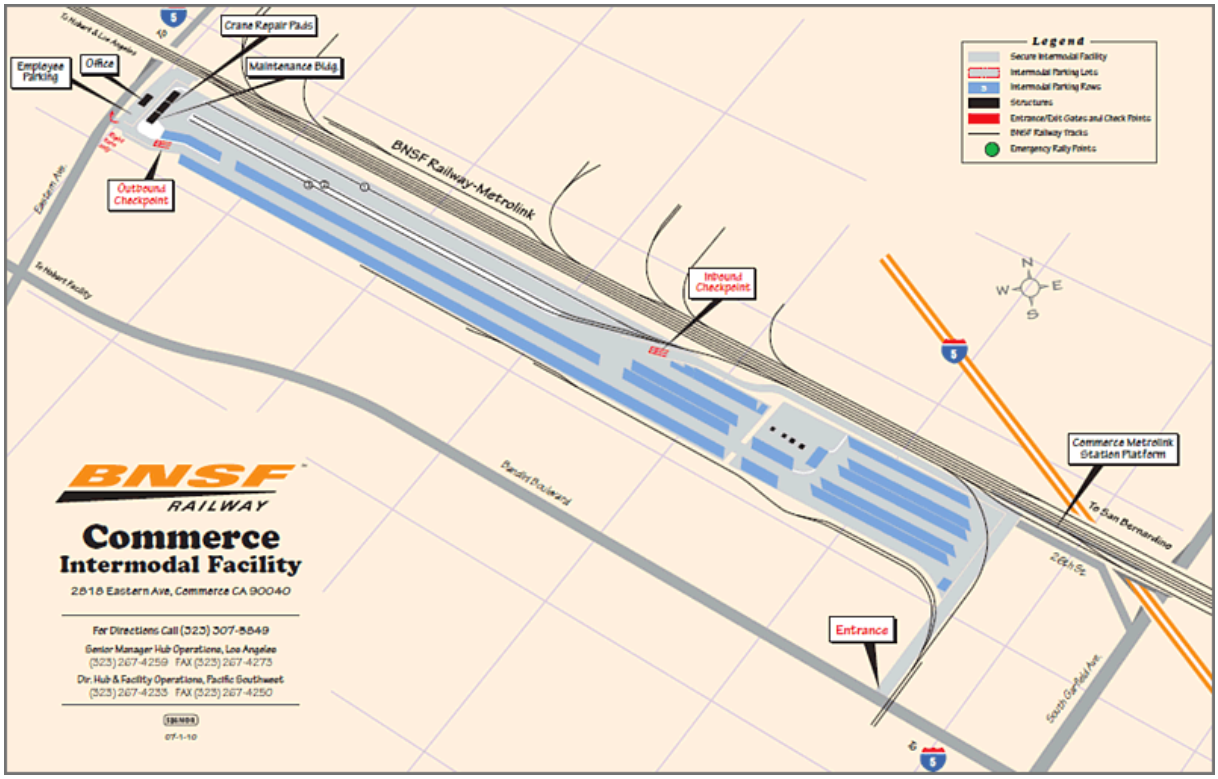
Commerce Yard was eliminated by noting a long list of arduous things that would need to be done without locating them, explaining measurements and impediments, comparing costs and stakeholders, etc.

Only broad generalizations were given as reasons, such as:

"Any change to the existing intermodal facilities at BNSF Commerce Yard would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement".

This statement is simply untrue. There are options that do not touch any passenger operation and options that maintain BNSF's current level of capacity and efficiency.

A-91



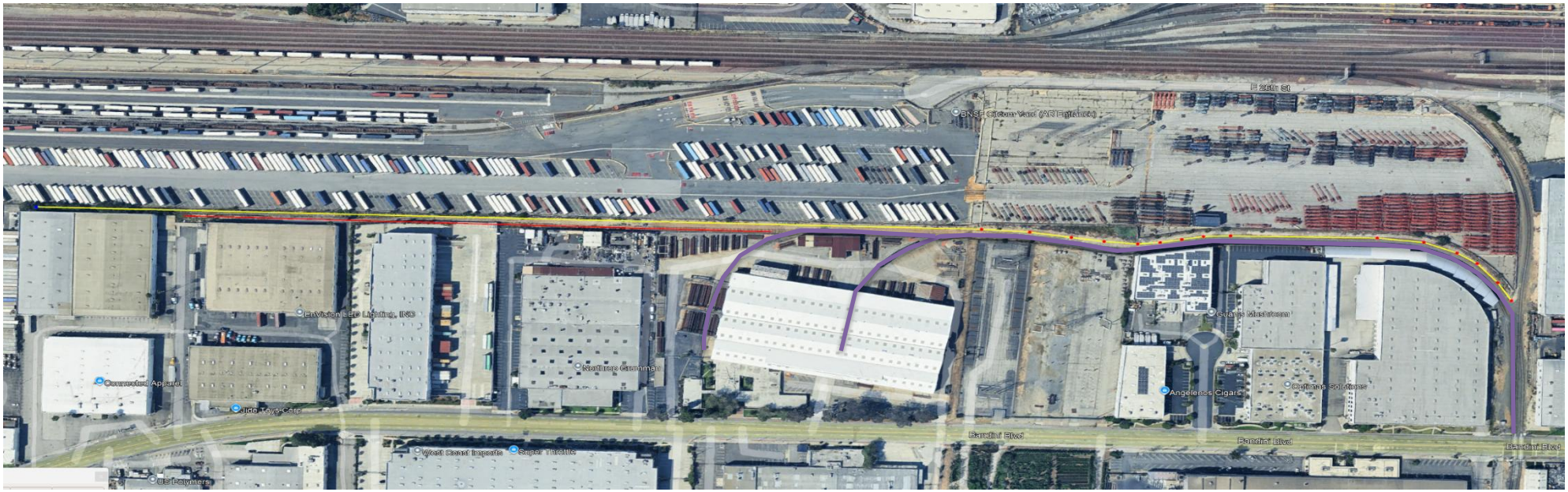
Claims that any reconfiguration would have negative impacts on other operations are dismissed since this is exactly what the City of Vernon is being pressured to do – adjust its own operations to accommodate this major infrastructure and traffic impediment. If BNSF and Metro want to work out a deal, they may have to reconfigure their own operations.

A-92

South Industry Lead:

A-93

Without moving any existing infrastructure, BNSF could make better use of the land it already owns. This is an industry lead running along the southern border of Commerce Yard.



The purple line is the existing track in use serving the industries on the south. The track is not in use beyond the customer in the middle, so the red line indicates existing out-of-service track in poor condition. The right of way in this location is owned by BNSF and is wide enough for two tracks (it appears that two tracks went through here at one point and there are switches and branches where the track curved to other industries in the past). While maintaining the tracks currently used for the existing industries, BNSF could construct/rehabilitate the right of way to support two complete tracks, adding 4,700 feet of storage capacity between the two tracks.

Relocate Truck Entrance:

This more ambitious option allows at least three tracks to be constructed where trucks currently enter Commerce Yard. The current layout wastes space along an entire street that could be used as well as wasting significant space in the equipment storage yard. A minimum of three tracks could be constructed along the northern fence line of Commerce Yard of approximately 1,900 feet each, adding 5,700 feet of storage. The 26th Street closure would have no impact since this BNSF facility is the only thing it accesses.

A-94

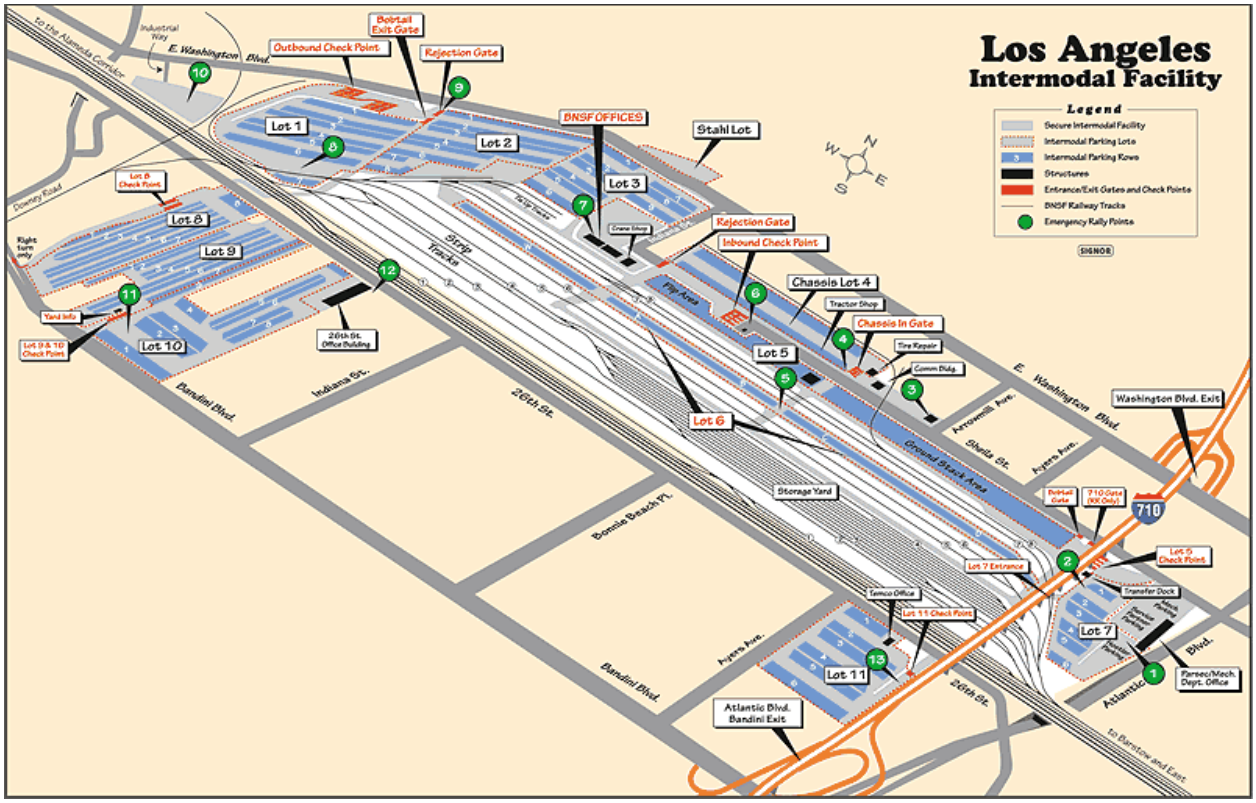


This option would require relocating the existing truck entrance, but there is space to place this entrance on the east side of the facility. It would then simply require rearranging some equipment and restriping lanes for the trucks, all on BNSF property. This reconfiguration does not affect passenger traffic in any way, any industries, nor any other property except the City of Commerce. The property on the east side is owned by the City of Commerce (in blue) and serves no purpose at this time. Utilizing this parcel for the truck entrance and cul-de-sac for trucks to turn around (orange) would not impact the surrounding parcels or land uses, and the rest of 26th Street would remain intact for industries to use. The same trucks entering Commerce Yard today already use this parcel to traverse to the strip of 26th St. that enters Commerce.

This option would need to be presented to the City of Commerce for feedback and concerns the same way the City of Vernon should have been consulted about Malabar Yard.

Hobart Yard

Hobart Yard is the busiest intermodal and unit train yard and appears to be boxed in on all sides against further growth. There is no open or unused space that could be feasibly repurposed that would allow a new track of at least 1,000 feet.



Out of all of the options addressed in the EIS, the following statements appear to be true for Hobart Yard:

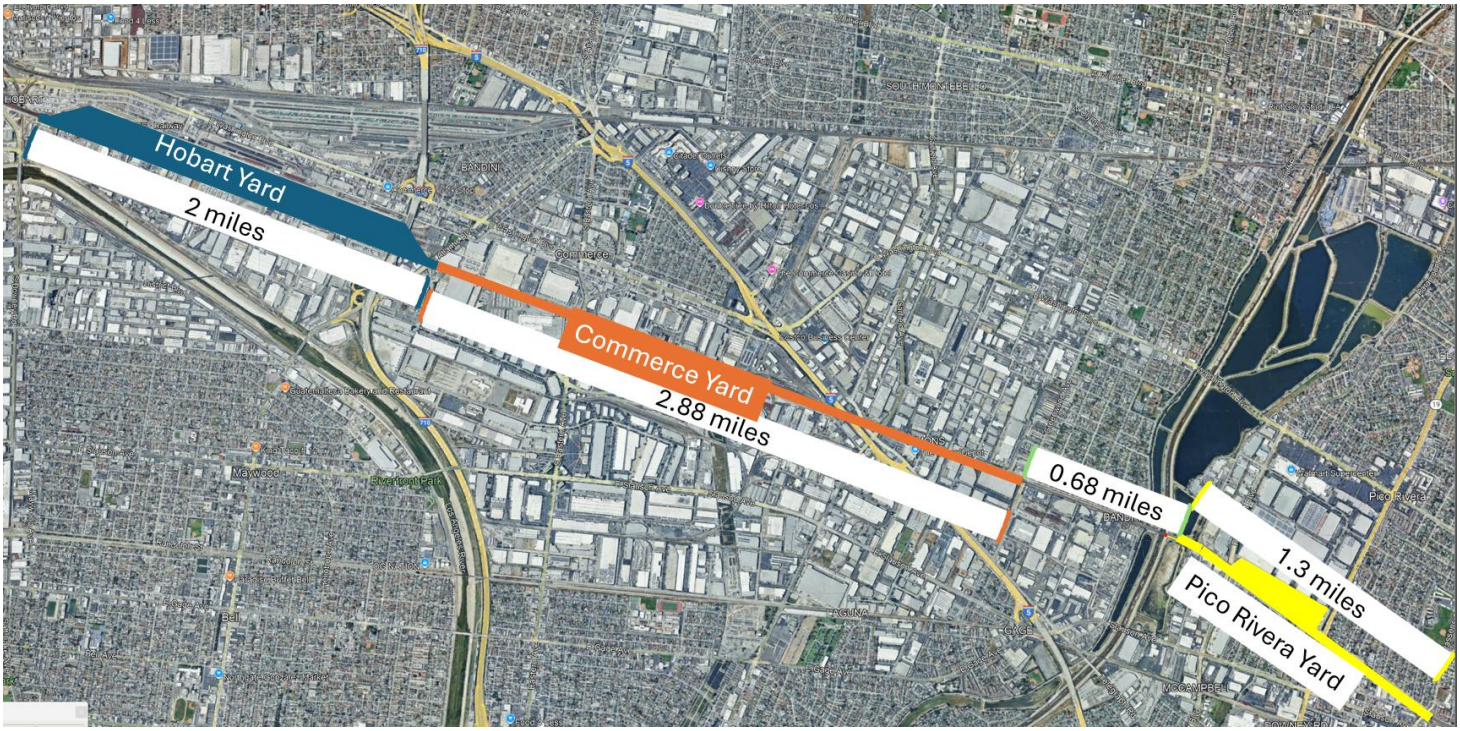
BNSF Hobart Yard does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at BNSF Hobart Yard is occupied by site-specific facilities associated with intermodal operations (i.e., intermodal tracks, buildings, operation centers, maintenance buildings and storage/mechanical workshops, drive aisles, truck parking, truck maintenance docks, chassis/crane parking, and chassis/crane maintenance areas). The existing footprint of BNSF Hobart Yard is at full capacity.

A-95

Pico Rivera Yard

This option has been misrepresented as being 5 miles away from the intermodal yards of Hobart and Commerce in order to eliminate it quickly. By measuring the distance from the farthest points of Hobart Yard to the farthest of Pico Rivera Yard, the EIS has given the impression that Pico Rivera Yard is too far away to be considered. This is a gross misrepresentation since proximity to these yards is the greatest factor in determining the most efficient option, and Pico Rivera Yards starts just 3,500 feet from where Commerce Yard ends.

The yards themselves are over a mile long each. The yard limits are measured from where the triple track of the main line splits into at least four or more tracks, even though there may be additional shorter tracks in a wider section of the yard, matching BNSF's yard limits in its timetables. (Hobart Yard limits may extend farther than noted here, shortening Commerce Yard, but wherever Hobert ends, Commerce begins). This illustrates the fact of how close Pico Rivera Yard is to these intermodal hubs, less than a mile, or only 3,500 feet. It should therefore be considered one of the best options, even greater than Malabar. A-96



Pico Rivera is already used to assist intermodal operations. The EIS stated that Pico Rivera Yard was used for merchandise cars and mixed freight, but failed to mention works well for intermodal as well. Aerial images show intermodal trains parked on Pico Rivera's long tracks at certain points as necessary.

It will be important for Metro to provide the studies requested by the City of Vernon before moving forward with this plan. The proposed modifications to the City of Vernon's infrastructure are permanent and will have a major impact on its future development. The challenges brought up by the City of Vernon must be addressed before any more time is wasted on studies using old or incomplete data, not consulting all stakeholders for ongoing input and trying to push for a specific alternative instead of honestly exploring others. A-97

<u>BNSF Perspective</u>

BNSF acquired the LA Jct. assets in 1928 under its predecessor Atchinson Topeka and Santa Fe Railway (ATSF). This terminal railroad remained one of the busiest railroads serving 400 factories on almost 64 miles of track within a 2,800-acre industrial district for the next 65 years. During the last 35 years, many factories have closed or relocated outside of the congested area and BNSF allowed many of the spur tracks interlaced throughout the area to be abandoned. Some of the property was sold off to non-rail businesses in the city and others remain owned railroad right of way with pulled up or deteriorated track conditions. The city has grown up around the derelict spur tracks.

As intermodal freight from the ports grew substantially during the last two decades, BNSF has wanted to reconnect Malabar Yard to LA Jct. to improve its own operations. It would have done this long ago if it could have, but the City of Vernon no longer welcomed the idea of trains running directly through town that has grown and developed without such dependence on rail. In addition, connecting the two yards would require installing yet another at-grade crossing in an already dangerous area, for which the CPUC has continuously denied permits for good reason. A-98

BNSF is a successful, financially responsible private company. It is well-versed in how to make the most of its assets and benefit from rationalization and track and liquidation of assets when the timing is valuable. BNSF benefitted by allowing the spurs to languish and eventually dissolved access to them by not having to spend maintenance and operational costs on spurs that did not generate enough revenue. BNSF also benefited from the real estate values of the spur property it sold over the years.

In most cases where a freight movements are presented as a benefit, the location where the freight is moving is usually the beneficiary of the project, i.e. the city where the project is located would reap the benefits of the new rail traffic, new industries, new jobs, new tax base, new economic development. New customers for the railroad usually means A-99

economic growth for the community. However, in this case, Vernon receives none of these things. BNSF simply gets to move existing traffic more cheaply and bring intermodal cars into Vernon with no benefit to Vernon, just the substantial negative impacts mentioned in this report. BNSF does not market rail services to the industries in Vernon, contributing to the decline in rail-served industries over the last three decades. Vernon has been proceeding with its development plans with that understanding. To state that these "improvements" in Vernon are "Beneficial for freight movements" is an extreme reach since the same freight is moving between Exxon and Hobart Yard and could continue as it does today without negative impacts to anyone. To state that it is "Necessary" to replace the storage capacity lost in West Yard is a blatant gross misrepresentation.

A-99

This proposal is a way for BNSF to have Metro abuse its eminent domain authority to try and force the issue on the City of Vernon for them. There is no doubt in anyone's mind that this connection would be beneficial for BNSF. It reduces its operational costs, streamlines its operations for Exxon and opens capacity for growth in Exxon traffic and intermodal traffic. It also makes better utilization of BNSF property assets in the area. Exxon is the prime generator for the rail traffic on this side of Vernon. They are a key customer for BNSF, and BNSF will continue to serve them regardless of whether this project goes in or not. No action at Malabar Yard will not harm Vernon's industry nor BNSF's existing service.

A-100

However, BNSF is a private company attempting a wise strategy of utilizing the negotiations with the public entity, Metro, to gain leverage and costs covered for an infrastructure improvement that will greatly benefit it. If Metro were offering concessions that affected itself in a balanced trade off, it could offer whatever it wished. Metro and BNSF share numerous overlaps and agreements across their systems to work out benefits for each other in a situation like this. Instead, they are attempting to trade something at the expense of the City of Vernon, an innocent bystander in this deal. Vernon is receiving no benefits at all for shouldering the burden of this proposed relocation.

The infrastructure and operational changes in Vernon are not "necessary" for the removal of the tracks at West Yard. BNSF does not need all of these changes to replace 5,500 feet of intermodal storage capacity. It may never even use Malabar Yard for the proposed single trains set to be stored there. Vernon should not be held responsible for this ulterior motive of BNSF to connect its east and west yard by railroading the city.

A-101

Current Data and Regulations

For any consideration to be given to this proposal, the impacts of the trains running through Vernon must be studied with the same vigor as the original study examined construction at Malabar Yard and train traffic for the Metro LUS. A-102

Current traffic data must be collected for the City of Vernon. Traffic in the EIS for Vernon was collected in 2020 (during COVID shutdowns) and supplemented with 2015 data. Vernon has grown considerably during the last decade. It is a misrepresentation to imply that because Vernon's resident population is so low that its traffic is also low when it hosts over 55,000 employees commuting every day. Since Vernon is in a quickly changing growth spurt, any update should account for the current year's growth in traffic, employees and population, whatever that year ends up being.

BNSF will need to provide its current and projected train schedules and traffic volumes. On the one hand, it says that train volumes will be light and traffic impacts will be negligible, but on the other hand, it is saying that it needs all of this capacity enhancement for expected heavy volumes. If such volumes materialize, then the traffic impacts to Vernon will be compounded. If the traffic impacts to Vernon remain negligible, then why does BNSF need any enhancements at all? We can acknowledge that even though rail traffic is low at the moment, it could pick up any time. Although many of the yards appear empty and underutilized right now, rail traffic ebbs and flows and the capacity will likely be necessary later. Therefore, we need these expected volumes from BNSF. A-103

All possible options for alternatives must be thoroughly examined and every exception should be documented and reported. No broad generalized rejections of options should be accepted and Malabar Yard should not be assumed as the best option until all other options are equally studied.

It is also our opinion that the study be updated for current environmental standards. Just because the EIS has taken so long to draft does not mean that the City of Vernon (not anyone in California) should be subject to standards that were developed in 1978 and 1986. The environmental standards were updated in 2018 and 2022 for a reason and those should be the standards by which this project is developed. A-104

Future Study

It is clear that if Metro insists on pursuing this option, further study must be completed in order to cover details and areas that were neglected, omitted or skewed.

It is recommended that any updated studies related to assets and resources within the City of Vernon be performed by researchers jointly chosen by Metro and the City of Vernon. Metro must pay for the studies and City of Vernon should be involved in all research, discussions, selection panels and decisions regarding any actions within Vernon.

A-105

The ESI approach, language and conclusions were greatly skewed to push forward a predetermined agenda. This was misleading and full of bias. The only way to mitigate this behavior is for the City of Vernon to be involved in selecting the scope, requirements and researchers chosen to perform these studies. The studies should be independent, fact-based, balanced and well-supported, honest and thorough, not assuming a foregone conclusion. This is the only way to ensure a non-biased study to determine the true impacts to the study of Vernon, if they can be mitigated acceptably for the City or if alternatives can or must be examined.

RII recommends a future study require a modeling component to show the impacts of trains actually moving to account for train speeds, train lengths and train schedules. None of these were examined in the EIS, making its analysis incomplete, to say the least and grossly inaccurate to be honest.

Metro and BNSF need to prove the following before any action can be taken:

A. That the car storage capacity is actually needed
B. That there are truly no alternatives in the entire area that could be used instead of Malabar Yard
C. That the City of Vernon is truly receiving benefits for this trade off (not general benefits that the whole region enjoys on the shoulders of Vernon)
D. That any and all negative impacts are completely identified thoroughly
E. That any and all negative impacts are mitigated proportionate to the impact
F. That the benefits to Vernon are Net Positive in spite of any negative impacts

A-106

Conclusions

Metro is working creatively with BNSF to work out its obligations regarding the new LUS and the EIS appears to be solid related to the station itself in Los Angeles. However, using Malabar Yard to mitigate BNSF's loss of storage was abruptly tacked on to the overall plan after the fact. The studies appear to have been an after-thought with a predetermined goal in sight. This will not work for the City of Vernon for good cause.

Review of the Draft EIS:

1. The train volumes through the City of Vernon were not examined at all.
    a. Only impacts during construction and closing of 49th Street at Malabar Yard were examined in detail, versus the trains that will impact every intersection between Malabar and LA Jct. Yards.
    b. Trains were misrepresented as "number of trains" to imply there would be little to no change when the fact that the same number of trains will be 10 times longer or more. The length of the trains has a direct impact on the traffic delays and safety concerns.
    c. The higher carload volumes running through the city causing more traffic delays affect not only the livelihoods of the 55,000 employees, service workers, carriers and 1800 businesses working in the city, but also the health and safety, air quality, water quality and access to emergency services.

A-107

2. The EIS is based upon outdated environmental standards, outdated traffic data for the City of Vernon, outdated development plans for the City of Vernon and insufficient details from BNSF regarding its traffic, operations and facilities in the area.

3. Alternatives were not thoroughly examined to determine if they could be acceptable alternatives to replace the car storage.
    a. Numerous other options were overlooked or dismissed frivolously.
    b. Options that require reconfigurations were excluded as options, yet that is exactly what the City of Vernon is being asked to do.

4. Alternatives were misrepresented in order to easily exclude them and focus on the pre-determined preferred option.
    a. Pico Rivera Yard misrepresented as being 5 miles away from the other alternatives when it is 3,500 feet away.
    b. Malabar Yard is misrepresented as an equal trade for BNSF's lost 5,500 feet of storage capacity. If 3,350 in replaced storage capacity truly is sufficient for BNSF as the EIS states, then the EIS misrepresents in several

places that 5,500 is required. It has the effect of inappropriately dismissing alternatives if the full 5,500 is not needed.

c. Malabar Yard also does not support 8,000-foot long trains as one track in West Yard could. That West Yard could support 9,000-foot trains or that all four tracks could support even 8,000-foot trains is false. If Malabar is an option with a maximum storage capacity of 2,430 on its longest track, then many other options are opened up throughout the area.
d. LA Jct. was misrepresented as having no land for additional tracks when it appears that this is true only for B – Yard. LA Jct, has multiple yards and support tracks available, both in existing yards, yards with extra space and rights of way with space and/or old tracks that can be reconstructed or rehabilitated.

A-108

5. This entire mitigation program greatly benefits Metro and BNSF, while giving the City of Vernon nothing but negative impacts.
    a. The negative impacts have been understated at a minimum, and grossly ignored in some cases, possibly even intentionally.
    b. Vernon needs to receive benefits in excess of any negative impacts

<u>Suggested Next Steps</u>:

1. Require that Vernon be included from the beginning in any discussions, including brainstorming, new ideas, potential alternatives, impacts and negotiations with any party regarding any property or operation within or affecting the City of Vernon.
2. Metro and BNSF need to prove that there is no other option available, omitting nothing and being honest about what BNSF can do with its extensive assets throughout the region – without guiding the results to support the operational enhancement it desires.
3. Vernon can simply reject the plan and make Metro and BNSF sort out the issue themselves with their own assets and leave Vernon's resources out of it.
4. For anything to move forward, Metro would need to prove benefits directly for the City of Vernon, including mitigating any negative impacts for a net positive impact for Vernon.

A-109

Hopefully, Metro and BNSF can work together to come up with creative negotiations that benefit the City of Vernon as much as they each stand to benefit from this project.

Appendix A – Abbreviations and Resources

Abbreviations:

Abbreviation	Description
ATSF	Atchison, Topeka and Santa Fe Railway - predecessor railroad of BNSF
Ave.	Avenue
Bl.	Boulevard
BNSF	BNSF Railway and any/all subsidiary companies - Class I railroad
CHSRA	California High Speed Rail Authority
CPUC	California Public Utilities Commission - CA agencywith authority over new railroad crossings
Dept	Department - government agency
EIS	Environmental Impact Statement
FRA	Federal Railroad Administration - federal railroad oversight agency
ft	Feet-12 inches
IMPLAN	Impact Analysis forPlanning software program that measures development impacts
LA Jct	Los Angeles Junction - terminal railroad owned by BNSF operating several Yards in Vernon
LOS	Level of Service - used to rate intersection congestion
LUS	Link Union Station
Metro	Los Angeles Metropolitan Transit Authority
mph	miles per hour
NEPA	National Environmental Protection Agency
Rd.	Road
RII	Railroad Industries Incorporated - railroad consultant
St.	Street
V/C	Volume divided by Capacity - score for intersection congestion

Resources:

Link US Draft Environmental Impact Statement Supplemental Environmental Impact Report
Appendix G - Air Quality and Global Climate Change Assessment and Health Risks Assessment
Appendix D - Community Impact Assessment
Appendix E - Traffic Impact Assessment
Appendix F - Visual Impact Assessment
Appendix H - Noise and Vibration Study
Appendix O - Economic and Fiscal Impact Assessment
Appendix Q - Environmental Evaluation of Malabar Yard Mitigation
Appendix R - Coordination and Outreach Plans
CalTrans website
City of Vernon Bicycle Master Plan, December 2017
City of Vernon Notice of Preparation Draft Environmental Impact Report and Public Scoping Meeting for Vernon Wsetside Specific Plan April 20, 2022
City of Vernon Website
eCode360 website (Vernon Code of Ordinances)
Gridlock and Growth , a 2009 study published by Reason Foundation and University of North Carolina at Charlotte, Professor David Hartgen
Huntngton Digital Library; Bandini: Map of the Los Angeles junction railway - Original 1940/notes through 1968
Journal of Urban Economics "Does traffic congestion reduce employment growth?" By Kent Hymel, Volume 65, Issue 2, March 2009, Pages 127-135
Link Union Station Project - City of Vernon Coordination Meeting March, 6, 2025
Link Union Station Website
Los Angeles Almanac website
Los Angeles County Assessor parcel maps
Los Angeles Times, "Long Haul on Short Line : Transportation: The longest trip on the Los Angeles Junction Railway is just a few miles. But the line provides crucial service at a busy freight hub." By Bob Pool, July 10, 1992
OperatingSessions.com - Model Railroading website, Bob Calichia
Pinky's Iron Doors website, Blogs: "Vernon California - Past & Future"
Reason Foundatiion, Traffic Congestion and the Economic Decline of Cities-How traffic is costing people jobs and stifling economic growth, By Samuel Staley, January 5, 2012
Revised Notice of Intent To Prepare an Environmental Impact Statement for the Link Union Station Project, Los Angeles, CA, Federal Register / Vol. 85, No. 181 / Thursday, September 17, 2020 / Notices
Transportation Research Interdisciplinary Perspectives, Volume 19, May 2023, "How does transportation facilitate regional economic development" By Ramesh Pokharel, Luca Bertolini and Marco te Brömmelstroet
US Department of Transportation, federal Highway Administration, Highway Capacity Field Manual 2000
Vernon Westside Specific Plan - Stakeholder Presentation 5, Catalytic Development September 28, 2021

EXHIBIT "B"

City Letter to BNSF Railway

VERNON
CALIFORNIA
INDUSTRY | COMMUNITY | INNOVATION

October 6, 2025

Lena Kent
General Director, Public Affairs
BNSF Railway
Lena.kent@bnsf.com

Subject: Request for Information: Malabar Yard Expansion in Support of Metro's LINK US Project

Dear Ms. Kent,

The City of Vernon respectfully requests additional information from BNSF Railway regarding the proposed expansion and reconfiguration of the Malabar Yard and extension of rail on 46th Street in support of Metro's LINK US project. The City seeks to understand how these proposed changes in rail infrastructure will affect existing and future rail operations in Vernon, as well as its potential impacts on local businesses and the City's industrial community. B-1

It is our understanding that BNSF currently has the ability to serve customers in Vernon using existing infrastructure and that the proposed Malabar Yard expansion primarily supports regional train storage rather than improving direct service to Vernon industries and businesses. To evaluate the project's implications, the City requests BNSF's response to the following items:

1. Current and Proposed Rail Operations

- Please provide current train schedules serving Vernon, including service times, train lengths, crew sizes, and the number of locomotives used. B-2
- Provide corresponding information for the proposed post-expansion operations. B-3
- Identify any changes in frequency, timing, train lengths, and routing of trains that would directly affect rail movements through or within the City of Vernon. Please provide information regarding maximum frequency, train lengths, and usage of the Malabar Yard, both from LA Junction and other BNSF facilities, if the project is approved and implemented. B-4

2. Switching and Customer Service Activity

- How much time does BNSF currently spend actively switching customers in Vernon on a typical day or week?
- How many customers are presently served by BNSF within Vernon's boundaries?
- Will the proposed changes alter switching frequency, duration, or routing for these customers? If yes, please elaborate.

3. Yard Operations and Purpose

- Please describe the current operational uses of the Malabar Yard, including storage, classification, and interchange functions.
- Describe how the yard will be used following the proposed expansion, and how this differs from existing operations.
- What is the operational rationale or specific benefit for BNSF in connecting 46th Street to the Los Angeles Junction (LA JCT) line?

4. Impacts on Local and Regional Rail Service

- Does BNSF anticipate any increase or decrease in rail traffic serving Vernon customers as a result of the project? Please explain the basis for this projection.
- Does BNSF currently market, or plan to market, rail service to customers in Vernon as part of this project or BNSF's broader service strategy?

5. Intermodal and Storage Capacity

- Can the existing Malabar Yard currently be used to store intermodal cars?
- Given BNSF's multiple facilities throughout the Los Angeles region, are there alternative sites available to accommodate intermodal storage or staging operations without expanding Malabar Yard? Please explain.

The City of Vernon appreciates BNSF's cooperation in providing this information. These details will assist the City in evaluating potential operational and economic impacts of the proposed project on Vernon's business community and industrial base.

Please provide your response at your earliest convenience, but in no case later than October 15, 2025, so that the City can evaluate the information in advance of Metro's October 23, 2025 Board meeting where it will consider action on the project. If answers to these questions are not received by that date, the City will have no choice but to demand that Metro defer action on the LINK US project given the lack of evidence needed to support Metro's environmental finding under CEQA. Should you have any questions, feel free to contact me at (323) 583-8811 ext 305 or via email at dwall@cityofvernonca.gov

B-5
B-6
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B-14
B-15

Sincerely,



Daniel S. Wall, P.E.
Director of Public Works-City Engineer
City of Vernon

EXHIBIT "C"

Malabar Yard Railroad Improvement Air Quality Impact Analysis Peer Review

DATE: October 10, 2025
TO: Travis Kaya, Richards, Watson & Gershon
FROM: Haseeb Qureshi, Michael Tirohn, Urban Crossroads, Inc.
JOB NO: 16830-03 Peer Review Memo

SUBJECT: MALABAR YARDS RAILROAD IMPROVEMENT AIR QUALITY IMPACT ANALYSIS PEER REVIEW

Urban Crossroads, Inc. is pleased to provide the following Air Quality Impact Analysis Peer Review for the BNSF Malabar Yards Railroad Improvement Project, which is located in the City of Vernon primarily on 46th and 49th Streets between Santa Fe Avenue and Soto Street. The focus of this peer review is related to the *Link Union Station Draft Environmental Evaluation of Malabar Yard Mitigation* (DEIS/SEIR), dated June 2024, and the respective Air Quality and Global Climate Change sections. C-1

PROJECT OVERVIEW

C-2

The proposed Project proposes the closure of the at-grade railroad crossing at 49th Street, which would accommodate storage at the BNSF Malabar Yard. Additionally, the Project proposes to construct an approximately 1,000-foot segment of new track between two existing track segments in order to provide a dedicated connection between the BNSF Malabar Yard and BNSF's Los Angeles Junction.

MALABAR YARDS RAILROAD IMPROVEMENT PEER REVIEW

C-3

Urban Crossroads has reviewed the document and offers the following comments.

REGIONAL AND LOCALIZED SIGNIFICANCE

While the DEIS/SEIR presents a comparison of the estimated construction and operational emissions against General Conformity *De Minimis* thresholds in tons per year, the analysis does not include a comparison of the Project's maximum daily construction or operational emissions against the South Coast Air Quality Management District (SCAQMD) regional significance thresholds. As such, the analysis fails to identify potentially significant impacts and identify potential mitigation measures to reduce potential impacts to less than significant levels.

C-4

Additionally, the DEIS/SEIR fails to evaluate the potential significance of the Project's localized construction emissions. SCAQMD requires that localized emissions be compared to localized significance thresholds to determine whether Project construction activities would potentially result in a significant impact. If the schedule includes overlapping activities (e.g., track removal and grading), the worst-case day should be modeled to verify that concurrent operation of multiple pieces of equipment would not result in a significant localized impact for nearby receptors, including worker receptors. In addition, the localized emissions analysis should account for haul truck emissions particularly along 46th Street, 49th Street and Soto Street and other local roads, as Project construction activities include significant hauling activities which may result in significant localized

pollutant concentrations. Localized emissions modeling should be provided to demonstrate that localized pollutant emissions remain below significance thresholds. C-4 cont'd

It is standard practice for Project's subject to CEQA to prepare a regional and localized air quality modeling to determine the ground level concentration and nearby sensitive receptors in the vicinity of a project or proposed action. Since the DEIS/SEIR does not include such an analysis, a localized and regional air quality analysis should be prepared where emissions are compared to appropriate thresholds established by the SCAQMD. C-5

A thorough review of the DEIS/SEIR including the Malabar Yard Construction CalEEMod outputs included clearly show that only annual emissions have been quantified and disclosed. In order to ensure completeness and to provide the public and decisionmakers with sufficient information, the DEIS/SEIR should be amended to disclose regional and localized air quality emissions and associated impacts.

If the analysis determines mitigation is required to reduce regional or localized impacts, the DEIS/SEIR should evaluate the feasibility of advanced technologies to reduce emissions, including the use of advanced engine tiers during construction and zero-emission operational rail yard equipment.

Evaluation of Potential Health Risks

The DEIS/SEIR fails to adequately evaluate whether emissions associated with Project construction and operational activities would result in a significant impact for nearby receptors, including worker receptors. C-6

The Office of Environmental Health Hazard Assessment (OEHHA) states that a risk assessment should be prepared for construction activities that last more than 2 months (see Page 8-18 of the *Air Toxics Hot Spots Program Guidance Manual, February 2015*). Construction activities have the potential to result in significant diesel particulate matter (DPM) emissions with the potential to result in significant health impacts for nearby receptors. As described in the DEIS/SEIR and CalEEMod model outputs, construction activities are anticipated to last approximately 18 months and utilize up to 13 pieces of construction equipment during any given phase. Additionally, construction would require substantial hauling activities, including 2,000 total hauling trips for the Utility Relocation phase alone. Given that the nearest sensitive receptors are located approximately a quarter mile from the Project site and numerous potential worker receptors located adjacent to construction activities, it is recommended that modeling be performed to evaluate localized construction emissions and that construction health risk assessment be prepared for full disclosure purposes to evaluate the potential risk to nearby receptors.

During operation of the Project, locomotives and other equipment utilized in the Malabar Yard would result in potentially significant quantities of DPM emissions. Although the Project may result in a net reduction in emissions at the regional level, it appears that at the local level emissions may be concentrated in a smaller area, potentially increasing the health risk for receptors. Specifically, the Project proposes to remove the at-grade crossing at 49th Street in order to expand the train car storage capabilities of the Malabar Yard. However, it is unclear if this action would lead to additional rail traffic in the Malabar Yard, as well as rail car switching activities that may result in an increase in localized emissions and increased diesel particulate matter at nearby sensitive receptors. As such, it is recommended that localized construction and operational emissions be quantified and modeled

along with a health risk assessment to ensure that the proposed Project would not result in any significant localized impacts for nearby receptors, including nearby worker receptors.

C-6 cont'd

As such, a health risk assessment should be prepared to demonstrate that the Project's operational emissions would remain below the applicable significance thresholds.

Receptor Identification

C-7

The Project vicinity was evaluated to ensure the analysis accounts for all potential sensitive receptors. This review identified the Stacy Medical Center, located at 4580 Pacific Boulevard, approximately 200 feet from construction activities that would occur along 46th Street. As such, it is recommended to consider evaluating this location as a sensitive receptor or worker receptor, as previously discussed.

The DEIS/SEIR notes that the nearest sensitive receptors are located approximately a quarter mile from the proposed Project, however there are several potential worker locations in close proximity to the Project where workers are likely to be present for one to eight hours per day. The SCAQMD's definition of a sensitive receptor is a location where an individual could remain for one to eight hours or longer – this is due to the fact that there are one- and eight-hour averaging times for criteria pollutant emissions standards. As such, it is recommended that localized emissions modeling and a health risk assessment be prepared in order to determine the significance of any impacts that may result from construction or operation of the proposed Project.

Underestimation of Distance to Receptors and Idling Emissions

C-8

Although the DEIS/SEIR asserts that no sensitive receptors are within a quarter mile of the Project site, it appears that the analysis underestimates the potential distance between sensitive receptors and increased train traffic activity that would occur through implementation of the Project. In particular, due to the layout of the tracks, it appears as though any trains utilizing the 46th Street connection would be required to travel north on tracks and then reverse south onto a rail siding in the Malabar Yard. The train tracks in the location where this would presumably occur is located approximately 750 feet east of Vernon City School, along the same route that trains currently travel on from the Hobart Yard under the existing condition. Given an identical number of daily trains anticipated under the existing conditions, if trains are required to travel north, stop, and reverse direction to travel south on a siding in the Malabar Yard, the Project may result in increased emissions occurring in close proximity to the Vernon City School, compared to the existing condition where trains traveling to/from the Hobart Yard would not be required to change directions.

C-9

Additionally, the analysis does not consider an increase in locomotive idling that would be expected with the increased usage of the Malabar Yard for rail car storage purposes. Idling would occur in the situations described above, where locomotives enter Malabar Yard and are required to switch tracks, which would often occur at a distance of less than a quarter mile from sensitive receptors. Idling would also be expected to occur when trains exit the Malabar Yard or when rail cars are moved to different tracks. As such, the DEIS/SEIR should account for potentially increased idling of locomotives in close proximity to sensitive receptors in preparing a localized significance threshold analysis and health risk assessment.

CUMULATIVE ANALYSIS

C-10

The Project site is located in a heavily industrial area, with sensitive receptors surrounded by industrial uses. As previously discussed, even if the proposed Project has the potential to reduce overall emissions in the region, it also has the potential to result in increased rail travel in closer proximity to sensitive receptors compared to current conditions and may result in significant exposures to DPM at these receptor locations, particularly when cumulative conditions are considered. As such, it is recommended that the DEIS/SEIR evaluate potential cumulative health risk from the proposed Project as well as other industrial, rail, and truck travel in the area.

USE OF OUTDATED EMISSIONS MODEL

C-11

The DEIR text indicates that construction emissions were modeled using CalEEMod Version 2016.3.2, but the model outputs provided in Appendix D indicate that the modeling was performed using CalEEMod Version 2020.4.0. It is recommended that the DEIR text be updated to reference the correct version of the model that was used.

C-12

Additionally, CalEEMod Version 2022 was available at the time that the modeling was performed. While technically not required given the NOP date of May 2016, it may be useful to run CalEEMod 2022 to determine whether any substantively different impacts may occur. CalEEMod 2022 includes several refinements, and as such may indicate higher emissions, particularly VOC and CO, compared to previous versions of the model.

CONCLUSION

C-13

Our review of the DEIR suggests that the analysis may be incomplete and requires further clarification and potentially additional analysis. These changes are recommended to ensure the DEIS/SEIR fully complies with CEQA and NEPA requirements and provides transparency to the public regarding potential air quality impacts. The recommendations herein should not be construed as specific requirements and the ultimate decision on the updates should be made by the lead agency.

If you have any questions or comments, I can be reached at hqureshi@urbanxroads.com.

Respectfully submitted,

URBAN CROSSROADS, INC.





Haseeb Qureshi

Principal

Michael Tirohn

Senior Environmental Scientist

EXHIBIT "D"

Memo re: Technical Adequacy of Link US FSEIR Responses to City of Vernon Transportation Comments

Lochner

1100 Corporate Center Drive, Suite 201 • Monterey Park, CA 91754
OFFICE 323.260.4703 • hwlochner.com

Date: October 22, 2025

To: Travis M. Kaya, RICHARD WATSON GERSHON, Attorneys for the City of Vernon

From: George Rhyner, P.E., Project Manager, Lochner Company

Subject: **Technical Adequacy of Link US FSEIR Responses to City of Vernon Transportation Comments**

Lochner was retained to carefully review the *Link Union Station Final Supplemental Environmental Impact Report* (FSEIR - State Clearinghouse No. 2016051071) dated October 2025. The purpose of our review was to assess whether Los Angeles County Metropolitan Transportation Authority's (Metro) adequately addressed the issues that were raised by the City of Vernon (the "City") in their Responses to Comments. The City submitted comment letters from Judith Menlo, Mayor and Daniel S. Wall, P.E., Director of Public Works, both dated August 6, 2024. Our review was on the automobile, truck, pedestrian, and bicycle transportation comments and the responses. We did not review the numerous comments on other environmental issues. Note that the comments focused on the impacts to the City of Vernon where the Malabar Yard and its access is to be reconstructed to accommodate activities being displaced from the Burlington Northern Santa Fe (BNSF) West Bank Yard where storage track is to be removed (Mitigation Measure TR-3). Below are the results of our review. D-1

PROJECT UNDERSTANDING

The Malabar Yard is located between Santa Fe Avenue and Pacific Boulevard in the City of Vernon. The yard contains up to seven parallel tracks and merge sections that extend from the Fruitland Avenue crossing approximately 2700 feet north to the Pacific Boulevard crossing. Tracks extend north and south from Malabar Yard. The project Option 2 (the preferred option) illustrated in the Link Union Station Final Evaluation of Malabar Yard Mitigation (presumably the reference final version of the DSEIR Appendix Q as it has the same title (except for the word Draft being replaced by Final and the same table of contents, but is not labeled as such) is shown below: D-2



That track extension is to be accomplished by a closure of the 49th Street crossing. Additionally, the rail line along 46th Street is to be reconstructed and extended. An overview of the mitigation is shown below as provided in the Link Union Station Final Evaluation of Malabar Yard Mitigation:

D-2 cont'd



MALABAR YARD IMPROVEMENTS INTENDED PURPOSE

D-3

The purpose of the modifications to the Malabar Yard are stated in the FSEIR as:

> *Mitigation Measure TR-3 would minimize the adverse effect by offsetting the loss of storage tracks at the BNSF West Bank Yard. Impacts to the BNSF West Bank Yard are different than a typical brick and mortar commercial/industrial business because the BNSF West Bank Yard is along the National Good Movement corridor and provides space for critical freight operations that support local, state, and national commerce. Project related effects on freight would result in loss of storage track capacity that would create operational inefficiencies or increased congestion on the shared passenger/freight rail network in the region.*

The above text is from AGE 5-1 – the first response to Mayor Merlo. As it sets forward, the intended purpose of the Malabar Yard Improvement project is to allow for the relocation of storage capacity and operations from the BNSF West

Bank Yard to Malabar Yard, where they will no longer be efficiently accommodated. D-3 cont'd

What those operations include is not discussed in the Link Union Station Final Evaluation of Malabar Yard Mitigation report. The 46th street connector is discussed as allowing for a more direct connection between the Los Angeles Junction and Malabar Yard/the Seville Avenue east and west side tracks. A shift of the West Bank Yard activities to the 46th Street Connector, Malabar Yand, Los Angeles Junction and Seville Avenue east and west side tracks is not discussed, but for the 46th Street connector to be part of Mitigation Measure TR-3 such a shift in activities is necessary. Additionally, "train building" is discussed in the report. However, it is not discussed as it relates to the storage tracks being no longer available in BNSF West Bank Yard to be a necessary part of "train building". As no other operations are discussed and "train building" requires storge tracks, presumably "train building" in the BNSF West Bank Yard would be relocated to the Malabar Yard, Los Angeles Junction and the Seville Avenue east and west side tracks. Thus, the FSDEIR makes clear that a main purpose of Mitigation Measure TR-3 is to move "train building" from the BNSF West Bank Yard to the Vernon area – Malabar Yard, Los Angeles Junction and the Seville Avenue east and west side tracks. D-4

CITY OF VERNON COMMENT ISSUES

City of Vernon comments included a large variety of subjects, both transportation related and other issues. A major item was the impact of "train building" upon the community. That includes air quality, noise and a variety of other issues. However, this memorandum concentrates on the transportation issues raised by the City. Below are some of the categories of transportation issues raised in the City comments. D-5

TRAIN CROSSING VEHICULAR AND PEDESTRIAN BLOCKAGE

A major impact upon the City will be the increased crossing blockage time from the number, size and activity level associated with "train building" in the City. The increased blockage from more trains at each crossing was brought up by the City Comments. Likewise, the impacts from the longer train size and slower operational speeds were raised. Those train operations modifications will increase both the delay and queuing at the rail crossings in the City of Vernon. This will have an impact on the public at large. Additionally, the impacts on local businesses of having uncertain access both in the near-term and long-term was raised was raised. D-6

TRAIN CROSSING EMERGENCY ACCESS BLOCKAGE

Beyond rail crossing interference blocking traffic for other purposes, it will block emergency access. Fast and reliable safety response needs to be available 24/7, rather than not being available at the crossing times on a particular day. The rail blockage extending for an east-west row of rail crossings across the City will have particular impacts as the blockages cannot be anticipated and the emergency vehicles routed around the blocked rail crossing in advance. The comments also pointed out that longer, slower trains are to be expected with the addition of storage track to Malabar Yard, making the emergency access impacts greater. D-7

INCREASED TRAIN CROSSING SAFETY IMPACTS

The increase in the number and length of trains will have safety impact. This will be greatly impacted by the greater number and length of trains. Longer delays will also have an impact on pedestrian and motorist behavior. D-8

TRAIN LENGTH AND SPEED

The FSEIR does not have consistent train length and speed assumptions for each crossing but rather has a number of lengths and speeds listed for trains at all crossings. The analysis does not consistently evaluate a maximum train length as responded to in AGE 3-11. The general discussion is that trains can be 2,000' to 4,000'. A 3,000' maximum length is used for the delay and queuing analysis, with no speed specified (although a speed of 20-25 MPH can be back engineered from the crossing time assumption of 1.7 minutes). The driveway blockage time calculations assume a 10 MPH speed and D-9

4,000-foot-long train. Other lower speeds of 5 MPH or less are also discussed in the comments and responses.

D-9 cont'd

APPROPRIATENESS OF 2020 DATA IN A 2025 DOCUMENT

Traffic volume adjustments to the 2020 count data were needed in 2020 due to temporary changes in vehicle driver, pedestrian and bicycle activities. Conditions had returned much closer to normal by the time the comments were made by the City in 2024. They requested that actual data be recollected, rather than older data and generalized adjustment factors being used.

D-10

THE MALABAR YARD CONSISTENCY WITH THE VERNON GENERAL PLAN

There are a number of land-use issues concerning the consistency of the Malabar Yard Improvement Plan and the City of Vernon General Plan. A large transportation issue is the lack of consistency of the Malabar Yard Improvement Mitigation with the Circulation and Infrastructure Element. The Circulation and Infrastructure Element is supportive of and consistent with the Land Use Element. The Circulation and infrastructure Element contains the paragraph Section 2.1 under Railroads:

> *Many at-grade rail crossings remain in the City. These should gradually decrease as the City encourages rail lines to merge facilities, to abandon spur lines, and to participate in separating streets from remaining railways.*

The General Plan also includes specific policies intended to limit rail yard areas, promote grade separations, and ensure rail service does not impact traffic. The General Plan is internally consistent, and to be consistent with the General Plan, the project, if pursued at all, needs to provide grade-separations to replace the at-grade crossings.

D-11

APPROPRIATENESS OF FSEIR RESPONSES

For each issue, we have reviewed the Response in the FSEIR. That included reviewing the Key Issues Responses and added Malabar Yard Mitigation as well as the responses to the individual City comments.

D-12

TRAIN CROSSING VEHICULAR AND PEDESTRIAN BLOCKAGE

The FSEIR did not address the central issue of what operations are to be relocated from BNSF West Bank Yard to the Vernon area. The response looked at the delay and queues at crossings assuming all trains were the same – even those at different crossings such as the Pacific Boulevard crossing at 46th Street. The response used "Train Movements" that only included train trips between yards -- not additional trains to and from the expanded track being relocated from BNSF West Bank Yard. The analysis did not include factors such as inclusion of "train building" trips at individual yards using crossings. Malabar Yard including the 49th Street crossing is 2,700' long while the trains are to be 2,000' to 4,000' long, and thus crossings are required to "train build" at Malabar Yard. Further discussions of the train length and speed, and impact of train consolidation on train length and crossing time are below.

D-13

TRAIN CROSSING EMERGENCY ACCESS BLOCKAGE

The emergency access analysis was based on the assumptions that the number of train crossings would decrease, the train length would not be affected by the project, and that train speed would remain the same with the additional storage track. Those are invalid assumptions. Additionally, a train crossing time of 1.7 minutes was assumed for all crossings at all times. However, a 4,000' long train with a 10 MPH speed was assumed at the crossing on Pacific Boulevard at 46th Street for the driveway blockage analysis. At that speed and length, just the train crossing the centerline of the roadway would require 4.55 minutes. When advance warning signal are considered, the gates closing in advance of the train and the gates not reopening until the train is well cleared from the centerline, the train crossing traffic disruption time is much longer. Added closures of up to 5 minutes each will make emergency response times greater. Therefore, not including the added "train building" activities result in the analysis reaching a false conclusion for the emergency access issue.

D-14

INCREASED TRAIN CROSSING SAFETY IMPACTS

D-15

The response did not address that the project will result in major revisions to the infrastructure and operations at Malabar Yard. Therefore, past operational experiences cannot be relied upon to predict substantially changed with project operational conditions.

TRAIN LENGTH AND SPEED

D-16

The delay and queuing analysis in the response had unreasonable assumptions. The response ignored the part of comment regarding the inconsistent train length assumptions elsewhere. It repeated the delay and crossing assumptions, were based on existing Malabar Yard area data – ignoring the earlier statements that the purpose of the project is to move operations from the BNSF West Bank Yard to Malabar Yard. Thus, data from the BNSF West Bank Yard should have been collected on train length and speed. Utilizing the 1.7 minutes for a 3,000 long train assumption, the train needs to be traveling at 20 MPH. When advance warning, gate closing, train roadway crossing and gate opening times are subtracted from the 1.7 minutes, a speed of 25 MPH is calculated for 1.31 minutes. Those speeds are unreasonable for a "train building" area, especially within a city. Further, it should be noted that the response also ignored that the Malabar Yard Improvements is assumed to result in a consolidation of trains, and that will length those trains. Thus, the analysis assumptions fail to properly reflect the proposed Malabar Yard Improvements.

APPROPRIATENESS OF 2020 DATA IN A 2025 DOCUMENT

D-17

It was necessary to adjust 2020 data, if that was the best information available. The response to the City only repeats the procedures used in 2020. The responses do not address whether better data is now available and should now be used. As the queueing analysis shows demand near, and in one case exceeding, the supply (even with the train crossing time heavily understated), using the best available data is crucial to being able to make an informed decision.

THE MALABAR YARD CONSISTENCY WITH THE VERNON GENERAL PLAN

D-18

The FSEIR is required to make a finding regarding consistency with the City of Vernon General Plan. It was pointed out in City comments that the Malabar Yard Improvement Mitigation is not compliant with numerous non-transportation elements. The Malabar Yard Improvements Mitigation is also not consistent with the City's Circulation and Infrastructure Element. That General Plan element calls for a reduction in the number of at-grade crossings. Closing the roadway and leaving the railroad tracks was not one of the methods specified in the General Plan. Further, increasing access to and use of sidetracks (such as those along Seville Avenue) is contrary to the General Plan measures. However, implementation of grade separations is called for in the General Plan Circulation and Infrastructure Element but not addressed in the FSEIR. Thus, setting aside other inconsistencies with the General Plan for a moment, the Malabar Yard Improvements are not consistent with the Circulation and Infrastructure Element of the General Plan.

CONCLUSIONS

D-19

The FSEIR responses do not address the comments, and the added analysis has poor assumptions. The largest initial assumption is that despite the opening statement about the Malabar Yard Improvements being a necessary mitigation to replace the removed track in the BNSF West Bank Yard, no activities are analyzed as being shifted to the Vernon area in the FSEIR. That alone results in the FSEIR not containing an analysis of the actual transportation impacts on Vernon. Using what is referred to as Train Movements is a poor variable for determining the train crossing delays and queuing impacts. Rather, "train building" being transferred from BNSF West Bank to the Vernon area has major implications, and train length and speed need to be accounted for in the analysis.

D-20

The inconsistency in the assumed train length and speed with no limit mechanism exacerbates the shortcomings of the FSEIR. The approximately 5-minute delay assumed in the driveway blockage calculation is more realistic and would have

D-20 cont'd

severe emergency response and delay/queuing implications. Thus, the internal inconsistencies regarding worst case train length and speed in the FSEIR analysis need to be rectified without reducing the train building crossing times.

D-21

The inconsistency with the General Plan Circulation and Infrastructure Element also cannot be ignored as it currently is in the FSEIR. The General Plan does contain measures to reduce the railroad crossing impacts. Use of grade separation to eliminate grade crossings is an important measure in the Circulation and Infrastructure Element that is used throughout Southern California but not addressed in the FSEIR. This measure is especially important for emergency access given the long potential time for grade crossings being blocked.

D-22

Given the above discussion, the FSEIR fails to address important impacts pointed out in the City of Vernon comments, contains new analyses based on poor assumptions, and does not consider the mitigation measures that are listed in the General Plan.

EXHIBIT "E"

Environmental Evaluation For Malabar Yard Railroad Improvements -
Noise Section 3rd Party Review

TECHNICAL MEMORANDUM

DATE: October 20, 2025
TO: Travis M. Kaya, RWG Law
FROM: Bill Maddux, Urban Crossroads, Inc.
JOB NO: 16830-03

SUBJECT: ENVIRONMENTAL EVALUATION FOR MALABAR YARD RAILROAD IMPROVEMENTS - NOISE SECTION 3RD PARTY REVIEW

Urban Crossroads, Inc. is pleased to provide the third-party review of the Environmental Evaluation for Malabar Yard Railroad Improvements - Noise Section, prepared by the Los Angeles County Metropolitan Transportation Authority, June 2024. The Project Malabar Yard railroad improvements are located in the vicinity of Malabar Yard, primarily on 46th Street and 49th Street, between Santa Fe Avenue and Soto Street, City of Vernon, CA. E-1

The Project involves the closure of the at-grade railroad crossing at 49th Street to increase storage capacity at the Burlington Northern Santa Fe (BNSF) Malabar Yard by approximately 3,350 track feet. Closure of 49th Street facilitates storage of empty intermodal train car sets that are no longer able to be stored at the BNSF West Bank Yard. Additionally, an approximate 1,000-foot segment of new track between two existing track segments would provide a dedicated connection for freight trains serving local customers to travel between BNSF's Malabar Yard and BNSF's Los Angeles Junction. The purpose of this 3rd Part Review is to establish technical adequacy and identify any relevant revisions. E-2

FINDINGS

E-3

- The noise section analyzes noise and vibration impacts related to both temporary construction activity and long-term operation of the project.
- The noise analysis states the nearest residences are located over 1,000 feet from the Project boundary.
- Construction phases would include demolition, site preparation, grading, building construction, paving, and architectural coatings.
- The dominant source of noise in the Project site vicinity is vehicular traffic from local roadways.
- The noise and vibration analysis relies on the FHWA Roadway Construction Noise Model (RCNM) inputs and the Federal Transit Authority (FTA) methodologies.
- Due to the absence of noise-sensitive receivers within 1,000 feet of the Project boundaries, a detailed analysis of noise impacts was not required based on FTA methodologies.
- The analysis provided a qualitative assessment of operational noise and vibration impacts and a partially quantitative analysis of construction noise and vibration impacts.

SPECIFIC COMMENTS

1. **Project limits –** It appears the Project boundaries are based only on the construction activity and ignores the operational changes within the Malabar Yard. This appears to be to limit the identification of noise sensitive receivers within the City of Vernon. Since the Project would affect the operations within the Malabar Yard the yard should be included as part of the Project area. If the Malabar Yard were included in the Project area, all identified receivers would be within the 1,000-foot buffer distance used to limit the analysis of noise impacts. Urban Crossroads recommends that the analysis be revised to include the Malabar Yard within the Project boundary and the analysis revised to evaluate noise impacts at all receivers within the 1,000-foot buffer. E-4

2. **Construction Scenario Assumptions** – It appears the construction scenarios are based on air quality model inputs, which have a different focus and purpose than noise impact analysis. Air quality models are focused on emissions from engines, not the noise generated by the operation of the equipment; thus, the model does not include some of the louder and more impactful noise sources associated with demolition and construction activities, such as handheld jackhammers, backhoe-mounted impact-hammers, and pile drivers. This may indicate construction noise levels were under-estimated. Urban Crossroads recommends that the analysis be revised to include these sources during building and roadway demolition phases at a minimum. E-5

3. **Long-Term Malabar Yard Operational Impacts** – The operational noise analysis of the Malabar Yard improvements does not evaluate the operational impacts of the Project; rather, it states that either alternative would result in the same impact. The analysis states the Project, "would create additional storage capacity and operational efficiency but would not result in a change to the track alignment or in how the yard or trains using the yard operate." However, wouldn't the additional track that allows the additional storage be a "change to the track alignment" or at least the usable track area? Also, how are the additional activities in the yard during the delivery and removal of stored train cars not a change in "how the yard or trains using the yard operate"? This analysis seems to lack an evaluation of the impacts from the change from the existing condition as required by the California Environmental Quality Act (CEQA). The analysis should be revised to include an analysis disclosing the changes in noise levels compared to the existing condition, not just the differences between the alternatives. E-6

4. **Long-Term 46th Street Connector Operational Impacts** – The operational noise analysis of the 46th Street connector improvements does not evaluate the operational impacts of the Project; rather, it states that either alternative would result in the same impact. The analysis states "the 46th Street connector would be located between two active rail lines. Therefore, there would be no perceptible change in operational noise under either design option." However, as with the analysis of the Malabar Yard improvements, what is the effect on the existing condition of adding the new track connecting the two existing tracks? Again, this analysis seems to lack an evaluation of the impacts from the change from the existing condition as required by CEQA. The analysis should be revised to include an analysis disclosing the changes in noise levels compared to the existing condition, not just the differences between the alternatives. E-7

EXHIBIT "F"

Email between Kevin Wilson and BNSF Project Engineer Greg Rousseau,
dated September 27, 2006

Wilson, Kevin

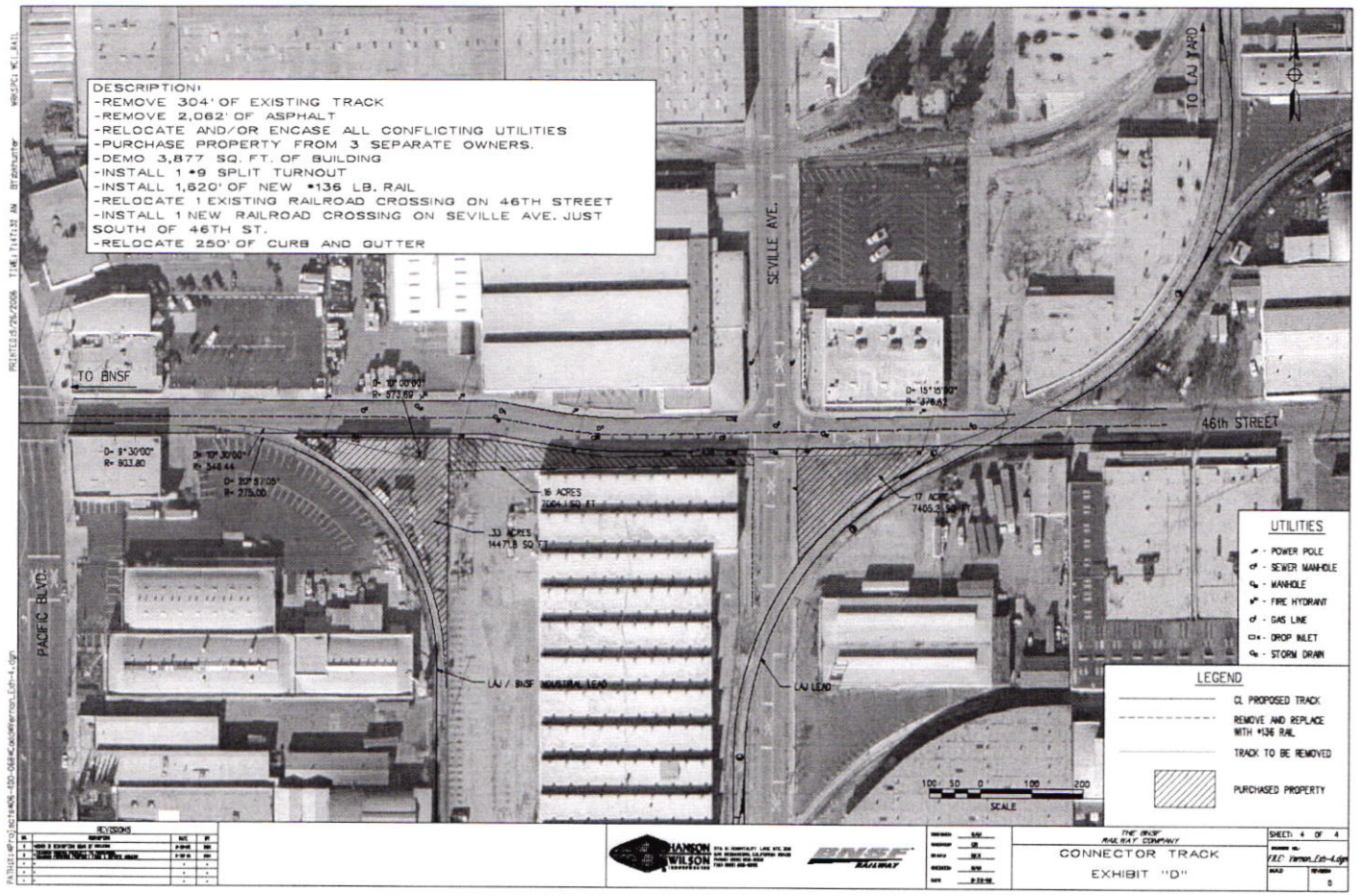
From: Montoya, Garrett A. [Garrett.Montoya@wilsonco.com]
Sent: Wednesday, September 27, 2006 8:22 AM
To: Jardine, Laurie M
Cc: Rousseau, Greg J; Hunter, Brenna K.; Brendza, Bob E
Subject: Jpg
Attachments: alternate.jpg; Vernon_Exh-1.jpg; Vernon_Exh-2.jpg; Vernon_Exh-3.jpg; Vernon_Exh-4.jpg

F-1

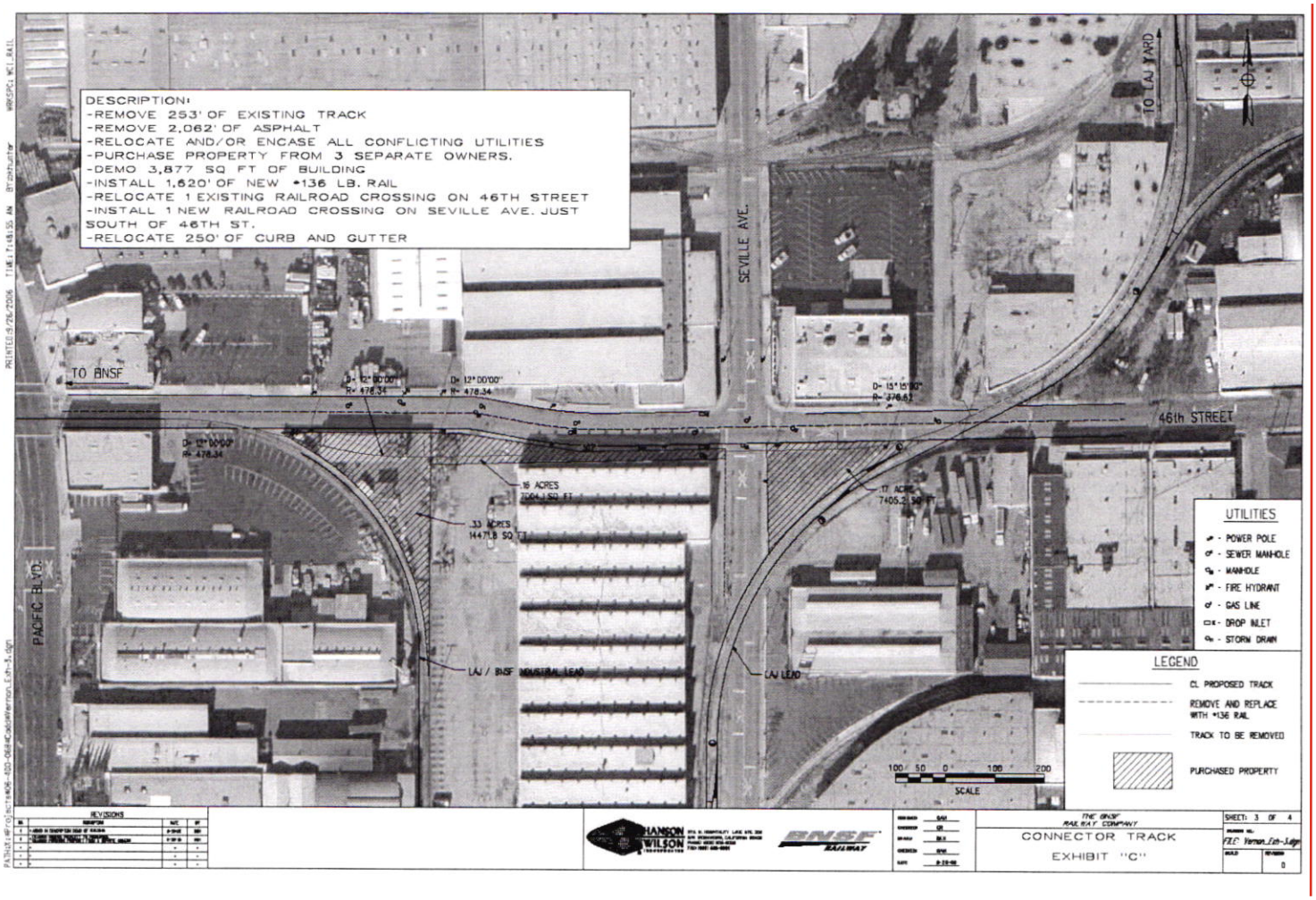
Laurie,

Attached are clearer jpg's for your use. Please call if you have any other questions.

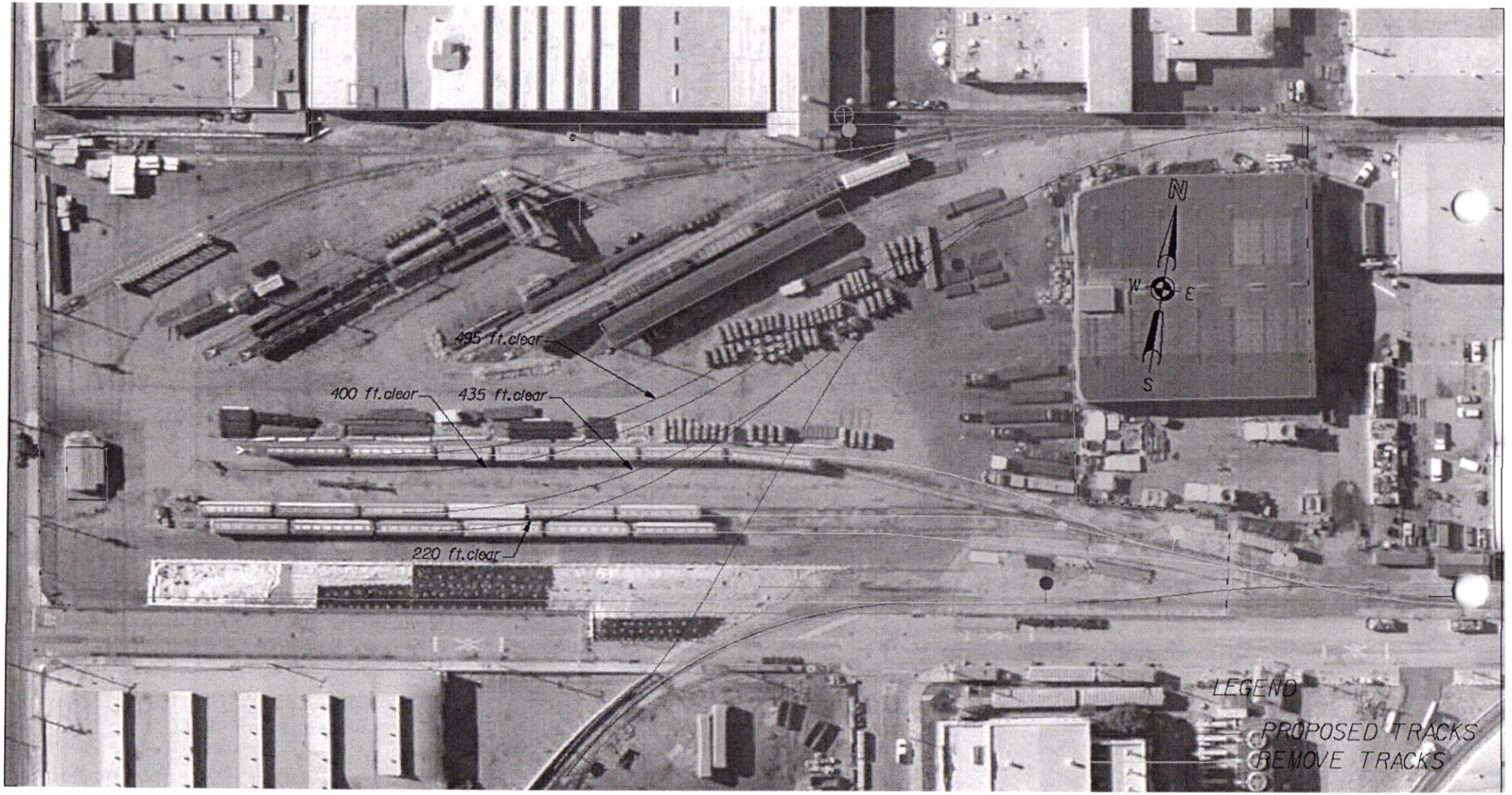
Garrett Montoya
Project Manager
WILSON
&COMPANY
Tel: (909) 806-8007 \ (866) 270-6283
Fax: (909) 806-8099
www.wilsonco.com

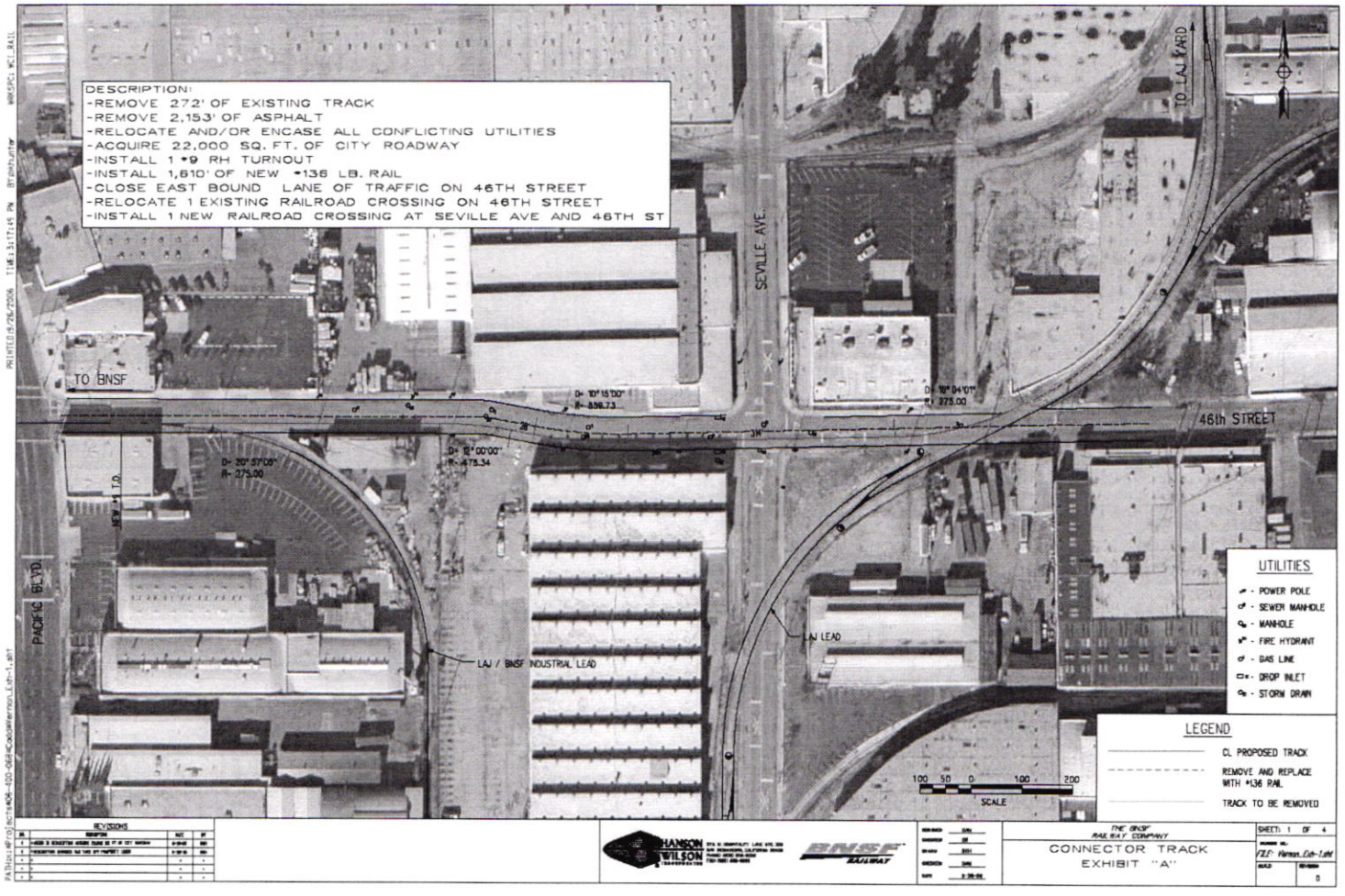

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-PURCHASE PROPERTY FROM 3 SEPARATE OWNERS.
-DEMO 3,877 SQ. FT. OF BUILDING
-INSTALL 1 #9 SPLIT TURNOUT
-INSTALL 1,620' OF NEW #136 LB. RAIL
-RELOCATE 1 EXISTING RAILROAD CROSSING ON 46TH STREET
-INSTALL 1 NEW RAILROAD CROSSING ON SEVILLE AVE. JUST SOUTH OF 46TH ST.
-RELOCATE 250' OF CURB AND GUTTER
TO LAJ YARD
SEVILLE AVE.
TO BNSF
46th STREET
PACIFIC BLVD.
.16 ACRES
7004.1 SQ. FT.
.33 ACRES
14471.8 SQ. FT.
.17 ACRES
7405.2 SQ. FT.
LAJ / BNSF INDUSTRIAL LEAD
LAJ LEAD
UTILITIES
POWER POLE
SEWER MANHOLE
MANHOLE
FIRE HYDRANT
GAS LINE
DROP INLET
STORM DRAIN
LEGEND
CL PROPOSED TRACK
REMOVE AND REPLACE WITH #136 RAIL
TRACK TO BE REMOVED
PURCHASED PROPERTY
100' 50' 0' 100' 200'
SCALE
REVISIONS
HANSON WILSON
BNSF RAILWAY
THE BNSF RAILWAY COMPANY
CONNECTOR TRACK
EXHIBIT "D"
SHEET: 4 OF 4

F-1

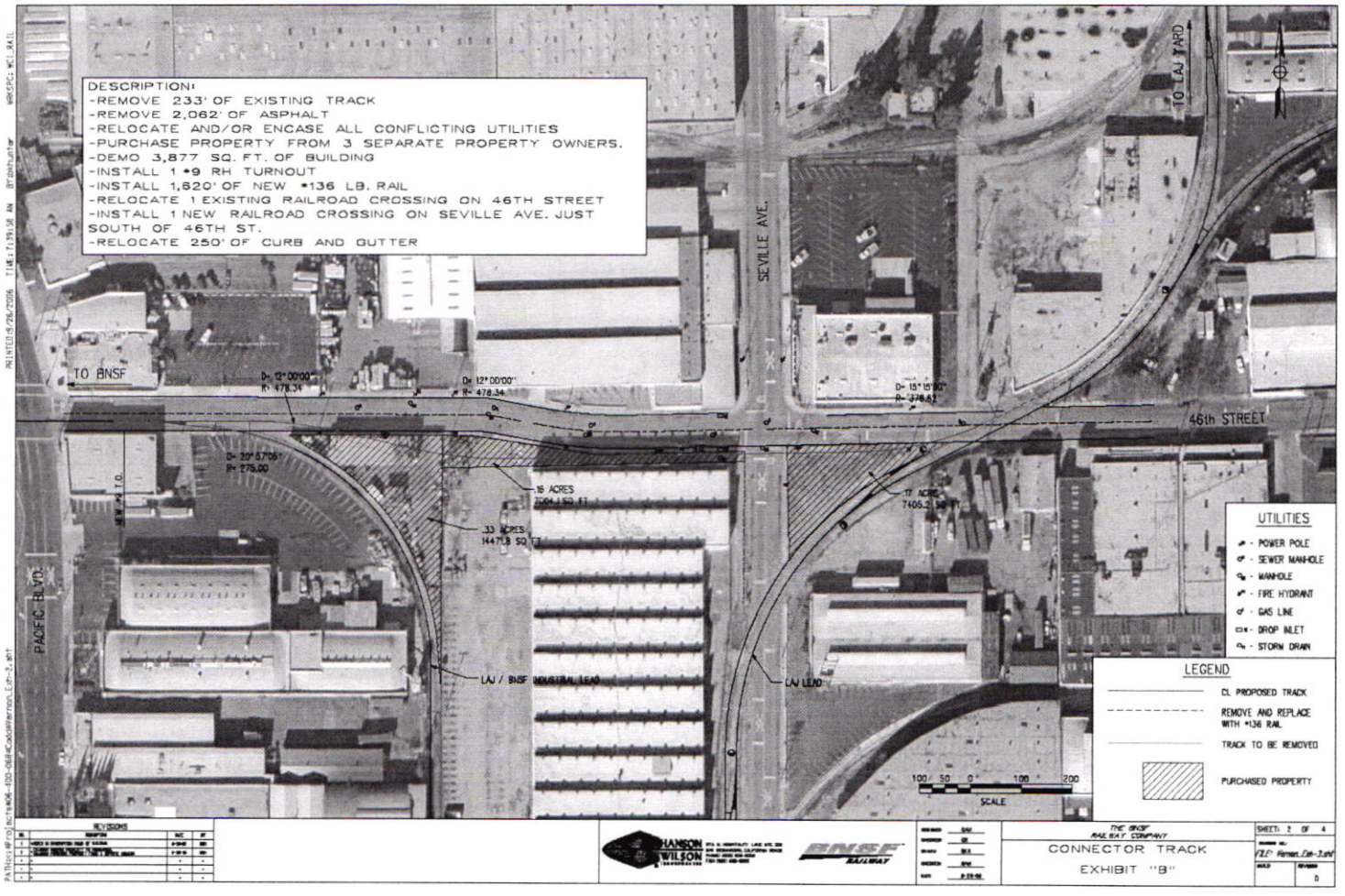

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TO BNSF
TO LAJ YARD
SEVILLE AVE.
46th STREET
PACIFIC BLVD.
D= 12°00'00"
R= 478.34
D= 15°15'30"
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LAJ / BNSF NEUTRAL LEAD
LAJ LEAD
UTILITIES
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- SEWER MANHOLE
- MANHOLE
- FIRE HYDRANT
- GAS LINE
- DROP INLET
- STORM DRAIN
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REMOVE AND REPLACE WITH #136 RAIL
TRACK TO BE REMOVED
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CONNECTOR TRACK
EXHIBIT "C"
SHEET: 3 OF 4

F-1

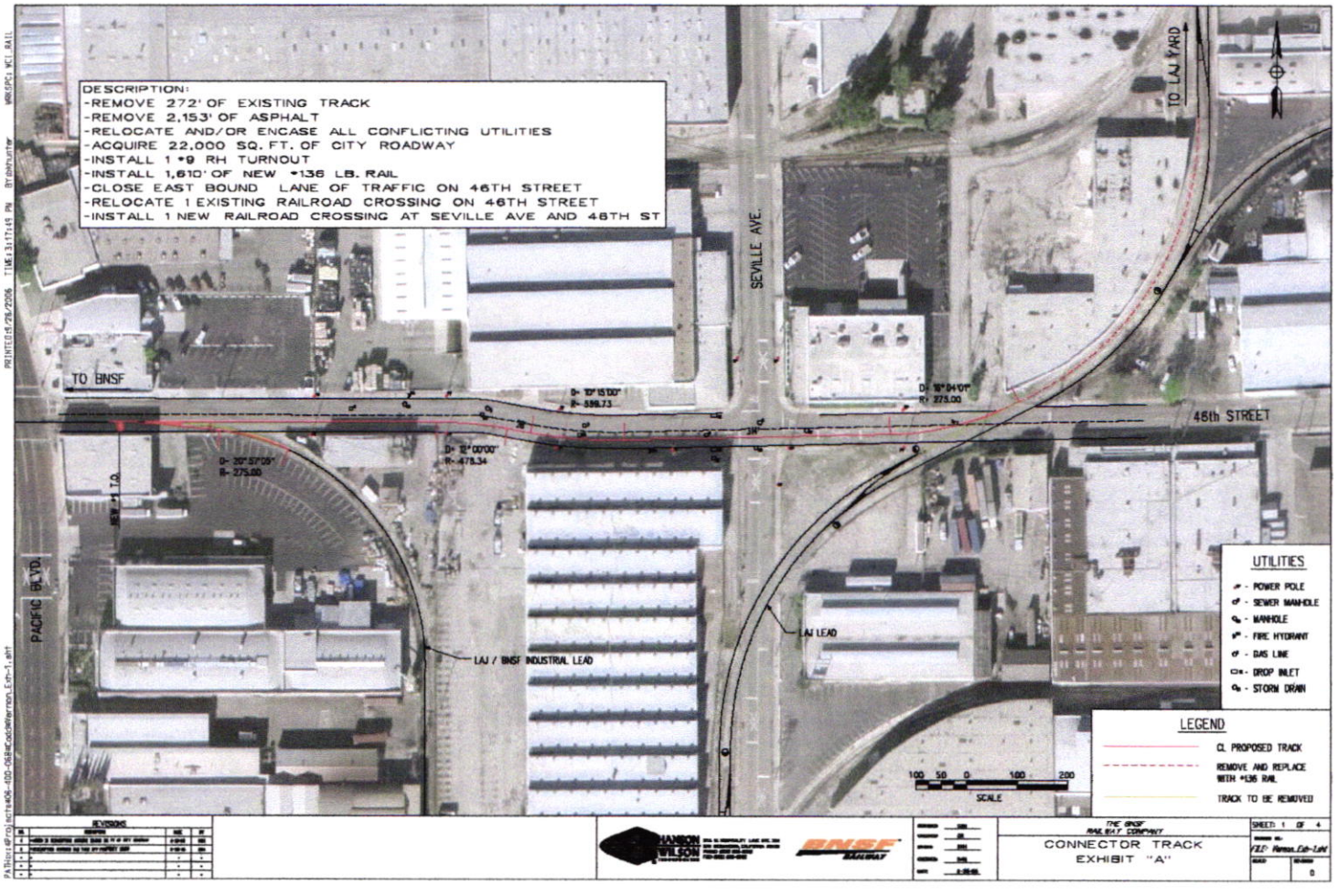

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495 ft. clear
400 ft. clear
435 ft. clear
220 ft. clear
LEGEND
PROPOSED TRACKS
REMOVE TRACKS


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-REMOVE 2,153' OF ASPHALT
-RELOCATE AND/OR ENCASE ALL CONFLICTING UTILITIES
-ACQUIRE 22,000 SQ. FT. OF CITY ROADWAY
-INSTALL 1 #9 RH TURNOUT
-INSTALL 1,610' OF NEW #136 LB. RAIL
-CLOSE EAST BOUND LANE OF TRAFFIC ON 46TH STREET
-RELOCATE 1 EXISTING RAILROAD CROSSING ON 46TH STREET
-INSTALL 1 NEW RAILROAD CROSSING AT SEVILLE AVE AND 46TH ST
TO BNSF
TO LAJ YARD
SEVILLE AVE.
46th STREET
PACIFIC BLVD.
LAJ / BNSF INDUSTRIAL LEAD
LAJ LEAD
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R= 275.00
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D= 12°00'00"
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UTILITIES
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EXHIBIT "A"
SHEET: 1 OF 4

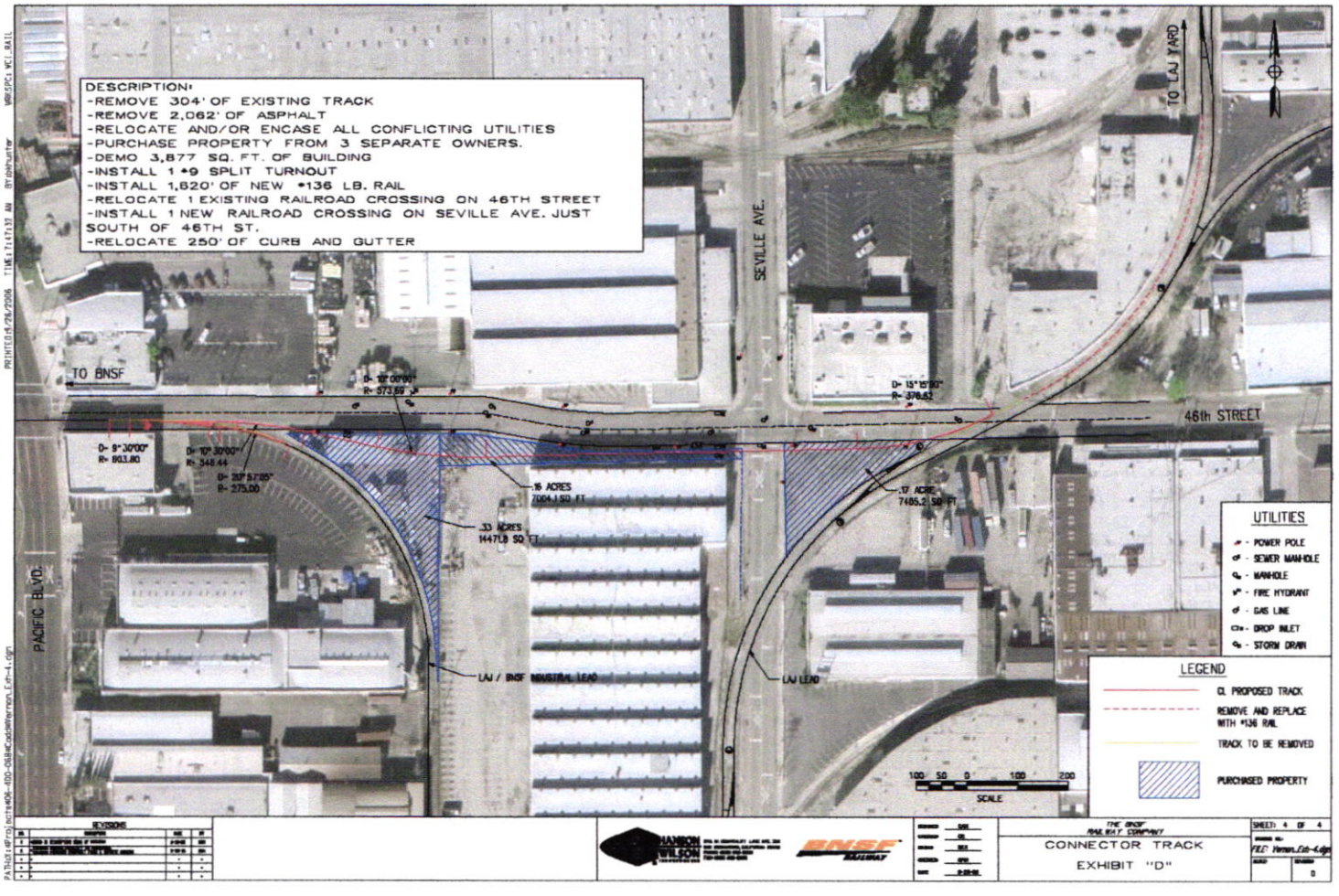
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F-1

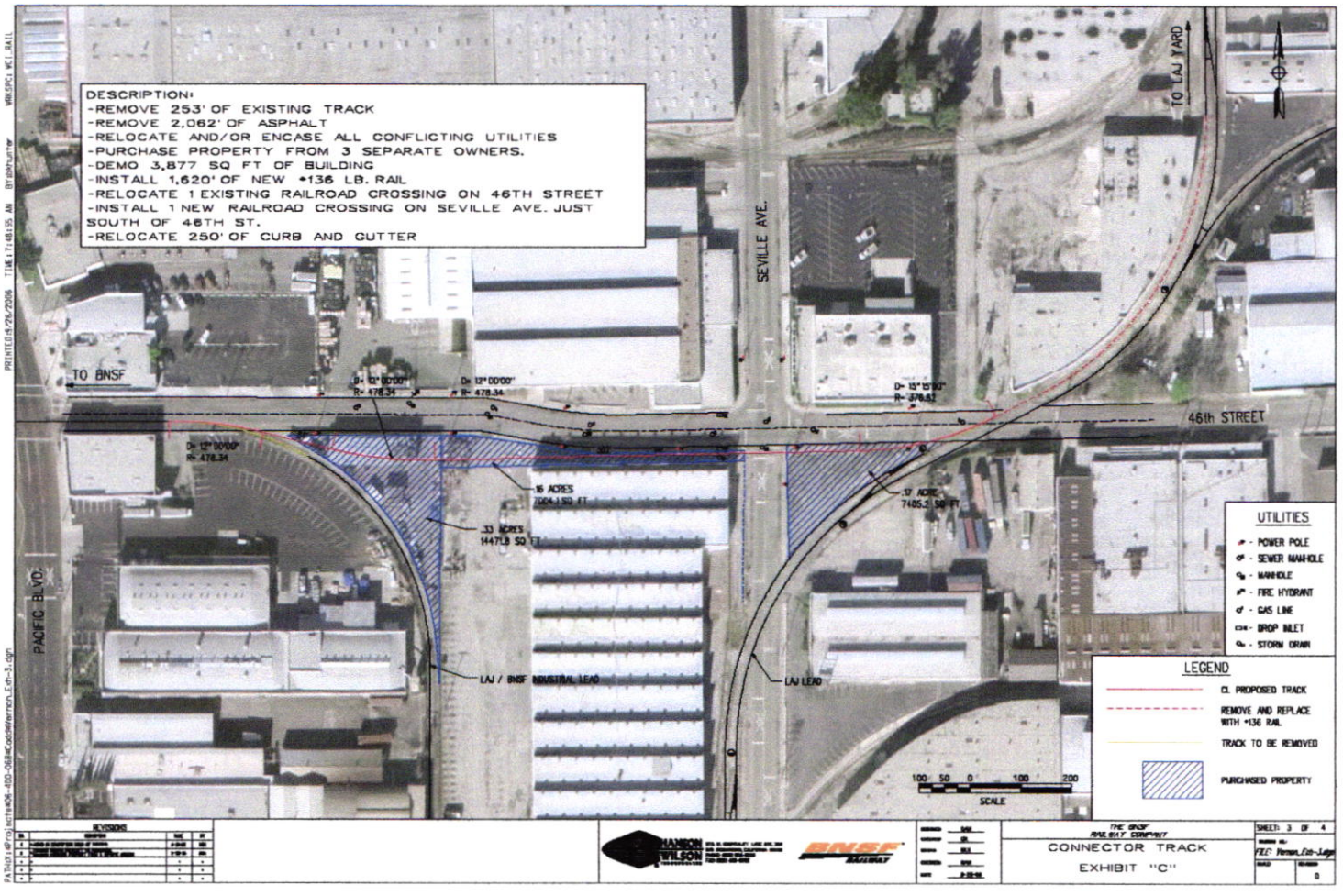

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TRACK TO BE REMOVED
SCALE
CONNECTOR TRACK
EXHIBIT "A"

F-1

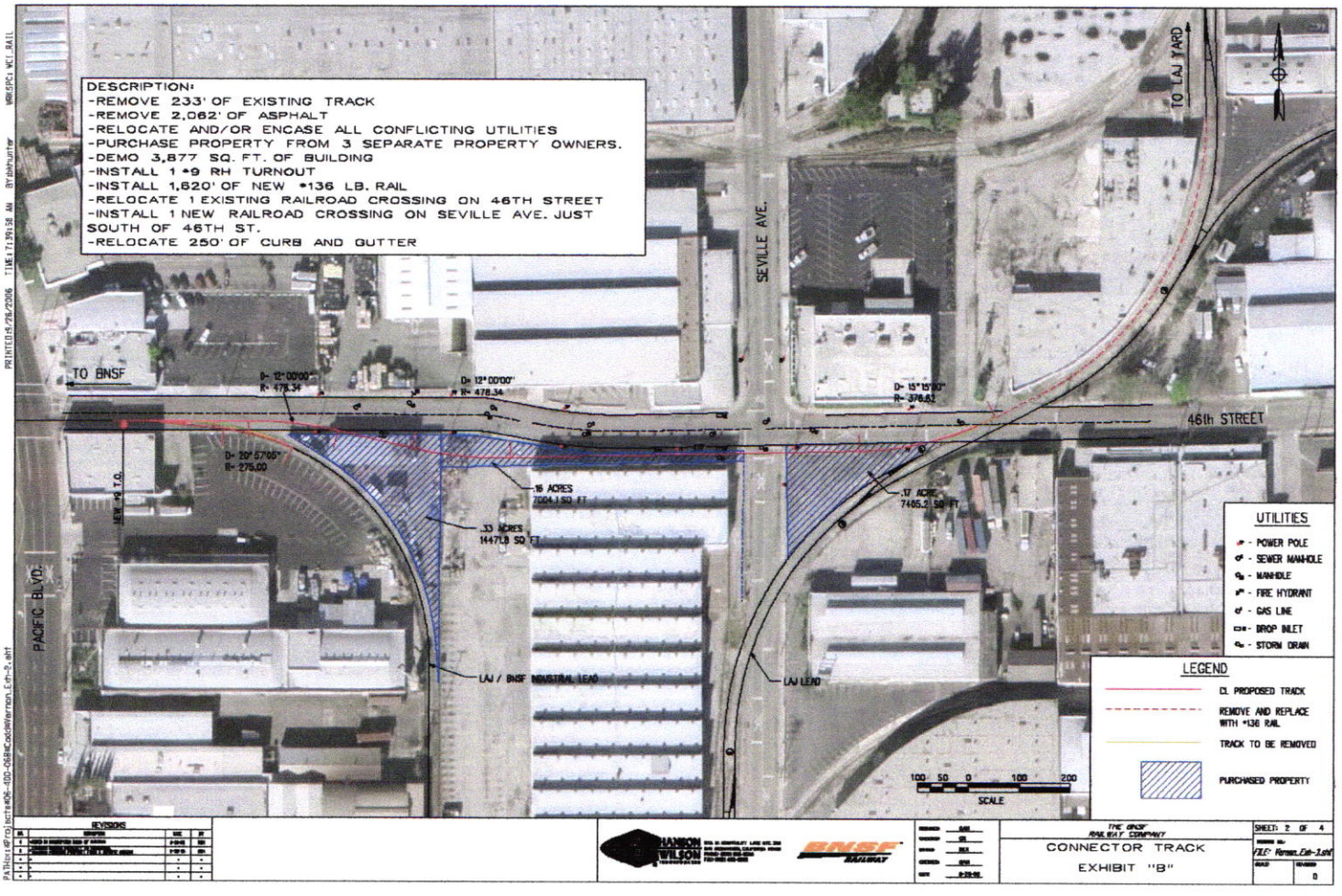

DESCRIPTION:
-REMOVE 304' OF EXISTING TRACK
-REMOVE 2,062' OF ASPHALT
-RELOCATE AND/OR ENCASE ALL CONFLICTING UTILITIES
-PURCHASE PROPERTY FROM 3 SEPARATE OWNERS.
-DEMO 3,877 SQ. FT. OF BUILDING
-INSTALL 1 #9 SPLIT TURNOUT
-INSTALL 1,620' OF NEW #136 LB. RAIL
-RELOCATE 1 EXISTING RAILROAD CROSSING ON 46TH STREET
-INSTALL 1 NEW RAILROAD CROSSING ON SEVILLE AVE. JUST SOUTH OF 46TH ST.
-RELOCATE 250' OF CURB AND GUTTER
TO BNSF
TO LAJ YARD
SEVILLE AVE.
46th STREET
PACIFIC BLVD.
D= 9°30'00"
R= 893.80
D= 10°30'00"
R= 348.44
D= 37°57'05"
R= 275.00
D= 13°15'30"
R= 376.62
.16 ACRES
7004.1 SQ FT
.33 ACRES
14471.8 SQ FT
.17 ACRE
7485.2 SQ FT
LAJ / BNSF INDUSTRIAL LEAD
LAJ LEAD
UTILITIES
POWER POLE
SEWER MANHOLE
MANHOLE
FIRE HYDRANT
GAS LINE
DROP INLET
STORM DRAIN
LEGEND
PROPOSED TRACK
REMOVE AND REPLACE WITH #136 RAIL
TRACK TO BE REMOVED
PURCHASED PROPERTY
100 50 0 100 200
SCALE
REVISIONS
HANSON WILSON
BNSF RAILWAY
THE BNSF RAILWAY COMPANY
CONNECTOR TRACK
EXHIBIT "D"
SHEET: 4 OF 4

F-1


N
W
E
S
495 ft.clear
400 ft.clear
435 ft.clear
220 ft.clear
LEGEND
PROPOSED TRACKS
REMOVE TRACKS


DESCRIPTION:
-REMOVE 253' OF EXISTING TRACK
-REMOVE 2,062' OF ASPHALT
-RELOCATE AND/OR ENCASE ALL CONFLICTING UTILITIES
-PURCHASE PROPERTY FROM 3 SEPARATE OWNERS.
-DEMO 3,877 SQ FT OF BUILDING
-INSTALL 1,620' OF NEW +136 LB. RAIL
-RELOCATE 1 EXISTING RAILROAD CROSSING ON 46TH STREET
-INSTALL 1 NEW RAILROAD CROSSING ON SEVILLE AVE. JUST SOUTH OF 46TH ST.
-RELOCATE 250' OF CURB AND GUTTER
TO BNSF
TO LAJ YARD
SEVILLE AVE.
46th STREET
PACIFIC BLVD
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14471.8 SQ FT
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LAJ / BNSF INDUSTRIAL LEAD
LAJ LEAD
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POWER POLE
SEWER MANHOLE
MANHOLE
FIRE HYDRANT
GAS LINE
DROP INLET
STORM DRAIN
LEGEND
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REMOVE AND REPLACE WITH +136 RAIL
TRACK TO BE REMOVED
PURCHASED PROPERTY
100 50 0 100 200
SCALE
CONNECTOR TRACK
EXHIBIT "C"

F-1


DESCRIPTION:
-REMOVE 233' OF EXISTING TRACK
-REMOVE 2,062' OF ASPHALT
-RELOCATE AND/OR ENCASE ALL CONFLICTING UTILITIES
-PURCHASE PROPERTY FROM 3 SEPARATE PROPERTY OWNERS.
-DEMO 3,877 SQ. FT. OF BUILDING
-INSTALL 1 #9 RH TURNOUT
-INSTALL 1,620' OF NEW #136 LB. RAIL
-RELOCATE 1 EXISTING RAILROAD CROSSING ON 46TH STREET
-INSTALL 1 NEW RAILROAD CROSSING ON SEVILLE AVE. JUST SOUTH OF 46TH ST.
-RELOCATE 250' OF CURB AND GUTTER
TO BNSF
TO LAJ YARD
SEVILLE AVE.
46th STREET
PACIFIC BLVD.
D= 12°00'00"
R= 478.34
D= 12°00'00"
R= 478.34
D= 15°15'00"
R= 376.62
D= 20°57'00"
R= 275.00
.16 ACRES
7004.1 SQ FT
.33 ACRES
14471.3 SQ FT
.17 ACRES
7405.2 SQ FT
LAJ / BNSF INDUSTRIAL LEAD
LAJ LEAD
UTILITIES
- POWER POLE
- SEWER MANHOLE
- MANHOLE
- FIRE HYDRANT
- GAS LINE
- DROP INLET
- STORM DRAIN
LEGEND
CL PROPOSED TRACK
REMOVE AND REPLACE WITH #136 RAIL
TRACK TO BE REMOVED
PURCHASED PROPERTY
100 50 0 100 200
SCALE
REVISIONS
HANSON WILSON
BNSF RAILWAY
THE BNSF RAILWAY COMPANY
CONNECTOR TRACK
EXHIBIT "B"
SHEET: 2 OF 4

F-1

BNSF File 2

Wilson, Kevin

From: Rousseau, Greg J [Greg.Rousseau@bnsf.com]
Sent: Thursday, October 19, 2006 11:17 PM
To: Wilson, Kevin
Cc: Palomino, Miguel
Subject: RE: THREE TRACK CONCEPTS FOR LAJ -49TH ST.
Attachments: Jpg

<<Jpg>>
Mr. Wilson,

At the request of Miguel Palomino I am forwarding our various concepts for track alignments for the connections from BNSF to the L.A.J. railway.

F-1

A couple them are fairly similar so feel free to call me if you have any questions.

Greg Rousseau

Greg Rousseau

Project Engineer
BNSF Railway CO.
740 E. Carnegie Dr.
San Bernardino, CA
92408

909.386.4079 Ph.
909.386.4479 Fx.
mailto:greg.rousseau@bnsf.com

-----Original Message-----
From: Palomino, Miguel
Sent: Wednesday, October 11, 2006 4:14 PM
To: Rousseau, Greg J
Subject: THREE TRACK CONCEPTS FOR LAJ -49TH ST.

Greg,

Please send via email the three concepts to

Kevin wilson -city of vernon, kwilson@ci.vernon.ca.us

THANKS,

MIGUEL PALOMINO
BNSF-Manager of Engineering
Off. 909-386-4250
Cell. 909-841-0040

Response to Comments

Responses to RWG Letter and Exhibits to Metro Board Dated 10/22/25

Main Letter

1 Los Angeles County Metropolitan Transportation Authority (Metro) reviewed the comments provided by RWG Law on behalf of the City of Vernon. The Metro Board of Directors is not responsible for the certification of the Environmental Impact Statement (EIS). However, the Metro Board of Directors did consider all public and agency comments prior to certification of the Final Supplemental Environmental Impact Report (SEIR) at the Metro Board Meeting held on October 23, 2025.

2 Responses to comments received by City of Vernon on August 6, 2024 were prepared and are presented in **Final EIS Volume III** (Please refer to **Response to Comments AGE 3-A through 3-90**). In accordance with *CEQA Guidelines* §15088(b), Metro's proposed responses to comments were sent to the City of Vernon on October 10, 2025. The email correspondence acknowledged the responses to comments will be included in Volume III of the final environmental document.

The commenter's support for the larger Link US Project is noted. The commenter's concern for the Project's impacts on local businesses and the community as a result of implementation of the Malabar Yard railroad improvements is also noted. The commenter claims that the Malabar Yard railroad improvements would result in unmitigated impacts to businesses and a vulnerable community. However, as discussed in the Final SEIR and Final EIS, and multiple times in the responses to the *City of Vernon's Additional Comments on Link Union Station Project's Environmental Impact Statement/Supplemental Environmental Impact Report, and Objection to Certification of EIR and Project Approval* dated October 22, 2025 (herein referred to as Main Letter) and associated exhibits, 29 mitigation measures are required to be implemented by Metro in the City of Vernon. The mitigation measures outlined in **Final EIS Appendix Q** and summarized in **Final EIS Volume I, Executive Summary Tables ES-1 and ES-2** and the Link US Project Mitigation Monitoring and Reporting Plan (MMRP) would avoid, minimize, and mitigate the identified impacts in the City of Vernon. After mitigation, unavoidable adverse effects under NEPA remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Under CEQA, the significant and unavoidable impact would remain after mitigation for Transportation (Threshold C and D):

- Threshold C - Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)
- Threshold D - Result in inadequate emergency access

During preparation of the Final SEIR and Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final SEIR and Final EIS as Offsetting Mitigation Measures (OMMs). Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. As an example, Metro initially proposed the City of Vernon 5 bus shelters, then Vernon requested 20 additional bus shelters – the 25 total bus shelters are grouped together as one OMM MY TR-9: Bus Shelters in the Final SEIR and Final EIS. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City of Vernon's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q Section 3.16 (Community Analysis),** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

Further discussion on the mitigation measures and OMMs that would be implemented to reduce business and community related impacts in the City of Vernon is provided throughout the responses to this main letter and associated exhibits.

3 The alternative sites suggested by the City of Vernon were considered upon receipt of this letter and a good faith effort was performed to address the comments related to alternatives (Please refer to **Exhibit "A" Responses to Comments A-79 through A-97**). It should be noted that during the Revised NOI scoping period no formal comments, especially those related to alternatives considered or any overall concerns of the proposed Malabar Yard railroad improvements, were received from the City of Vernon. During the 45-day comment period for the Draft EIS/SEIR, the City of Vernon did not propose any of these alternatives, either. Only immediately prior to the agency's decisions did the City of Vernon propose additional alternatives. The City of Vernon was also invited to be a NEPA participating agency and no response to the invitation was received.

As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process)**, a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) for the loss of storage tracks that would result at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the following identified screening criteria:

- *Initial Screening Criterion:* The freight rail storage track replacement site shall be located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards.
- *Secondary Screening Criterion:* The freight rail storage track replacement site shall replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations.

Case law has held that the Lead Agency is not obligated to undertake every suggestion given, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. *CEQA Guidelines* §15204.5(a) clarifies this as follows:

> *In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a Lead Agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

Based on the screening and evaluation process in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process)**, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard.

During preparation of the Final SEIR and Final EIS, after the close of the 45-day public comment period in mid-2024, at the request of the City of Vernon, Vernon Chamber of Commerce, and Los Angeles County Supervisor Hahn's office, additional analysis was conducted to determine if replacement of BNSF storage tracks could be implemented at BNSF's Hobart Yard facility or BNSF's Los Angeles Junction; thereby no longer necessitating the 49th Street Closure as part of the Link US Project (please refer to **Final EIS Appendix Q, Section 1.1.1**). As concluded, these two sites are not feasible to accommodate storage to offset the loss of storage track capacity that results from the Link US Project.

The commenter provides multiple reconfiguration suggestions for Hobart Yard, Commerce Yard, Los Angeles Junction, Pico Rivera, and Malabar Yard as part of Exhibit "A". Please refer to the following responses for additional discussion on the feasibility of these alternative options.

- **Response to Comments A-82 through A-84** (Malabar Yard Configuration Options),
- **Response to Comments A-85 through A-89** (Los Angeles Junction Configuration Options),
- **Response to Comments A-91 through A-94** (Commerce Yard Configuration Options),
- **Response to Comment A-95** (Hobart Yard Configuration Option), and
- **Response to Comment A-96** (Pico Rivera Configuration Option).

As summarized in the table below, all of the reconfiguration suggestions fail to meet the initial or secondary criteria.

Replacement Site	**Criteria 1: Located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards**	**Criteria 2: Replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations**	**Key Issues**
BNSF Commerce Yard Configuration Options			
South Industry Lead (Comment A-93)	**No.** While the tracks identified as the South Industry Lead are located "in proximity to" Commerce Yard, the location would require trains to first travel east on the San Bernardino Subdivision to reposition on the southern-most track to then access the South Industry Lead.	**No.** This proposed configuration would not offset the loss of storage track capacity at BNSF West Bank Yard (5,500 feet) because it would only provide an estimated 4,700 track feet. In addition, this proposed configuration would not preserve current levels of freight operations and not meet criteria two because trains would have to travel in the opposite direction of the current travel path, causing delays in both passenger and freight rail operations on the main line tracks along the BNSF San Bernardino Subdivision. See Exhibit 1 in Response to Comment A-93 for a depiction of the intermodal storage routing for the South Industry Lead.	Although the South Industry Lead and the Relocated Truck Entrance proposed locations are in proximity to Commerce Yard, trains traveling to these locations would be required to move back and forth on the already-congested San Bernardino Subdivision. This is because the proposed locations are on the south side of the San Bernadino Subdivision while the Hobart and Commerce Yard tracks are located on the north side of the San Bernardino Subdivision.
Relocation of Truck Entrance (Comment A-94)	**No.** While **t**racks identified in the 26th Street Area would be located "in proximity to" Commerce Yard, trains would need to travel east first to access storage tracks, then back west toward the ultimate destination.	**No.** This proposed configuration would not preserve current levels of freight operations and not meet criteria two because trains would have to travel in the opposite direction of the current travel path, causing delays in both passenger and freight rail operations on the main line tracks along the BNSF San Bernardino Subdivision. In addition, this proposed configuration would also impact and potentially require closure of Metrolink's Commerce Station platforms and the supporting 135 space parking lot. See Exhibit 2 in Response to Comment A-94 for a depiction of the intermodal storage routing for the South Industry Lead.	

Replacement Site	Criteria 1: Located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards	Criteria 2: Replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations	Key Issues
BNSF Malabar Yard Configuration Options			
Use of Existing Tracks Only (no 49th Street Closure or 46th Street Connector) (Comment A-82)	**Yes.** BNSF Malabar Yard meets this criterion.	**No.** Existing tracks without 49th Street closure and 46th Street connector do not meet secondary criterion as existing yard operations would not be able to accommodate additional storage.	Malabar yard lacks available capacity given current operations.
Build an additional track (Comment A-83)	**Yes.** BNSF Malabar Yard meets this criterion.	**No.** introduces CPUC approval issues due to adding a new track at an already large at-grade crossing and conflicts with Vernon's General Plan Policy CI 1.5. The additional track would also not be sufficient to replace 5,500 feet of track storage or preserve current levels of freight rail operations.	Adds freight rail operational complexity; does not preserve freight operations.
Rehabilitate existing siding (Comment A-84)	**Yes.** BNSF Malabar Yard meets this criterion.	**No.** Claim speculative; even if used, provides approximately 2,900 feet less than required; AAR GCOR clearance reduces usable length.	Adds freight rail operational complexity; does not preserve freight operations.
Los Angeles Junction Configuration Options			
A Yard (Comment A-86)	**Yes.** Los Angeles Junction meets this criterion.	**No.** The combination of 2,200 feet of capacity with 1,300 feet would not equate to the loss of 5,500 square feet that are lost on the BNSF West Bank yard.	Property acquisitions, business relocations, and insufficient available land area
B Yard (Comment A-87)	**Yes.** Los Angeles Junction meets this criterion.	**No.** Los Angeles Junction B Yard does not have capacity to replace lost storage capacity in kind or preserve the current levels of freight rail operations.	LAJ lacks available land; all space occupied by existing operations serving local customers.
C Yard (Comment A-88)	**Yes.** Los Angeles Junction meets this criterion.	**No.** Los Angeles Junction C Yard does not have capacity to replace lost storage capacity in kind or preserve the current levels of freight rail operations.	LAJ lacks available capacity.
Los Angeles Junction Unused Right of Way (Comment A-89)	**Partial.** Los Angeles Junction has tracks running through the Cities of Vernon, Bell, Maywood, and Commerce.	**No.** Storage on various spur tracks at multiple locations throughout multiple cities would introduce new operational inefficiencies thus compromising their support of the BNSF Hobart/Commerce Intermodal yards.	New freight rail operational inefficiencies, greater potential for environmental impacts in multiple jurisdictions.
BNSF Pico Rivera Yard Configuration Option			

Replacement Site	Criteria 1: Located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards	Criteria 2: Replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations	Key Issues
Distance to Hobart and Commerce (Comment A-96)	**No.** BNSF Pico Rivera Yard is located east of BNSF Hobart/ Commerce Intermodal Yards.	**No.** Moving cuts between Hobart/Commerce and Pico Rivera requires additional movements over the San Bernardino Sub mainline (and/or working leads), increasing conflict windows, dispatch complexity, and risk of blocking higher-priority movements. The mileage separation verified in timetables makes these conflicts routine, not incidental.	New freight rail operational inefficiencies.

4 Metro understands the roles, responsibilities, and actions that need to be taken to implement the Malabar Yard railroad improvements. For this reason and as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 1**, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City of Vernon requirements, and viewpoints and perspectives so they can be addressed.

Metro respectfully disagrees with the commenter's opinion that Malabar Yard Mitigation Measure TR-6 is not feasible, enforceable, or practicable under 14 CCR § 15126.4(a)(2).

14 CCR § 15126.4(a)(2) states the following:

> *Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design.*

Malabar Yard Mitigation Measure TR-6 meets 14 CCR § 15126.4(a)(2) requirements. As identified in the Final SEIR's MMRP, the City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and the California Public Utilities Commission (CPUC) on roadway design, railroad safety devices, and accessibility.

For the Project itself, CHSRA and Metro do not require any permissions from the City of Vernon. The City of Vernon has no approval authority over the core Project elements. However, for certain improvements (such as roadway modifications, traffic signal adjustments, or safety enhancements at local crossings) that would be implemented as part of identified mitigation measures, CHSRA and Metro may conceivably require some level of coordination or permission from the City of Vernon. This could include permits for work within city-owned streets, temporary traffic control during construction, or integration

with local infrastructure and potential land use entitlements (e.g., Circulation Element update). While these permissions are not guaranteed to be necessary for every mitigation measure, they may be required to implement specific improvements that extend beyond railroad property and into municipal rights-of-way.

This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. It is reasonable to anticipate that the City of Vernon will fully cooperate in the NEPA process, as such collaboration is mandated and reinforced by applicable federal regulatory frameworks. Under NEPA (42 U.S.C. § 4321–4336), federal agencies are required to use "all practicable means" to coordinate with state and local governments to foster mutually beneficial environmental planning. For transportation projects, 49 U.S.C. § 310 mandates coordinated and concurrent environmental reviews across federal agencies and agencies of jurisdiction, ensuring coherent alignment of purpose, need, alternatives, and permit decisions. This interagency cooperation enhances procedural efficiency, maximizes resource utilization, and ensures that the resulting transportation infrastructure network is sustainable, legally compliant, and responsive to community goals, thereby fulfilling both federal mandates as well as Metro's and the City of Vernon's planning priorities. Although the invitation to become participating agency was not accepted by the City of Vernon, Metro and CHSRA remain committed to a cooperative process with the City of Vernon.

Under California law, the CPUC has exclusive jurisdiction over the approval of new railroad crossings. The CPUC process is governed by Public Utilities Code Sections 1201 through 1205, 7537, 99152 and CPUC General Orders 75 and 88, as amended. The CPUC process generally proceeds as follows:

1. *Application by Metro*: Metro would submit an application to the CPUC for approval of a new crossing. This application must demonstrate compliance with safety standards and include proposed mitigation measures consistent with applicable requirements, such as Malabar Yard Mitigation Measure TR-6.
2. *Coordination with City of Vernon:* Metro would seek the City of Vernon's assistance in designing reasonable mitigation measures under Malabar Yard Mitigation MeasureTR-6 to address local concerns and enhance safety. This collaborative approach is encouraged but not legally required for CPUC approval.
3. *CPUC Authority to Approve:* Even if the City of Vernon does not participate in designing mitigation measures, the CPUC retains authority to approve the new crossing if it meets safety and regulatory requirements.
4. *Opportunity for Objections:* The City of Vernon may file formal objections during the CPUC proceeding. These objections would be considered as part of the CPUC's decision-making process.
5. *Post-Decision Participation:* If the CPUC denies the City of Vernon's objection and approves the crossing, the City of Vernon may still assist in implementing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6.

This ensures that local input can influence the final design and safety features, even after CPUC approval.

It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain required approvals from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications. Malabar Yard Mitigation Measure TR-6 meets the *CEQA Guidelines* §15370 criteria (b, c, and d). However, the Final SEIR also acknowledges that the effectiveness of Malabar Yard Mitigation Measure TR-6 will depend on ongoing coordination with the City of Vernon and CPUC. Metro is committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

To further demonstrate a good-faith effort in ongoing coordination with the City of Vernon, two Board Motions were passed by the Metro Board that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF during the October 23, 2025 Metro Board Meeting. In addition, on December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions passed in October 2025. Within that correspondence, Metro requested BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Despite the concerns expressed by the City of Vernon, Metro reasonably expects to obtain the necessary approvals to implement the goals of Malabar Yard Mitigation Measure TR-6, which focuses on ensuring safety and operational efficiency at affected crossings. This expectation is based on the Metro's authority under applicable state regulations, and CPUC's jurisdiction over rail crossing approvals and the collaborative framework established under CEQA. The CPUC process allows for consideration of local input while prioritizing public safety and transportation needs. Even if the City of Vernon does not actively participate in designing mitigation measures, Metro retains the ability to propose and implement reasonable, enforceable mitigations that meet regulatory standards. Therefore, Metro anticipates that the required approvals will be secured to achieve Malabar Yard Mitigation Measure TR-6 objectives and maintain compliance with environmental commitments.

5 The commenter states that the City of Vernon would not agree to changes to its traffic system based on a flawed traffic study taken during the height of the COVID-19 shutdown. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, which includes a detailed explanation of the COVID-19 Factor Methodology – Normalizing Traffic Counts to Pre-COVID Conditions.

It should be noted the COVID Factor and corresponding traffic impact analysis is a Non-CEQA analysis prepared to support the environmental evaluation in **Final EIS Appendix Q, Section 3.3**. As presented in **Final SEIR, Table 7-31 (Potential Impacts Resulting from Malabar Yard Railroad Improvements)**, with exception of the conclusion for Threshold C (Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), all

other CEQA impact determinations for Transportation are less than significant or less than significant after mitigation. As it relates to current VMT impact analysis requirements for CEQA (*CEQA Guidelines* § 15064.3 Subdivision B), **Final SEIR, Table 7-31,** states transportation projects that have no impact on VMT, such as the Malabar Yard railroad improvements, are presumed to cause a less than significant impact. This conclusion is based on the fact the Malabar Yard railroad improvements do not generate traffic but result in a redistribution of existing traffic.

As disclosed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, traffic counts were conducted in August 2020 for the intersections and roadway segments used in the traffic analysis to characterize the existing conditions. However, due to the timing of when the Revised NOI was released (September 2020) and impact of the COVID-19 pandemic, the amount of traffic on the streets and intersections was lower than the normal (non-COVID-19) conditions due to "new quasi-normal" day to day activities and businesses operating under various restrictions, including shelter-in-place and complete business shutdowns. To ensure the credibility of baseline traffic conditions, on which future year conditions (post COVID-19) are based, the raw traffic count data that was collected in August 2020 was 'normalized' to the traffic levels which existed pre-COVID-19, before it was applied to the traffic analysis. This "COVID Factor" approach was used to estimate traffic conditions in 2020 without COVID-19.

The approach to normalize the traffic count data collected in August 2020 during the COVID-19 pandemic to the traffic levels that existed pre-COVID-19 is presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** and summarized in **Key Issue Response 2**. This methodology utilized is an industry standard approach taken during the COVID-19 pandemic and was coordinated with the City of Vernon to obtain feedback on the approach before using the adjusted volumes in the traffic analysis. The traffic volumes presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the traffic conditions to use for environmental documentation purposes.

The commenter requests that Malabar Yard railroad improvements be removed and an alternative storage option for BNSF be identified. Please refer to **Main Letter Response to Comment 3** regarding the evaluation of other alternative site options to offset the loss of freight rail storage tracks that would occur at the BNSF West Bank Yard.

6 Metro respectfully disagrees with the commenter's opinion that the analysis contained in the SEIR is flawed and Malabar Yard railroad improvements needs to be removed from the project. *CEQA Guidelines* §15151 states the following regarding standards from which adequacy is judged:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main*

points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

The comment also states that the City of Vernon intends to provide further comments as part of the NEPA process. Please refer to responses to each technical item in the subsequent comments.

7 The commenter states that freight rail is not an adverse environmental effect (NEPA)/environmental impact (CEQA) requiring mitigation, Malabar Yard is not part of the Link US Project description in the EIR, and treating it as mitigation is inappropriate under NEPA or CEQA for several reasons.

To the contrary, *FRA's Procedures for Considering Environmental Impacts* (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under CEQA and NEPA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential

to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon. The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and is integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project.

The commenter's statement that Metro prefers to "compensate BNSF for the taking of its property at the BNSF West Bank Yard, rather than pursue the Malabar Yard Mitigation" mischaracterizes the purpose and effect of just compensation. However, this financial payment does not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality.

Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of freight rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

Just compensation references a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. Any financial payment would not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service.

CHSRA or Metro were not made aware of any pre-Link US proposals or negotiations between BNSF and Vernon on the 49th Street Closure or the 46th Street Connector. It should be noted that Los Angeles County has a long legacy of extensive railway branch lines, many abandoned over decades. Abandonments accelerated in mid-20th century as passenger streetcar and secondary freight declined. Existing freight rail operates on a network diminished both in capacity and redundancy. The following resources highlight abandoned, out-of-service, or railbanked tracks in Los Angeles County and broader California, illustrating historic pressures on freight rail infrastructure:

- *Abandoned Rails of Los Angeles.* An interactive map showing abandoned sidings and spurs, particularly near Union Pacific Avenue east of downtown Los Angeles. Includes user observations on disused industrial rail features in Los Angeles County. https://www.abandonedrails.com/los-angeles-california
- *Surface Transportation Board: Railroad Map Depot.* This official STB map features "Abandoned and Railbanked Rail Lines" throughout California, including Los Angeles County. It provides geocoded data on tracks formally abandoned or preserved for railbanking (rail-trail conversion). https://stb.maps.arcgis.com/home/index.html
- *ArcGIS: Abandoned & Railbanked Rail Lines.* Esri-hosted GIS resource showing rail abandonments in North America, including California and Los Angeles County. Tracks are mapped as "abandoned" or "railbanked." https://www.arcgis.com/home/item.html?id=59c5662600854756a7e6f18bca1a0f44

These mapping databases demonstrate that the footprint and connectivity of freight rail in Los Angeles County were significantly reduced long before the Link US Project.

Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The commenter suggests Metro "admitted … that the Malabar Yard is not necessary to mitigate any adverse environmental effects," and asserts that BNSF "rejected monetary compensation" in favor of Malabar Yard railroad improvements. A thorough review of the record indicates both claims are inaccurate. During the October 16, 2025 Metro Executive Management Committee Meeting, in responses to Metro Board Chair Hahn's inquiry if Malabar Yard has to be part of the decision, Metro staff responded that a Mitigation Monitoring and Reporting Program has to be approved and the Final EIS Mitigation Monitoring and Reporting Program identifies Malabar Yard as mitigation, so not involving Malabar Yard in the decision would leave the project unresolved, which would in turn create problems when pursuing funding as Metro would not have a project that is ready. No statements of BNSF rejecting monetary compensation were made. Metro staff also stated that Metro would have liked to purchase the portion of the West Bank Yard needed for the Link US Project, but BNSF would not agree that that.

Final EIS Appendix Q, Section 1.0 (Introduction) states, "this technical memorandum provides a detailed description of the Malabar Yard railroad improvements in the City of Vernon and a full environmental evaluation of potential effects of the Malabar Yard railroad improvements for freight and displacement impacts at BNSF West Bank Yard." This passage explicitly affirms that Malabar Yard railroad improvements are required as mitigation tied to the Link US run-through tracks, not optional or irrelevant.

Metro staff have acknowledged that property acquisition or negotiated compensation could be a possible implementation route. However, this is presented as part of a range of feasible strategies, not as a determination that Malabar Yard railroad improvements are unnecessary. The October 23, 2025 Metro Board Motion (2025-0931) clearly directed Metro to, "Collaborate with BNSF to explore any other alternative solutions for rail storage that may have fewer impacts, while still addressing project needs." This demonstrates an exploratory approach, not an admission that Malabar Yard railroad improvements is unwarranted.

Contrary to the comment, the Board Motion does not record that BNSF rejected monetary compensation or demanded Malabar Yard railroad improvements. Instead, the motion emphasizes continued collaboration with BNSF and City of Vernon to seek written agreements on operational and mitigation strategies. This ongoing negotiation does not constitute a refusal of compensation.

8 The commenter states that an impact to freight rail storage is not an environmental impact under CEQA or NEPA. For clarification, the purpose for implementing Malabar Yard railroad improvements is to comply with NEPA and CEQA's requirement to mitigate the

Project's direct and indirect adverse effects under NEPA and significant impacts under CEQA resulting from permanent loss of approximately 5,500 feet of freight storage track capacity (40 CFR 1502.14(f), 40 CFR 1502.16(h); *CEQA Guidelines* §15126.4(a)). A project's impact on freight is an environmental topic required for consideration in an EIS using FRAs Environmental Procedures. The *CEQA Guidelines* require an analysis of program plans, ordinances, or policies addressing the circulation system. Specifically, *CEQA Guidelines* §15064(d) requires Metro to evaluate direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes. Please refer to **Main Letter Response to Comment 7**.

FTA's NEPA checklist was not used for the NEPA EIS evaluation, FRA's Environmental Procedures was. The loss of freight storage tracks at BNSF West Bank Yard not only results in a conflict with said policies and programs, it results in both direct and indirect effects across the entire shared passenger/freight corridor. As discussed in **Main Letter Response to Comment 7**, loss of freight storage tracks at BNSF West Bank Yard potentially creates increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. These indirect effects also require mitigation.

The inclusion of Malabar Yard railroad improvements in the Project is not solely driven by compliance with the *Los Angeles Mobility Plan 2035* or the *California Transportation Plan 2040*. While these plans provide important regional and statewide policy frameworks that encourage efficient, multimodal transportation systems, the primary purpose of the Malabar Yard railroad improvements is to preserve current levels of freight operations. As clearly stated in **Final EIS Volume I, Chapter 1.0 (Purpose and Need), Section 1.3 (Project Purpose)**, "…[t]he purpose of the proposed action is to increase the regional and intercity rail service capacity of LAUS and to improve schedule reliability at LAUS through the implementation of a run through tracks configuration and elimination of the current stub end tracks configuration while preserving current levels of freight rail operations, accommodating the planned HSR system in Southern California, increasing the passenger/pedestrian capacity and enhancing the safety of LAUS through the implementation of a new passenger concourse meeting the multi modal transportation demands at LAUS" *emphasis added*. The improvements are designed to mitigate the loss of critical freight rail infrastructure and ensure continuity of goods movement, which is essential for economic vitality and environmental sustainability.

9 The commenter states that the *City of Los Angeles Mobility Plan* and *California Transportation Plan* are not relevant plans and that the *City of Vernon General Plan* was not analyzed in the EIR. The comment is incorrect. For the main portion of the Link US Project in Los Angeles, the *City of Los Angeles Mobility Plan 2035* is in fact the most applicable document because the BNSF West Bank Yard and the Build Alternative are located in the City of Los Angeles. The California Transportation Plan is a guiding document for all transportation infrastructure in the state, including regional rail and freight rail in Los Angeles County.

Final EIS Appendix Q, Section 3.2, (Land Use and Planning), Table 3.2-2 provides an evaluation of the railroad improvement's consistency with applicable plans, policies, and

programs, which is required under the *CEQA Guidelines* and 40 CFR 1502.16(c). Specifically, consistency of the *City of Vernon General Plan* (Amended 2015) with the Malabar Yard railroad improvements is analyzed within **Table 3.2-2**, including Policies CI-1.2, CI-1.3, and CI-1.5 that the commenter references. A summary of consistency with Policies CI-1.2, CI-1.3, and CI-1.5 is included below:

a) Policy CI-1.2 – Consolidated train movements results in a citywide circulation improvement.

- In March 2025, Metro facilitated a Community Meeting/Open House in the City of Vernon. Multiple comments were raised by the community regarding the duration of time that intersections could be blocked by freight trains. In response to these comments, in April 2025 Metro installed cameras at multiple locations throughout the City of Vernon to record continuous train activity over the course of a week (April 19–25, 2025), 24-hours per day.

  Applying the video footage collected, Metro performed an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing condition and with implementation of the Malabar Yard railroad improvements. Metro presented the results of the intersection delay/blockage analysis on June 17, 2025, to the Vernon City Council and on June 23, 2025, to the Vernon Chamber of Commerce. Multiple property owners and business representatives attended both meetings.

  Based on the video data collected, results were summarized for two conditions (Actual Condition [based on observed train activity] and Worst-Case Condition) to determine how the Malabar Yard railroad improvements would change intersection delay/blockage at eight locations and effects to citywide vehicular circulation. Results are summarized below:

  - Actual Condition (based on observed train activity)
    - Length of Observed Trains: 350 feet to 1,500 feet
    - Daily Intersection Blockage Results: With Malabar Yard railroad improvements, daily intersection delay/blockage would be reduced by 30 minutes.
  - Worst Case Condition (consistent with NEPA EIS and CEQA SEIR evaluation)
    - Length of Longest Potential Trains: 3,000 feet
    - Daily Intersection Blockage Results: If longer trains are needed due to customer demand in the City of Vernon, the corresponding reduction in daily intersection blockage with the Malabar Yard railroad improvements would also increase as compared to the existing condition. Assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. This reduction is based on the assumption that in the

existing condition trains would operate with the same length (3,000 feet) without the Malabar Yard railroad improvements.

Based on the train observations conducted in April 2025, the data supports the conclusion that with implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur. This is primarily because:

- 3.15 fewer trains would operate in the City of Vernon, and
- In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction rail yard on the east side of the City of Vernon.
- The Malabar Yard railroad improvements do not interfere with any coordination the City of Vernon would seek to undertake with BNSF directly, so the Malabar Yard railroad improvements are not inconsistent with Policy CI-1.2.

b) Policy CI-1.3 – Consolidated train movements is proposed. The proposed Malabar Yard railroad improvements do not involve any physical expansion of the yard's footprint or increase in its operational boundaries, meaning the Malabar Yard railroad improvements would not conflict with Policy CI-1.3, which seeks to limit expansion of rail facilities. The improvements are intended to maintain freight efficiency and safety, rather than enlarge the yard or introduce new land uses.

Furthermore, nothing in the Malabar Yard railroad improvements design or implementation precludes the consolidation of rail spurs in any feasible manner. Future consolidation efforts remain possible and can be pursued independently or in coordination with stakeholders, ensuring flexibility for long-term rail infrastructure planning. Therefore, the Malabar Yard railroad improvements preserves current levels of freight rail operations without expanding the yard and does not prohibit future opportunities for spur consolidation.

c) Policy CI-1.5 – Based on the *City of Vernon General Plan* and associated *City of Vernon Master Plan of Streets* street classification map, 46th and 49th Street are not identified as a designated arterial or collector street. Policy CI-1.5 applies specifically to designated streets within the city's circulation network, which excludes local streets such as 46th and 49th Street. This classification is further supported by the street's low traffic volumes and its absence from the City of Vernon's designated roadway hierarchy. Therefore, improvements at 46th and 49th Street are not subject to the requirements of Policy CI-1.5, and the Malabar Yard railroad improvements remain consistent with the City of Vernon General Plan.

In addition, during a July 2020 presentation to the City of Vernon, Metro staff discussed the feasibility of grade-separating the 49th Street rail crossing in

accordance with Metro's Grade Separation Policy, which specifies that grade separations are typically warranted at crossings with:

- High vehicle traffic volumes
- High train frequencies
- Frequent accidents

For context at this crossing:

- 49th Street Average Daily Traffic (ADT) is approximately 100 vehicles per day, which is well below typical thresholds.
- Train movements amount to just two per day (one during the day and one at night).
- There have been no reported accidents at this crossing since 1985.

Under Metro's initial screening criteria, such crossings are categorized as "At-Grade Should be Feasible", meaning grade separation is not required based on current conditions. These findings directly support the conclusion that maintaining the crossing at-grade aligns with Policy CI-1.5 and Metro's own design standards.

In addition, the proposed Malabar Yard railroad improvements do not preclude or prohibit the City of Vernon from pursuing future grade separation projects at railroad crossings. The Malabar Yard railroad improvements do not alter the City of Vernon's jurisdiction or authority to plan and implement grade separation measures on local streets. Any grade separation initiatives would remain subject to separate planning, environmental review, and funding processes, allowing the City of Vernon to advance such projects independently or in coordination with BNSF and/or regional transportation agencies. Therefore, the Malabar Yard railroad improvements and potential grade separation efforts are complementary rather than conflicting actions.

Final EIS Volume III, Response to Comments, Key Issue Response 6, Table 5, states the Malabar Yard railroad improvements were determined to be consistent with the goals and policies within the *2023 Vernon Westside Zone Change and General Plan Amendment*, and no inconsistencies were found. Therefore, no conflict would occur with implementation of the Malabar Yard railroad improvements.

The comment letter notes the City of Vernon encourages rail lines to merge facilities – this is exactly what consolidation of freight service from Los Angeles Junction does. It consolidates or "merges" all freight movements for customers out of Los Angeles Junction thereby reducing train movements along the harbor subdivision in the City of Vernon. The 49th Street Closure also separates streets from railways, albeit at-grade, vehicular traffic and rail traffic would no longer be able to interface.

The commenter also asserts that the EIR focuses on the cherry-picked policies that would drive a decision to adopt the Malabar Yard railroad improvements. The *City of Vernon General Plan* has six General Plan elements consisting of Land Use, Circulation and Infrastructure, Housing, Safety, Natural Resources, and Noise. **Final EIS Appendix Q,**

Table 3.2-2 (Consistency with Applicable Plans, Policies, and Local Land Use Controls) included a review of all applicable *City of Vernon General Plan* policies within the six elements. The majority of the policies contained within these General Plan elements do not apply to the Project. As stated in **Final EIS Appendix Q, Section 3.2 (Land Use and Planning)**, "Table 3.2-2 provides an evaluation of the railroad improvement's consistency with **applicable plans, policies, and programs,** which is required under 40 CFR 1502.16(c)" *emphasis added*.

Where applicable *City of Vernon General Plan* policies were identified for specific environmental topics (e.g, air quality, safety, noise), additional identification and analysis of those specific policies were included in the respective environmental chapters. These include the following **Final EIS Appendix Q** references:

- **Table 3.3-1 (Applicable Laws, Regulations, and Plans for Transportation)**
- **Table 3.4-1 (Applicable Laws, Regulations, and Plans for Aesthetics and Visual Quality)**
- **Table 3.5-1 (Applicable Laws, Regulations, and Plans for Air Quality and Global Climate Change)**
- **Table 3.6-1 (Applicable Laws, Regulations, and Plans for Noise and Vibration)**
- **Table 3.8-1 (Applicable Laws, Regulations, and Plans for Floodplains, Hydrology, and Water Quality)**
- **Table 3.9-1 (Applicable Laws, Regulations, and Plans for Geology, Soils, and Seismicity)**
- **Table 3.10-1 (Applicable Laws, Regulations, and Plans for Hazardous Waste and Materials)**
- **Table 3.12-1 (Applicable Laws, Regulations, and Plans for Cultural and Paleontological Resources)**
- **Table 3.14-1 (Applicable Laws, Regulations, and Plans for Safety and Security)**

The Project was determined to be consistent with those applicable General Plan policies.

10 Metro respectfully disagrees with the commenter's opinion that BNSF is now using Metro to improperly obtain operational benefits through CEQA that it could not otherwise obtain from the City of Vernon. As clearly stated in **Final EIS Volume I, Chapter 1.0 (Purpose and Need), Section 1.3 (Project Purpose)**, "…[t]he purpose of the proposed action is to increase the regional and intercity rail service capacity of LAUS and to improve schedule reliability at LAUS through the implementation of a run through tracks configuration and elimination of the current stub end tracks configuration while preserving current levels of freight rail operations, accommodating the planned HSR system in Southern California, increasing the passenger/pedestrian capacity and enhancing the safety of LAUS through

the implementation of a new passenger concourse meeting the multi modal transportation demands at LAUS" *emphasis added*.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and continues coordination with BNSF to appropriately mitigate those impacts for the Link US Project as a whole. Please refer to **Main Letter Response to Comment 7** for additional information on why Malabar Yard railroad improvements are required under CEQA.

The assertion that, "BNSF is doing so in a way that is fully intended to increase train traffic into and out of Vernon without any assurance to the contrary" is not supported by the Project's purpose, scope, or environmental analysis of the Malabar Yard railroad improvements. The Malabar Yard railroad improvements are designed to maintain existing freight rail efficiency and mitigate construction, operational, and indirect impacts resulting from property acquisition elsewhere in the network (BNSF West Bank Yard).

Under NEPA and CEQA, the environmental review included an evaluation of potential changes in train traffic and found no evidence that the Malabar Yard railroad improvements would induce additional rail movements beyond what is necessary to preserve current levels of freight rail operations.

Substantial evidence and analysis has been presented to City of Vernon demonstrating that Malabar Yard railroad improvements would result in 3.15 fewer train movements in the City of Vernon per day (fewer train movements along the Harbor Subdivision per day). Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Volume I, Chapter 2.0 (Alternatives and Design Options Considered), Section 2.2.2, Table 2-4**.

11 Metro respectfully disagrees with the commenter's opinion that Malabar Yard does not fully mitigate the loss of freight rail storage from the BNSF West Bank Yard. Criteria 2 in **Final EIS Appendix Q, Section 1.1.1** states, "…[t]he freight rail storage track replacement site shall replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations" *emphasis added*. It is correct that the 49th Street Closure would accommodate up to 3,350 feet of freight rail track storage capacity for BNSF to store empty bare tables at BNSF Malabar Yard. As stated in the **Final SEIR, Page 7-215**, "…[u]pon implementation of the Malabar Yard railroad improvements (primarily the 46th Street Connector), BNSF would have a direct path from Los Angeles Junction to Malabar Yard; thereby reducing train movements and associated increased traffic queuing on the San Bernardino Subdivision."

As stated in **Final EIS Appendix Q, Page 1-16**, "the track capacity gained by the 49th Street closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards

and nearby ports while maintaining current levels of freight rail operations and regional goods movement."

12 Both 49th Street Closure and 46th Street Connector combined would reduce the identified significant impact (CEQA)/adverse effect (NEPA) where no residual significant/unavoidable (CEQA) or adverse effects (NEPA) would remain after mitigation.

- **Final EIS Volume I, Section 3.3 (Transportation)** states, "…[w]ith the implementation of Mitigation Measure TR-3 (summarized above and described in Section 3.3.6), the net loss of freight storage track capacity resulting from the Build Alternative would be limited to 2,150 track feet[1] and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon."
- **Final EIS Appendix Q, Page 1-16** states, "the track capacity gained by the 49th Street closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards and nearby ports while maintaining current levels of freight rail operations and regional goods movement."
- **Final SEIR, Table 7-29, Page 7-219** states the significance determination (after mitigation) for construction, operations, and indirect impacts for Threshold 7.5.6-A is less than significant with mitigation incorporated.

As addressed in **Main Letter Response to Comment 7 and 8** above, the purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations.

Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Neither CEQA nor NEPA require that mitigation be a 1:1 replacement of the affected resource, only that it avoid or substantially lessen the severity of the significant impact where feasible. In the **Final EIS Appendix Q, Section 1.1.1,** the word "or" was added on **Page 1-1** to make clear that either solution was pursued during the alternatives analysis process.

The Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,500 feet of storage track is not a 1:1 replacement of

[1] 5,500 track feet removed - 3,350 track feet gained at Malabar Yard = net loss of 2,150 track feet. The new 1,000-foot track connection on 46th Street in the City of Vernon does not add freight storage capacity.

the 5,500 feet of storage track removed, it would provide functionally equivalent storage, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of CEQA and NEPA because they would reduce significant impacts/adverse effects on freight and passenger operations by replacing storage capacity and providing a direct path from Los Angeles Junction to Malabar Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need.

A project's impact on freight is an environmental topic required for consideration in an EIS using FRAs Environmental Procedures. Freight rail is also part of the circulation system identified for analysis in Appendix G of the CEQA Guidelines for XVII, Transportation. Metro respectfully disagrees with the claim that Metro is improperly converting a real estate transaction into a mitigation measure under CEQA and NEPA, pushing the impacts of its project onto the residents, workers, and businesses of the City of Vernon.

The Malabar Yard railroad improvements are not a real estate transaction repackaged as mitigation. Rather, the improvements serve as mitigation for construction, operational, and indirect impacts developed through coordination with BNSF that result from changes to the BNSF West Bank Yard configuration that causes loss of storage tracks. The mitigation was identified to preserve current levels of freight rail operations while avoiding or minimizing construction and operational effects that could otherwise result from the Project.

Under CEQA and NEPA, mitigation measures are not limited to physical land acquisition and may include operational, logistical, or programmatic measures where appropriate. The Final SEIR and Final EIS include an appropriate level of detailed and thorough evaluation of these measures based on their environmental outcomes, not on the underlying contractual or property arrangements required to implement them.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Responses** for a thorough and comprehensive analysis on the following topics concerning the Malabar Yard railroad improvements and the City of Vernon:

- **Key Issue Response 1** – Stakeholder Engagement Activities in City of Vernon
- **Key Issue Response 2** – Traffic Impact Analysis for Malabar Yard Railroad Improvements
- **Key Issue Response 3** – Sensitive Receptors Considered and Localized Air Quality Analysis for Vehicle Idling
- **Key Issue Response 4** – Public Safety Response Times and Emergency Vehicle Access
- **Key Issue Response 5** – Operational and Physical Impacts to Business

- **Key Issue Response 6** – Land Use and Planning Analysis Related to *2023 Vernon Westside Zone Change and General Plan Amendment*

13 The commenter summarizes the site screening criteria identified in the Final EIS used to evaluate potential sites to offset the loss in storage track capacity. The following is the correct and verbatim siting screening criteria language from the **Final EIS, Appendix Q**:

- "The freight rail storage track replacement site shall be located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards." (**Final EIS Appendix Q, Page 1-9**).
- "The freight rail storage track replacement site shall replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations." (**Final EIS Appendix Q, Page 1-10**).

Metro respectfully disagrees with the commenter's opinion that the selection of Malabar Yard does not satisfy the first criteria as it is the furthest away from the desired location. As identified in **Final EIS Appendix Q, Section 1.1.1 (Freight Rail Storage Tracks Replacement Sites Considered)**, "…like the existing BNSF West Bank Yard, the freight rail storage track replacement site must be located in close proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards to facilitate storage of excess empty bare tables as trains pass Redondo Junction along the route between BNSF Hobart/Commerce Intermodal Yards and nearby ports. The replacement site must be located west of BNSF Hobart/Commerce Intermodal Yards to avoid trains having to travel east first, then back west toward the ultimate destination." Malabar Yard meets that criteria as it is in proximity to and west of the BNSF Hobart/Commerce Intermodal Yard. The screening criteria does not dictate that the site furthest away should be screened out.

Metro respectfully disagrees with the commenter's opinion that the selection of Malabar Yard does not satisfy the second criteria as Malabar Yard only provides 3,350 feet of storage capacity and does not provide full replacement of 5,500 track feet of lost storage track capacity. Although the approximately 3,350 feet of storage track is not a 1:1 replacement for the 5,500 feet of storage track removed, it would provide functionally equivalent storage, and when combined with the 46th Street Connector, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2**). Malabar Yard satisfies the second screening criteria and is considered adequate mitigation under the requirements of CEQA because it would minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Project's Purpose and Need (**Final EIS, Chapter 1.0 (Purpose and Need), Section 1.3 (Project Purpose)**).

14 Comment responses to the report authored by Railroad Industries Incorporated (RII) are herein referred to as Exhibit "A". The commenter states that numerous options are available to BNSF to offset the loss of freight rail storage at the BNSF West Bank Yard, including modifications to the existing Malabar Yard configuration that do not require the

closure of 49th Street or additional crossings on 46th Street. The commenter asserts that the EIR does not analyze other feasible mitigations and that NEPA requires agencies to take a hard look at each alternative and discuss the extent that adverse effects can be avoided. Please refer to **Main Letter Response to Comment 3** regarding the evaluation of other alternative site options for BNSF additional rail storage. As concluded, the elimination of Malabar Yard railroad improvements from the Link US Project is not feasible and a range of alternative storage options has been analyzed in-depth.

15 Metro respectfully disagrees with the commenter's opinion that the Malabar Yard railroad improvements improperly causes significant adverse environmental effects. As detailed in **Main Letter Response to Comment 8**, the need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The Malabar Yard railroad improvements substantially lessen the project's significant impacts and can be feasibly implemented for the reasons stated in the responses to this main letter and exhibits. As discussed in **Main Letter Response to Comment 4**, during the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF Railway to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

Malabar Yard is the only site that meets both criteria and BNSF's operational requirements so that the current levels of freight operations are preserved.

Metro respectfully disagrees with the commenter's opinion that the EIR manufactures significant impacts, such as freight rail impacts. Malabar Yard railroad improvements are part of Mitigation Measure TR-3 to reduce impacts on the freight transportation system and direct and indirect effects under CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is provided in **Main Letter Response to Comment 7**. Additional adverse effects/significant impacts that would occur as a result of the Malabar Yard railroad improvements are mitigated via the 29 mitigation measures identified in **Final EIS Appendix Q** and the mitigation measures identified in **Table 7-31 of the Final SEIR**.

To present a worst-case conservative level of analysis for potential impacts in the **Final SEIR, Table 7-31** identifies significant and unavoidable impacts (after application of mitigation) for Transportation related to roadway hazards and emergency response due

to potential queuing at the Seville Avenue crossing. **Final EIS Appendix Q** identifies an adverse effect after mitigation (Please refer to **Main Letter Response to Comment 2**).

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Responses 2 and 4** for responses specific to traffic and emergency response.

16 The claim that Malabar Yard Mitigation Measure TR-6 is infeasible because it is "entirely within the jurisdiction of the City of Vernon" and requires multiple approvals is not supported by CEQA or case law.

CEQA expressly contemplates mitigation measures that involve approvals or actions by other agencies. *CEQA Guidelines* §15126.4(a)(2) state that a measure is feasible if it can be accomplished within a reasonable timeframe considering economic, environmental, social, and technological factors, not whether the lead agency has unilateral authority. Courts have upheld measures requiring another entity's exclusive jurisdiction. In *Tiburon Open Space Committee v. County of Marin* (78 Cal.App.5th 700, 746–748 (2022)), the court confirmed that a lead agency may adopt measures that "should be adopted" by another entity, even when those measures involve discretionary approvals.

The commenter asserts that the City of Vernon "does not intend" to grant approvals. However, CEQA requires substantial evidence, not statements or predictions, to support infeasibility findings. (*CEQA Guidelines* §15091(b).) A city's expressed reluctance does not constitute binding evidence that approvals cannot be obtained, particularly when the approvals involve standard regulatory processes such as right-of-way vacations and encroachment permits.

The argument that the City of Vernon's involvement is "not limited to ministerial permits" does not render the measure infeasible. CEQA does not prohibit mitigation measures requiring discretionary approvals; it only requires that such measures be capable of implementation. (Pub. Resources Code §21061.1.)

Malabar Yard Mitigation Measure TR-6 reflects standard interagency coordination for transportation projects. Metro has committed to pursuing all necessary approvals and coordinating with the City of Vernon and CPUC. Courts have repeatedly rejected arguments that reliance on another jurisdiction's discretionary approval renders a measure infeasible. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*, 57 Cal.4th 439, 466 (2013).)

The fact that the City of Vernon holds jurisdiction over certain approvals does not make Malabar Yard Mitigation Measure TR-6 infeasible under CEQA. CEQA and case law allow mitigation measures requiring other agencies' cooperation, and speculation or stated intent does not constitute substantial evidence of infeasibility. Malabar Yard Mitigation Measure TR-6 remains feasible and proper.

The City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street through required coordination with the City of Vernon and CPUC on roadway

design, railroad safety devices, and accessibility. It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain approval from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications.

For further discussion on why Metro believes it is reasonable to anticipate the City of Vernon will fully cooperate in the process outlined in Malabar Yard Mitigation Measure TR-6, see **Response to Comment 4.**

17 The commenter provides a summary of *Tiberon Open Space Committee vs. County of Marin* and *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*. Metro respectfully disagrees with the commenter's opinion that the EIR's traffic mitigation plan for the Modified Proposed Project at the Malabar Yard does not have a reasonable plan for mitigation because it is infeasible and relies entirely on approval from another jurisdiction. Please refer to **Response to Comment 16**.

18 The claim that Malabar Yard Mitigation Measure TR-6 is infeasible because it is "entirely within the jurisdiction of the City of Vernon" and requires multiple approvals is not supported by CEQA or case law.

CEQA expressly contemplates mitigation measures that involve approvals or actions by other agencies. *CEQA Guidelines* §15126.4(a)(2) state that a measure is feasible if it can be accomplished within a reasonable timeframe considering economic, environmental, social, and technological factors, not whether the lead agency has unilateral authority. Courts have upheld measures requiring another entity's exclusive jurisdiction. In *Tiburon Open Space Committee v. County of Marin* (78 Cal.App.5th 700, 746–748 (2022)), the court confirmed that a lead agency may adopt measures that "should be adopted" by another entity, even when those measures involve discretionary approvals.

The commenter asserts that "no speculation is required" because the City of Vernon "does not intend" to grant approvals. However, CEQA requires substantial evidence, not statements or predictions, to support infeasibility findings. (*CEQA Guidelines* §15091(b).) A city's expressed reluctance does not constitute binding evidence that approvals cannot be obtained, particularly when the approvals involve standard regulatory processes such as right-of-way vacations and encroachment permits.

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The fact that the City of Vernon holds jurisdiction over certain approvals does not make Malabar Yard Mitigation Measure TR-6 infeasible under CEQA. CEQA and case law allow mitigation measures requiring other agencies' cooperation, and speculation or stated intent does not constitute substantial evidence of infeasibility. Malabar Yard Mitigation Measure TR-6 remains feasible and proper.

As discussed in **Main Letter Response to Comment 12**, both 49th Street Closure and 46th Street Connector combined would reduce the identified significant impact under CEQA where no residual impacts would remain after mitigation.

- **Final EIS Volume I, Section 3.3 (Transportation)** states "…[w]ith the implementation of Mitigation Measure TR-3 (summarized above and described in Section 3.3.6), the net loss of freight storage track capacity resulting from the Build Alternative would be limited to 2,150 track feet[2] and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon."
- **Final EIS Appendix Q, Page 1-16** states "the track capacity gained by the 49th Street closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards and nearby ports while maintaining current levels of freight rail operations and regional goods movement."
- **Final SEIR, Table 7-29, Page 7-219** states the significance determination (after mitigation) for construction, operations, and indirect impacts for Threshold 7.5.6-A is less than significant with mitigation incorporated.

As described in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, two initial screening criteria were used to evaluate potential sites to offset the loss of storage track capacity. The first criteria being location, which requires sites to be located in proximity to and west of the BNSF Hobart/Commerce Intermodal Yards. The second criteria is the ability of a site to maintain or replace storage capacity in a manner that preserve the current levels of freight rail operations, consistent with the Link US Project's Purpose and Need.

Under *CEQA Guidelines* §15126.4(a)(1), mitigation is considered adequate when it would reduce a significant impact to the extent feasible. Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Neither CEQA nor NEPA require that mitigation be a 1:1 replacement of the affected resource, only that it avoid or substantially lessen the severity of the significant impact where feasible.

[2] 5,500 track feet removed - 3,350 track feet gained at Malabar Yard = net loss of 2,150 track feet. The new 1,000-foot track connection on 46th Street in the City of Vernon does not add freight storage capacity.

The Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,500 feet of storage track is not a 1:1 replacement of the 5,500 feet of storage track removed, it would provide functionally equivalent storage, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0, Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of CEQA because they would minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need.

19 The claim that Malabar Yard railroad improvements are infeasible because it is not "consistent with all applicable constitutional requirements" under *CEQA Guidelines* §15126.4(a)(4) is incorrect for several reasons:

- **CEQA Does Not Require Eminent Domain to Implement TR-6.** Malabar Yard Mitigation Measure TR-6 does not mandate condemnation of City property. The measure requires Metro and BNSF to obtain necessary approvals for at-grade crossing modifications, which is standard regulatory practice involving coordination with the City of Vernon and CPUC. Nothing in Malabar Yard Mitigation Measure TR-6 prescribes eminent domain as the implementation mechanism. CEQA feasibility analysis considers whether a measure can be accomplished within a reasonable timeframe, not whether hypothetical condemnation proceedings might occur. (Pub. Resources Code §21061.1; *CEQA Guidelines* §15126.4(a)(2).)
- **Constitutional Consistency Does Not Preclude Measures Requiring Negotiation.** *CEQA Guidelines* §15126.4(a)(4) require mitigation measures to be consistent with constitutional requirements, meaning they cannot mandate illegal actions or violate property rights. Malabar Yard Mitigation Measure TR-6 does not compel unconstitutional conduct; it requires lawful coordination and permitting. Eminent domain proceedings are not anticipated for implementation of the Malabar Yard railroad improvements. If property acquisition were necessary, Metro would follow established statutory procedures under California eminent domain law, which is constitutionally permissible when tied to a public use.
- **Public Use and Necessity Standard Is Mischaracterized.** The commenter asserts Metro cannot make a public use finding because the mitigation is "not needed to mitigate an environmental impact." This is incorrect. Malabar Yard Mitigation Measure TR-6 is expressly identified to reduce roadway hazards and improve safety at Seville Avenue and 46th Street, an environmental impact identified in the Final SEIR. Safety improvements and transportation infrastructure enhancements are recognized public uses under California law. (See Code Civ. Proc. §1240.010 et seq.)

  In addition, the Link US Project significantly enhances regional transit by transforming LAUS from a stub-end track configuration into a run-through track

station, enabling seamless one-seat rides across Southern California. The proposed improvements eliminate the need for time-consuming train reversals, reducing travel times and increasing operational efficiency for both commuter rail (Metrolink) and intercity rail (Amtrak) services. By allowing trains to pass through LAUS without terminating, the Project expands capacity, supports higher service frequencies, and improves connectivity between regional destinations. These benefits contribute to the public use of the regional transportation system.

The proposed run-through tracks will require removal and displacement of a portion of the storage tracks in the BNSF West Bank Yard, which is necessary to accommodate the new passenger rail infrastructure. This change prioritizes passenger mobility while preserving freight operations through mitigation measures such as the Malabar Yard railroad improvements, ensuring that goods movement and transit growth coexist.

Freight rail infrastructure serves a critical public purpose by facilitating the movement of goods essential to commerce, economic development, and regional supply chains. Ensuring efficient freight train operations in Southern California supports national transportation objectives, reduces highway congestion, and promotes environmental benefits through lower emissions compared to truck transport. Courts have consistently recognized railroads as serving a public use because they provide transportation services that benefit the public at large, even when operated by private entities.

Ultimately, the Project advances regional transportation goals by creating a more integrated, efficient, and sustainable rail network that supports economic development and promotes environmental benefits.

Metro is committed to ongoing coordination with the City of Vernon to effectively implement the Malabar Yard railroad improvements and will abide by all applicable laws throughout implementation of the Malabar Yard railroad improvements.

20 The following comments concerning the claim of fundamental issues with the descriptions of current and projected train operations are addressed below. Additional comment responses for Exhibit “A” are attached.

21 Data presented in the Final SEIR and Final EIS represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the conditions to use for environmental documentation purposes. Existing and future train operations information were obtained from BNSF in 2020 and 2021 to support the analysis presented in the Draft EIS/SEIR and in 2024 to support the Final SEIR and responses to comments from the public and agencies after the close of the 45-day public comment period. Train operations information obtained from BNSF includes the number of existing and future trains per day on each of the affected train routes, the time of day trains move along each route, and length of trains to determine the duration a train takes to cross each at-grade crossing. **Final EIS Appendix Q, Chapter 2.0, Tables 2-1 through 2-4** reflect the most recent information received from BNSF in 2024.

22 Metro respectfully disagrees with the commenter's opinion that the EIR does not provide a clear factual basis for its estimates of future train movements. **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2** does provide a clear factual basis for its estimates of future train movements. Existing and future train operations information were obtained from BNSF in 2020 and 2021 to support the analysis presented in the Draft EIS/SEIR and in 2024 to support the Final SEIR and responses to comments from the public and agencies after the close of the 45-day public comment period. Train operations information obtained from BNSF includes the number of existing and future trains per day on each of the affected train routes, the time of day trains move along each route, and length of trains to determine the duration a train takes to cross each at-grade crossing. **Final EIS Appendix Q Chapter 2.0, Tables 2-1 through 2-4** reflect the most recent information received from BNSF in 2024.

23 Accurate information regarding existing and future train movements is provided in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2**. The EIS has accurately accounted for all existing and future freight train traffic that would be modified along the affected routes as a result of the Malabar Yard railroad improvements. Additional comment responses for Exhibit "B" are attached.

Metro has undertaken extensive coordination with the City of Vernon throughout the environmental review process, including more than 50 distinct engagement sessions since 2020—comprising 27 property-owner meetings, 21 City of Vernon coordination meetings and workshops, 3 Business & Industry Commission meetings, and additional stakeholder meetings. These efforts were supplemented by targeted outreach, such as the Community Meeting and Open House for City of Vernon stakeholders on March 26, 2025, which provided opportunities for City staff, residents, businesses, and property owners to review project materials and engage directly with the Link US Project team. Information about BNSF railroad operations and changes to train traffic volume resulting from the consolidation of freight service was discussed during these meetings.

In addition, the Metro Board of Director's October 23, 2025 motion explicitly directed staff to continue working toward resolution of priority issues with the City of Vernon and BNSF, including securing written commitments on measures such as limiting train operations, capping train lengths, and coordinating activity thresholds. The motion also emphasized ongoing collaboration with City of Vernon officials and its Chamber of Commerce.

Consistent with revisions to Mitigation Measure TR-3 and the Metro Board of Director's directives, Metro is committed to continued interagency coordination and stakeholder engagement to evaluate whether additional measures (such as train-capping or schedule adjustments) are warranted. This adaptive management approach ensures flexibility to respond to changing conditions and community feedback, reinforcing Metro's commitment to transparency and proactive mitigation throughout project implementation.

Collectively, these actions demonstrate Metro's comprehensive and sustained engagement with the City of Vernon through voluminous discussions, formal outreach,

and Metro Board-endorsed commitments to continued collaboration and mitigation planning.

24 **Final EIS Appendix Q, Chapter 2.0, Tables 2-1 and 2-2** display the existing and future train movements correctly. As identified in the Metro Board of Director's adopted motions and reflected in the revisions to Mitigation Measure TR-3, CHSRA and Metro are committed to maintaining ongoing collaboration to address transportation and operational concerns of the Malabar Yard railroad improvements throughout implementation. This includes continued evaluation of potential strategies to minimize community and environmental impacts. Among the measures under consideration is a train-capping approach, which could limit the number of train movements within a specified timeframe. The revisions to Mitigation Measure TR-3 emphasize interagency coordination and an adaptive management approach, ensuring that such options remain viable and can be implemented if warranted by future conditions or stakeholder input. These commitments demonstrate a proactive and transparent process aligned with the Metro Board of Director's direction and the intent of the Final EIS and Final SEIR.

25 Metro respectfully disagrees with the commenter's opinion that the EIR understates future train traffic volumes or lacks a factual basis.

The future train movement estimates presented in **Final EIS Appendix Q** and the information in **Final EIS Volume III, Response to Comments,** were developed using available operational data provided by BNSF, combined with reasonable planning-level assumptions regarding yard operations, switching patterns, and anticipated operational efficiencies following implementation of the Malabar Yard railroad improvements.

The commenter's conclusion that **Final EIS Appendix Q, Chapter 2.0, Tables 2-1 and 2-2** must show a one-to-one redistribution of train movements between the north and east entrances reflects a misunderstanding of how rail yard operations function. The stated increase in operational efficiency does not assume a simple transfer of movements from one entrance to another. Rather, the mitigation is intended to reduce redundant switching, streamline access routes, and consolidate freight rail service in Vernon from the Los Angeles Junction. In turn, the railroad improvements reduce train building activities on City of Vernon streets and result in a citywide circulation improvement because total train movements would be reduced, not merely shift location.

Final EIS Appendix Q Chapter 2.0, Tables 2-1 and 2-2 were updated and new **Tables 2-3 and 2-4** were added to account for the most recent information received from BNSF in 2024. The consolidated operations and reduction in daily train movements along affected routes is clearly shown on **Final EIS Appendix Q, Figure 2-4**. There is not an omission or error in the analysis.

CEQA does not require agencies to predict rail operations with absolute precision or to disclose proprietary/trade secret operational details. Instead, it requires reasonable forecasting based on the best available information at the time of analysis. The Final SEIR satisfies this standard by presenting quantitative estimates, identifying the operational assumptions underlying those estimates, and using those projections to assess environmental impacts.

Existing and future train operations information were obtained from BNSF in 2020 and 2021 to support the analysis presented in the Draft EIS/SEIR and in 2024 to support the Final SEIR and responses to comments from the public and agencies after the close of the 45-day public comment period. Train operations information obtained from BNSF includes the number of existing and future trains per day on each of the affected train routes, the time-of-day trains move along each route, and length of trains to determine the duration a train takes to cross each at-grade crossing.

Final EIS Appendix Q, Chapter 2.0, Tables 2-1 and 2-2 were updated to display the existing and future train movements more precisely and to avoid rounding and to ensure a more detailed picture for the reader. Total weekly train movements were removed because the analysis is based on daily train movements. The consolidated train movements result in an overall reduction in train movements.

26 Train movements could occur across any day of the week (7 days) for the Malabar Yard to Hobart Yard connection. To simplify the operational characteristics to the general public, 0.5 daily train movements between Malabar Yard and Hobart Yard was reported instead of 0.85 daily train movements (6 movements/7 days). The Final EIS was revised to reflect 3 round trips would occur over a 7-day window, not 5-day workweek. The revisions avoided rounding to ensure it provided the most precise information to the public.

Final EIS Appendix Q, Chapter 2.0, Page 2-5 was revised to clarify the total train movements per 7-day week to read as follows:

- Upon implementation of the 46th Street Connector, it is estimated ~~that less than 1 round trip per weekday (~~approximately 3 round trips per ~~5-day work~~ week or 6 total train movements per ~~5-day work~~ week~~)~~ would occur along the Hobart Yard/Malabar Yard Connection to move empty intermodal train car sets into/out of Malabar Yard ~~using the northern entrance across Pacific Boulevard on the Harbor Subdivision~~. Train movements along the Hobart Yard/Malabar Yard Connection would occur on any of the 7 days of the week, including weekends. This equates to an average of less than 1 train movement per day and is depicted as 0.85 total daily train movements in Table 2-1.

All data and information collected from BNSF in 2024 that was incorporated in the analysis supporting the Final SEIR and Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies. This information is summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2**.

27 Please refer to **Exhibit "D" Response to Comments D-11 and D-20**. The available data is inconsistent with the comment's statement that "existing typical train lengths are up to 1,250 feet." The Final EIS includes clarifications that trains would be 3,000 feet long in the existing and proposed condition – this is based on most recent information received from BNSF in 2024. In addition, as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS, Section 2.2.2, Table 2-4**, the Malabar Yard railroad improvements would result in 3.15 fewer train movements in the City of Vernon per day (fewer train movements along the Harbor Subdivision per day).

The 1,250-foot figure cited in the comment was based on the information previously provided by BNSF. The Final SEIR relies on verified information from the BNSF as the rail operator to ensure accuracy and transparency.

The analysis contained in the Final SEIR conducted for train lengths represents a conservative approach designed to capture the likely maximum effects on operations and environmental conditions. By evaluating the longest anticipated train configurations, the analysis ensures that potential impacts (such as crossing closure times, noise, and traffic delays) are assessed at their highest reasonable levels. This method provides a protective margin for decision-making and mitigation planning.

Because this approach focuses on the worst-case scenario, it was not necessary to analyze every possible train length or operational variation. Doing so would not materially change the conclusions, as shorter trains would result in proportionally lesser impacts than those already disclosed. Therefore, the conservative analysis satisfies CEQA requirements for a reasonable range of conditions while avoiding unnecessary complexity.

28 Please refer to **Exhibit "D" Response to Comments D-11 and D-20**. Both the existing and proposed conditions assume trains approximately 3,000 feet in length. This is based on most recent information received from BNSF in 2024 for reasonably foreseeable operational conditions. This assumption reflects current planning data and industry practices for freight movements in Southern California. Any potential increases in train length or frequency driven by future commercial demand would be too speculative to support a reasonable analysis under CEQA. Environmental review requires consideration of reasonably foreseeable conditions, not hypothetical scenarios lacking sufficient data or certainty. Attempting to analyze unknown future demand would introduce assumptions beyond the scope of reliable forecasting from BNSF as the railroad operator and could misrepresent actual impacts. Therefore, the analysis appropriately focuses on the best available information and conservative assumptions to ensure accuracy and compliance with regulatory standards. The Final SEIR conservatively assumes that the increases in demand would be able to be accommodated by adding rail cars to the existing train movements without needing to increase the number of train movements.

29 The Urban Crossroads, Inc.'s review of the Malabar Yard railroad improvements air quality analysis herein referred to as Exhibit "C" has been reviewed and is responded to under **Response to Comments C-1 through C-13**.

30 This response includes a discussion on the following topics:

1) Localized Air Quality Analysis using Localized Significance Thresholds (LSTs)
2) Quarter-mile Radius for Sensitive Receptors
3) Clean Air Act Regulatory Requirements
4) Transportation Conformity Regulatory Requirements

As stated in **Final EIS Volume III, Response to Comments, Key Issue Response 3** and **Exhibit "C" Response to Comment C-4**, a localized air quality analysis was conducted

to determine whether the Malabar Yard railroad improvements would result in adverse air quality impacts to nearby sensitive receptors.

1) <u>Localized Air Quality Analysis using Localized Significance Thresholds (LSTs)</u>

SCAQMD Localized Significance Thresholds (LSTs) Methodology

As stated in **Final EIS Appendix Q, Section 3.5, Pages 3.5-20**, "…[i]n addition to a regional analysis, a localized analysis was completed for the construction of the Malabar Yard railroad improvements (see **Appendix F of Final EIS Appendix Q**). The localized analysis showed that onsite emissions would be below the SCAQMD's localized significance thresholds during construction."

The SCAQMD uses the *Localized Significance Thresholds (LSTs) Methodology* to determine localized air quality impacts to sensitive receptors. The *SCAQMD LST Methodology* screens projects from more intensive air quality modeling, such as a hot spot analysis, through the use of mass rate look up tables that have been pre-determined to meet the ambient air quality standards for that location. Localized air quality impacts for the Malabar Yard railroad improvements were evaluated using SCAQMD's *LST Methodology*. Because on-site emissions from the Malabar Yard railroad improvements are below the applicable SCAQMD LSTs, the Malabar Yard railroad improvements would not result in adverse localized air quality impacts. Further, because the Malabar Yard railroad improvements localized emissions during construction and operation are below the applicable SCAQMD LSTs, SCAQMD guidance did not require a separate, hot-spot dispersion modeling analysis. A detailed PM_{10} and $PM_{2.5}$ hot-spot analysis was not completed because the Clean Air Act and 40 CFR 93.116 requirements would be met without an explicit hot-spot analysis.

The commenter's assertion that additional localized emissions modeling should be prepared for the Malabar Yard railroad improvements conflicts with SCAQMD's adopted LST methodology. SCAQMD guidance explicitly states that if calculated emissions for construction activities are below the applicable LST values for NO_x, CO, PM_{10}, and $PM_{2.5}$, no further localized dispersion modeling or health risk assessment is required. The thresholds themselves represent conservative screening levels that ensure compliance with ambient air quality standards.

LSTs are pollutant and location specific thresholds developed by SCAQMD based on allowable on-site project emissions and the size of the project site. They represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards. If emissions are below LSTs, then the impact to the localized air quality would not be significant. The *SCAQMD LST Methodology Guidelines*[3] state:

> *If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other*

[3] https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=8c641d61_2

environmental issues, then the proposed construction or operation activity is not significant for air quality.

The mass rate LSTs and associated look up tables provide a practical screening approach, allowing agencies to determine whether a project may generate significant localized air quality impacts without the need for dispersion modeling.

Localized Air Quality Project-Specific Inputs

The analysis in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change)** estimates air pollutant emissions compared to the LSTs set by the distance to the nearest sensitive receptor, Project footprint, and location of the Project. It analyzed whether the emissions exceeded the SCAQMD LSTs established for the Malabar Yard railroad improvements, and it concluded the emissions did not. Therefore, the Malabar Yard railroad improvements would not cause an adverse effect to localized air quality. As shown in **Appendix F of Final EIS Appendix Q**, the localized air quality analysis uses the mass rate look up tables from SCAQMD to determine the appropriate LST for NO_x, CO, PM_{10}, and $PM_{2.5}$ based on the source receptor area, distance to nearest receptor, and Project footprint (Source: Localized Significance Thresholds). The source receptor area used for the analysis is SRA 1 Central LA for the City of Vernon (Source: Source Receptor Areas within South Coast AQMD Jurisdiction | SCAQMD). As specified in **Appendix F of Final EIS Appendix Q**, the nearest receptor (2415-2427 E 53rd St residences) is 403.8 meters away from the Project footprint, which is measured from the outermost boundary of the Project footprint for both design options considered to the receptor location. Since thresholds are provided in the mass rate look up tables[4] for a distance to receptor of 200 meters and 500 meters, the threshold for the Malabar Yard railroad improvements was scaled using a linear interpolation between the two values to account for the nearest receptor location of 403.8 meters.

The Project footprint is approximately 4 acres, however the SCAQMD mass rate look up tables assume emissions for a 1-acre site, a 2-acre site, and a 5-acre site. Inspection of the mass rate LST look-up table shows that for the same source receptor area and distance to receptor, a smaller project site would have a lower LST. Analysis was prepared assuming a 2 acre site to yield a lower and more conservative pollutant threshold. Using these parameters, while maintaining consistency with the Localized Significance Threshold methodologies,

- the NO_x threshold is set at 162 lb/day;
- the CO threshold is set at 6,834.5 lb/day;
- the PM_{10} threshold is set at 154.7 lb/day and
- the $PM_{2.5}$ threshold is set at 83.7 lb/day.

[4] SCAQMD. Appendix C – Mass Rate LST Look-up Table. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf?sfvrsn=8e641d61_2

Localized Air Quality Results

As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Per SCAQMD guidance, since the pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below SCAQMD's LSTs, these pollutants are not considered to be significant air quality impacts and no additional localized analysis is required.

Construction

On-site construction emissions were calculated using CalEEMod and compared to the LSTs above. As localized emissions were below the LSTs for the nearest sensitive receptor identified in the air quality analysis, impacts to localized air quality would not be significant and no further analysis is required. See **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**. Localized emissions at any additional sensitive receptors that are further in distance from the nearest receptor would be lower.

Operations

For operations, on-site operational emissions would decrease due to the reduction in train movements (3.15 fewer daily train movements). Therefore, the Malabar Yard railroad improvements would have a net negative contribution to localized operational emissions in the City of Vernon and would be below any calculated LST. Impacts on localized air quality during operations would not be significant and no further analysis is required. (Please refer to **Appendix F of Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19 and Page 3.5-20**).

Implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Malabar Yard railroad improvements would

both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

Air Quality Calculation Methodology for Overlapping Activities

The commenter states that if the schedule includes overlapping activities (e.g., track removal and grading), the worst-case day should be modeled to verify that concurrent operation of multiple pieces of equipment would not result in a significant localized impact for nearby receptors. Project emissions for the maximum daily on-site emissions of NO_x, CO, $PM_{2.5}$, and PM_{10} were calculated, which included overlapping activities.

As stated in **Final EIS Appendix Q, Chapter 2.0, Section 2.4 (Construction Summary)**, "Table 2-5 provides a summary of the construction duration for each component, the number of construction workers anticipated to perform work on each component, anticipated quantities of materials, and the type of construction equipment that is anticipated to be used throughout construction of the Malabar Yard railroad improvements. As identified in Table 2-5, construction of the Malabar Yard railroad improvements would take up to 18 months ***with various overlapping construction activities for each improvement***." *emphasis added.* Construction phasing assumptions are further detailed in **Final EIS Appendix Q (Appendix D – Section 3.0 (Construction Detail) Page 10 of 57)**:

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	46th St Building Demo	Demolition	8/1/2028	10/30/2028	5	65	
2	49th St Utility Relocations	Trenching	10/31/2028	5/2/2030	5	393	
3	46th St Utility Relocations	Trenching	10/31/2028	5/2/2030	5	393	
4	46th St Connector Track	Building Construction	5/3/2030	9/2/2030	5	87	
5	46th St Realigned Spur Track	Building Construction	7/6/2030	8/7/2030	5	23	
6	49th St Track Replacement	Building Construction	9/3/2030	9/30/2030	5	20	
7	49th St Road modifications	Paving	5/3/2030	11/4/2030	5	132	
8	46th St At Grade Crossing Enhancements	Paving	5/3/2030	7/3/2030	5	44	
9	46th St New At Grade Crossing	Paving	9/3/2030	11/4/2030	5	45	
10	49th St Bollard	Paving	11/5/2030	12/2/2030	5	20	
11	49th St Final Paving	Paving	12/3/2030	12/30/2030	5	20	
12	46th St Final Paving	Paving	12/3/2030	12/30/2030	5	20	

SCAQMD's LST Methodology Approach to Off-Site Emission Sources

The commenter states that the localized emissions analysis should account for haul truck emissions particularly along 46th Street, 49th Street and Soto Street and other local roads, as construction activities include significant hauling activities which may result in significant localized pollutant concentrations.

As previously stated, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. The emissions of concern from both construction and operational activities under SCAQMD's *LST Methodology* are for on-site sources only since a localized analysis examines impacts to nearby sensitive receptors near the Project footprint for the Malabar Yard railroad improvements. Off-site mobile sources (such as haul truck emissions) are addressed in the regional analysis. Additionally, SCAQMD's *LST Methodology* specifically state that, "Off-site mobile emissions from the project should ***NOT*** be included in the emissions compared to the LSTs."[5] *emphasis added.* Therefore, consistent with SCAQMD's *LST Methodology*, emissions associated with off-site haul trucks were not included.

2) Quarter-mile Radius for Sensitive Receptors

Applying a quarter-mile buffer to a project location is a typical industry standard approach to identify potentially sensitive receptors for projects subject to CEQA. The quarter-mile buffer is a conservative estimate to identify sensitive receptors within the area where impacts are most likely to occur. The map with the quarter mile buffer was not used to determine air quality impacts on sensitive receptors; it was used to depict the location of where the nearest sensitive receptors are located relative to the Project footprint. LSTs were determined independent of the buffer shown in the figure. It is a coincidence that the nearest receptor is also .2509 miles away. Pollutant concentrations decline with increasing distance as demonstrated in multiple studies and guidance referenced in the section below. These studies demonstrate that the highest pollutant concentrations are typically seen within distances less than a quarter mile, which is why the map depicts a quarter mile buffer to capture where the highest pollutant concentrations may occur.

- The EPA states, "*Research findings indicate that roadways generally influence air quality within a few hundred meters – about 500-600 feet downwind from the vicinity of heavily traveled roadways or along corridors with significant trucking traffic or rail activities*."[6]
- The CARB Air Quality and Land Use Handbook states that, "*the distance between roadway and truck densities were key factors affecting the strength of the association with adverse health effects. Adverse health effects were seen within 1,000 feet and was strongest within 300 feet*."[7]

This demonstrates that the adverse air quality effects diminished with distance. Similarly, the Bay Area Air Quality District CEQA Air Quality Guidelines that uses an overlay zone of at least 500 feet from all freeways and high volume roadways as a threshold of significance for local risks and hazards. Further academic research shows that pollutant

[5] South Coast Air Quality Management District. July 2008. Final Localized Significance Threshold Methodology. page 1-4

[6] EPA, 2014. Near Roadway Air Pollution and Health: Frequently Asked Questions. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi/P100NFFD.PDF?Dockey=P100NFFD.pdf

[7] CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

concentrations level out to background levels after approximately 400 meters (1/4 mile) away from the source.[8] As shown in an academic study of ultrafine particles near a freeway by Yifang Zhu, et al. in Atmospheric Environment, both CO and black carbon concentrations as a function of the distance from freeway follow a decay curve. This curve levels out 300 meters away from the emission source.[9]

The Project's quantitative localized air quality analysis uses the nearest sensitive receptor (2415-2427 E 53rd St residences), consistent with SCAQMD's LST methodology, which lies outside the quarter-mile radius. For a definition of what is considered a sensitive receptor under SCAQMD guidance, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** and **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-16**.

3) <u>Clean Air Act Regulatory Requirements</u>

As stated in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, there are two sets of regulations to implement Clean Air Act (CAA) Section 176(c). The first set promulgated the Transportation Conformity regulations (40 CFR Part 51 and 93), which applies to highway and mass transit projects. The second set of regulations promulgated the General Conformity regulations (40 CFR Parts 6, 51, and 93), which applies to all other federal actions not covered under Transportation Conformity. Because the Project would receive federal funding and is in federal nonattainment for ozone and $PM_{2.5}$ and attainment/maintenance for PM_{10} and CO, a conformity analysis applies.

General Conformity Definition

General Conformity is the pollution prevention and control program that requires a federal agency to assure any proposed activity the agency proposes will conform to the purpose of applicable implementation plans and will not interfere with a State or Tribe's ability to attain and maintain the National Ambient Air Quality Standards (NAAQS) for air quality, as required under Clean Air Act (CAA) section 176(c).

Established under the CAA section 176(c)(4)), the General Conformity regulations at 40 CFR part 93 subpart B play an important role in helping States and Tribes to protect air quality within their jurisdiction and authority that do not meet the NAAQS (nonattainment areas) and areas of vulnerable air quality (maintenance areas).[10]

[8] Mishra, S. & Shah, S. (2025). "Analytical Study of Atmospheric Pollution Dispersion with Distance Dependent Wind and Constant Removal Dynamics." International Journal of Scientific Research in Science and Technology, volume 12, issue 3. https://www.researchgate.net/publication/391457827_Analytical_Study_of_Atmospheric_Pollution_Dispersion_with_Distance_Dependent_Wind_and_Constant_Removal_Dynamics

[9] Zhu, Yifang et al. (2002). "Study of ultrafine particles near a major highway with heavy-duty diesel traffic." Atmospheric Environment 36. 4323-4335. https://www.sciencedirect.com/science/article/pii/S1352231002003540

[10] EPA, 2025. *What is General Conformity?* Available at: https://www.epa.gov/general-conformity/what-general-conformity

Applicability of General Conformity

40 CFR Part 93.153(b) Applicability states "a conformity determination is required for each criteria pollutant or precursor where the total of direct and indirect emissions of the criteria pollutant or precursor in a nonattainment or maintenance area caused by a Federal action would equal or exceed any of the rates in paragraphs (b)(1) or (2) of this section."

The Clean Air Act does not require a hot spot (or localized) analysis for the Malabar Yard railroad improvements. As detailed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the Malabar Yard railroad improvements are subject the General Conformity Rule under the Clean Air Act because the Link US Project (and Malabar Yard railroad improvements) would receive federal funding and the improvements are in federal nonattainment for ozone and $PM_{2.5}$ and attainment/maintenance for PM_{10} and CO.

General Conformity Analysis and Comparison to de minimis Levels

As explained in **Final EIS Volume II, Appendix G (Air Quality and Global Climate Change Assessment)**, the Link US Project's emissions (Build Alternative and Malabar Yard railroad improvements combined) are compared to the *de minimis* emissions levels. **Final EIS Volume II, Appendix G,** includes calculations for both construction and operational emissions at a regional level for the whole Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively). The *de minimis* levels serve as a threshold to determine if a project would cause adverse air quality impacts. Because the Project's emissions are below the *de minimis* levels with implementation of mitigation, no further analysis is required. Therefore, the Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively) satisfies general conformity requirements, and neither NEPA nor the CAA requires a localized air quality analysis.

4) <u>Transportation Conformity Regulatory Requirements</u>

Transportation Conformity Definition

Transportation conformity is required under Clean Air Act (CAA) section 176(c) (42 U.S.C. 7506(c)) to ensure that federally supported highway and transit project activities are consistent with (conform to) the purpose of a state air quality implementation plan (SIP). The U.S. Environmental Protection Agency's (EPA) transportation conformity rule (40 CFR 51.390 and Part 93) establishes the criteria and procedures for determining whether transportation activities conform to the SIP. Under the transportation conformity rule, a quantitative PM hot-spot analysis only applies to highway and transit projects that are identified in 40 CFR 93.123(b)(1).[11]

[11] EPA, 2024. Hot-spot Analyses and Project-Level Conformity Determinations. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P101BLJT.pdf

In the NRDC vs. EPA case in 2014, the D.C. Circuit court found that the EPA could not extend the timeline to attain ozone standards and that transportation conformity requirements could not be revoked and still applied to older 1997 Ozone Standards.[12]

Applicability of Transportation Conformity

Transportation conformity does not apply to the Project because the Project does not require Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding or approvals. Furthermore, as described in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, even if transportation conformity applied, "Per the EPA's PM Hot-Spot Guidance and FHWA's Guidance on Mobile Source Air Toxic (MSAT) Analysis, this type of project would not qualify for quantitative dispersion modeling and therefore would not have the potential to result in significant localized emissions." The Malabar Yard railroad improvements would not cause high traffic volumes (140,000 AADT to 150,000 AADT or greater for any local roadway in the City of Vernon), would not be a new or expanded highway project with a significant number of diesel vehicles, and would not worsen traffic-related levels of service (LOS) with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5. Therefore, the Malabar Yard railroad improvements would not fit any of the criteria necessary to require quantitative dispersion modeling, if transportation conformity applied.

The commenter's reference to *Natural Resources Defense Council, Inc. v. U.S. Department of Transportation*, 770 F.3d 1260 (9th Cir. 2014), pertains to Transportation Conformity requirements, which do not apply to the Link US Project or the Malabar Yard railroad improvements. Please refer to **Exhibit "C" Response to Comments C-6.** The whole Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively) is subject to General Conformity. Per 40 CFR 93.153(b), a conformity determination (which potentially could include a hot spot analysis) would be required for each pollutant above applicable *de minimis* thresholds.

31 The commenter is incorrect in asserting that the Final EIS did not consider localized impacts on sensitive receptors. Please refer to **Main Letter Response to Comment 30** and **Exhibit "C" Response to Comments C-4 and C-6**.

32 The commenter states general concerns that the Final SEIR did not analyze impacts to three sensitive receptors (Vernon City School and residents along 53rd Street and Furlong Place) because they are deemed to be located more than a quarter mile from the Project. Please see **Main Letter Response to Comment 30** regarding the commenter's concern for the quarter-mile radius used for localized air quality impacts. Please also see **Response to Comment C-4** and **Final EIS Volume III, Response to Comments, Key Issue Response 3**, for a discussion of the methodology used to identify sensitive receptors for the localized air quality analysis.

[12] U.S. Court of Appeals for the District of Columbia Circuit. (2014). Natural Resources Defense Council vs. Environmental Protection Agency. On Petition for Review of Final Administrative Action of the United States Environmental Protection Agency.

33 Construction of the Malabar Yard railroad improvements would involve removing existing concrete/asphalt streets, laying tracks, and other ancillary infrastructure. These are standard, routine construction activities for which air quality impacts are well understood. Based on these activities and consistent with SCAQMD guidance, a localized air quality analysis was conducted. Applying a quarter-mile buffer to a project location is a typical industry standard approach to identify potentially sensitive receptors for project subject to CEQA. The quarter-mile radius shown on **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change)** aligns with industry standard best practice. The map with the quarter mile buffer was not used to determine air quality impacts on sensitive receptors, it was used to depict the location of where the nearest sensitive receptors are located relative to the Project footprint. LSTs were determined independent of the radius shown in the figure. Pollutant concentrations decline with increasing distance as demonstrated in the studies and guidance referenced in the section below. These studies demonstrate that the highest pollutant concentrations are typically seen within distances less than a quarter mile, which is why the map depicts a quarter mile buffer to capture where the highest pollutant concentrations may occur.

Quarter-mile radius for sensitive receptors

The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur.

- The EPA states, "*Research findings indicate that roadways generally influence air quality within a few hundred meters – about 500-600 feet downwind from the vicinity of heavily traveled roadways or along corridors with significant trucking traffic or rail activities*."[13]
- The CARB Air Quality and Land Use Handbook states that, "*the distance between roadway and truck densities were key factors affecting the strength of the association with adverse health effects. Adverse health effects were seen within 1,000 feet and was strongest within 300 feet.*"[14]

This demonstrates that the adverse effects diminished with distance. This is consistent with the Bay Area Air Quality District CEQA Air Quality Guidelines that uses an overlay zone of at least 500 feet from all freeways and high volume roadways as a threshold of significance for local risks and hazards. Further academic research shows that pollutant concentrations level out to background levels after approximately 400 meters (1/4 mile)

[13] EPA, 2014. Near Roadway Air Pollution and Health: Frequently Asked Questions. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi/P100NFFD.PDF?Dockey=P100NFFD.pdf

[14] CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

away from the source.[15] As shown in an academic study of ultrafine particles near a freeway by Yifang Zhu, et al. in Atmospheric Environment, both CO and black carbon concentrations as a function of the distance from freeway follow a decay curve. This curve levels out 300 meters away from the emission source.[16]

The Project's quantitative localized air quality analysis uses the nearest sensitive receptor (2415-2427 E 53rd St residences), consistent with SCAQMD's LST methodology, which lies outside the quarter-mile radius. For a definition of what is considered a sensitive receptor under SCAQMD guidance, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** and **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-16**.

Please refer to Exhibit "C" Response to Comment C-4, C-6, and C-8 for further explanation.

34 As stated in **Main Letter Response to Comment 30**, the quarter-mile radius shown on **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-17** was not used to determine air quality impacts on sensitive receptors, it was used to depict the location of where the nearest sensitive receptors are located relative to the Project footprint. The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur. **Final EIS Appendix Q, Section 3.5** analysis is based on a precise measurement of the distance between sensitive receptors and the expected emission sources. The distances identified in **Final EIS Appendix Q, Section 3.5, Page 3.5-15** were measured from the outermost extent of the Project footprint to the nearest receptor, not from the center point of 49th Street or 46th Street, as the comment states. **Final EIS Appendix Q, Section 3.5, Figure 3.5-1**, was revised to include the distance of each receptor from the outermost extent of the Project footprint. The quarter-mile buffer shown in **Final EIS Appendix Q, Section 3.5, Figure 3.5-1** was measured from the outermost extent of the Project footprint.

Please refer to **Exhibit "C" Response to Comment C-6**. While rail operations at Malabar Yard would extend beyond the Project boundary, there would be an overall decrease in freight train movements (3.15 fewer daily rains) and resulting locomotive emissions in the City of Vernon. Furthermore, rail operations would shift further away from Vernon City School and the residences on Furlong Place, which would decrease their exposure to air pollutants. The Vernon City School and residences were evaluated in the Final EIS

[15] Mishra, S. & Shah, S. (2025). "Analytical Study of Atmospheric Pollution Dispersion with Distance Dependent Wind and Constant Removal Dynamics." International Journal of Scientific Research in Science and Technology, volume 12, issue 3. https://www.researchgate.net/publication/391457827_Analytical_Study_of_Atmospheric_Pollution_Dispersion_with_Distance_Dependent_Wind_and_Constant_Removal_Dynamics

[16] Zhu, Yifang et al. (2002). "Study of ultrafine particles near a major highway with heavy-duty diesel traffic." Atmospheric Environment 36. 4323-4335. https://www.sciencedirect.com/science/article/pii/S1352231002003540

Appendix Q air quality analysis (Please refer to **Appendix F to Final EIS Appendix Q**). As concluded in **Final EIS Appendix Q, Section 3.5**, impacts on localized air quality during construction and operations would not be adverse; therefore, no further analysis is required under SCAQMD's guidance to support a comprehensive analysis of emission impacts under CEQA.

35 As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the identification of sensitive receptors is based on SCAQMD's definition. See Exhibit "C" Response to Comment C-7.

36 The commenter is incorrect in expecting increases in train idling times at Malabar Yard. Please refer to **Exhibit "C" Response to Comment C-9**. The air quality analysis does not need to be updated or recirculated.

37 Malabar Yard construction emissions were calculated using CalEEMod version 2020.4.0. on September 2023. CalEEMod version 2022.1 was released on August 1, 2023. As the analysis was already well underway at the time of the release for CalEEMod version 2022.1, the latest available model was used at the time the analysis was initiated, which was CalEEMod version 2020.4.0. CEQA does not require agencies to update technical models or methodologies during preparation of the environmental document each time new versions are released. As identified in *CEQA Guidelines* §15144 and §15151, an EIR is considered adequate if it uses the best information reasonably available when the analysis began, and provides a reasonable, good faith effort at full disclosure.

CalEEMOD version 2020.4.0 incorporates EMFAC2017; whereas CalEEMOD 2022.1 incorporates EMFAC2021, which uses an updated fleet mix that incorporates the use of cleaner more efficient vehicles. Emissions using CalEEMod 2022.1 would show similar emissions, and impacts would likely not change.

38 The Lochner Company Technical Adequacy review of the Link US Final EIS Responses to the City of Vernon Transportation Comments herein referred to as Exhibit "D" has been reviewed and is responded to under **Exhibit "D" Response to Comments D-1 through D-22**.

39 For noise and vibration analysis, the screening distances (Section 4.3 of the FTA Transit Noise and Vibration Impact Assessment Manual, FTA 2018) were calculated from the project footprint (maximum extent of design options considered where changes to infrastructure would occur). This was disclosed in the Draft EIS/SEIR as part of the noise and vibration methodology which identified a 1,000 foot buffer from the proposed 46th Street Connector new rail line and 49th Street intersection with Malabar Yard (without obstructions) or within 650 feet from the proposed Malabar Yard rail line along the 46th Street and 49th Street intersection with Malabar Yard (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6-1**). This screening assessment was performed and, per the FTA and FRA guidelines, no noise sensitive land uses (including the residences at 2415-2427 E 53rd St, Vernon City School, Holy Angels Church of the Deaf, and the residences on Furlong Place) are located within 1,000 feet of the project footprint (without obstructions) or within 650 feet of the project footprint (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6 1**).

The FTA Transit Noise and Vibration Impact Assessment Manual provides the methodology for the identification of noise sensitive land uses, screening procedures, and criteria for determining when a detailed analysis is required (FTA Report No. 0123). Noise sensitive land use categories are intentionally tiered based on duration of exposure and human sensitivity.

As discussed in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration)**, Noise Category 3 land uses are defined as institutional land uses (schools, places of worship, libraries) with use typically during the daytime and evening. Other uses in this category include some medical offices (when vibration-sensitive testing equipment such as Magnetic Resonance Imaging [MRI] systems are present), conference rooms, recording studios, concert halls, cemeteries, monuments, museums, historical sites, parks, and recreational facilities. Category 3 land uses are evaluated using less stringent criteria than Category 1 or 2 land uses because they do not involve nighttime occupancy or sleep disturbance. Stacy Medical Center is located within the screening distance; however, this type of facility (similar to an urgent care) is not sensitive to noise because nighttime occupancy does not typically occur at an urgent care facility and is not sensitive to vibration because this facility does not utilize sensitive testing equipment such as MRI systems. On December 17, 2025, HMMH contacted Stacy Medical Center to confirm the types of medical equipment in use at the facility, and it was confirmed via phone that this facility does not utilize sensitive testing equipment such as MRI systems; therefore, the facility is not categorized as a FTA Category 3 land use.

The Urban Crossroads, "Environmental Evaluation for Malabar Yard Railroad Improvements – Noise Section 3rd Party Review" (herein referred to as Exhibit "E") has been reviewed and is responded to under **Exhibit "E" Response to Comments E-1 through E-7**.

40 *CEQA Guidelines* §15126.4(a)(1)) states:

> *The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will considered, analyzed, and potentially incorporated in the mitigation measure.*

The City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and CPUC on roadway design, railroad safety devices, and accessibility. It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain approval from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications. This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. Malabar Yard Mitigation Measure TR-6 meets *CEQA Guidelines* §15370 criteria (b, c, and d), acknowledging that its effectiveness will depend

on ongoing coordination with the City of Vernon and CPUC. Metro is committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

Neither CEQA or NEPA require that all permitting agencies reach a final agreement on specific mitigation prior to a project's approval. Consistent with U.S. Supreme Court in *Robertson v. Methow Valley Citizens Council*, federal agencies may proceed with decision making even when subsequent coordination and approvals are required to refine and implement mitigation measures. Malabar Yard Mitigation Measure TR-6 identifies the mitigation framework and responsible agencies while allowing for subsequent agency review and approval.

41 Metro respectfully disagrees with the commenter's statement that Metro did not coordinate with Vernon Police Department to identify impacts on emergency response.

After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon. Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received form the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received. Through these meetings, the Police Chief provided valuable insight into emergency response operations, including dispatch routes from the police station and interactions with existing train movements. This coordination directly informed the development of the OMMs that include Emergency Response Upgrades, pan-tilt-zoom (PTZ) smart cameras, AI-based traffic control systems, new traffic signal controllers, radio and communications upgrades, and a mobile Emergency Operations Center. These OMMs are above and beyond the mitigation measures to reduce environmental impacts under CEQA and NEPA, some of which were proposed by Metro solely based on the requests by the Police Chief.

In addition, the project includes Safety and Mobility Improvements such as establishment of a quiet zone, train-detection systems, intersection upgrades, traffic optimization measures, and new pedestrian infrastructure.

Based on the comprehensive quantitative analysis performed, the total daily delay that could potentially occur to an emergency response destination would be 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in **Table 4** of the **Final EIS Volume III, Response to Comments, Section 1.1 (Introduction)**, the total daily delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction of total daily delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

42 **Final EIS Appendix Q, Section 3.15 (Socioeconomics and Communities Affected)** contains an evaluation of whether the Malabar Yard railroad improvements would divide an established community in a way that limits circulation, social interaction, and access to businesses and community facilities or causes a change that affects the cohesion or social or cultural character of the established community. The area surrounding the 49th Street closure is accurately described on **Final EIS Appendix Q, Section 3.2 (Land Use and Planning), Page 3.2-34** as a primarily industrial area adjacent to the Malabar Yard with no residential uses in the immediate vicinity. With no established neighborhood or residential uses in the vicinity of 49th Street, there are no indicators of community cohesion that would be interrupted by the closure. The Vernon City School, Holy Angels Church of the Deaf, and established residential area are all located along Santa Fe Boulevard, west of Malabar Yard, and pedestrian access to these resources from Santa Fe Boulevard would be enhanced by high visibility crosswalks provided as an OMM. Vehicular access to these civic resources on Santa Fe Boulevard would be maintained on Fruitland Avenue and Pacific Boulevard, and via those routes, citizens could easily reach the Stacy Medical Center and the Vernon City Hall from residences on the west side of the Harbor Subdivision and vice versa.

As identified in **Final EIS Appendix Q, Section 3.3 (Transportation), page 3.3-41**, although the Project would result in the closure at 49th Street, "…[t]his proposed closure occurs only at the existing at-grade railroad crossing location and not the entire segment between Pacific Boulevard and South Santa Fe Avenue. Although some through traffic at the railroad crossing would need to be diverted to adjacent local roads, the relatively low traffic demand along 49th Street (less than 200 vehicles during the peak hours under all conditions) is not anticipated to contribute to traffic congestion that would cause adverse impacts on traffic. Properties located on the east or west side of the railroad crossing would still be accessible from outside destinations." This shows that vehicles would be able to easily navigate this closure.

As discussed in **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-11**, the BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided

service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening on the Alameda Corridor in 2002 the Subdivision also provided connectivity between the local ports and national railroad networks. Please refer to **Final EIS Appendix Q, Section 1.0 (Introduction), Figure 1-2** for the location of the Harbor Subdivision. The Harbor Subdivision is also shown in **Final EIS Volume III, Response to Comments, Section 1.1 (Introduction), Figures 4 through 8**. In the 1920s the Los Angeles Junction Railway was constructed, increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.

The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision would be reduced from 4 existing daily train movements to 0.85 daily train movements (Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2, Table 2, Figures 7 and 8**). Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision. The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer train movements on the Harbor Subdivision would increase opportunities for enhanced community connectivity. This would specifically occur on the west side of the City of Vernon where existing and future mixed-use residential land uses are planned

As discussed above, in response to inquiries related to queuing and traffic congestion at the railroad crossings from Soto Street to Los Angeles Junction, a calculation was performed that demonstrates trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am). This calculation accounted for train frequencies, train lengths, gate down times, and train speeds. Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, and the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, significant impact related to division of communities or reduced community connectivity would occur (see **Final SEIR Table 7-31** and **Final EIS Appendix Q, Section 3.2**).

43 The goal of the 46th Street Connector is not to facilitate increased train traffic. While the Malabar Yard railroad improvements may inhibit some access, that does not qualify as adverse because driveway modifications and other site design elements are proposed to maintain access so affected businesses can remain open throughout operations. Further explanation and analysis to how access would be maintained for each of the affected properties was provided in the **Final EIS Appendix Q Section 3.2 (Land Use and Planning)** under Topic 3.2-A, Alteration of land use patterns. In that section, aerial images are provided with corresponding narrative on the types of driveway impacts, if any, to the affected properties for both design options considered at each location.

During the Draft EIS/SEIR public comment period, comments were received expressing a perception that the Malabar Yard railroad improvements would result in more trains traveling through the City of Vernon and that the closure of 49th Street and addition of the 1,000-foot connector track would physically divide the community. In response to public and agency comments related to physical division of the community, additional analysis was completed to demonstrate no significant impact would occur under CEQA/no adverse effect under NEPA related to division of communities or reduced community connectivity would occur, consistent with the conclusions presented in the Draft EIS/SEIR, Final SEIR and Final EIS. Clarifications were made in the Final SEIR and Final EIS to demonstrate that:

- The BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening of the Alameda Corridor in 2002, the BNSF Harbor Subdivision also provided connectivity between the local ports and national railroad networks.
- In the 1920s, the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.
- The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned, would be reduced from 4 existing daily train movements to 0.85 daily train movements. Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned.
- The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer daily train movements would reduce existing gate down time that temporarily restricts vehicular, bicycle, and pedestrian circulation in the community.
- In response to inquiries related to queuing and traffic congestion, a calculation was performed that demonstrates trains using the 46th Street Connector track (from Malabar Yard to Los Angeles Junction) would block a driveway (or an intersection) approximately 2 percent of the day, half of which would occur during the night (7pm-2am).

Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, the duration of the day trains would operate between Malabar Yard and

Los Angeles Junction, and that access to all properties throughout the community would be maintained or replaced, no significant impacts would occur during operation.

44 As disclosed in the Final EIS and Final SEIR, the Malabar Yard railroad improvements could require future amendments to the *City of Vernon General Plan* and zoning designations. The Final EIR and Final SEIR do not assume that such actions are guaranteed or automatic. Rather, the analysis acknowledges that these actions would be subject to the City of Vernon's independent legislative and discretionary processes.

The Project's consistency with the *City of Vernon General Plan* and zoning framework has been thoroughly analyzed in **Final EIS Volume III, Key Issue Response 6** and further addressed in the **Final EIS Volume III, Response to Comments AGE 3-7, 3-8, 3-16, 3-24, 3-29, 3-30, 3-31, 3-34; ORG 12-4; and IND 35-4**. As documented in these analyses and responses, the Malabar Yard railroad improvements are consistent with the overarching goals and policies of the *City of Vernon General Plan*, including those promoting economic development, efficient land use, and environmental stewardship. While certain zoning classifications may require amendments, these changes are anticipated and necessary to implement the *City of Vernon General Plan*'s vision for the area and to accommodate planned growth and proposed infrastructure improvements. The Final EIS concludes that these amendments do not constitute a fundamental conflict with adopted plans; rather, they represent a logical evolution of land use patterns that align with regional planning objectives. Furthermore, the proposed changes include measures to ensure compatibility with adjacent uses and compliance with applicable state and local planning requirements. Collectively, these findings demonstrate that the Project's land use and zoning adjustments are consistent with established policy frameworks and support long-term community development goals.

The commenter provides a summary of the impact analysis and provides a broad unsupported statement of land use impacts, traffic impacts and negative impacts on business operations. **Response to Main Letter Comment 43** above provides a summary of the factual evidence and analysis undertaken by Metro that support the conclusions in the Final SEIR and Final EIS related to land use and planning (division of communities/community connectivity) and the analysis performed to address access to businesses. Comments related to traffic impacts are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and impacts related to operational and physical impacts to businesses in Vernon are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 5**. No further response is warranted due to lack of specific details provided in the comment; however a summary is provided below that addresses the claims of traffic impacts and serious negative impacts on business operations.

- Please refer to **Response to Comment A-8** and **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of how impacts related to traffic delays are fully mitigated. The v/c ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue -

operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 are required to avoid or minimize potential adverse effects on transportation through the preparation of a construction traffic management plan, intersection restriping, and the addition of new lanes. These measures would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. Upon implementation of Malabar Yard Mitigation Measures TR-1 through TR-5, the Malabar Yard railroad improvements would not cause any intersection delays that could exceed the v/c ratio significance threshold.

- As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 5**, design plans for Design Option 2 (for both 49th Street and 46th Street) were prepared by BNSF in February 2021 after receiving substantial feedback from stakeholders and business owners within the vicinity of the Malabar Yard railroad improvements. Design Option 2 was developed to reduce potential operational and physical impacts on adjacent properties. At each location, Metro expects that Design Option 2 will reduce impacts as follows:
    - 49th Street Closure – Design Option 2 would facilitate safe and legal ingress/egress to the three affected properties on the northwest quadrant of the 49th Street at-grade crossing. Design Option 2 would also reduce the number of potentially affected private parking spaces on the property located on the southwest quadrant of the 49th Street at-grade crossing.
    - 46th Street Connector – Design Option 2 would reduce physical impacts on three properties located on the south side of 46th Street between Pacific Boulevard and Seville Avenue. Design Option 2 avoids building demolition and driveway modifications.

With both design options considered, some job loss resulting from potential building demolition may occur; however, as part of Metro's Relocation Assistance Program and the Uniform Relocation Act benefits processes, any businesses subject to building demolition or displacement would be compensated or referred to potential and/or suitable replacement sites. Parking impacts may occur, and when considering both context (total spaces available) and intensity (number of spaces removed), no adverse effect would occur because the properties would still be usable. Parking is not an environmental impact under CEQA. Operational and physical impacts to businesses would be minimized by implementing Design Option 2 at both locations. The design options considered in the **Final EIS Appendix Q** are at a 10% conceptual design. Metro fully anticipates the proposed general plan and zoning reclassifications would be a collaborative process that may require further studies when final design is completed.

45 Please refer to **Main Letter Response to Comment 3** above. As discussed in that response, the alternative sites suggested by the City of Vernon were considered and a good faith effort was performed to address the comments related to alternatives (Please refer to **Responses to Comments A-79 through A-97**). It should be noted that during the Revised NOI scoping period no formal comments, especially those related to

alternatives considered or any overall concerns of the proposed railroad improvements, were received from the City of Vernon. During the 45-day comment period for the Draft EIS/SEIR, the City of Vernon did not propose any of these alternatives, either. Only immediately prior to the agency's decisions did the City of Vernon propose additional alternatives.

CEQA (*CEQA Guidelines* §15126.6) requires agencies to rigorously explore and objectively evaluate reasonable range of feasible alternatives to avoid or reduce significant impacts. For the alternatives eliminated from a detailed analysis, the agency must explain why they were eliminated. As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process)**, a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) for the loss of storage tracks that would result at the BNSF West Bank Yard. The screening and evaluation process in Section 1.1 describes why alternative locations did not meet the screening criteria and therefore why they were eliminated from detailed analysis. Based on the screening and evaluation process, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard. Please also refer to **Main Letter Response to Comment 3** above. The Final SEIR meets the requirements for CEQA for analyzing a reasonable range of alternatives.

46 As discussed in **Main Letter Response to Comment 12**, both 49th Street Closure and 46th Street Connector combined would reduce the identified significant impact (CEQA) where no residual impacts would remain after mitigation for the Build Alternative, related to Transportation.

- **Final EIS Volume I, Section 3.3 (Transportation)** states "…[w]ith the implementation of Mitigation Measure TR-3 (summarized above and described in Section 3.3.6), the net loss of freight storage track capacity resulting from the Build Alternative would be limited to 2,150 track feet[17] and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon."
- **Final EIS Appendix Q, Page 1-16** states "the track capacity gained by the 49th Street closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards and nearby ports while maintaining current levels of freight rail operations and regional goods movement."

[17] 5,500 track feet removed - 3,350 track feet gained at Malabar Yard = net loss of 2,150 track feet. The new 1,000-foot track connection on 46th Street in the City of Vernon does not add freight storage capacity.

- **Final SEIR, Table 7-29,** states the significance determination (after mitigation) for construction, operations, and indirect impacts for Threshold 7.5.6-A is less than significant with mitigation incorporated.

As described in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, two initial screening criteria were used to evaluate potential sites to offset the loss of storage track capacity. The first criteria being location, which requires sites to be located in proximity to and west of the BNSF Hobart/Commerce Intermodal Yards. The second criteria is the ability of a site to maintain or replace storage capacity in a manner that preserves the current levels of freight rail operations, consistent with the Link US Project's Purpose and Need.

Under *CEQA Guidelines* §15126.4(a)(1), mitigation is considered adequate when it would reduce a significant impact to the extent feasible. CEQA does not require that mitigation be a 1:1 replacement of the affected resource, only that it avoid or substantially lessen the severity of the significant impact where feasible.

The Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,500 feet of storage track is not a 1:1 replacement of the 5,500 feet of storage track removed, it would provide functionally equivalent storage, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0, Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of CEQA.

47 The claims that BNSF would have ample storage space at the existing Malabar Yard and other BNSF facilities to relocate displaced trains without needing to close 49th Street, are false. As discussed in **Response to Comment A-79**, additional analysis was conducted to determine if replacement of BNSF storage tracks could be implemented at BNSF's Hobart Yard facility or BNSF's Los Angeles Junction facility; thereby no longer necessitating the 49th Street Closure as part of the Link US Project. Closing the existing at-grade railroad crossing at 49th Street provides up to 3,350 feet of freight rail track storage capacity for BNSF to store empty bare tables at BNSF Malabar Yard. The 3,350 feet of freight rail track storage capacity added from the 49th Street Closure, combined with the remaining capacity of BNSF West Bank Yard that would not be affected by the Link US Project (24,645 feet south of First Street), BNSF's ability to stage and store empty bare tables from BNSF Hobart/Commerce Intermodal Yards and nearby ports would be maintained.

The commenter provides multiple reconfiguration suggestions for Hobart Yard, Commerce Yard, Los Angeles Junction, Pico Rivera, and Malabar Yard as part of Exhibit "A". Please refer to the following responses for additional discussion on the feasibility of these alternative options.

- **Response to Comments A-82 through A-84** (Malabar Yard Configuration Options),

- **Response to Comments A-85 through A-89** (Los Angeles Junction Configuration Options),
- **Response to Comments A-91 through A-94** (Commerce Yard Configuration Options),
- **Response to Comment A-95** (Hobart Yard Configuration Option), and
- **Response to Comment A-96** (Pico Rivera Configuration Option).

48 The Final SEIR includes clarifications and minor corrections to the analysis presented in the Draft EIS/SEIR. No changes to the conclusions of the analysis were made in the Final SEIR; however additional technical information and analysis was provided in response to comments to provide additional substantial evidence to support the existing conclusions. The Response to Comments includes revisions, clarifications, and responses; however, the revisions do not introduce significant new circumstances or information. The City of Vernon was provided with a copy of Volume III Responses to Comments in accordance with CEQA requirements.

NEPA and CEQA regulations detail requirements for public involvement during preparation of an EIS/EIR to ensure meaningful engagement during the planning process and ensure decision makers are informed by the views of the public (40 CFR 1506.6, *CEQA Guidelines* §15201). CHSRA and Metro as the NEPA and CEQA lead agencies, respectively are committed to exceeding the public involvement and outreach requirements of CEQA and NEPA. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 1** for a detailed explanation of the stakeholder engagement activities conducted by CHSRA and Metro working in good faith with the City of Vernon.

In 2020, during the Revised NOI scoping period no formal comments, especially those related to alternatives considered or any overall concerns of the proposed railroad improvements, were received from the City of Vernon. The City of Vernon was also invited to be a NEPA participating agency and no response to the invitation was received.

During preparation of the Final SEIR and Final EIS (prior to the October 10, 2025 submittal of the Metro's draft responses to written comments), Metro facilitated 10 focused meetings with the City of Vernon Executive Leadership Team to present information, data, and technical analysis prepared to address comments raised by the City of Vernon and property owners, business stakeholders, and other members of the public that work or reside in Vernon. Metro also extended meeting invitations to each of the 13 individual property owner meetings conducted during preparation of the Final SEIR and Final EIS, and no representatives from City staff attended. Vernon staff was also invited to meetings held with Los Angeles County Board of Supervisors, District 4, Supervisor/Metro Board Chair Janice Hahn's office and the City of Vernon Community Meeting and Open House held on March 26, 2024 where the additional technical information was presented.

The presentations to City staff, property owners, Metro Board Chair Janice Hahn's office and the Community Meeting/Open House, Vernon Chamber of Commerce, Vernon City

Council relate to the key topic areas raised during the environmental process and particularly during the 45-day public comment period for the Draft EIS/SEIR. Key topics discussed prior to transmitting Metro's draft responses to written comments include:

- Impacts on properties and businesses
- Impacts on citywide circulation
- Freight movements, frequency, lengths of trains and existing and proposed operations
- Impacts on emergency response times and public safety
- Impacts on planned residential land uses
- Outreach in the City of Vernon
- Loss of businesses, potentially affecting business owner and employee livelihood
- Pollution and decreased air quality
- Increased traffic congestion
- Increased train traffic and train activity impacts on work delays and quality of life for Vernon residents
- Alternative sites considered

During preparation of the Final SEIR and Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final SEIR and Final EIS as OMMs. Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned.

Please refer to **Exhibit "B": City Letter to BNSF Railway**, which provides responses to the City of Vernon's October 6, 2025 request for additional information from BNSF.

Finally, Metro is not relying on the City of Vernon to perform studies "for BNSF's benefit." All technical analyses required under CEQA and NEPA have been completed and are fully documented in the Final SEIR and Final EIS. CHSRA and Metro are committed to continue coordinating with the City of Vernon and BNSF to implement the Malabar Yard railroad improvements in a manner consistent with stakeholder objectives and the Link US Project's Purpose and Need.

49 Metro respectfully disagrees with the commenter's opinion that the potential loss of freight storage space at the BNSF West Bank Yard is not an environmental impact that requires mitigation under CEQA.

Under CEQA, Mitigation Measure TR-3 addresses the significant freight-rail transportation impact via implementation of the Malabar Yard railroad improvements to offset the effects on freight-rail transportation from the loss in storage capacity at West Bank Yard, which is consistent with CEQA (*CEQA Guidelines* §15126.4(a)) that requires feasible mitigation for significant effects. Please refer to **Main Letter Response to Comment 7**.

50 The inconsistency with the Mobility Plan is only 1 of 3 identified impacts in the Final SEIR. As discussed in **Main Letter Response to Comment 7** and **Final SEIR, Page 7-214**, the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and two goals and policies in the *California Transportation Plan 2040* that relate to goods movement and the flow of freight traffic. In addition, **Main Letter Response to Comment 7** notes that a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. This is considered a significant indirect impact under CEQA. Indirect impacts are mitigated via Mitigation Measure TR-3.

The comment requests that Mitigation Measure TR-3 be removed and that no feasible mitigation exists to offset the inconsistency with the Mobility Plan. Please refer to **Main Letter Response to Comment 7** for the reasons why Mitigation Measure TR-3 is feasible and required to mitigate both direct and indirect effects.

Please refer to **Main Letter Response to Comment 3** regarding the evaluation of other alternative site options for BNSF that were considered. CHSRA and Metro have identified railroad improvements to the BNSF Malabar Yard in the City of Vernon to offset the loss of storage track capacity at the BNSF West Bank Yard.

Regarding the claim that the City of Vernon will not grant approvals necessary to implement the Malabar Yard railroad improvements, Metro is committed to ongoing coordination with the City of Vernon to effectively implement the improvements, and it reasonably expects the City of Vernon to cooperate in mitigating any effects if Malabar Yard railroad improvements are implemented.

51 Metro considered the commenter's suggested revisions to Mitigation Measure TR-3. The Final SEIR was certified by the Metro Board of Directors at the meeting held October 23, 2025, with two Board Motions for continued collaboration between Metro, CHSRA, BNSF, and the City of Vernon. CHSRA and Metro are dedicated to continuing working with the

City of Vernon to implement Malabar Yard railroad improvements in a mutually beneficial manner.

52 Metro appreciates the comments provided by the City of Vernon and for actively participating in the review of the Draft EIS/SEIR and the Final SEIR. Metro has concluded that the Final SEIR fully satisfies CEQA, and that it discloses and analyzes the Project's potential significant impacts. Metro will continue ongoing coordination with the City of Vernon regarding planning and mitigation efforts. Metro values the City of Vernon's input and take the comments and concerns regarding potential negative impacts on the City of Vernon seriously.

Exhibit "A": Railroad Industries Incorporated Report

A-1 The comment provides a summary of the Project background. The commenter is correct in their assertion that Malabar Yard is under-utilized. However, the statement that LAUS is expanding to a "new location" is incorrect. The Project involves reconfiguration and expansion of rail infrastructure at and within the vicinity of LAUS and does not relocate LAUS to a new site. Proposed improvements are intended to accommodate expanded passenger rail operations while maintaining existing freight operations. It should also be noted that this is Metro's mitigation, not what BNSF "would like to build".

A-2 The comment provides a summary of Railroad Industries Incorporated (RII) review of the documents associated with the Final EIS. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-3 Metro has not "forgotten" the City of Vernon is evolving. Metro is very aware of the City of Vernon's plan and reasoning for introducing more mixed-use residential land uses in the City of Vernon, especially on the west side.

CHSRA and Metro acknowledge the commenter's summary of the City of Vernon's history with BNSF, as well as the commenter's concerns regarding Metro's authority and obligation to implement the Malabar Yard railroad improvements. As described in **Final EIS Appendix Q, Chapter 1.0, Introduction**, the Malabar Yard railroad improvements were developed not only to offset the loss of storage capacity at the BNSF West Bank Yard, rather, they are designed to mitigate the Project's adverse effects on freight and preserve current level of freight operations consistent with the Project's Purpose and Need.

Agencies must adopt feasible mitigation to reduce significant impacts under CEQA (*CEQA Guidelines* §15126.4(a)(1)), and NEPA requires that mitigation for adverse effects be identified implemented (40 CFR §1508.1). Therefore, Metro has both the obligation and the authority to implement mitigation measures that address the Project's operational impacts on freight service. Metro is not proposing to mitigate impacts beyond the scope of project-related impacts. BNSF has facilities in multiple jurisdictions in the area. The identified Malabar Yard railroad improvements are proposed in the City of Vernon because Malabar Yard meets the specified criteria.

Furthermore, the commenter's statement that, "Metro's obligation to BNSF is to provide just compensation for what it is taking, not to provide infrastructure investment to a private freight railroad" mischaracterizes the purpose and effect of just compensation. Just compensation satisfies a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. This financial payment does not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service. Please refer to **Main Letter Response to Comment 8.**

A-4 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 1**, for a discussion of the history of stakeholder engagement activities with the City of Vernon.

After FRA published the 2016 NOI, completed Project scoping, and executed the MOU with the State of California to delegate NEPA authority to CHSRA as the federal lead agency (July 2019), CHSRA and Metro, in coordination with the CalSTA and BNSF, identified railroad improvements to the BNSF Malabar Yard in the City of Vernon that would offset the loss of storage track capacity at the BNSF West Bank Yard.

Contrary to the comment's assertions, Metro has involved the City of Vernon from the early stages of consideration of the Malabar Yard railroad improvements. On September 17, 2020, FRA, on behalf of CHSRA, issued a Revised NOI to solicit additional public and agency input into the development of the scope of the Link US Project EIS with respect to the railroad improvements to the BNSF Malabar Yard in the City of Vernon. Prior to the release of the Revised Notice of Intent (NOI) in 2020, Metro worked closely with City of Vernon staff to coordinate all public involvement and stakeholder engagement activities as part of the environmental review process for the Malabar Yard railroad improvements. Metro engaged a wide variety of stakeholders including property owners and tenants of potentially affected parcels, the Vernon Chamber of Commerce, the Vernon Business and Industry Commission, City of Vernon representatives, and property owners within a one-mile buffer of the Malabar Yard railroad improvements.

During the Revised NOI scoping comment period, CHSRA and Metro held a virtual scoping meeting on October 8, 2020. The meeting was held virtually due to COVID-19 pandemic and stay-at-home orders within Los Angeles County. The meeting included a live presentation and public scoping comments accepted digitally and verbally. In total, 81 comment submissions were received, most of which were made during the virtual scoping meeting. Three comment submissions were from public agencies, two comment submissions were from community organizations, and 76 individual comment submissions were from individual stakeholders. Two of the 76 individual comments were received after the close of the 30-day public comment period. The primary concerns expressed by the public in comments received during Revised NOI scoping comment period were related to transportation-related effects on property owners and businesses near Malabar Yard, loss of BNSF tracks, and local traffic circulation in the City of Vernon. The City of Vernon had multiple opportunities to provide formal comments at the onset of the Project and did not. The Revised NOI scoping period would have opened an early opportunity for the City of Vernon to provide comments related to alternatives considered and overall concerns of the proposed railroad improvements, but no comments were received to consider.

With the public comments received during the public scoping period, Metro took careful consideration of the primary concerns when conducting the environmental evaluation. The primary goals for the public scoping meeting were to educate the public about the Malabar Yard railroad improvements, share the Project history, how the Project has evolved, outline the Project benefits, highlight the Project elements and alternatives considered, present the Project timeline, explain the next steps, and satisfy statutory requirements for scoping and collecting public comment in accordance with NEPA.

CHSRA respectfully disagrees with the commenter's opinion that Malabar Yard and the 46th Street Connection was pushed through as the "only option" that would allow for Metro to move the Project forward. As disclosed in **Final EIS Appendix Q, Chapter 1.0**

(Introduction), Section 1.1 (Alternatives Evaluation Process), a two-step evaluation process was used to identify potential alternative replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) to offset the loss of storage tracks that would occur at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the identified screening criteria and to preserve the current levels of freight rail operations.

The City of Vernon has been involved in not only the outreach approach, but also the technical inputs to the traffic impact analysis, including the methodology to be used and the COVID factor applied to the analysis. The City of Vernon was invited to be a participating agency under NEPA, but no response was received accepting the invitation. As a result of the scoping process and stakeholder feedback and coordination with the City of Vernon and affected stakeholders, the design of the initial improvements was revised to reduce impacts. These modified concepts are considered as Design Option 2 at 49th Street and 46th Street.

A-5 The Malabar Yard railroad improvements are not proposed as a "grand proposal to burden Vernon." The Final EIS identifies multiple alternative replacement sites that were evaluated for feasibility. Please refer to **Main Letter Response to Comment 47** for a discussion of Metro's consistency with both CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the Malabar Yard railroad improvements. The Final EIS meets the requirements for analyzing a reasonable range of alternatives to the Malabar Yard railroad improvements.

The term "engineering detail" is ambiguous and does not identify the level of information necessary for the agencies to conduct an analysis. The agencies obtained sufficient information to reach a conclusion on the reasonably foreseeable impacts of removing tracks at West Bank Yard and implementing the Malabar Yard railroad improvements. This included information from BNSF operations and video monitoring of existing BNSF freight rail activities, together which provides a reliable basis for assessing Project impacts. Responses to the estimated alternatives raised by the commenter are provided later in this document.

A-6 Streamlining BNSF freight operations is not the reason for the Malabar Yard railroad improvements. For clarification, the purpose for implementing Malabar Yard railroad improvements is to comply with NEPA and CEQA's requirement to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity (40 CFR 1502.14(f), 40 CFR 1502.16(h); *CEQA Guidelines* §15126.4(a)). A project's impact on freight rail transportation is an environmental topic required for consideration in an EIS using FRAs Environmental Procedures.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the

Link US Project. Because the Project is burdening freight rail operations broadly, a local mitigation measure to preserve the broad, current levels of freight rail operations would have a local effect of improving freight rail operations.

A-7 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2**, for a discussion of the traffic impact methodology, anticipated traffic redistribution and localized impact analysis performed, and the potential queuing associated with implementation of Malabar Yard railroad improvements. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, traffic counts were conducted in August 2020 for the intersections and roadway segments used in the traffic analysis to characterize the existing conditions. However, due to the timing of when the Revised NOI was released (September 2020) and impact of the COVID-19 pandemic, the amount of traffic on the streets and intersections was lower than the normal (non-COVID-19) conditions due to "new quasi-normal" day to day activities and businesses operating under various restrictions, including shelter-in-place and complete business shutdowns. To ensure the credibility of baseline traffic conditions, on which future year conditions (post COVID-19) are based, the raw traffic count data that was collected in August 2020 was 'normalized' to the traffic levels which existed pre-COVID-19, before it was applied to the traffic analysis. This "COVID Factor" approach was used to estimate traffic conditions in 2020 without COVID-19.

The approach to normalize the traffic count data collected in August 2020 during the COVID-19 pandemic to the traffic levels that existed pre-COVID-19 is presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** and summarized in **Key Issue Response 2**. This methodology is consistent with industry standards and was coordinated with the City of Vernon to obtain feedback on the approach before using the adjusted volumes in the traffic analysis. The traffic volumes presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the traffic conditions to use for environmental documentation purposes.

A-8 Please refer to **Exhibit "D" Response to Comments D-4 through D-22** for a discussion on train operations, including the commenter's claims of omitted topics related to train movements. All data and information collected from BNSF in 2020, 2021, and the latest information received in 2024 was incorporated in the analysis and discussed in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies (see **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Section 2**). The impacts of moving trains was considered in the environmental analysis, particularly for traffic impacts, the queuing analysis performed, and the emergency response analysis conducted (see results in **Final EIS Volume III, Response to Comments, Key Issue Response 4**).

As discussed in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-3**, the geographic area considered to determine potential traffic-related effects is the traffic study area. The traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips once the Project is operational;

however, it would result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-8**). Due to the Project-related redistribution of existing traffic, a localized traffic analysis was conducted for intersections and roadway segments within the proximity to the Malabar Yard railroad improvements where traffic redistribution is expected to occur.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, the traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips and would only result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-9**). Trains currently operate across Pacific Boulevard/Vernon Avenue, Pacific Avenue and 46th Street, Seville Avenue, Soto Street, 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road. No operational changes along the East Seville Connection and Hobart Yard/Los Angeles Junction Connection routes would be attributable to the proposed Malabar Yard railroad improvements; therefore, traffic analysis was not conducted at those corresponding intersections.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While Metro recognizes BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

As presented in the **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-10** and **Final EIS Volume III, Response to Comments, Key Issue Response 2**, a queuing analysis was prepared at six locations in response to stakeholder engagement activities to determine whether the existing travel lane storage capacity is adequate to accommodate the queue formations generated from redistributed traffic. The results of the queuing analysis demonstrate for the Opening Year (2024), no increase to the queue formation would be attributable to the Malabar Yard railroad improvements with exception of northbound through movements at Railroad Crossing #4 where there is 20 feet of incremental addition to the existing queuing that already occurs. The increase in queue formation is not considered a substantial change for two main reasons:

1. The additional 20 feet of queue formation translates into less than a vehicle of queue since one vehicle queue is 25 feet; and
2. Because the added queue can be adequately accommodated with the current configuration of the roadway and it would take only one cycle of phasing to clear out the additional 20 feet of incremental addition to the existing queuing that already occurs without the need for any further improvements in lane configuration.

During coordination meetings with the City of Vernon staff after the close of the public comment period, queuing Downey Road was raised as a topic of concern. At Railroad Crossing #6 (Downey Road south of Vernon Avenue), the queue formation already exceeds the storage capacity in the existing condition (**Final EIS Appendix Q, Table 3.3-10**) and would continue to exceed the storage capacity during the 2024 No-Build scenario. The queue formation on Downey Road south of Vernon Avenue in the northbound through and southbound through direction remains the same during AM and PM peak hours.

With the Malabar Yard railroad improvements, fewer trains would operate in the City of Vernon and half of the train movements would occur at night, which have very little to no impact on traffic. For trains operating during the day, if a train movement occurs during the AM and PM peak periods, there could be some effect, but trains are not anticipated to operate at the same time every day and are not all occurring during the AM or PM peak periods. The hourly schedule to service Vernon customers fluctuates and is variable throughout the week based on customer demand.

In March 2025, Metro facilitated a Community Meeting/Open House in the City of Vernon. Multiple comments were raised by the community regarding the duration of time that intersections could be blocked by freight trains. In response to these comments, in April 2025 Metro installed cameras at multiple locations throughout the City of Vernon to record continuous train activity over the course of a week (April 19–25, 2025), 24-hours per day.

Applying the video footage collected, Metro performed an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing condition and with implementation of the Malabar Yard railroad improvements. Metro presented the results of the intersection delay/blockage analysis on June 17, 2025, to the Vernon City Council and on June 23, 2025, to the Vernon Chamber of Commerce. Multiple property owners and business representatives attended both meetings.

Based on the video data collected, results were summarized for two conditions (Actual Condition [based on observed train activity] and Worst-Case Condition) to determine how the Malabar Yard railroad improvements would change intersection delay/blockage at eight locations and effects to citywide vehicular circulation. Results are summarized below:

1. Actual Condition (based on observed train activity)
    a. Length of Observed Trains: 350 feet to 1,500 feet
    b. Daily Intersection Blockage Results: With Malabar yard railroad improvements, daily intersection delay/blockage would be reduced by 30 minutes.
2. Worst Case Condition (consistent with NEPA/CEQA EIS/SEIR evaluation)
    a. Length of Longest Potential Trains: 3,000 feet
    b. Daily Intersection Blockage Results: If longer trains are needed due to customer demand in the City of Vernon, the corresponding reduction in daily intersection blockage with the Malabar Yard railroad improvements would also increase as compared to the existing condition. Assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. This reduction is based on the assumption that in the existing condition trains would operate with the same length (3,000 feet) without the Malabar Yard railroad improvements.

Based on the train observations conducted in April 2025, the data supports the conclusion that with implementation of the Malabar yard railroad improvements, a citywide circulation improvement would occur. This is primarily because:

1. 3.15 fewer trains would operate in the City of Vernon, and
2. In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction rail yard on the east side of the City of Vernon.

A-9 Please refer to **Exhibit "C" Response to Comment C-6** for a discussion on idling vehicle emissions. As discussed in that response, fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical

criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Project would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

A-10 The transportation analysis was performed to determine if the Malabar Yard railroad improvements would result in traffic congestion, roadway hazards, impacts to emergency access, impacts to public transit, bicycle or pedestrian facilities, and/or impacts on freight. Indirect impacts related to economic and fiscal impacts resulting from increased traffic delays and congestion would not occur because all traffic impacts associated with traffic delay would be mitigated with implementation of Mitigation Measures TR-1 through TR-5.

A-11 This comment provides several general statements regarding mitigation that the commenter deems as unsupported, inadequate or absent in the Final EIS. Please refer to **Response to Comments A-39, A-45, A-50, A-52, A-53, A-72, A-75, and A-108** which address the commenter's specific concerns regarding mitigation in the Final EIS. In short, 29 mitigation measures are required to be implemented by Metro in the City of Vernon. The mitigation measures outlined in **Final EIS Appendix Q** and summarized in **Executive Summary Tables ES-1 and ES-2** would avoid, minimize, and mitigate the identified impacts in the City of Vernon. After mitigation, unavoidable adverse effects remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Further discussion on the mitigation measures that would be implemented to reduce business and community related impacts in the City of Vernon is provided throughout this document. These measures demonstrate there was a substantial attempt (not minimal) to mitigate project-related effects.

The commenter notes several mitigation strategies means there is no mitigation, which does not make sense. The City of Vernon is not required to mitigate impacts, Metro is responsible. As the Project is implemented, Metro reasonably expects that the City of Vernon will cooperate in implementing mitigation measures to reduce the effects of the Project through applicable permitting, approvals, and the interagency coordination processes. Metro is committed to ongoing coordination with the City of Vernon to effectively implement mitigation measures.

To further demonstrate a good-faith effort in ongoing coordination with the City of Vernon, two Board Motions were passed by the Metro Board that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF during the October 23, 2025 Metro Board Meeting. In addition, on December 8, 2025, Metro sent a letter to BNSF to initiate

coordination pursuant to the Board Motions passed in October 2025. Within that correspondence, Metro requested BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Despite the concerns expressed by the City of Vernon, CHSRA and Metro reasonably expect to obtain the necessary approvals to implement the goals of Malabar Yard Mitigation Measure TR-6, which focuses on ensuring safety and operational efficiency at affected crossings. This expectation is based on the CHSRA's and Metro's authority under applicable state and federal regulations, and CPUC's jurisdiction over rail crossing approvals and the collaborative framework established under NEPA and CEQA. The CPUC process allows for consideration of local input while prioritizing public safety and transportation needs. Even if the City of Vernon does not actively participate in designing mitigation measures, CHSRA and Metro retain the ability to propose and implement reasonable, enforceable mitigations that meet regulatory standards. Therefore, CHSRA and Metro anticipate that the required approvals will be secured to achieve Malabar Yard Mitigation Measure TR-6 objectives and maintain compliance with environmental commitments.

A-12 Ongoing coordination efforts would be conducted between Metro and each outside agency. Please refer to the list of agency approvals required for Project implementation in **Final EIS Volume I, Chapter 2.0 (Alternatives and Design Options Considered), Section 2.12 (Anticipated Agency Involvement)**. The agencies listed therein are and have been involved during Project development and will be coordinated with during final design and construction. The commenter raises general claims of "several aspects" and "such issues" with no specificity to provide further response.

A-13 This comment is a generalization of the environmental document. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. The Final EIS includes sufficient information for the decisionmaker to reasonably reach these conclusions.

A-14 CHSRA and Metro respectfully disagree with the commenter's opinion that the EIS language was misleading or intentionally skewed. The assertion that the EIS language was misleading or intentionally skewed is not supported by the regulatory process or the document's development history. The EIS was prepared in strict compliance with the National Environmental Policy Act (NEPA) and Council on Environmental Quality (CEQ) regulations, which require transparency, disclosure of potential impacts, and public review. Each section of the EIS underwent agency oversight, technical peer review, and public comment periods, ensuring accuracy and accountability.

- **No Evidence of Intentional Misrepresentation:** NEPA mandates that federal agencies exercise independent judgment in environmental analysis. The CHSRA and Metro reviewed and approved the scope, methodology, and conclusions, confirming that the document reflects their independent evaluation.
- **Comprehensive Impact Analysis:** The EIS included detailed technical studies (air quality, biological resources, noise, water quality, socioeconomics) and applied

conservative assumptions to avoid underestimating impacts. Where uncertainties existed, they were disclosed, and mitigation measures were identified.

- **Public and Agency Input:** Multiple opportunities for public comment and interagency coordination were provided. Concerns raised during these processes were addressed in the Final EIS, demonstrating responsiveness rather than omission.
- **Benefits and Impacts Presented Transparently:** The EIS balanced disclosure of project benefits with potential adverse impacts, consistent with NEPA's purpose of informed decision-making—not advocacy.

Corrections to the documentation were made as necessary in the Final EIS, consistent with how all final environmental documents are prepared. Please refer to **Response to Comments A-46, A-60, and A-105** which address concerns related to information the commenter believes was omitted from the EIS. **Response to Comments A-27 and A-105** address concerns that certain wording may skew the discussion of impacts, and **Response to Comments A-46 and A-105** address concerns that specific language may deflect or distract from discussion impacts on the City of Vernon.

A-15 This comment provides a general statement about the City of Vernon's involvement in the EIS, including its input on alternatives development and data considerations. Contrary to the comment, the City of Vernon has assisted in providing parameters for the EIS, had many opportunities to suggest alternatives, and have had many opportunities to provide additional data. The comment does not contain specific questions associated with the environmental analysis or conclusions contained within the Final EIS. Please refer to the **Response to Comment A-4** for a discussion of the history of stakeholder engagement activities since the release of the Revised NOI in 2020 and please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 1** for a discussion of stakeholder engagement activities conducted in the City of Vernon to support the environmental review process for the Malabar Yard railroad improvements. City of Vernon was engaged since 2020 and provided feedback on the analysis, and the design options considered. As discussed in **Response to Comment A-4**, the City of Vernon provided no comments on the Revised NOI, had an opportunity to provide input on alternatives considered and elected not to do so, and also provided no response to the invitation to be a participating agency.

During preparation of the Final EIS, Metro's coordination activities with the City of Vernon led to the identification of multiple community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final EIS as Offsetting Mitigation Measures (OMMs). Metro proposed an initial package of 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. As an example, Metro initially proposed the City of Vernon 5 bus shelters, then Vernon requested 20 additional bus shelters – the 25 total bus shelters are grouped together as one OMM MY TR-9: Bus Shelters in the Final EIS. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures

to reduce environmental impacts. The OMMs further support the City of Vernon's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16 (Community Analysis)** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

A-16 The claim that "old environmental standards were used" is incorrect. Both CEQA and NEPA require that environmental analyses apply the standards and baseline conditions in effect at the time the environmental review is initiated, not hypothetical future standards.

CEQA Guidelines §15125(1) explicitly states that the baseline should reflect the physical environmental conditions as they exist at the time the Notice of Preparation (NOP) is published, or if no notice of preparation is published, at the time environmental analysis is commenced. Furthermore, *CEQA Guidelines* §15125(3) states:

> *An existing conditions baseline shall not include hypothetical conditions, such as those that might be allowed, but have never actually occurred, under existing permits or plans, as the baseline.*

Per *CEQA Guidelines* §15125, for the Malabar Yard railroad improvements, the baseline was set in September 2020, when the Revised NOI was issued and the environmental analysis commenced. Therefore, the analysis correctly relied on existing conditions at the time of review, consistent with the *CEQA Guidelines*.

For NEPA, all current applicable environmental standards are used in the analysis and presented in the Final EIS. Current NEPA regulations were cited as appropriate. CHSRA is relying on the regulations as they existed on the date of the initial Notice of Intent (NOI), May 31, 2016. Therefore, all citations to CEQ regulations in the Final EIS refer to the 1978 regulations and the 1986 amendment, 51 Federal Register (FR) 15618 (Apr. 25, 1986).

The commenter does not identify specific standards allegedly omitted or explain how applying 2018 standards would materially change the analysis. Both CEQA and NEPA frameworks were followed as written, and the analysis reflects the correct baseline and regulatory context.

A-17 The commenter provides a summary of the Link US Project timeline from the 2016 NOI and highlights changes in September 2020 from the release of the Revised NOI. The claim that the September 2020 revisions were "abrupt" and introduced major changes without proper process is inaccurate. The project followed all required NEPA and CEQA procedures, including public notices, stakeholder engagement, and disclosure of alternatives.

- **Procedural Transparency.** The September 2020 refinements were issued through a Revised Notice of Intent (NOI) and accompanied by updated environmental documentation. This process is consistent with NEPA (40 CFR Parts 1500–1508) and CEQA Guidelines §15125, which require disclosure and

analysis when refinements occur. The revised plan was not hidden; it was publicly noticed and subject to review.

- **Nature of Changes.** The refinements (e.g., closing the 49th Street Closure and adding a 46th Street Connector) were evaluated as design-level adjustments necessary for rail safety and operational efficiency. They did not alter the Project's fundamental purpose. Under CEQA Guidelines §§15162–15164, such refinements are analyzed to determine if they cause new or more severe impacts, which was done.

  As discussed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Page 1-9**, a two-step evaluation process was used to identify potential replacement sites for the loss of storage tracks that would result at the BNSF West Bank Yard. The alternatives analysis process was completed prior to release of the Revised NOI to eliminate sites that do not meet the identified screening criteria and to preserve the current levels of freight rail operations in accordance with the provisions of the purpose and need. This is the reason one location was identified as the replacement site to offset the loss of storage tracks on the BNSF West Bank Yard.

- **Public and Agency Engagement.** Stakeholder discussions continued throughout the process, and the revised plan was subject to the same transparency and comment opportunities as the original proposal. The administrative record includes responses to comments from the City of Vernon and other stakeholders.

  As discussed in **Response to Comment A-4**, the City of Vernon provided no comments on the Revised NOI, had an opportunity to provide input on alternatives considered and elected not to do so.

  During preparation of the Final EIS, after the close of the Draft EIS/SEIR 45-day public comment period, at the request of the City of Vernon, Vernon Chamber of Commerce, and Los Angeles County Supervisor Hahn's office, additional analysis was conducted to determine if replacement of BNSF storage tracks could be implemented at BNSF's Hobart Yard facility or BNSF's Los Angeles Junction facility; thereby no longer necessitating the 49th Street Closure as part of the Link US Project. Please refer to **Response to Comment AGE 3-7** in **Final EIS, Volume III, Response to Comments** for a summary of the determination with regard to the alternative sites considered in the Final EIS (BNSF Hobart Yard and BNSF Los Angeles Junction Facility).

- **Impact Analysis.** Potential effects on traffic, safety, air quality, and economic development were fully analyzed in the Draft EIS/SEIR, Final EIR, and Final EIS. Mitigation measures were identified where impacts could occur, including traffic management plans, safety protocols, and air quality controls. These measures were disclosed and incorporated into the MMRP. Detailed responses to address comments related to traffic, safety, air quality, and economic development are provided elsewhere in this document.

The September 2020 revisions were neither abrupt nor concealed. They were processed under established environmental review protocols, disclosed publicly, and analyzed for potential impacts consistent with CEQA and NEPA requirements. The assertion that these changes were unexamined or will cause unmitigated major impacts is not supported by the record.

A-18 The comment provides background information, figures of the City of Vernon boundary, an overview of the City of Vernon's past and current development, as well as details associated with the City of Vernon's Housing Element and Westside planning initiatives but does not provide any comment pertinent to the environmental evaluation for the Malabar Yard railroad improvements. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. A review of the Final EIR prepared by the City of Vernon was conducted, and it does omit any mention of the Malabar Yard railroad improvements as a cumulative project. The City of Vernon also provided no details of the aforementioned EIR, planning initiatives, or development applications to take into account when Metro requested this information in early coordination meetings during 2020 and 2021 and in coordination meetings after the close of the 45-day public comment period for the Draft EIS/SEIR.

A-19 Please refer to **Response to Comment A-4** above for the background on why the Revised NOI was issued. Sub point 1 does not require a response because the comment simply acknowledges the proposed 49th Street closure. Regarding sub point 2, CHSRA and Metro respectfully disagree with the commenter's opinion that adding a new at-grade crossing at 46th street is dangerous. The commenter provides no basis for how they determined the location of 46th Street and Seville is dangerous. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2,** a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue.

The two design options considered would require acquisition of portions of property. In response to sub-point 3, Metro has coordinated with Vernon stakeholder on 46th Street and Seville Avenue and revised the design from what was presented in the Revised NOI. Design Option 2 results in two fewer buildings being impacted and less impacts to private property. The commenter makes claims of harming Vernon industries but provides no details of how this may occur. Any property impacts would be negotiated at fair market value and if active businesses are present, a relocation plan would be implemented in accordance with applicable regulations.

For sub point 4, train traffic is not only for Exxon. The consolidated train movements would facilitate BNSF serving all customers from LAJ, on 3 routes (Exxon Connection, West Seville Connection, and East Seville Connection). Consolidated train movements also reduce daily train movements in Vernon.

A-20 The commenter notes changes to a plan, but no details of what plan are included to provide further response. The EIS was prepared with technical information and analysis that satisfies NEPA requirements.

A-21 Please refer to **Response to Comment A-7** above.

A-22 The Malabar Yard railroad improvements would consolidate existing train movements, not add new trains. In fact, 3.15 fewer trains per day would operate in Vernon after the 46th Street Connector is in place. The commenter claims trains have not operated through the area in years however, currently trains operate on the Harbor Subdivision, West Seville Connection, and the East Seville Connection each day (see **Key Issue Response 2** and **Final EIS Appendix Q, Section 2** for an overview of existing train movements).

- Traffic – Please refer to **Response to Comment A-8**.
- Air Quality – Please refer to **Response to Comment A-9.**
- Economic Impacts – Please refer to **Response to Comment A-10**.
- Safety – Please refer to Main Letter Response to Comments 42, 43, and 45.
- Noise – Please refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration)** for a full analysis of potential noise impacts related to the Malabar Yard railroad improvements. Additionally, please refer to **Exhibit "E" Response to Comments E-1 through E-7** for responses to the Noise Peer Review dated October 20, 2025.
- Aesthetics – Please refer to **Final EIS Appendix Q, Section 3.4 (Visual Quality and Aesthetics)** for a full analysis of potential effects related to visual quality and aesthetics that was performed. There are no visual resources, scenic highways, or other protected views in the study area that would be affected.

Existing freight railroad operations at Malabar Yard and the LA Junction have the potential to affect water quality at Los Angeles River located approximately 0.5-mile northeast of the Malabar Yard study area. Please refer to **Final EIS Appendix Q, Section 3.8 (Floodplains, Hydrology, and Water Quality)** for a detail of existing water quality at the Los Angeles River and analysis under Topic 3.8-D related to Project effects on water quality standards. Operational impacts could discharge oil, grease, and other chemical pollutants into existing drainage systems that originate from train cars. However, this is an existing condition that already exists from industrial operations that would not be compounded by the proposed Malabar Yard railroad improvement, primarily due to fewer train movements in the City of Vernon. Implementation of Malabar Yard Mitigation Measures HWQ-1 through HWQ-5 and HAZ-1 would minimize potential effects resulting from the discharge of pollutants to stormwater facilities during construction and operation by requiring an industrial Stormwater Pollution Prevention Plan (SWPPP), construction

Hazardous Materials Management Plan (HMMP), and by complying with National Pollutant Discharge Elimination System (NPDES) permits.

A-23 Please refer to **Main Letter Response to Comment 47** in this document for a discussion of Metro's consistency with both CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the Malabar Yard railroad improvements. The Final EIS meets the requirements for analyzing a reasonable range of alternatives to the Malabar Yard railroad improvements. See also responses to comments later in this letter regarding the alternative sites identified by the commenter (**Response to Comments A-79 through A-96**). Traffic growth and diversions were not a specified criterion, and the commenter provides no basis why this would be important more than any other environmental topic to be considered. Analysis of space is addressed in Criteria 1.

A-24 The claim that implementation of the Malabar Yard railroad improvements does not fully mitigate the loss of freight rail storage from BNSF West Bank Yard is inaccurate. The 46th Street Connector would facilitate consolidated freight service from the Los Angeles Junction and would provide a 1,000-foot connection to facilitate freight movements between two existing track sections that are currently active and operational. These improvement are needed to preserve current level of freight operations in accordance with Criteria 2 and the Link US Project's Purpose and Need as identified in **Final EIS, Chapter 1.0 (Purpose and Need)**.

The commenter's opinion that Malabar Yard does not solve the train length issue for BNSF anymore than any other option is unclear and vague because it does not note what train length issue they are referring to in order for a response to be specifically generated. The Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,500 feet of storage track is not a 1:1 replacement the 5,500 feet of storage track removed, it would provide functionally equivalent storage, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0, Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of CEQA and NEPA because they would minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need as identified in **Final EIS, Chapter 1.0 (Purpose and Need)**.

A-25 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 6** for land use and planning analysis related to the *2023 Vernon Westside Zone Change and General Plan Amendment* (adopted July 2023). The *Vernon Westside Zone Change and General Plan Amendment* (adopted July 2023) was not considered in the Draft EIS/SEIR because the zone change and amendment was not formally adopted at the time the Revised NOI was issued in September 2020. Regardless, a full evaluation of the City of Vernon's latest Zoning Code Amendment and General Plan was performed and no conflicts were identified.

In fact, many of the OMMs complement the City of Vernon's planning initiatives and were formulated in a manner to support the City of Vernon's future mixed use residential land uses that are planned on the west side of the City of Vernon.

A-26 The comment provides a summary of the 2020 changes to the Project that involve the City of Vernon. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-27 **Final EIS Appendix Q, Section 1 (Introduction), Page 1.1-10** is accurate – BNSF West Bank Yard can accommodate up to an 8,000-foot-long trainset in any of the four storage tracks.

Page 3.3-27 of the Final EIS was revised for consistency to read as follows:

> BNSF West Bank Yard can accommodate up to an ~~a continuous~~ ~~9,000~~8,000-foot-long trainset in any of the four storage tracks.

A-28 Document speaks to total capacity and length of train in the existing and proposed conditions as they represent the capacity of storage available for railroad operations

The claim that the EIS approach to track length is "misleading" and that storage track length is irrelevant to intermodal train-building is inaccurate. While car capacity and switching flexibility are important, track length remains a critical operational factor for efficiency, safety, and throughput in modern intermodal rail operations.

Track Length Is Operationally Significant

- Longer tracks reduce the need for multiple cuts and switches when assembling trains, which minimizes dwell time, reduces congestion, and improves safety.
- The EIS correctly emphasizes the importance of 8,000–9,000-foot tracks because Class I railroads, including BNSF, increasingly operate longer unit trains to meet freight demand and reduce emissions per ton-mile. This is consistent with industry standards and operational best practices.

Switching Adds Time and Safety Risks

- While it is technically possible to build trains from multiple shorter tracks, this requires additional switching moves, increasing operational complexity, time, and exposure to safety hazards.
- The EIS analysis accounts for these inefficiencies and identifies that longer tracks provide measurable benefits in reducing switching operations and improving fluidity.

Capacity Calculations Are Transparent

- The EIS does not misrepresent capacity. It uses track length as a proxy for operational efficiency, not as the sole determinant of yard capacity.

- The added 3,350 feet of storage at Malabar Yard is not presented as a single continuous track but as cumulative added capacity that preserves current levels of freight operations when combined with the 46th Street Connector for improved flexibility.

Alternatives Were Considered

- The conclusion that longer tracks are preferable reflects operational realities, not bias. Track length is not "less relevant"; it is a key factor in reducing switching, improving safety, and meeting modern intermodal service requirements. The EIS appropriately analyzed track length and capacity in the context of operational efficiency and environmental impacts. The assertion that the EIS misled readers or ignored alternatives is not supported by the record.

A-29 BNSF will continue to use West Bank Yard once Link Union Station is constructed with Malabar Yard being used to supplement the reduced storage capacity at the West Bank.

A-30 The comment provides a summary of the track configurations proposed for the West Bank Yard. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. The commenter is correct in that intermodal volumes fluctuate year over year, so the yard moves between empty and full depending on intermodal traffic.

A-31 The commenter states that Metro proposes to use BNSF's Malabar Yard to replace lost storage capacity, noting that the yard currently serves only local traffic for four customers, is rarely full, and includes seven tracks (with one through track owned by Metro). The comment suggests Metro would allow use of its track as part of a trade-off and mentions two industry tracks not included in the yard's storage capacity.

The environmental review acknowledges Malabar Yard's current operational role and physical configuration. However, the Final EIS and Final SEIR analysis evaluated the feasibility of using Malabar Yard to offset storage lost due to the Link US Project development and considered the yard's existing tracks, ownership constraints, and operational limitations.

- **Current Use and Capacity.** Malabar Yard today is primarily used for storage of local merchandise trains and staging customer service; but its track capacity provides an opportunity to improve operational flexibility. The analysis accounted for the yard's seven tracks, including the Metro-owned right-of-way, and evaluated how these could be integrated into the proposed configuration.
- **Ownership and Access.** Any use of Metro-owned track would require formal agreements between Metro and BNSF. The environmental analysis does not assume unrestricted access but identifies this as a potential coordination point for implementation.
- **Industry Tracks and Storage Calculations.** The analysis included all relevant tracks in determining yard capacity and operational feasibility. While some tracks

serve industry customers, their potential use for storage was considered in the alternatives evaluation.

- **Operational Efficiency.** The proposed improvements aim to enhance yard functionality and connectivity to Los Angeles Junction Yard, reducing congestion and improving train-building efficiency. These changes were analyzed for environmental impacts, including traffic, air quality, and land use compatibility.

The Final SEIR and Final EIS did not misrepresent Malabar Yard's current use or capacity. It evaluated the yard's physical and operational characteristics, ownership constraints, and potential role in meeting project objectives. The assertion that the analysis overlooked key factors is not supported by the record.

The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-32 BNSF follows the Association of American Railroad's (AAR) General Code of Operating Rules (GCOR) of which, Section 6.32.4 states, "When practical, avoid leaving cars, engines, or equipment standing closer than 250 feet from the road crossing when there is an adjacent track."

Page 2-3 of the Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements) was revised to read as follows:

> The General Code of Operating Rules (GCOR) ~~CPUC regulations~~ limit ~~restrict~~ storage of standing trains within ~~150~~ 250 feet of the 49th Street at-grade crossing.

A-33 Eliminating the 49th Street crossing will result in the addition of 3,350 feet of track storage and not solely 715 feet. The gained storage of 3,350 feet of track storage was calculated utilizing the 250-foot clearance on either side of the roadway from GCOR, plus the 60-foot roadway width, and then by multiplied by the 6 storage tracks, resulting in a total of 3,360 feet. This was rounded down to 3,350 feet. The commenter provides a photo with trains appearing closer to 49th Street. BNSF, as an operating railroad, may have exceptional circumstances during operations when a train is closer to the street. The reason for this photo is unknown. The rules as noted call for a space of 250 ft.

A-34 To replace West Bank lost storage, new storage is added at Malabar Yard. The current operations at Malabar Yard must be moved out of Malabar Yard which is accomplished by the 46th Street Connector. Exxon tracks are not proposed to be moved. Exxon would be served from LAJ. The commenter makes claims of BNSF preferences but provided no proof or correspondence from BNSF with these types of preferences stated. Operational cost savings for BNSF is not the reason why Malabar Yard railroad improvements are required, nor are Exxon operations or LAJ operations as the commenter states. The purpose is to mitigate for Link US Project impacts to BNSF West Bank Yard.

A-35 FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). FRA's Environmental Procedures require an analysis of impacts which

are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives." Evaluation of consistency with applicable plans, policies, and programs, is required under 40 CFR 1502.16(c). *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system. As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)**, and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified.

A-36 The comment provides a summary of unavoidable adverse effects identified in the **Final EIS Executive Summary**. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-37 CHRSA and Metro respectfully disagree with the commenter's opinion that the Project only benefits Metro and BNSF. **Final EIS Executive Summary, Section ES.14** includes a summary of Project benefits under the Build Alternative, with a Malabar Yard railroad improvements specific list. Of the ten benefits listed, all ten would benefit the City of Vernon, not just Metro and/or BNSF. These benefits include the following:

- Fewer daily train movements, decreased local emissions, minimized traffic delays.
- Optimized emergency response times with less congestion on local roadways.
- Train detection cameras that provide real-time local emergency dispatch to identify trains approaching at-grade rail crossings.
- Upgraded communications and radio systems and a mobile Emergency Operations Center to provide rapid deployment to disaster areas or large-scale events while contributing to faster, more effective emergency response efforts.
- Enhanced community features with crosswalk improvements to improve visibility and enhance pedestrian and driver safety, bus shelters to improve accessibility, convenience, comfort and provide weather protection for passengers.
- Quiet zone infrastructure to reduce train horn noise, promote safety, enhance pedestrian connectivity, and improve quality of life for existing and future residents and businesses.
- Improved traffic control with road restriping to maintain traffic flow, AI-based traffic control system, and pan-tilt-zoom smart cameras to monitor traffic, roads, intersections, and enable first responders to quickly identify incidents.

- Reduced fuel consumption by rail and associated rail emissions.
- Redistribution of train movements would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place.
- Up to 143 and 151 temporary jobs are anticipated to be generated, along with $9.4 to $9.7 million in labor income, and $3.3 to $3.5 million in total federal, state, and local tax revenues generated.

Contrary to the commenter's opinion, the approximately $25 million OMM package benefits Vernon directly, not Metro and not BNSF.

A-38 CHSRA and Metro respectfully disagree with the commenter's opinion that the Final EIS did not include an analysis of impacts of running new trains through the City of Vernon. Impacts associated with new train movements were sufficiently analyzed in the Final EIS, including impacts associated with traffic delays, air quality, economic growth, safety hazards, noise, and aesthetic issues. Please refer to **Response to Comment A-8** for traffic impacts, **Response to Comment A-9** for air quality impacts, **Final EIS Volume III, Response to Comments, Key Issue Response 4** for emergency response, and **Key Issue Response 6** for future growth plans. Please refer to **Final EIS Appendix Q, Section 3.8 (Floodplains, Hydrology, and Water Quality)** for a discussion of impacts from Malabar Yard railroad improvements, including new train movements, on water quality.

The Link US Project would include multiple regional benefits to enhance regional mobility. Metro's proposed OMMs also enhance safety, reduce traffic delays, increase safety and emergency response near train crossings, and enhance mobility (please refer to **Final EIS Appendix Q, Section 3.16 and Appendix G**).

A-39 Please refer to **Response to Comment A-38**. An equal level of evaluation is provided in the Final EIS for Malabar Yard operations. Each environmental topic area has an "Operations" header that addresses the two components at 49th Street and 46th Street. Where impacts are identified, 29 mitigation measures are identified to reduce impacts. The Final EIS adopted all feasible mitigation

A-40 The comment provides a summary of history of rail within the City of Vernon. The commenter states that most businesses west of the river no longer use rail, leaving unused tracks and rights-of-way in poor condition. The commenter also notes that some tracks have been removed or paved over, and that BNSF owns a patchwork of rights-of-way with varying widths, some granted as easements decades ago.

CHSRA and Metro acknowledge the changes in industrial land use and historical rail utilization patterns in the Project area. However, the characterization that these conditions render the rail network obsolete or irrelevant to Project planning is not accurate.

- **Current Rail Use.** While some businesses have shifted to truck-based logistics, rail remains a critical component of regional goods movement, particularly for bulk commodities and intermodal freight. The Project's Purpose and Need reflect long-

term demand for efficient rail operations to reduce truck congestion, emissions, and improve supply chain reliability.

- **Track Conditions and Right-of-Way Ownership.** The analysis considered existing track conditions, ownership patterns, and operational constraints. Rights-of-way owned by BNSF and Metro were evaluated for feasibility of improvements, and any inactive or abandoned segments were documented. The presence of underutilized or deteriorated tracks does not preclude their strategic reuse or reconfiguration to meet future freight needs.
- **Alternatives Analysis.** The analysis examined multiple alternatives, including options that minimize property impacts and optimize existing corridors. The analysis did not assume that all existing tracks are functional but rather assessed which segments could be upgraded or repurposed to achieve Project objectives.

The commenter accurately describes some localized conditions but does not reflect the broader operational and strategic context addressed in the Final EIS and Final SEIR. Rail infrastructure in the area remains essential for regional freight mobility, and the Project's improvements are designed to modernize and optimize these assets in compliance with environmental and safety standards.

The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-41 The comment provides a summary of existing and proposed operational train information included in the Draft EIS. This information was updated in the Final EIS based on more recent information received from BNSF in 2024 (see **Final EIS Appendix Q, Section 2**). The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-42 Slides from the City of Vernon Coordination Meeting on March 6, 2025, present how the train traffic is anticipated to change due to the Project. Project elements would redistribute some current north-south traffic to being east west. Additionally, in the existing condition merchandise goods are handled multiple times on multiple trains as they travel between Hobart and Malabar Yard and then between Malabar Yard and their final customer destination. With the Malabar Yard railroad improvements, goods can travel directly from LAJ to the customer resulting in a more efficient movement of goods. In the existing condition, the purple, blue, and green lines all terminate at Malabar Yard. Lines are shown staggered for visual clarity. Train lengths do not change from existing condition to future condition – trains would continue to be 3,000 feet long. Again, fewer train movements would occur with the consolidated train movements from Los Angeles Junction.

The comment is not accurate by characterizing the 2 trains daily as being attached to larger trains. Upon implementation of the Malabar Yard railroad improvements, 3.85 trains per day would operate on the Hobart Yard to Malabar Yard connection.

A-43 Trains which will be traveling east-west will represent the existing customer trains or customer trains being redistributed from traveling North-South. This redistribution would

move within the City of Vernon where the existing trains are already traveling. The same customers will be serviced, just from LAJ. Additionally, in the existing condition merchandise goods are handled multiple times as they travel between Hobart and Malabar Yard and then between Malabar Yard and their final customer destination. With implementation of the Project improvements, goods can travel directly from Los Angeles Junction to the customer. Train lengths do not change from existing condition to future condition – trains would continue to be 3,000 feet long. Again, fewer train movements would occur with the consolidated train movements from Los Angeles Junction. The commenter's assertion of an increase in train volumes associated with Exxon's lube oil demand is speculative and not substantiated with any evidence. Any potential increases in train length or frequency driven by future commercial demand would be too speculative to support a reasonable analysis under NEPA and CEQA. Environmental review requires consideration of reasonably foreseeable conditions, not hypothetical scenarios lacking sufficient data or certainty. Attempting to analyze unknown future demand would introduce assumptions beyond the scope of reliable forecasting from BNSF as the railroad operator and could misrepresent actual impacts. Therefore, the analysis appropriately focuses on the best available information and conservative assumptions to ensure accuracy and compliance with regulatory standards.

A-44 The comment provides a summary of the history of BNSF's past attempts to connect its yard through City of Vernon. As described in **Final EIS Appendix Q, Chapter 1.0 (Introduction)**, the potential loss of freight storage space at the BNSF West Bank Yard is an adverse effect that requires mitigation under NEPA. Mitigation Measure TR-3 addresses adverse (for NEPA) freight-rail transportation impact via implementation of the Malabar Yard railroad improvements to offset the effects on freight-rail transportation from the loss in storage capacity at West Bank Yard, which is consistent with NEPA (40 CFR § 1502.14(f) and 40 CFR § 1508.20 to require feasible mitigation for significant effects.

A-45 As discussed in **Response to Comment A-8**, traffic counts from 2015 were not used to measure impacts to the City of Vernon. The volumes used from the counts collected in 2020 were adjusted to reflect the typical traffic volumes during non-COVID years. A localized traffic analysis was prepared because the Malabar Yard railroad improvements do not generate traffic, they redistribute traffic.

A-46 The Final EIS does not state Vernon has undergone very little change – this claim is false. Vernon's growth in businesses, changes in industries, employment and traffic flows is considered in the Final EIS.

Metro recognizes the City of Vernon's growth from 2018 to today. However, the vehicular traffic volumes presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** represent the baseline condition at the time the environmental evaluation commenced upon release of the Revised NOI and reflect an accurate estimate of the traffic conditions to use for environmental documentation purposes. See **Response to Comment A-8**.

Additionally, as discussed in the **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-11**, Metro facilitated a Community Meeting/Open House in the City of Vernon in March 2025. Multiple comments were raised by the community regarding the duration of time that intersections could be blocked by freight trains. In

response to these comments, in April 2025 Metro installed cameras at multiple locations throughout the City of Vernon to record continuous train activity over the course of a week (April 19–25, 2025), 24-hours per day. Applying the video footage collected, Metro performed an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing condition and with implementation of the Malabar Yard railroad improvements. Metro presented the results of the intersection delay/blockage analysis on June 17, 2025, to the Vernon City Council and on June 23, 2025, to the Vernon Chamber of Commerce. Multiple property owners and business representatives attended both meetings.

Train observations conducted from April 2025 video footage supports the conclusion that with implementation of the Malabar yard railroad improvements, a citywide circulation improvement would occur. This is primarily because:

1. 3.15 fewer trains would operate in the City of Vernon, and
2. In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction rail yard on the east side of the City of Vernon.

A-47 The City of Vernon Public Works Director provided input and feedback into the traffic analysis prior to conducting the analysis – no objections were received on the study area and feedback was incorporated into the COVID factor prior to conducting the analysis. See **Response to Comment A-8** that discusses why a localized vehicular traffic analysis was conducted.

Traffic counts were conducted not in 2015 but in August 2020. Since the analysis commenced during COVID, the counts collected were lower than the typical traffic volumes. Therefore, these counts were adjusted to reflect the typical traffic volumes without COVID impacts. As part of the adjustment process, these counts were compared with historical traffic volumes from 2015 which were obtained from the City of Vernon (not conducted I 2015 – the Link US Project was not even the Link US Project in 2015). The 2015 volumes were adjusted by adding a 1% annual growth rate. These adjusted 2020 numbers were then compared to the 2020 raw counts that were collected. It was found that the average reduction in traffic volumes in the raw counts collected in 2020 was 40% in AM and 35% in PM peaks when compared to the adjusted 2020 numbers. Therefore, these raw counts were increased accordingly to be used in the traffic analysis for the traffic volumes in the Existing (2020) traffic analysis and were eventually used as baseline volumes for developing the Opening Year (2024), Future Horizon Year (2040), and No-Build traffic analysis (**Final EIS Appendix Q, Section 3.3 (Transportation)**).

The commenter states that counts are mainly from 2015, which is false for the reasons describe above and in **Response to Comment A-8**. They suggested that claims of roadways being at or beyond capacity is speculative without any proof or traffic counts provided to verify the claims.

A-48 Please refer to **Response to Comment A-8** on why a localized analysis was conducted. The Project does not generate new vehicular traffic, it redistributes existing traffic. The determination of study intersections and roadway segments for LOS analysis was based on the change in traffic patterns due to the Project and not based on where the trains would operate. The traffic impacts are based on existing and proposed train operations, as was the queuing analysis that was performed separate to the CEQA/NEPA traffic analysis. The LOS analysis reflects the change in v/c ratio to determine whether the change in traffic patterns due to the Project improvements would result in any traffic impact under CEQA or NEPA. In addition to the LOS analysis, a queuing analysis was also conducted at six at-grade crossings to determine the change in queuing from the redistribution of vehicular traffic due to the change in train operations of the Project. The queuing analysis was done primarily to ensure that queuing at any of the at-grade crossings does not exceed the available lane storage capacity – this is not an LOS traffic impact requirement. Queuing analysis exceeds the requirements of CEQA and NEPA and conducted solely based on stakeholder coordination, including requests by the City of Vernon.

Intersection capacities in the traffic study area were documented in the **Final EIS Appendix Q, Section 3.3.3**. The commenter states the heavily impacted streets are Vernon, 46th, 44th, and Leonis. The portions of Vernon, 46th, and Leonis that would be potentially impacted by traffic redistribution were included in the analysis. Traffic analysis on “all” of Vernon’s streets would be an overextension of Metro’s obligation to provide a reasonable level of analysis.

A-49 The counts from 2015 were not used for the LOS analysis. The volumes used were from the counts collected in 2020 that were adjusted to reflect the typical traffic volumes during non-COVID as per **Response to Comment A-8**. The analysis does not hide behind the ‘>1’ results. The ‘>1’ represents the volume to capacity (v/c) ratio. Typically, any v/c ratio that is more than 1 is an LOS F irrespective of how high that ratio is because the vehicular traffic volume is exceeding the vehicular traffic capacity there. This is consistent with standard industry practice for traffic impact analyses conducted using the Intersection Capacity Utilization (ICU) methodology, where any v/c ratio greater than 1.0 is reported as LOS F. This methodology was coordinated with the City of Vernon, and no objection to use this methodology was received prior to or during preparation of the analysis. The typical traffic volumes (raw counts) were increased accordingly to be used in the traffic analysis for the traffic volumes in the Existing (2020) traffic analysis and were eventually used as baseline volumes for developing the Opening Year (2024), Future Horizon Year (2040), and No-Build traffic analysis (**Final EIS Appendix Q, Section 3.3 (Transportation)**).

Case law has held that the Lead Agency is not obligated to undertake every suggestion given, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. *CEQA Guidelines* §15204.5(a) clarifies this as follows:

> *In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be*

> *avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a Lead Agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

As stated in **Main Letter Response to Comment 48**, the portion of Leonis that would be potentially impacted by traffic redistribution (Leonis Boulevard between Pacific Boulevard and Soto Street) was included in the analysis (**Final EIS Appendix Q, Section 3.3**). Traffic analysis on all segments of all of Vernon's streets would be an overextension of Metro's obligation to provide a reasonable level of analysis.

A-50 The queuing analysis presented in the EIS based on exactly what stakeholders verbally requested – to state otherwise is a false assumption. Please refer to **Response to Comment A-8** and **Final EIS Volume III, Response to Comments, Key Issue Response 2, Pages 25 through 27** for a summary of intersection blockage analysis and results that were conducted after the 45-day public comment period. Based on the train observations conducted in April 2025, assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. The data supports the conclusion that with implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur.

Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay. The proposed mitigation measures were able to fully mitigate all the Project related adverse effects. Below is the summary of the adverse effects and the proposed mitigation measures to mitigate those effects at Intersection No. 4, No. 6 and Roadway Segment No.4.

- **Intersection No. 4 (Pacific Boulevard/Fruitland Avenue).** Adverse effect in Future Horizon Year (2040). Mitigation measure TR-4 which proposes adding a NBR turn lane will mitigate these adverse effects.
- **Intersection No. 6 (Santa Fe Avenue/Pacific Boulevard).** Adverse effects in Opening Year (2024) Build conditions. Mitigation measure TR-3 which proposes

restriping the existing EBT lane to EBL and change the left turn phasing sequence in east-west direction to lead-lag. This will mitigate all adverse effects.

- **Roadway Segment No. 4 (Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard).** Adverse effects in Future Horizon year (2040). Mitigation measure TR-5 which proposes adding an additional WBT lane in the existing ROW will mitigate these adverse effects.

The City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and CPUC on roadway design, railroad safety devices, and accessibility. It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain approval from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications. This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. Malabar Yard Mitigation Measure TR-6 meets the *CEQA Guidelines* §15370 criteria (b, c, and d), acknowledging that its effectiveness will depend on ongoing coordination with the City of Vernon and CPUC. Metro is committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

A-51 The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. They have only listed the Mitigation Measures TR-3 to TR-6 from the EIS. The response regarding how these proposed mitigation measures would mitigate all Project-related adverse effects is presented in **Response to Comment A-50**. The comments do however appear to contradict the earlier comments stating no mitigation is proposed. Mitigation Measures are clearly presented in the Final EIS consistently across all sections.

A-52 The commenter mischaracterizes both the intent and effectiveness of the EIS mitigation strategies. Mitigation measures are proposed to substantially lessen the adverse effects that would result from Project implementation. The purpose of implementing CPUC or FRA required protections is not limited to safety alone; these measures are part of a comprehensive approach that balances safety, mobility, and environmental compliance. While some mitigations, such as lane adjustments, may appear restrictive, they are based on traffic engineering principles designed to optimize overall flow and reduce congestion over time, not merely to “make the measurement look good.”

The claim that “most traffic is trying to go straight” is speculative and unsupported by empirical traffic data. Intersection design changes, including right-turn-only lanes, are typically informed by traffic studies that evaluate volumes, turning movements, and delay reduction strategies. These adjustments often improve throughput and reduce queuing, even if they temporarily alter driver patterns.

Furthermore, the statement overlooks the broader objectives of CEQA and NEPA compliance, which include minimizing environmental impacts such as air quality

degradation and greenhouse gas emissions. Reducing idling and improving air quality are not superficial benefits—they directly contribute to public health and sustainability goals.

The commenter's suggestion that mitigations "are not sufficient" because they prioritize compliance over convenience disregards the legal and operational framework governing transportation projects. Compliance ensures that solutions are evidence-based, equitable, and aligned with state and federal standards. The City of Vernon's concerns about quality of life are valid, but they must be addressed through collaborative planning, not by dismissing proven mitigation strategies as inadequate without supporting data.

The commenters claims about how traffic tries to go straight is unsupported with factual evidence to provide further response to. Its unclear this type of hypothetical claim can provide a comprehensive understanding of what traffic "is trying" to do.

A right turn lane is a common traffic configuration in southern California and was not proposed to confuse drivers. Making a proper right turn is part of the CA drivers license test and is common practice, along with making left turns.

Malabar yard Mitigation Measures TR-1 through TR-5 are intended solely to reduce impacts related to traffic delay, they are not intended to, or claimed to, reduce idling or improve air quality. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. Again, the modeling predicts how drivers would respond to different traffic configurations, like the proposed right turn only lanes.

Please refer to **Response to Comment A-8** and **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of how impacts related to traffic delays are fully mitigated. The v/c ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue - operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 are required to avoid or minimize potential adverse effects on transportation through the preparation of a construction traffic management plan, intersection restriping, and the addition of new lanes. These measures would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. Upon implementation of Malabar Yard Mitigation Measures TR-1 through TR-5, the Malabar Yard railroad improvements would not cause any intersection delays that could exceed the v/c ratio significance threshold. In other words, because LOS reflects traffic congestion, the lack of any LOS adverse impact shows that the Malabar Yard railroad improvements, after implementing the mitigation measures, would not worsen traffic congestion in the City of Vernon.

A-53 Malabar Yard Mitigation Measures TR-1 through TR-6 are proposed to reduce LOS-related traffic delay impacts. While enhancing safety may be perceived as a secondary benefit, the impacts are "level of service" based and traffic mitigation reduces impacts related to traffic congestion.

The purpose of the traffic-related mitigation measures, and all mitigation measures in the Final EIS, is very clear in the documentation.

One example of this is on **Page 3.3-45** of the Final EIS:

> For the Future Horizon Year (2040) Build condition, implementation of Malabar Yard Mitigation Measure TR-4 (described in **Final EIS Appendix Q, Section 3.3.5**) is proposed to minimize the potential increase in V/C ratio at Intersection #4: Pacific Boulevard/Fruitland Avenue.

Another example to highlight is on **Page 3.3-54** of the Final EIS:

> Implementation of Malabar Yard Mitigation Measures TR-3 and TR-4 (described in **Final EIS Appendix Q, Section 3.3.5**) are proposed to improve the V/C ratio at Intersection #6: Santa Fe Avenue/Pacific Boulevard and Intersection #4: Pacific Boulevard/Fruitland Avenue, respectively. Implementation of Malabar Yard Mitigation Measure TR-5 (described in **Final EIS Appendix Q, Section 3.3.5**) is proposed to maintain the LOS along Roadway Segment #4: Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard. Implementation of Malabar Yard Mitigation Measure TR-3 through TR-5 would minimize operations-related effects related to emergency response and access and evacuation along designated disaster routes.

Please refer to **Response to Comment A-52** above.

A-54 Please refer to **Response to Comment A-8** on why a localized analysis was conducted. The Project does not generate new traffic, it redistributes existing traffic. The determination of study intersections and roadway segments for LOS analysis was based on the change in traffic patterns due to the Project and not based on where the trains would operate. The traffic impacts are based on existing and proposed train operations, as was the queuing analysis that was performed in addition to the NEPA LOS traffic analysis. The City of Vernon had an opportunity to provide feedback on the traffic study area and methodology and no objection to the study area was raised at the time analysis commenced. Metro took into account City of Vernon Public Works Director feedback prior to performing the analysis.

As discussed in prior responses, the queuing analysis was done primarily to ensure that queuing at any of the at-grade crossings does not exceed the available lane storage capacity – this is not an LOS traffic impact requirement. Queuing analysis exceeds the requirements of CEQA and NEPA and conducted solely based on stakeholder coordination, including requests by the City of Vernon.

Any safety concerns of vehicles getting stuck on tracks during train crossings are typically addressed during the design phase where extensive coordination is required with CPUC that has a mandate to ensure that all infrastructure improvements as part of the proposed Project would not jeopardize the safety of vehicles and pedestrians at railroad crossings.

A-55 The comment asserts that the proposal will “take property” and “negatively impact property.” In response to concerns about the impacts on property, Design Option 2 was

developed to minimize impacts on businesses and property in Vernon as much as possible while still accomplishing the objectives of the Malabar Yard railroad improvements. The transportation delays are mitigated via implementation of Malabar Yard Mitigation Measures TR-1 through TR-6 and therefore would not directly or indirectly affect worker productivity. Worker and customer access to affected properties has been addressed via the design of the improvements. Malabar Yard railroad improvements Design Option 2 improvement plans at both locations (46th Street and 49th Street) were developed based on the substantial feedback received from affected property owners. Malabar Yard railroad improvements Design Option 2 configurations reduce potential adverse effects related to ingress/egress and truck circulation, building impacts, and changes to parking and access.

Not all inconveniences qualify as adverse effects, and the environmental analysis aimed to identify adverse effects.

Potential increased worker and customer health and safety risks are addressed in the analysis, and mitigation measures are proposed to reduce identified impacts (i.e., Mitigation Measure TR-6).

A-56 CHSRA and Metro respectfully disagree with the commenter's opinion that the City of Vernon would not receive any benefits from the Project. Please refer to **Response to Comment A-37** for a list of benefits that would occur for the City of Vernon and not just Metro and BNSF. Please refer to **Response to Comment A-66** for benefits related to air quality.

As discussed in **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-12** response and multiple responses to RII comments above, Malabar Yard railroad improvements are necessary to preserve current level of freight rail operations to address the permanent impact on freight caused by the Link US Project. Property acquisitions and any required building demolition (if any) would be managed in accordance with legal requirements, and all affected parties will be compensated fairly. Metro understands the concern regarding equitable treatment of businesses affected by the Link US Project. Metro compensates impacted businesses and property owners in accordance with Uniform Relocation Assistance and Real Property Acquisition regulations, ensuring fair treatment. For businesses impacted by the Malabar Yard railroad improvements, Metro is:

- Offering compensation for property acquisition based on fair market value.
- Providing relocation assistance where applicable to support business continuity.

These measures align with Metro's policies and legal obligations, ensuring fairness while addressing the unique requirements of freight rail infrastructure.

The commenter is correct that the Malabar Yard railroad improvements does not facilitate new rail business in Vernon, it serves the same businesses in a more efficient route. Exxon is not the only route in Vernon. There are customers on the West Seville Connection and East Seville Connection that would also be served, similar to the existing condition.

While future residential land uses are planned in the vicinity of proposed Malabar Yard railroad improvements, it should be acknowledged that the proposed Malabar Yard railroad improvements and future residential land uses can coexist, and the City of Vernon has the discretion to approve new development in areas that are adjacent to or in close proximity to existing freight rail corridors. In addition to the consolidated freight train movements that would reduce trains on the harbor subdivision where mixed-use residential land uses are proposed (part of the Project), Metro also proposed to the City of Vernon multiple community enhancements as OMMs to further offset perceived impacts. These OMMs combined with the Project would complement the City of Vernon's planning initiatives to reduce freight train activity on the west side.

A-57 The map that was included in the comment letter consists of intersections and railroad crossings in yellow and orange circles that were included in the traffic analysis and is suggesting that the intersections circled in red need to analyzed. CHSRA and Metro respectfully disagree with this. The determination of study intersections and roadway segments for LOS analysis was based on the redistribution of vehicular traffic that would occur as a result of the Project and because the project does not generate new traffic. The traffic study area and intersections/roadway segments evaluated was approved by the City of Vernon Public Works Director prior to conducting the analysis (refer to **Final EIS Volume III, Introduction Key Issue Response 2** that discusses the localized traffic analysis. Please refer to **Response to Comment A-8** for further discussion on why a localized analysis was conducted.

The LOS analysis reflects the change in v/c ratio to determine whether the change in traffic patterns due to the Project improvements which includes 1) new cul-de-sac at 49th Street and 2) New track along 46th Street would result in any adverse vehicular traffic effects under NEPA. This analysis is separate from the queuing analysis which was conducted to determine the change in queuing due to the change in train operations of the Project. The queuing analysis was conducted at selected at-grade crossing only and not at every intersection – per the request of stakeholders and the City of Vernon. New trains are not proposed. A consolidation of existing freight train moves would result from the Project. The same customers would be served, and the train lengths would be 3,000 feet in the existing and proposed condition.

A-58 The commenter oversimplifies both railroad operational authority and the rationale for infrastructure investment. While railroads do have federal preemption under the Interstate Commerce Commission Termination Act (ICCTA) for operations on their rights-of-way, this does not mean they arbitrarily run trains without regard for safety, environmental compliance, or economic feasibility.

The assertion that BNSF “has no benefit” to maintain tracks ignores the fact that railroads operate based on demand-driven logistics. Infrastructure is maintained and upgraded when there is sufficient freight volume to justify investment, which is standard industry practice. The proposed service reflects anticipated economic activity and regional freight needs, not arbitrary expansion.

The commenter’s statement that “impacts can be ignored under railroad preemption” misinterprets federal law. Preemption limits local authority to block rail operations, but it

does not exempt projects from environmental review under NEPA or CEQA, nor does it negate the requirement to analyze traffic, safety, and community impacts. The EIS and EIR process exists precisely to address these concerns.

The commenter's characterization of four daily trains as an unprecedented hazard fails to consider mitigation measures, modern signaling technology, and grade-crossing protections that significantly reduce risk. The EIS includes traffic and safety analysis consistent with regulatory requirements, ensuring that impacts are neither ignored nor minimized.

BNSF uses the crossings it needs to serve customers in Vernon. Trains operate on the Harbor Subdivision, West Seville Connection, and East Seville Connection daily. This was demonstrated in 2025 with the live cameras that Metro placed in the field to determine the citywide circulation improvements. There would be 3.15 fewer train movements per day in the City of Vernon. Again, the EIS was prepared based on the input received from the City of Vernon. If a larger study was desirable, that was not communicated to Metro until release of the Draft EIS/SEIR with the public comments received.

A-59 CHSRA and Metro respectfully disagree with the commenter's opinion that traffic data was incomplete. As extensively detailed in **Main Letter Response to Comment 6**, there were limitations to the traffic counts that were collected during peak COVID, so they had to be adjusted to reflect non-COVID traffic conditions using a methodology that was presented to the City of Vernon in advance of commencing the analysis. The intersections and roadway segments that were identified for traffic analysis were also presented to the City of Vernon and only after their approval they were included in the traffic analysis. Under CEQA and NEPA, the intersections and roadway segments which were identified for traffic impact analysis were based on the change in traffic pattern due to the physical improvements of the Project along 49th Street and 46th Street. In other words, the experts identified the intersections where they, in their expert judgment, anticipated the highest likelihood of adverse traffic impacts, and proposed those to the City of Vernon before completing the analysis of those intersections.

While additional localized studies can always provide more granularity, the suggestion that the current analysis is insufficient ignores the purpose and scope of an EIS: to identify potentially adverse effects and propose feasible mitigations, not to produce a citywide traffic master plan. The commenter's recommendation for a "new thorough traffic analysis on all of Vernon's streets" is disproportionate to the scale of the proposed rail operations. Targeted analysis of affected corridors, as performed in the EIS, is appropriate and consistent with NEPA requirements.

Intersection capacities in the traffic study area were documented in the **Final EIS Appendix Q, Section 3.3.3**. The commenter states the heavily impacted streets are Vernon, 46th, 44th, and Leonis. The portions of Vernon, 46th, and Leonis that would be potentially impacted by traffic redistribution were included in the analysis. The existing analysis meets regulatory requirements and provides a sound basis for decision-making.

A-60 The methodology described by the commenter is fundamentally flawed and does not provide a reliable basis for assessing traffic impacts. Extrapolating volumes by simply

applying a growth factor and subtracting estimated diversions between intersections ignores critical variables such as turning movements, mid-block entries and exits, driveway access, and local circulation patterns. These factors significantly influence actual traffic conditions and cannot be captured through such a simplistic approach.

In addition, Level of Service (LOS) ratings cannot be accurately assigned to intersections without detailed operational data, including signal timing, lane geometry, and observed traffic counts. Using LOS from adjacent intersections as a proxy assumes uniform conditions that rarely exist in urban networks, especially in industrial areas like the City of Vernon where traffic patterns vary by time of day and land use.

The commenter themselves acknowledge that this method "is not as accurate as physical counts," which underscores its inadequacy for meaningful impact analysis. Regulatory standards under CEQA and NEPA require data-driven methodologies supported by empirical observations or validated modeling (consistent with the analysis in **Final EIS Appendix Q, Section 3.3**), not speculative estimates based on incomplete information.

In contrast, the Final EIS relies on established traffic engineering practices, calibrated regional models, and documented growth projections to ensure accuracy and compliance. These methods provide a far more reliable foundation for evaluating impacts and identifying appropriate mitigations than the ad hoc extrapolation described by the commenter.

Metro is not obligated to analyze every intersection within the City of Vernon when there is a new project proposed.

A city has hundreds of intersections, but that doesn't mean that all those intersections would need to be analyzed for traffic impacts. The intersections where there is addition of new Project trips that are more than 50 trips, are the ones that are analyzed. In this case, the Project does not add any new trips. The existing local traffic patterns get altered due to the Project (traffic redistribution). Due to the 49th Street closure, traffic which currently travels west along 49th Street to access the local businesses would now have to change direction and use Fruitland Avenue, Santa Fe Avenue and Pacific Avenue. Similarly, the traffic which uses 46th Street would use alternate routes due to a new Los Angeles Junction connector. These changes in traffic patterns are local that would happen in the immediate vicinity of these two roadways. They are not regional changes and don't extend to Downey Road. Therefore, the argument that each and every intersection within the City of Vernon needs to be analyzed even if the actual Project location is far from those intersections is invalid.

A-61 The trains which will operate on the connector between Los Angeles Junction and Malabar Yard are the redistributed trains operating today from Hobart Yard to Malabar Yard and then to its customers which due to train building regularly exceed 5 minutes of intersection blockage. Current customer trains do not reach 4,000 feet because customer demand does not exist for them. As has been documented in the presentations and analysis which was given to the City of Vernon, if the demand from existing customers at some point in the future increase and require 3,000-foot-long trains, the impact of those trains on the

City of Vernon would be much worse if traveling on the existing track configuration versus the proposed track alignment. Train lengths were also reverified in 2024 and based on the information from BNSF, trains would be up to 3,000 feet long in the existing and proposed condition. The analysis has shown that overall, the City of Vernon will see a reduction in overall intersection blockage because the reduction in blockage near Santa Fe Avenue greatly exceeds the increases anticipated along the connector. As noted in the comment, the Malabar Yard railroad improvements redistributes existing trains within the city which will improve circulation and reduce delay.

A-62 The claim that BNSF "will not be required to follow any schedule" once authority is granted is inaccurate and misrepresents railroad operations. Freight railroads operate under structured timetables coordinated with dispatching systems to ensure safety, efficiency, and compliance with federal regulations. Train movements are subject to FRA safety standards and operational protocols, which include scheduling to prevent conflicts and maintain network fluidity. Suggesting that trains would run arbitrarily disregards these regulatory and operational constraints.

The commenter's opinion that the Draft EIS "neglected" the scale of impacts ignores the fact that the EIS process is designed to evaluate reasonably foreseeable conditions using accepted methodologies. While no analysis can predict every operational scenario, the Final EIS incorporates conservative assumptions to capture potential impacts and identify mitigations from the freight train traffic that is reasonably foreseeable using data collected from BNSF in 2024. These assumptions are consistent with CEQA and NEPA guidelines and industry best practices. It would be speculative to assume freight traffic would be greater or less than what BNSF predicts as the railroad operator along the affected routes in Vernon.

Specifically, Metro performed an impact analysis in line with the estimated level of traffic redistribution and sought feedback and approval from the City of Vernon prior to commencing the analysis. In April 2025, Metro installed cameras at multiple locations throughout the City of Vernon to record continuous train activity over the course of a week (April 19–25, 2025), 24-hours per day. Applying the video footage collected, Metro performed an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing condition and with implementation of the Malabar Yard railroad improvements.

The commenter's recommendation for a "thorough traffic analysis of all traffic, during all parts of the day, for all affected roadways" is disproportionate to the scope of the Project. As detailed in **Response to Comment A-59**, the EIS appropriately focuses on intersections and corridors most likely to experience measurable changes.

The suggestion that the City should not bear costs for additional studies overlooks standard interagency coordination practices. Supplemental studies, if deemed necessary, are typically funded through project proponents or negotiated agreements—not unilaterally imposed on municipalities. The EIS already provides a defensible, regulatory-compliant analysis that meets its intended purpose.

A-63 The commenter's claim that implementing the Malabar Yard railroad improvements will introduce a "dangerous at-grade crossing" misrepresents both the safety standards and mitigation measures required for such projects. Modern at-grade crossings are designed and regulated under stringent Federal Railroad Administration (FRA) and California Public Utilities Commission (CPUC) safety requirements, which include advanced warning systems, gates, signals, and roadway geometry improvements to minimize risk. These measures have proven effective in reducing collision rates and ensuring safe interaction between rail and vehicular traffic.

Final EIS Appendix Q, Section 3.16 (Community Analysis) discloses the beneficial effect of new safety enhancements, including arms, flashers, raised medians, and driveway gates at at-grade rail crossings, as well as the closure of one at grade rail crossing as part of implementation of the Malabar Yard railroad improvements. CPUC's General Order 75 D (Regulations Governing Standards for Warning Devices for At Grade Highway Rail Crossings in the State of California) states, "The purpose of these rules is to reduce hazards associated with at grade crossings by establishing uniform standards for warning devices for at grade crossings in the State of California, the application of which may afford safety for all persons traversing at grade crossings."

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2** notes that a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue.

The concern about the crossing's proximity to other crossings does not inherently translate to increased danger. Railroad corridors in industrial areas often feature multiple crossings in close succession, and safety is maintained through coordinated signalization, traffic control devices, and operational protocols. The proposed design will undergo rigorous review to ensure compliance with all applicable safety standards, including sight distance, approach angles, and traffic flow considerations.

Furthermore, the assertion that the crossing is at an "odd angle" ignores the engineering flexibility available to optimize alignment and minimize conflicts. Design refinements can and will address geometric challenges to ensure safe and efficient operation.

Finally, the commenter overlooks the broader benefits of the Project, including improved freight efficiency, reduced truck traffic, and associated environmental gains. While safety is paramount, the EIS process ensures that any potential hazards are identified and mitigated through proven, enforceable measures.

A-64 The commenter's opinion that CPUC approval for a new railroad crossing is "unlikely" mischaracterizes both the regulatory process and the nature of the Project. While CPUC does require applicants to demonstrate necessity and impracticability of grade separations, these criteria are routinely met for projects that serve regional transportation needs and public benefit, not just private interests. The proposed crossing is not a "private improvement for BNSF"; it is part of a broader freight mobility initiative that supports regional economic activity, reduces truck traffic, and improves air quality, aligning with state and metropolitan transportation goals.

The claim that CPUC has not been receptive is anecdotal and does not reflect the formal CPUC review process as outlined in **Main Letter Response to Comment 5**. CPUC evaluates applications based on documented evidence, safety design standards, and demonstrated public convenience, not informal perceptions. Projects sponsored or coordinated with public agencies such as Metro are common and appropriate, as they ensure compliance with planning frameworks and environmental regulations.

The suggestion by the commenter that BNSF is "circumventing" the City of Vernon is inaccurate. Under California law, the CPUC has exclusive jurisdiction over the approval of new railroad crossings. The CPUC process is governed by Public Utilities Code Sections 1201 through 1205, 7537, 99152 and CPUC General Orders 75 and 88, as amended. CPUC coordination with regional agencies is standard practice for projects of this scale. The EIS process and CPUC review provide multiple opportunities for local input, ensuring transparency and accountability.

The commenter's argument that the new at-grade crossing required at Seville Avenue is not a great need, and ignores the documented benefits of the 46th Street Connector, including fewer train movements in City of Vernon, improved freight efficiency, reduced roadway congestion, and environmental gains. These outcomes serve public convenience and necessity, which satisfies CPUC's criteria when supported by engineering and safety analyses.

The proposed at-grade crossing improvements would maximize safety for both motorized and non-motorized forms of transportation. The City of Vernon has been included in the crossing diagnostic process since 2021. Yet since 2021, the City of Vernon never mentioned during any meeting that it would oppose any CPUC application that Metro would make. Metro would certainly host another diagnostic meeting and would include the City of Vernon. Metro remains committed to continued collaboration with BNSF, the City of Vernon, local businesses, property owners, the Vernon Police Department, schools, and other key community stakeholders as our goal is to work toward a balanced agreement that supports regional mobility.

A-65 Per FRA Highway-Rail incident records there have been no accidents within the City of Vernon on Los Angeles Junction or BNSF railroad lines in the past five years (2020-2024). As discussed above in **Response to Comment A-64**, the proposed at-grade crossing improvements would maximize safety for both motorized and non-motorized forms of transportation.

The image on Page 43 of the RII letter shows multiple crossings that are used daily by BNSF to serve the East Seville Connection from LAJ today. The claims are not backed by survey data to prove what "most drivers" remember or do not remember. The four existing at-grade crossings (marked as red X's on the image on Page 43 of the RII letter) are used today, and will be used in the future to serve East Seville customers (similar to existing condition) plus Exxon customer and West Seville customers. These 4 locations should not considered new at-grade crossings because trains already cross at each of the locations today.

As presented in multiple responses to comments in the Final EIS, in response to inquiries related to queuing and traffic congestion at the railroad crossings from Soto Street to Los Angeles Junction, a calculation was performed that demonstrates trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am). Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, and the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, no adverse effect related to division of communities or reduced community connectivity would occur.

The last sentence of the comment is a suggestion for the City of Vernon and does not require a response.

A-66 CHSRA and Metro respectfully disagree with the commenter's opinion that the Project is using outdated environmental regulations and standards. The Air Quality guidelines from the most recent 1978 and 1986 NEPA guidelines were provided for background context. A list of applicable laws, regulations, and plans for the Project can be found in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Section 3.5.1**. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** for a discussion of the NEPA analysis requirements and a discussion on the analyses regarding health and safety.

The commenter states that the air quality benefits claimed in the EIS are a general indirect regional benefit and in no way benefit the City of Vernon. However, this Project would reduce overall train movements along the Harbor Subdivisions that runs through the west side in the City of Vernon, which would reduce air toxics in the City of Vernon and be beneficial to any sensitive receptors (existing and future). Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion on the reduced train frequencies in Malabar Yard and **Key Issue Response 3** for a discussion of sensitive receptors analyzed for air quality. As stated in **Key Issue Response 3**, fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place are currently located and where additional sensitive receptors are planned in the future.

Additionally, the Project, as a whole, would make public transit more efficient and reduce regional traffic so it would help the region attain its air quality standards. Please refer to **Exhibit "C" Response to Comment C-6** for further explanation.

A-67 Idling emissions from vehicles occur when vehicles are on but not moving, such as when there is traffic delay or queuing on the roadway or at intersections. Idling presents a localized air quality issue, in the immediate vicinity of the idling vehicles. The Malabar Yard railroad improvements will decrease rail operation emissions, which offsets some vehicle idling emissions. Ultimately, the traffic analysis shows traffic delay impacts would be mitigated with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5 and therefore, minimal additional idling from implementation of the Malabar Yard railroad improvements would occur. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the Malabar Yard railroad improvements would not generate new traffic trips or add any additional diesel vehicles that could add idling emissions but would rather redistribute existing traffic. Vehicle idling emissions would be so minimal that it would not cause a violation of any air quality standard. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** and **Exhibit "C" Response to Comments C-6 and C-9** for further explanation.

A-68 Please refer to **Main Letter Response to Comment 32** for a discussion regarding the quarter-mile radius shown on **Final EIS Appendix Q, Section 3.5, (Air Quality and Global Climate Change), Page 3.5-17** and how it relates to the localized analysis prepared for the Project. The closest sensitive receptors to the Malabar Yard railroad improvements that were considered and evaluated for potential impacts are shown in **Figure 3.5-1** and summarized below:

- Residences at 2415-2427 E 53rd St. (located approximately 1,325 feet [0.25 mile] south from the Malabar Yard railroad improvements).
- Vernon City School at 2360 East Vernon Avenue (located approximately 1,350 feet [0.25 mile] northwest from the Malabar Yard railroad improvements).
- Residences on Furlong Place (located approximately 1,650 feet [0.31 mile] northwest from the Malabar Yard railroad improvements).

As stated in **Main Letter Response to Comment 32**, the quarter-mile radius shown on **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-17** is an industry standard best practice. The map with the quarter mile buffer was not used to determine air quality impacts on sensitive receptors. LSTs were determined independent of the radius shown in the figure. It is a coincidence that the nearest receptor is also .2509 miles away. Pollutant concentrations decline with increasing distance as demonstrated in the studies and guidance referenced in the section below. These studies demonstrate that the highest concentrations are typically seen within distances less than a quarter mile, which is why the map uses a quarter mile buffer to capture the highest pollutant concentrations.

<u>Quarter-mile radius for sensitive receptors</u>

The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to identify sensitive receptors within the area where impacts are most likely to occur. The EPA states, *"Research findings indicate that*

roadways generally influence air quality within a few hundred meters – about 500-600 feet downwind from the vicinity of heavily traveled roadways or along corridors with significant trucking traffic or rail activities."[18] The CARB Air Quality and Land Use Handbook states that, "*the distance between roadway and truck densities were key factors affecting the strength of the association with adverse health effects. Adverse health effects were seen within 1,000 feet and was strongest within 300 feet.*"[19] This demonstrates that the adverse effects diminished with distance. This is consistent with the Bay Area Air Quality District CEQA Air Quality Guidelines which uses an overlay zone of at least 500 feet from all freeways and high volume roadways as a threshold of significance for local risks and hazards. Further academic research shows that pollutant concentrations level out to background levels after approximately 400 meters (1/4 mile) away from the source.[20] As shown in an academic study of ultrafine particles near a freeway by Yifang Zhu, et al. in Atmospheric Environment, both CO and black carbon concentrations as a function of the distance from freeway follow a decay curve. This curve levels out 300 meters away from the emission source.[21]

Final EIS Appendix Q, Section 3.5 accurately measured the distance between sensitive receptors and the expected emission sources. The distances identified in **Final EIS Appendix Q, Section 3.5, Page 3.5-15** were measured from the outermost extent of the Project footprint to the nearest receptor, not from the center point of 49th Street or 46th Street, as the comment states. **Final EIS Appendix Q, Section 3.5, Figure 3.5-1**, was revised to include the distance of each receptor from the outermost extent of the Project footprint. The quarter-mile radius shown in **Final EIS Appendix Q, Section 3.5, Figure 3.5-1** was measured from the outermost extent of the Project footprint.

Please refer to **Exhibit "C" Response to Comment C-7** for a discussion on how SCAQMD defines sensitive receptors and why Stacy Medical Center is not considered a sensitive receptor.

A-69 As discussed in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-21**, on-site operational emissions would decrease due to the reduction in train movements at Malabar Yard which would have local benefits. Implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and

[18] EPA, 2014. Near Roadway Air Pollution and Health: Frequently Asked Questions. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi/P100NFFD.PDF?Dockey=P100NFFD.pdf

[19] CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

[20] Mishra, S. & Shah, S. (2025). "Analytical Study of Atmospheric Pollution Dispersion with Distance Dependent Wind and Constant Removal Dynamics." International Journal of Scientific Research in Science and Technology, volume 12, issue 3. ttps://www.researchgate.net/publication/391457827_Analytical_Study_of_Atmospheric_Pollution_Dispersion_with_Distance_Dependent_Wind_and_Constant_Removal_Dynamics

[21] Zhu, Yifang et al. (2002). "Study of ultrafine particles near a major highway with heavy-duty diesel traffic." Atmospheric Environment 36. 4323-4335. https://www.sciencedirect.com/science/article/pii/S1352231002003540

toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard.

Regional benefits from operation of Malabar Yard railroad improvements include reduced intermodal railcar miles of travel, resulting in reduced fuel consumption by rail and associated rail emissions. In addition, the Malabar Yard railroad improvements would improve mainline rail network capacity to support regional freight rail growth, thereby avoiding the diversion of rail served demand to long-haul trucking. The reduction in truck VMT results in reduced fuel consumption by truck and reduced truck emissions. Metro calculated these beneficial effects as part of a 2020 TCEP grant application. Operational direct effects are quantified for the first, 20th, and 30th years of operation and the total net benefit over a 30-year period. The avoided emissions account for both the reduction in train miles and reduction in truck VMT (Metro 2020 TCEP grant application). Please refer to **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Section 3.5.2 (Methods for Evaluating Environmental Effects)** for a discussion on the parameters used to show the operational benefits of the Project.

The analysis does not suggest that railcars would be stored in Barstow but rather they would be stored on mainline tracks that head towards Barstow. This placement would further degrade on-time performance levels for passenger trains already traveling on congested freight/passenger rail mainline tracks. Use of Malabar Yard and particularly the 46th Street Connector would offset the loss of the storage tracks and provide a short direct route for BNSF to connect Malabar Yard and the Los Angeles Junction, through the City of Vernon.

A-70 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation close coordination with the City of Vernon to determine the worst potential daily delay trains could cause to emergency response in the existing and proposed condition. Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). **Table 4** shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in **Table 4**, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future).

The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

A-71 A conservative level of impact analysis is identified in the **Final EIS Appendix Q**, and it can be assumed fewer daily train movements equates to less hazardous materials being transported that could cause an impact.

To clarify, the commenter is referring to two different impact discussions. The first reference (**Final EIS Appendix Q, Section 3.10 (Hazardous Waste and Materials), Page 3.10-18**) relates to Topic 3.10-A**,** which analyzes whether the Malabar Yard railroad improvements would result in improper transport, storage, use, or disposal of hazardous materials in a way that could create a new health hazard to the public or the environment (**Final EIS Appendix Q, Section 3.10 (Hazardous Waste and Materials), Page 3.10-9**). The proposed improvements would not introduce new types or quantities of hazardous materials, would not change the nature of the materials already transported, and would not require new or expanded hazardous materials storage or handling facilities. Therefore, the Malabar Yard railroad improvements would not create new conditions that would increase the likelihood of a spill or release during transport, use, or disposal that could pose a health hazard when compared to the no-build alternative.

The commenter then refers to **Final EIS Appendix Q, Section 3.10 (Hazardous Waste and Materials), Page 3.10-21** which analyzes Topic 3.10 B. Under this topic, an adverse effect would occur under this topic if the Malabar Yard railroad improvements would result in an accidental release of hazardous materials including contaminated soil, groundwater, soil vapors, asbestos, and lead based paint which would result in the public and the environment to be exposed to health hazards (**Final EIS Appendix Q, Section 3.10 (Hazardous Waste and Materials), Page 3.10-9**). Again, the improvements would not introduce new hazardous materials, increase quantities handled, or alter existing transport and storage practice, and would occur within an area already characterized by similar freight rail operations. Therefore, when compared to the no-build alternative, it would not increase the risk of a hazardous materials or waste release into the environment, and no adverse effect would occur.

The analysis for Topics 3.10-A and 3.10-B do not just rely on “compliance with regulations” to avoid impacts to the City of Vernon, as the commenter claims. Under both CEQA and NEPA, the threshold for identifying a significant impact or adverse effect is whether the project would create or increase a hazard compared to existing conditions (CEQA §15126.2(a), and 40 C.F.R. §1502.16(a)(3)). Because the Malabar Yard railroad improvements would not change quantities of or ways in which hazardous materials are handled, introduce new hazardous materials or wastes, or increase the potential for public or environmental exposure, the Malabar Yard railroad improvements would not increase the risk of a release under either topic. The conclusion of no adverse effect is not simply a reliance on regulatory compliance.

A-72 The commenter’s claim that the BMPs for water quality that are required as part Mitigation Measure HWQ-5 are “false” mitigation and that adverse effects are not mitigated is

incorrect. No new pollutants are introduced and fewer train movements equates to reduced risks for contamination when compared to the no-build alternative.

As discussed in **Final EIS Appendix Q, Section 3.8 (Floodplains, Hydrology, and Water Quality)**, Mitigation Measure HWQ-5, Final Water Quality BMP Selection (City of Vernon and Railroad ROW) for the Malabar Yard railroad improvements, specifically requires Metro or BNSF to comply with the NPDES Waste Discharge Requirements for MS4 discharges within the Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2021-0105, NPDES No. CAS004004). Compliance with these permits is not voluntary, but rather a legally enforceable obligation under the federal Clean Water Act. These permits require implementation of approved BMPs.

HWQ-5 also requires the preparation of a Final Low Impact Development (LID) Report that is consistent with the City of Vernon's LID Guidance Manual. The Final LID Report must identify the specific BMPs that must be installed prior to the start of and throughout the life cycle of Project operations. Both NPDES compliance and LID implementation are enforceable requirements of the Los Angeles Regional Water Quality Control Board and the City of Vernon. Again, these measures are mandatory, enforceable, legal obligations, and BNSF is not "free to operate any way they wish," as the commenter claims.

A-73 The commenter's claim that the Final EIS is referencing outdated City of Vernon plans from 2007 and 2015 to deem effects of Malabar Yard as "consistent" is incorrect. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 6** for land use and planning analysis related to the 2023 Vernon Westside Zone Change and General Plan Amendment (adopted July 2023).

As discussed in **Key Issue Response 6**, the Draft EIS/SEIR was prepared in accordance with the applicable CEQA provisions and the Final EIS was updated to include a consistency analysis of the *2023 Vernon Westside Zone Change and General Plan Amendment*. While future residential land uses are planned in the vicinity of proposed Malabar Yard railroad improvements, The Malabar Yard railroad improvements itself do not include residential development that would directly generate population growth. As no residential units are proposed, there would not be an increase in the number of school-age children in the area, and thus, no new demand for schools or libraries would be generated in the City of Vernon (**Final EIS Appendix Q, Section 3.1 (Introduction)**.

Additionally, it should be acknowledged that the proposed railroad improvements and future residential land uses can coexist, and the City of Vernon has the discretion to approve new development in areas that are adjacent to or in close proximity to existing freight rail corridors. The proposed Malabar Yard railroad improvements would not preclude implementation of the City of Vernon's future development goals. As analyzed in **Final EIS Volume III, Response to Comments, Key Issue Response 6, Table 5**, the Malabar Yard railroad improvements were determined to be consistent with the goals and policies within the *2023 Vernon Westside Zone Change and General Plan Amendment*, and no inconsistencies were found. Therefore, no conflict would occur with implementation of the Malabar Yard railroad improvements.

During preparation of the Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final EIS as Offsetting Mitigation Measures (OMMs). Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City of Vernon's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16 (Community Analysis)** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

A-74 CHSRA and Metro respectfully disagree with the commenter's opinion that the City of Vernon would not receive any benefits from implementation of the Malabar Yard railroad improvements and the Project only benefits Metro and BNSF. Please refer to **Response to Comment A-37** for a list of benefits that would occur for the City of Vernon and not just Metro and BNSF.

The topic of the Malabar Yard railroad improvements consistency with the City of Vernon General Plan was addressed in **Main Letter Response to Comment 10**, as well as in **Final EIS Volume III, Response to Comments**. As stated in **Main Letter Response to Comment 10**, **Final EIS Appendix Q, Section 3.2 (Land Use and Planning), Table 3.2-2 (Consistency with Applicable Plans, Policies, and Local Land Use Controls)** provides an evaluation of the railroad improvement's consistency with applicable plans, policies, and programs, which is required under 40 CFR 1502.16(c). Consistency of the *City of Vernon General Plan* (Amended 2015) with the Malabar Yard railroad improvements is analyzed within this table, including Policies CI-1.2, CI-1.3, and CI-1.5, and was overall found to be consistent with applicable general plan policies.

As required by 40 C.F.R. 1502.16(c), Metro performed a consistency analysis of the *2023 Vernon Westside Zone Change and General Plan Amendment* (July 2023) for inclusion in the Final EIS (**Final EIS Volume III, Response to Comments, Table 5**). As discussed under **Key Issue Response 6**, while future residential land uses are planned in the vicinity of proposed Malabar Yard railroad improvements, it should be acknowledged that the proposed railroad improvements and future residential land uses can coexist, and the City of Vernon has the discretion to approve new development in areas that are adjacent to or in close proximity to existing freight rail corridors. The proposed Malabar Yard railroad improvements would not preclude implementation of the City of Vernon's future development goals. As analyzed in **Final EIS Volume III, Response to Comments, Table 5**, the Malabar Yard railroad improvements were determined to be consistent with the goals and policies within the *2023 Vernon Westside Zone Change and General Plan Amendment*, and no inconsistencies were found. The commenter does not identify a specific City of Vernon policy the Project is inconsistent with. Therefore, no conflict would occur with implementation of the Malabar Yard railroad improvements. Based on the comments received during public review, the analysis provided in the Draft EIS/SEIR, and

the clarification information provided in **Key Issue Response 6**, there is no change warranted to the land use and planning impacts or conclusions that were presented in the Draft EIS/SEIR.

A-75 The commenter's claim that Mitigation Measures TR-3 through TR-6 consists only of coordination with the City of Vernon and the CPUC, and is not real mitigation, is incorrect. Mitigation Measures TR-3, TR-4, and TR-5 require the implementation of physical roadway improvements to reduce impacts related to Topic 3.3-A, Traffic congestion that limit the effectiveness of the traffic circulation (**Final EIS Appendix Q, Section 3.3 (Transportation), Section 3.3.4**). The "coordination" the commenter is referring to is the provisions of Mitigation Measure TR-6 that must be met by Metro.

Mitigation Measure MY TR-6 addresses CPUC approval requirements for at-grade rail crossings. TR-6 would reduce impacts related to Topic 3.3-B Design of existing roadways and intersections causing increased hazards, Topic 3.3-C, Emergency Access, and Topic 3.3-D, Public Transit, Bicycle, or Pedestrian Facilities (**Final EIS Appendix Q, Section 3.3 (Transportation), Section 3.3.4**). While the measure includes the requirement to obtain CPUC authorization, this is not "regulatory compliance" presented as mitigation. CPUC approval is a legally required step for implementing the physical and operational crossing modifications under this mitigation measure. Mitigation Measure TR-6 ensures that the Project will complete the CPUC process, provide all required documentation, and receive the formal authorization necessary before changes to the crossings can occur.

These mitigation measures are not simply administrative coordination to shift the burden of implementation to the City of Vernon, but rather they are mitigation measures that commit Metro and BNSF to implement physical improvements through the approvals required by the City of Vernon and CPUC.

A-76 The commenter states that the City of Vernon examined traffic in 2016 to show which traffic lanes could support addition of a bike lane without putting intersections into the "F" LOS category. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-77 As discussed in **Response to Comment 10** and the **Final EIS Appendix Q, Section 3.13 (Economic and Fiscal Impacts)**, a thorough analysis of potential impacts to businesses was conducted, including a discussion of both short term construction effects and long term operational effects, such as potential job displacement and reductions in property tax revenues associated with the required right-of-way acquisitions. The analysis within the Final EIS provides a balanced analysis of local and regional economic effects in accordance with CEQA (§15126.2(a)) and NEPA's requirements for consideration of indirect and cumulative impacts (40 C.F.R. §1502.16 and§1508.8). The commenter's claims regarding negative impacts to businesses in the City of Vernon are speculative, and based on traffic delays congestion throughout operation. As discussed in multiple responses above, Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, or contribute to delays in product shipments. Malabar

Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

A-78 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 5** for a discussion on operational and physical impacts to businesses in the City of Vernon. Metro acknowledges that the City of Vernon would result in some job loss from potential building demolitions, however, as part of Metro's Relocation Assistance Program and the Uniform Relocation Act benefits processes, any businesses subject to building demolition or displacement would be compensated or referred to potential and/or suitable replacement sites. Please also refer to **Response to Comment A-77** above.

A-79 The commenter's opinion that BNSF provided a "wish list" and that alternatives were dismissed due to "confirmation bias" is speculative and unsupported. Alternatives were screened using objective criteria such as available acreage, connectivity to existing rail infrastructure, ability to accommodate projected volumes, and compliance with safety and environmental standards. Locations that fail to meet these criteria are eliminated for valid, documented reasons—not arbitrary preference.

During preparation of the Draft EIS/SEIR, CHSRA and Metro prepared a thorough and comprehensive evaluation of alternative sites that could offset the Project-related impacts at BNSF Wet Bank Yard. Increased traffic and potential indirect effects of not implementing mitigation for BNSF West Bank Yard impacts were considered and disclosed in **Final EIS Appendix Q, Section 3.3 (Transportation)** under Topic 3.3-E, Freight Indirect Effects. Yard capacity was addressed and is part of Criteria 2 for the replacement site. Criteria 1 addresses the need for a replacement site in proximity to and west of Hobart Yard, which addresses "distance" as noted in the comment.

In fact, CalSTA, CHSRA, Metro, Metrolink, and BNSF all coordinated on the regional impacts to BNSF and through the interagency coordination, and consideration of an integrated freight/passenger rail operating plan combined with the impacts of Link US, the Malabar Yard railroad improvements were determined to be the location to offset impacts on freight resulting from the Link US Project.

After the close of the 45-day public comment period, at the request of the City of Vernon, Vernon Chamber of Commerce, and Los Angeles County Supervisor Hahn's office, additional analysis was conducted to determine if replacement of BNSF storage tracks could be implemented at BNSF's Hobart Yard facility or BNSF's Los Angeles Junction facility; thereby no longer necessitating the 49th Street Closure as part of the Link US Project. CHSRA and Metro met the requirements under NEPA and CEQA to explore a reasonable range of alternatives, including reasons for eliminating alternatives from further analysis in the Final EIS.

A-80 The comment indicating tracks are rarely full is a speculative statement that is not backed with any evidence. All tracks owned by BNSF have intended purpose and are designated as such for those purposes, regardless of how they are currently used. As noted on Page 15 of the RII letter, intermodal volumes fluctuate year over year, so the yard moves between empty and full depending on intermodal traffic.

As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) to offset the loss of storage tracks that would occur at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the identified screening criteria and to preserve the current levels of freight rail operations in accordance with the provisions of the Link US Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need)**.

Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1, discloses the justification as to why each of these sites meet or do not meet screening criteria.

- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-1 (Freight Rail Storage Track Replacement Sites Initial Screening Criterion Analysis)**, Hobart Yard, Commerce Yard, Malabar Yard, and Los Angeles Junction met initial screening criteria while Pico Rivera Yard and locations further east on the San Bernardino Subdivision were rejected from further consideration because they are located east of BNSF Hobart/Commerce Intermodal Yards.
- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-2 (Freight Rail Storage Track Replacement Sites Secondary Screening Criterion Analysis)**, Hobart Yard, Commerce Yard, and Los Angeles Junction were determined to not meet secondary criteria of replacing storage capacity in-kind or preserving the current levels of freight rail operations, primarily for the following reasons (summarized from **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1.1**:
    - Hobart Yard – The existing footprint of BNSF Hobart Yard is at full capacity. Any change to the existing intermodal facilities at BNSF Hobart Yard (production tracks, storage tracks, lead tracks, main line tracks, receiving tracks, departure tracks, tie up tracks, and/or maintenance tracks) would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Several dozen parcel acquisitions would be required and there may also be a potential requirement for new intermodal facilities to offset any modifications to BNSF Hobart Yard facilities (ripple effect). In addition, mitigating the Link US Project permanent impacts to BNSF storage tracks at BNSF's Hobart Yard is not feasible because the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.
    - Commerce Yard – Similar to Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. Any change to the existing intermodal

facilities at BNSF Commerce Yard would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses would be required.

- Los Angeles Junction – All space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. As shown in **Figure 1-3** of the **Final EIS Appendix Q**, expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of seven private properties with active businesses/buildings.

The analysis presented in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1** demonstrates CHSRA and Metro performed a thorough alternatives evaluation of potential replacement sites, and provided measured evidence with reasons why these sites do not meet specified criteria. The conclusions are not based on broad generalized claims. Rather, they are based on optimal operational parameters and the potential for increased impacts to property owners and the environment.

A-81 Malabar Yard is proposed to compensate for lost storage capacity. Malabar Yard can accommodate trains in a similar way to how the West Bank Yard does. Proximity is a key factor to preserving the current levels of freight operations. Please refer to **Response to Comment A-80** for a summary of how alternative sites were considered. The conclusions are factual and not an exaggeration of unrealistic outcomes.

Based on the screening and evaluation process, BNSF Malabar Yard is the only freight rail storage track replacement site that meets the specified criteria. The track capacity gained by the 49th Street Closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards and nearby ports while maintaining current levels of freight rail operations and regional goods movement.

A-82 The comment indicating Malabar Yard is rarely full is a speculative statement that is not backed with any evidence. Similar to how RII asserts on Page 15 of the RII letter that intermodal volumes fluctuate year over year, so do yards used for merchant traffic.

Page 14 of the RII letter provides an overview of the impacts and proposed track configuration within the Project footprint at BNSF West Bank Yard and does not cite substantial space available at Malabar Yard. The existing tracks at Malabar Yard without the 49th Street Closure and 46th Street Connector would not meet the secondary

screening criterion as existing yard operations would not be able to accommodate additional storage.

The 3,350 feet of track storage does not include any use of the Metro-owned track at Malabar Yard because that westernmost track provides run-through capability for BNSF trains through Malabar Yard. The Metro-owned track is fully operative by BNSF in the existing condition, and is required to remain a run-through track in the future similar to the current condition.

To respond to the comment that Vernon is receiving no benefits, Metro proposed a $25 million dollar package of additional OMMs that provide benefits to the City of Vernon.

- OMM MY TR-7 High Visibility Crosswalk, Mid-Block Location (1 location) - $368,000
- OMM MY TR-8 Intersection Crosswalk Improvements with Cool Street Paving (7 locations) - $1,400,000
- OMM MY TR-9 Bus Shelters (25 locations) - $5,700,000
- OMM MY TR-10 PTZ Smart Cameras, Software, and Screens for Monitoring (3 locations) - $135,000
- OMM MY TR-11 AI-Based Traffic Control System (47 locations) - $281,000
- OMM MY TR-12 Metro Transit Oriented Communities Program Support - $6,500,000
- OMM MY NV-1: Quiet Zone Design and Physical Infrastructure (5 locations) and OMM MY NV-2: Quiet Zone Technical Support - $9,500,000
- OMM MY SS-1 Train Detection Cameras (4 locations) - $80,000
- OMM MY SS-2 Mobile Emergency Operations Center - $300,000
- OMM MY SS-3 Communications and Radio Systems Upgrade - $300, 000

A-83 Building one more track in Malabar Yard in the area that is marked with a red line on Page 58 of the RII letter would not introduce operational efficiencies or offset the 5,500 feet of storage tracks that would be lost at BNSF West Bank Yard. It would also not preserve the existing levels of freight rail operations, consistent with the Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need)**. Furthermore, the red line crosses 49th Street, which would introduce another track crossing at an already dangerous at-grade crossing and may not be approved by the CPUC. During a site visit at Consolidated Fabricators, visual observations were made of large semi-trucks using BNSF ROW north of 49th Street as a turnaround (where red line is drawn north of 49th Street on page 59 of RII letter).

If a track were placed in that location, it is not clear BNSF could safely use that track. Trucks currently maneuver into and out of the Consolidated Fabricators property on active freight tracks and within oncoming traffic using 49th Street. Adding another track would

not stop that maneuvering and safety risk. The Malabar Yard Railroad Improvements, in contrast, would stop that maneuvering and would increase safety for delivery truck drivers entering and existing the property and for motorists traveling on 49th Street. In addition, additional tracks over 49th Street would create a new at-grade crossing that would conflict with Vernon's General Plan Policy CI 1.5, which states, "Continue to pursue grade separation for railroad crossings on designated streets." Construction of an additional track within Malabar Yard would not provide the same benefits as the proposed Malabar Yard railroad improvements, including reduced localized emissions or improved emergency response times, because it would not reduce overall train movements within the City of Vernon.

A-84 The commenter's claim that Malabar Yard has two existing tracks that have not been used in a long time is speculative with no evidence supporting this claim. The comment references property records but they have not been provided. These existing tracks already have intended uses and simply changing the uses would not offset the loss of storage track capacity at BNSF West Bank Yard (5,500 feet) because it would only provide an estimated 2,900 track feet. As discussed above, BNSF follows the AAR GCOR of which, Section 6.32.4 states, "When practical, avoid leaving cars, engines, or equipment standing closer than 250 feet from the road crossing when there is an adjacent track." Assuming this distance would need to be maintained, less than the claimed track footage would actually be realized.

A-85 Please refer to **Response to Comment A-80**. Los Angeles Junction meets the initial criterion because it is located in close proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards. However, for the reasons discussed above, Los Angeles Junction does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers.

The comment provides an introductory statement for additional proposed configurations to follow. No further response is warranted.

A-86 As with the alternate track configurations at Los Angeles Junction A-Yard raised by the commenter for Malabar Yard, the proposal made on Page 60 of the RII letter to combine 2,200 feet of capacity with 1,300 feet would not equate to the loss of 5,500 square feet that are lost on the BNSF West Bank yard. The proposal would not meet Secondary Screening Criteria 2.

The claim that tracks across the river are usually empty are not substantiated with any evidence except claims of reviewed historical images. This is a speculative statement. As noted on Page 15 of the RII letter, intermodal volumes fluctuate year over year, so the yard moves between empty and full depending on intermodal traffic. The tracks located on the east side of the Los Angeles River also have an intended use.

An aerial from 2025 shows these tracks are full to prove this point.



Construction of new tracks across the Los Angeles River, if that is what the commenter is suggesting, would also result in greater environmental impacts from construction activities over the river.

For the purposes of the alternatives analysis conducted for the Malabar Yard railroad improvements, Yard A and B combined were considered as one facility. Any physical improvements and/or modifications to existing operations at Los Angeles Junction are not feasible because reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. As shown in **Figure 1-3** of **Final EIS Appendix Q**, expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of the following private properties with active businesses/buildings:

- 4921 District Blvd (APN 6304-010-005)
- 4825 District Blvd (APN 6304-010-006)
- 4717 District Blvd (APN 6304-020-004)
- 4725 District Blvd (APN 6304-020-005)

- 4729 District Blvd (APN 6304-020-006)
- 4737 District Blvd (APN 6304-020-007)
- 4713 District Blvd (APN 6304-020-029)

Due to property acquisitions, business relocations, and insufficient available land area, expansion of Los Angeles Junction as a storage facility in conjunction with current merchandise operations for local customers would be infeasible.

A-87 The commenter notes that the Los Angeles Junction 'B' Yard is busy and has no land available for additional tracks as described in the EIS. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. See **Response to Comment A-86** above that notes A Yard and B Yard were both considered as one facility.

A-88 The analysis in the Final EIS for the Los Angeles Junction site pertains to the A-Yard and B-Yard components which met the initial screening criteria. The LAJ C-Yard is isolated from the A-Yard and B-Yard, and was not part of the "Los Angeles Junction" in the Final EIS.

The commenter provides no basis or proof that 5,500 feet of storage capacity can be accommodated at the C Yard. The C Yard is already used for intermodal storage and there is no evidence it has 5,500 feet of surplus capacity. See responses above that discuss the beneficial effects that would be realized with consolidated freight train movements out of Los Angeles Junction A Yard and B Yard (both considered as one facility) (fewer train movements, less air emission, citywide circulation improvements, etc.) and the $25 million package of OMMs Metro proposed to the City of Vernon to further offset perceived impacts.

A-89 This comment acknowledges BNSF has unused right of way and spur tracks at numerous locations and the condition of the right of way, but does not provide an indication of an alternative site or specific location to be considered for a replacement site. Storage on various spur tracks at multiple locations throughout the cities provided would introduce new operational inefficiencies thus compromising their support of the BNSF Hobart/Commerce Intermodal yards and greater potential for environmental impacts in multiple jurisdictions.

A-90 RII identified the same alternative locations Metro considered in the EIS (Hobart, Commerce, Los Angeles Junction, Pico Rivera, and BNSF facilities and corridors further east of Pico Rivera Yard, including siding tracks on existing freight corridors). The existing tracks at these locations already have intended uses. If trains are stored east of BNSF Hobart/Commerce Intermodal Yards, delays in both passenger and freight rail operations would occur because trains moving to and from the BNSF facilities would require use of main line tracks along the BNSF San Bernardino Subdivision. These locations would not fulfill provisions of the Link US Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need)** that require preserving the current level of freight operations.

BNSF Malabar Yard and Los Angeles Junction are BNSF-owned facilities that are proposed for use.

A-91 Based on the alternatives screening and evaluation process described in **Response to Comment A-81** above, BNSF Commerce Yard meets the initial criterion because it is located in close proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards. However, BNSF Commerce Yard does not meet the secondary screening criterion.

BNSF Commerce Yard does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at BNSF Commerce Yard is occupied by site-specific facilities associated with intermodal operations (i.e., intermodal tracks, drive aisles, facility buildings, truck parking, crane and chassis parking, and maintenance or other support facilities). Like BNSF Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity.

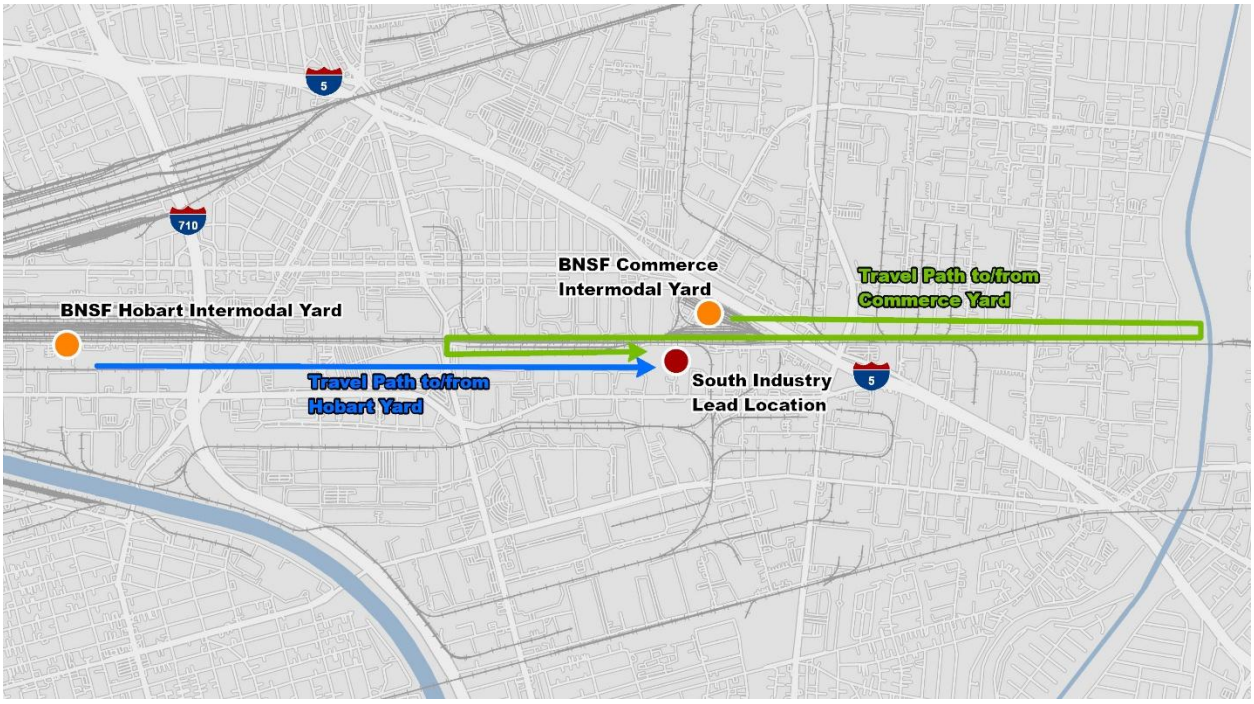
The addition of a storage track was considered at BNSF Commerce Yard, but the additional track would require full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses. Additionally, there are operational restrictions at BNSF Commerce Yard associated with the current passenger train movements that occur at the Commerce Metrolink Station platform, which impede BNSF's ability to enter and/or store a long train into the facility. Due to the substantial property acquisitions, business relocations, and operational restrictions from passenger train movements near BNSF Commerce Yard, use of BNSF Commerce Yard as a storage facility in conjunction with current intermodal operations would be infeasible.

The commenter provides no basis for why the reasoning is untrue. Again, the existing tracks at these locations already have intended uses.

A-92 Multiple robust analyses have been performed to demonstrate how the Malabar Yard railroad improvements result in a citywide circulation improvement, and how all traffic delay impacts related to LOS would be mitigated via Malabar Yard Mitigation Measures TR-1 through TR-5. The consolidation of freight train movements is the definition of reconfiguring BNSF operations.

A-93 The commenter claims 4,700 feet of storage capacity could be added, which would not fully offset the loss of 5,500 track feet at BNSF West Bank Yard. Additionally, the location of the South Industry Lead shown on Page 64 of the RII letter would require trains to first travel east on the San Bernardino Subdivision to reposition on the southern-most track to then access the South Industry Lead. If trains are stored at this location, trains would have to travel in the opposite direction of the current travel path, causing delays in both passenger and freight rail operations on the main line tracks along the BNSF San Bernardino Subdivision. This is because the proposed location is on the south side of the San Bernadino Subdivision while the Hobart and Commerce Yard tracks are located on the north side of the San Bernardino Subdivision. See Exhibit 1 for a depiction of the intermodal storage routing for the South Industry Lead.

Exhibit 1 – Intermodal Storage Routing to South Industry Lead



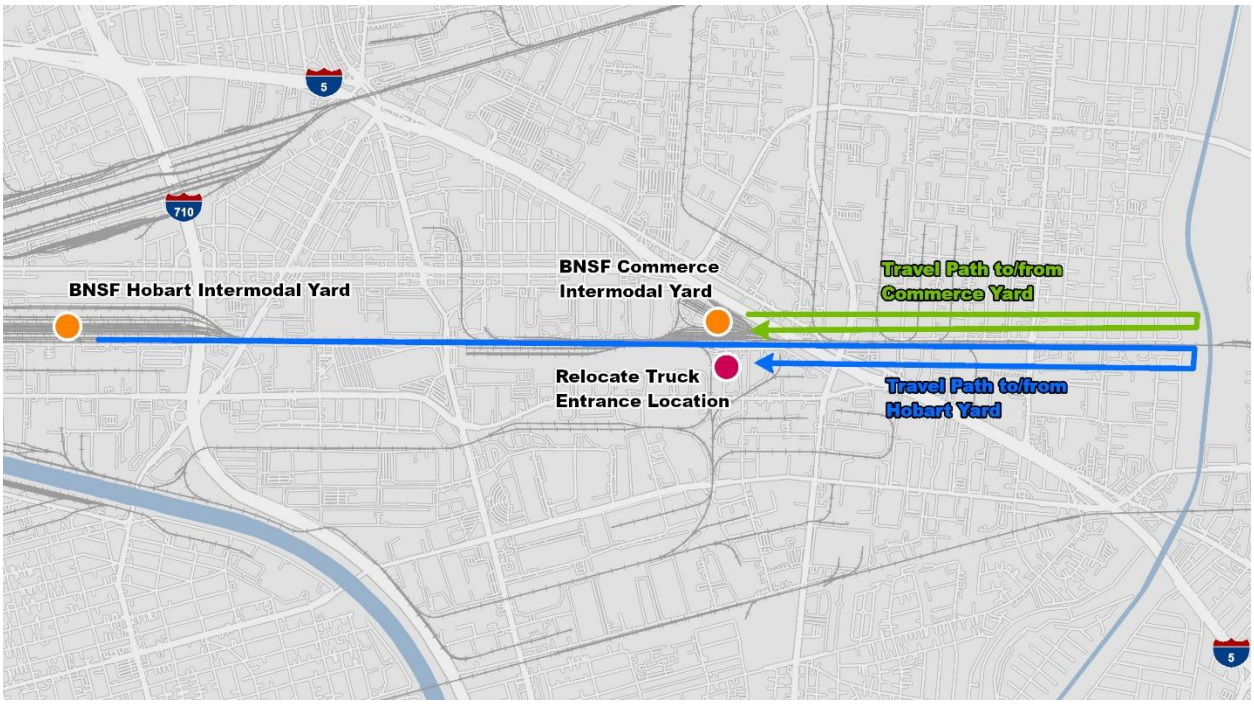
A-94 The portion of 26th Street that the commenter is suggesting to close serves as both an entrance to Commerce Yard for trucks (as indicated) and also serves Metrolink's Commerce Station, not just a BNSF facility as claimed. 26th Street is not a waste of space, it has a purpose. The reconfiguration of on-site operations and moving an entrance to the other side is not a "simple" rearrangement. The commenter provides no indication of how the entrance can be relocated, just notes that its simple. The commenter is also proposing to impact 26th Street which serves as an entrance to Metrolink's Commerce Station platforms and the 135-space parking lot. The proposal would impact and potentially require closure of Metrolink's Commerce Station platforms and the supporting 135 space parking lot.

The City of Vernon was consulted in 2020 when the Malabar Yard railroad improvements were added as required mitigation to the Link US Project. The commenter appears to make claims as if Metro never consulted Vernon, but through multiple meetings on the record, this is not the case. Metro had multiple meetings with the City of Vernon to seek feedback and understand concerns and has worked diligently to address those concerns, revised the Project layout, prepared multiple emergency response scenarios and even proposed a $25 million package of OMMs to further offset perceived impacts.

In addition, this location would require trains to travel east first to access storage tracks, then back west toward the ultimate destination. This proposed configuration would not preserve current levels of freight operations and not meet criteria two because trains would have to travel in the opposite direction of the current travel path, causing delays in both

passenger and freight rail operations on the main line tracks along the BNSF San Bernardino Subdivision. This is because the proposed location is on the south side of the San Bernadino Subdivision while the Hobart and Commerce Yard tracks are located on the north side of the San Bernardino Subdivision. See Exhibit 2 for a depiction of the intermodal storage routing for the South Industry Lead.

Exhibit 2 – Intermodal Storage Routing to Relocate Truck Entrance Location



A-95 The commenter is making no claims that differ from the results presented in the Final EIS. No further response is warranted.

A-96 The measurement of Pico Rivera yard was measured from the westernmost extent of Hobart Yard at the entrance to the westernmost extent of the entrance to Pico Rivera yard which is “approximately” 5 miles. The assertion that Pico Rivera is “3,500 feet” from Commerce/Hobart and therefore one of the best intermodal options is incorrect on railroad milepost distance and misleading in operational terms. Adopting that claim would add switching moves, increase drayage miles, consume scarce crew/locomotive resources, and erode schedule reliability—directly impairing freight rail operations at the Hobart/Commerce intermodal hub. The claim that the Final EIS “misrepresented distance by measuring farthest points” overlooks that railroad planners use mileposts, interlocking limits, and working-lead connectivity to define operational proximity, not arbitrary edge-to-edge parcel lines. Timetables and network maps are the authoritative references for such measurements.

Based on the alternatives screening and evaluation process described in **Response to Comment A-81** above, BNSF Pico Rivera Yard does not meet the initial criterion because it is located east of BNSF Hobart/Commerce Intermodal Yards. This is the most important

reason why it was dismissed, not due to the perceived distance. BNSF Pico Rivera Yard and locations further east on the San Bernardino Subdivision main line tracks were rejected for further consideration because they are located east of BNSF Hobart/Commerce Intermodal Yards and would therefore require use of the San Bernardino Subdivision main line tracks. BNSF Pico Rivera Yard is currently used to store local merchandise rail cars and other mixed freight rail cars for local customers on existing spur lines in the southern portions of the City of Pico Rivera and the eastern portion of Los Angeles County. Therefore, the BNSF Pico Rivera Yard fails to meet the screening criteria.

A-97 As discussed in **Response to Comments A-85 through A-96** above, all feasible alternatives have been explored, and all relevant studies are included in the certified Final EIS. Metro has been coordinating with City of Vernon to address comments, and these meetings and the outcome of these meetings are memorialized in the Final EIS. Data presented in the Final EIS represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the conditions to use for environmental documentation purposes. Vernon staff did provide input on the traffic input methodology and COVID factor that was applied to the traffic counts.

A-98 The comment provides a summary of the history of BNSF's past attempts to connect its yard through City of Vernon. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A few points of clarification – Vernon customers depend on rail. Rail served industry in Vernon has been occurring for quite some time, in fact one of the City of Vernon's main streets is named after a railroad "Santa Fe Avenue". The commenter provides no basis for how dangerous the location of 46th Street and Seville is, where a new at-grade crossing is proposed. Metro and HDR have observed very dangerous conditions at 49th Street where the closure is proposed, especially when large trucks are present and staging on active tracks while vehicular traffic attempts to cross the tracks at the same time.

A-99 CHSRA and Metro respectfully disagree with the commenter's opinion that the City of Vernon would not receive any benefits from implementation of the Malabar Yard railroad improvements and the Project only benefits Metro and BNSF. Please refer to **Response to Comment A-37** for a list of benefits that would occur for the City of Vernon and not just Metro and BNSF. **Final EIS Volume I, Executive Summary, Section ES.14** includes a summary of Project benefits under the Build Alternative, with a Malabar Yard railroad improvements specific list.

The citywide circulation improvements are a major benefit to all travelers in Vernon, with reduced gate down times in the City of Vernon. The commenter provides no basis or evidence to the contrary for how BNSF markets or does not market to industries in Vernon or elsewhere.

Reduced train movements on the Harbor Subdivision would result in fewer train movements in Vernon and Metro has presented multiple benefits in the Final EIS that prove this point. Offsetting the loss of storage track capacity at the BNSF West Bank Yard is not a blatant gross misrepresentation, its mitigating for an impact on the freight rail

transportation system. It's common practice to replace what has been impacted from an agency or private entity with replacement or mitigation.

A-100 CHSRA and Metro respectfully disagree with the commenter's opinion that Metro and BNSF are attempting to trade something at the expense of the City of Vernon. Consolidated train moves from Los Angeles Junction results in fere train movements in Vernon. The intent of the mitigation is not to reduce BNSF operational costs. Service to Exxon will be provided with or without the Project, however when served from Los Angeles Junction, fewer moves on the Harbor Subdivision would occur.

As stated in the **Response to Comment 11**, the need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts to a private entity (in this case a Class I railroad operator) and Metro has been working with BNSF to identify a site to appropriately mitigate impacts for Link US Project as a whole (40 CFR 1502.14(f), 40 CFR 1502.16(h); *CEQA Guidelines* §15126.4(a)). Additionally, the commenter's claim that the City of Vernon would receive no benefits is addressed in the **Response to Comment A-99** response and other responses above.

A-101 The claims of what BNSF need or doesn't need are speculative, especially the claim about what BNSF may never even do. Vernon is not being held responsible, the Malabar Yard railroad improvements reduce impacts for a Metro project, and Metro and BNSF are responsible for implementing them.

As discussed in **Main Letter Response to Comment 48**, the Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,350 feet of storage track is not a 1:1 replacement for the 5,500 feet of storage track removed, it would provide functionally equivalent storage, and when combined with the 46th Street Connector, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of CEQA and NEPA because they would minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need)**.

A-102 The impact of trains operating through Vernon resulting from Malabar Yard railroad improvements are studies thoroughly in Appendix Q of the Final EIS. The commenter provides no indication of what the "original study" examines.

The Final EIS does not imply that resident population is low, so traffic is low. This is a false assertion. The traffic counts collected in 2020 were adjusted appropriately to reflect the change in traffic patterns due to COVID. Also, a 1% annual growth rate added to these

adjusted counts adequately caters for future growth in traffic due to new businesses and population. The City of Vernon Director of Public Works was consulted on the approach for traffic analysis, the methodology to be used, and the application of the COVID factor prior to conducting the analysis.

A-103 All data and information collected from BNSF in 2024 is incorporated in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies and is summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and presented in **Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements)**.

Please refer to the **Exhibit "B" Response to Comment B-4** for a detailed overview of existing and proposed train frequency and schedule.

The commenter raises concern about negligible traffic impact and the need for enhancements; however, these are two separate unrelated topics. In the same context of proposing alternative sites that "appear" empty, the commenter admits that rail traffic ebbs and flows, therefore all claims that tracks are unused or empty, can be challenged on this claim itself.

Both CEQA (*CEQA Guidelines* §15126.6) and NEPA (40 CFR §1502.14) require agencies to rigorously explore and objectively evaluate reasonable range of feasible alternatives to avoid or reduce significant impacts and adverse effects. For the alternatives eliminated from a detailed analysis, the agency must explain why they were eliminated. As discussed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, Metro considered multiple alternative locations the Final EIS to offset the permanent loss of freight rail storage track capacity at BNSF West Bank Yard. BNSF Hobart, BNSF Commerce, BNSF Pico Rivera, and Los Angeles Junction, were considered along with other locations further east on BNSF San Bernardino Subdivision Main Line Tracks. The screening and evaluation process in **Section 1.1** describes why each of these alternative locations did not meet the screening criterion and therefore why they were eliminated from detailed analysis. Therefore, the Final EIS meets the requirements for NEPA and CEQA for analyzing a reasonable range of alternatives to the Build Alternative.

A-104 All current applicable environmental standards are used in the analysis presented in the Final EIS. Current NEPA regulations were cited as appropriate. The commenter does not describe specific standards for desired further analysis.

CHSRA is relying on the regulations as they existed on the date of the initial Notice of Intent (NOI), May 31, 2016. Therefore, all citations to CEQ regulations in the Final EIS refer to the 1978 regulations and the 1986 amendment, 51 *Federal Register* (FR) 15618 (Apr. 25, 1986).

A-105 The Final SEIR was certified by the Metro Board at the board meeting held October 23, 2025, under the motion for continued collaboration between Metro, CHSRA, BNSF, and the City of Vernon as outlined in modified Mitigation Measure TR-3. Please refer to **Main Letter Response to Comment 4** for a full description of the revisions to Mitigation

Measure TR-3. CHRSA and Metro respectfully disagree with the commenter's opinion that the Final EIS is incomplete and inaccurate.

The commenter provides no details of the desired updated studies, just a blanket claim that further study is required. Metro and CHSRA as the lead agencies hire the technical specialists to perform the analysis. It should be noted City of Vernon was provided an invitation to become a NEPA participating agency and no response on the invitation was received.

The analysis presented in **Final EIS Appendix Q** is fact based, balanced and well-supported, honest and thorough. Minor corrections to the analysis have been made where appropriate to correct information that was mis-stated or that could be perceived as inaccurate. One example of this is the edit to revise the reduced train movements from 3.5 fewer trains to 3.15 fewer trains per day.

Train speeds, train lengths, and schedules were all considered in the analysis and results presented in the **Final EIS Appendix Q**. These factors were considered especially to account for queuing related delays, emergency response time analysis, and to demonstrate how an improvement to citywide circulation could occur. The only way to derive quantitative results that are presented in the Final EIS is to model the train movements using this information, and that is what was done.

A-106 To address the commenter's point "A," please refer to **Main Letter Response to Comment 48** for a discussion on car storage capacity. To address the commenter's point "B," please also refer to **Main Letter Response to Comment 3** for an in-depth discussion on the alternatives analysis. To address the commenter's point "C," please refer to **Response to Comment A-37** response for a discussion of Vernon-specific benefits associated with implementation of the Malabar Yard railroad improvements. To address the commenter's points "D" and "E," all adverse effects are disclosed within the Final EIS and appropriate mitigation has been provided applicable under both NEPA and CEQA. To address the commenter's point "F," please refer to **Response to Comment A-37** for a discussion of Vernon-specific benefits associated with implementation of the Malabar Yard railroad improvements. Additionally, further coordination will occur between Metro, BNSF, and the City of Vernon, as committed under Mitigation Measure TR-3.

A-107 Prior to release of the Revised NOI in 2020, the Link US Project included reconstruction of tracks at BNSF West Bank Yard and did not fully accommodate the planned HSR system to First Street. Through interagency coordination efforts, Metro elected to revise the Project at the BNSF West Bank Yard to permanently remove the storage tracks (instead of replacing them as previously proposed). This was not an abrupt change, but a project change coordinated with multiple agencies to fully accommodate the planned HSR system as part of the Link US Project to First Street. Metro certified the Final EIR in 2019; however since CHSRA is the NEPA lead agency, the permanent removal of storage tracks at BNSF West Bank Yard was required to be a Project component to complete the NEPA EIS process. Metro also addressed the Project change in the Supplemental EIR.

To address the commenter's point "1," please refer to **Exhibit "B" Response to Comments B-2 through B-4** for a discussion on train operations through the City of

Vernon. As discussed in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-3**, the geographic area considered to determine potential traffic-related effects is the traffic study area. The traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips once the Project is operational; however, it would result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-8**).

Due to the Project-related redistribution of existing traffic, a localized traffic analysis was conducted for intersections and roadway segments within the proximity to the Malabar Yard railroad improvements where traffic redistribution is expected to occur. This redistribution of traffic is expected during the Project Opening Year 2024, Construction Year 2024 and Future Horizon Year 2040. The anticipated traffic redistribution and change in traffic along with the list of study intersections and roadway segments patterns was coordinated with the City of Vernon to obtain feedback on the approach before the traffic analysis was performed.

The length of trains in the existing condition would remain the same in the proposed condition (3,000-foot-long trains). Consolidated freight train movements results in fewer train movements in the City of Vernon, but the train lengths remain the same.

To address the commenter's point "2," please refer to the **Response to Comments A-8 and A-47** for a discussion on the appropriateness of the EIS and associated studies. Studies were conducted at the time the Revised NOI was released which is appropriate for the analysis. The traffic analysis approach was coordinated with City of Vernon Public Works Director prior to conducting the analysis. Metro made repeated attempts to obtain development applications to account for this Project, but none were provided. At the corner of Seville and 46th Street, Metro did make project changes to account for the recent development at Mr. John Rhee's property. Future mixed-use development is accounted for in the Project-related and cumulative impact analysis.

To address the commenter's points "3" and "4a and 4b," please refer to the **Main Letter Response to Comment 3** for a discussion on the alternatives analysis conducted for the Malabar Yard railroad improvements. The City of Vernon is not being asked to reconfigure tracks. Please refer to **Response to Comment A-96** regarding the distances for Pico Rivera Yard. Malabar Yard is not misrepresented as an equal trade. The closure of 49th Street and the 46th Street Connector together are required to preserve current level of freight rail operations.

A-108 To address commenters points 4c and 4d, **Final EIS Appendix Q, Chapter 1.0 (Introduction), Page 1.1-10** is accurate – BNSF West Bank Yard can accommodate up to an 8,000-foot-long trainset in any of the four storage tracks. **Page 3.3-27** of the Final EIS was revised for consistency to read as follows:

> BNSF West Bank Yard can accommodate <u>up to an</u> ~~a continuous~~ ~~9,000~~<u>8,000</u>-foot-long trainset in any of the four storage tracks.

The combined track footage of storage tracks at Malabar yard would be needed to facilitate the required storage needed to offset impacts. See responses to comments above regarding the Los Angeles Junction alternative concepts (**Response to Comments A-85, A-86, and A-88**).

To address the commenter's points "5," please refer to **Main Letter Response to Comments 2, 5, 18**, and **Response to Comment A-52** above for a discussion on the applicability of mitigation measures, as well as **Response to Comment A-37** for Vernon-specific benefits associated with implementation of the Malabar Yard railroad improvements.

A-109 CHSRA and Metro appreciate the comments provided by the City of Vernon and for actively participating in the review of the Draft EIS/SEIR and the Final EIS. The commenter effectively admits that many of the proposed alternatives they identified as mere brainstorming and do not contain sufficient factual and technical evidence to qualify as a specific, detailed alternative that has a likelihood of being carried forward. CHSRA and Metro will continue to coordinate with the City of Vernon regarding planning and mitigation efforts. CHSRA and Metro value the City of Vernon's input and take the comments and concerns regarding potential negative impacts on the City of Vernon seriously. Metro looks forward to implementing the two Metro Board Motions that were part of the SEIR certification.

Exhibit "B": City Letter to BNSF Railway

B-1 The comment requests BNSF to provide additional information regarding the proposed Malabar Yard railroad improvements. Although the City of Vernon sent this comment letter to BNSF, responses to this letter were prepared because it was provided as an exhibit to the Main Letter from RWG. Responses were prepared by CHSRA and Metro based on information obtained from BNSF or obtained from other sources.

B-2 The following provides current train schedules serving Vernon, including service times, train lengths, crew sizes, and the number of locomotives used:

- Service times - BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am
- Train Lengths – Trains operating in Vernon extend up to 3,000 feet
- Crew Size – It is not clear how crew size relates to the environmental analysis of the Malabar Yard railroad improvements. This information does not bear on any analysis for any environmental conclusions.
- Typical Number of Engines: One locomotive (East Seville and West Seville Routes)

B-3 The following provides corresponding information for the proposed post-expansion operations:

- Service times – BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am
- Train Lengths – Trains operating in Vernon extend up to 3,000 feet
- Crew Size – It is not clear how crew size relates to the environmental analysis of the Malabar Yard railroad improvements. This information does not bear on any analysis for any environmental conclusions.
- Typical Number of Engines: Two locomotives (46th Street Connector)

B-4 Train lengths are identified in **Response to Comment B-3** above. Malabar Yard is currently used to stage and store general merchandise cars for local customers. Proposed use of Malabar Yard (after closure of 49th Street) is to store empty bare tables (chassis only) for intermodal trains.

- ***Existing Frequency and Schedule:***
  - Hobart Yard to/from Malabar Yard
    - Total daily train movements – 4
    - Time of Travel:
      - 2x Day: 6:30am – 2:00pm
      - 2x Day: 7:30pm – 2:00am
  - Malabar Yard to/from West Seville

- Total daily train movements – 2
- Time of Travel:
  - 1x Day: 6:30am – 2:00pm
  - 1x Day: 7:30pm – 2:00am

o Malabar Yard to/from Exxon

- Total daily train movements – 2
- Time of Travel:
  - 1x Day: 6:30am – 2:00pm
  - 1x Day: 7:30pm – 2:00am

- ***Proposed Frequency and Schedule:***

o Hobart Yard to/from Malabar Yard

- Total daily train movements – 0.85
- Time of Travel:
  - 3x Week: 7:30pm – 2:00am

o LAJ to West Seville (via 46th Street Connector)

- Total daily train movements – 2
- Time of Travel:
  - 1x Day: 6:30am – 2:00pm
  - 1x Day: 7:30pm – 2:00am

o LAJ to Exxon (via 46th Street Connector)

- Total daily train movements – 2
- Time of Travel:
  - 1x Day: 6:30am – 2:00pm
  - 1x Day: 7:30pm – 2:00am

B-5 Metro reached out to BNSF for this information; however, BNSF did not respond in time for inclusion in the Final SEIR or Final EIS and ROD. Additionally, the environmental analysis does not require this specified information to support any conclusions.

B-6 BNSF customer base is proprietary/trade secret information. CHSRA and Metro do not have authority to release BNSF customer base. BNSF may voluntarily respond to the City of Vernon's request for this information. Switching and customer service activity information is not required or necessary to complete the environmental analysis or reach any environmental conclusions.

B-7 Yes, as a result of the Malabar Yard railroad improvements, the consolidated freight movements from Los Angeles Junction results in 3.15 fewer trains operating in Vernon

per day. In addition, BNSF would conduct train building activities (requiring switching) within the Los Angeles Junction yard itself, thereby reducing intersection blockage on local city streets.

B-8 Malabar Yard is currently used to stage and store general merchandise cars for local customers; however, the General Code of Operating Rules (GCOR) limit storage of standing trains within 250 feet of the 49th Street at-grade crossing. This prohibits BNSF's ability to store longer intermodal train cars that are currently stored at BNSF West Bank Yard.

B-9 Expansion of Malabar Yard is not proposed. With the 49th Street Closure, BNSF would use Malabar Yard to store longer train car sets of empty bare tables for intermodal trains. Local merchandise trains would be relocated to Los Angeles Junction.

B-10 The 46th Street Connector enables BNSF consolidates train movements to serve Vernon customers out of Los Angeles Junction, thereby reducing overall train movements in the City of Vernon and allowing freight trains to bypass the heavily congested San Bernardino Subdivision main line tracks.

B-11 The consolidated train movements facilitated by the 46th Street Connector would result in 3.15 fewer trains operating per day along the Harbor Subdivision in Vernon.

B-12 BNSF customer base is proprietary/trade secret information. CHSRA and Metro do not have authority to release BNSF customer base. BNSF may voluntarily respond to the City of Vernon's request for this information.

B-13 Please refer to **Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2.1** for a description of Malabar Yard's existing operations. In the existing condition, Malabar Yard contains seven rail yard tracks running north and south where merchant trains are currently staged and stored to service local customers in one single location.

B-14 No alternative sites are available that would accommodate intermodal storage without resulting in greater property impacts or decreased operational efficiency for BNSF freight movements. Multiple locations in the region were considered to offset the permanent loss of freight rail storage track capacity at BNSF West Bank Yard that would result from the Link US Project. The BNSF facilities that were considered as potential replacement sites are described below, along with reasons why these sites are infeasible to accommodate new storage tracks:

- **BNSF Hobart Yard:** The existing footprint of BNSF Hobart Yard is at full capacity. Additional tracks would require full parcel acquisition of several dozen commercial properties south of Washington Boulevard, closure of 26th Street, and potentially new intermodal facilities to offset the loss of storage track capacity in kind. In addition, the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.

- **BNSF Commerce Yard:** Similar to BNSF Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. The addition of a storage track at BNSF Commerce Yard, would require full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses. Additionally, there are operational restrictions at BNSF Commerce Yard associated with the current passenger train movements that occur at the Commerce Metrolink Station platform, which impede BNSF's ability to enter and/or store a long train into the facility.
- **Los Angeles Junction:** Los Angeles Junction does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Any physical improvements and/or modifications to existing operations at Los Angeles Junction are not feasible because reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. Expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of seven private properties with active businesses/buildings.
- **BNSF Pico Rivera Yard and Locations further east on BNSF San Bernardino Subdivision Main Line Tracks:** BNSF Pico Rivera Yard and locations further east on the San Bernardino Subdivision main line tracks are located east of BNSF Hobart/Commerce Intermodal Yards and would therefore require use of the San Bernardino Subdivision main line tracks. This would result in decreased efficiencies for BNSF freight operations.

B-15 Comment acknowledged.

Exhibit "C": Malabar Yard Railroad Improvement Air Quality Impact Analysis Peer Review

C-1 The comment provides a summary of Urban Crossroads, Inc.'s review of the Link Union Station Draft Environmental Evaluation of Malabar Yard Mitigation (DEIS/SEIR), dated June 2024, and the respective Air Quality and Global Climate Change sections. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

C-2 The comment accurately summarizes that the Malabar Yard railroad improvements includes the closure of the at-grade railroad crossing at 49th Street, which would accommodate storage at the BNSF Malabar Yard. The Malabar Yard railroad improvements includes construction of an approximately 1,000-foot segment of new track between two existing track segments in order to provide a dedicated connection between the BNSF Malabar Yard and BNSF's Los Angeles Junction. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

C-3 CHSRA respectfully disagrees with the commenter's opinion that the analysis does not include a comparison of the Project's maximum daily construction or operational emissions against the South Coast Air Quality Management District (SCAQMD) regional significance thresholds and does not identify potentially significant impacts or mitigation measures. Contrary to the comment, the air quality analysis did not omit a "potentially significant impact", and the analysis did not omit a "potential mitigation measure" to reduce potential impacts.

Comparison to SCAQMD Air Quality Regional Significance Thresholds

As identified in **Final SEIR, Table 7-5**, the combined total emissions from construction activities of the Modified Proposed Project and Malabar Yard railroad improvements would exceed SCAQMD's daily criteria pollutant thresholds for NOx, PM_{10}, and $PM_{2.5}$. As shown in **Final SEIR, Table 7-6,** Mitigation Measure AQ-1 was identified to address the exceedances of SCAQMD's daily criteria pollutant thresholds. However, even after implementation of Mitigation Measure AQ-1, a significant and unavoidable impact would remain for the Combined Modified Proposed Project and Malabar Yard railroad improvements.

Malabar Yard Air Quality Mitigation Measures

Final SEIR, Pages 7-66 to 7-70 and Table 7-31 address the commenter's questions. Malabar Yard Mitigation Measures AQ-1, AQ-2, and Mitigation Measure AQ-3 would be implemented to reduce criteria air pollutant emissions during Project construction and operation. Malabar Yard Mitigation Measure AQ-1 would reduce fugitive dust and criteria pollutant emissions during Project construction in compliance with SCAQMD rules and would require best management practices beyond SCAQMD rules (i.e. comprehensive inventory of all heavy-duty off-road (50 horsepower or greater). Implementation of Malabar Yard Mitigation Measure AQ-2 would further reduce NO_x emissions during Project construction by requiring all equipment using engines with more than 50 horsepower to

be equipped with engines certified under U.S. EPA's Tier 4 Exhaust Emission Standards and Renewable Diesel Fuel for Off-Road Equipment. Implementation of Mitigation Measure AQ-3 requires preparation of an air quality mitigation plan and implementation of emerging technologies to reduce emissions during Project operations. As such, the DEIS/SEIR did not fail to identify potential mitigation measures to reduce potential impacts.

C-4 CHSRA respectfully disagrees with the commenter's opinion that the DEIS/SEIR fails to evaluate the potential significance of the Project's localized construction emissions.

Localized Air Quality Analysis using Localized Significance Thresholds (LSTs)

SCAQMD Localized Significance Thresholds (LSTs) Methodology

As stated in **Final EIS Appendix Q, Section 3.5, Pages 3.5-20**, "…[i]n addition to a regional analysis, a localized analysis was completed for the construction of the Malabar Yard railroad improvements (see **Appendix F of Final EIS Appendix Q**). The localized analysis showed that onsite emissions would be below the SCAQMD's localized significance thresholds during construction."

The SCAQMD uses the *Localized Significance Thresholds (LSTs) Methodology* to determine localized air quality impacts to sensitive receptors. The *SCAQMD LST Methodology* screens projects from more intensive air quality modeling, such as a hot spot analysis, through the use of mass rate look up tables that have been pre-determined to meet the ambient air quality standards for that location. Localized air quality impacts for the Malabar Yard railroad improvements were evaluated using SCAQMD's *LST Methodology*. Because on-site emissions from the Malabar Yard railroad improvements are below the applicable SCAQMD LSTs, the Malabar Yard railroad improvements would not result in adverse localized air quality impacts. Further, because the Malabar Yard railroad improvements localized emissions during construction and operation are below the applicable SCAQMD LSTs, SCAQMD guidance did not require a separate, hot-spot dispersion modeling analysis. A detailed PM_{10} and $PM_{2.5}$ hot-spot analysis was not completed because the Clean Air Act and 40 CFR 93.116 requirements would be met without an explicit hot-spot analysis.

The commenter's assertion that additional localized emissions modeling should be prepared for the Malabar Yard railroad improvements conflicts with SCAQMD's adopted LST methodology. SCAQMD guidance explicitly states that if calculated emissions for construction activities are below the applicable LST values for NO_x, CO, PM_{10}, and $PM_{2.5}$, no further localized dispersion modeling or health risk assessment is required. The thresholds themselves represent conservative screening levels that ensure compliance with ambient air quality standards.

LSTs are pollutant and location specific thresholds developed by SCAQMD based on allowable on-site project emissions and the size of the project site. They represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards.

If emissions are below LSTs, then the impact to the localized air quality would not be significant. The *SCAQMD LST Methodology Guidelines*[22] state:

> *If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality.*

The mass rate LSTs and associated look up tables provide a practical screening approach, allowing agencies to determine whether a project may generate significant localized air quality impacts without the need for dispersion modeling.

Localized Air Quality Project-Specific Inputs

The analysis in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change)** estimates air pollutant emissions compared to the LSTs set by the distance to the nearest sensitive receptor, Project footprint, and location of the Project. It analyzed whether the emissions exceeded the SCAQMD LSTs established for the Malabar Yard railroad improvements, and it concluded the emissions did not. Therefore, the Malabar Yard railroad improvements would not cause an adverse effect to localized air quality. As shown in **Appendix F of Final EIS Appendix Q**, the localized air quality analysis uses the mass rate look up tables from SCAQMD to determine the appropriate LST for NO_x, CO, PM_{10}, and $PM_{2.5}$ based on the source receptor area, distance to nearest receptor, and Project footprint (Source: Localized Significance Thresholds). The source receptor area used for the analysis is SRA 1 Central LA for the City of Vernon (Source: Source Receptor Areas within South Coast AQMD Jurisdiction | SCAQMD). As specified in **Appendix F of Final EIS Appendix Q**, the nearest receptor (2415-2427 E 53rd St residences) is 403.8 meters away from the Project footprint, which is measured from the outermost boundary of the Project footprint for both design options considered to the receptor location. Since thresholds are provided in the mass rate look up tables[23] for a distance to receptor of 200 meters and 500 meters, the threshold for the Malabar Yard railroad improvements was scaled using a linear interpolation between the two values to account for the nearest receptor location of 403.8 meters.

The Project footprint is approximately 4 acres, however the SCAQMD mass rate look up tables assume emissions for a 1-acre site, a 2-acre site, and a 5-acre site. Inspection of the mass rate LST look-up table shows that for the same source receptor area and distance to receptor, a smaller project site would have a lower LST. Analysis was prepared assuming a 2 acre site to yield a lower and more conservative pollutant threshold. Using

[22] https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=8c641d61_2

[23] SCAQMD. Appendix C – Mass Rate LST Look-up Table. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf?sfvrsn=8e641d61_2

these parameters, while maintaining consistency with the Localized Significance Threshold methodologies,

- the NO_x threshold is set at 162 lb/day;
- the CO threshold is set at 6,834.5 lb/day;
- the PM_{10} threshold is set at 154.7 lb/day and
- the $PM_{2.5}$ threshold is set at 83.7 lb/day.

Localized Air Quality Results

As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Per SCAQMD guidance, since the pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below SCAQMD's LSTs, these pollutants are not considered to be significant air quality impacts and no additional localized analysis is required.

Construction

On-site construction emissions were then calculated using CalEEMod and compared to these LSTs above. As localized emissions were below the LSTs for the nearest sensitive receptor identified in the air quality analysis, impacts to localized air quality would not be significant and no further analysis is required. See **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of the Final EIS Appendix Q**. Localized emissions at any additional sensitive receptors that are further in distance from the nearest receptor would be lower.

Operations

For operations, on-site operational emissions would decrease due to the reduction in train movements (3.15 fewer daily train movements). Therefore, the Malabar Yard railroad improvements would have a net negative contribution to localized operational emissions in the City of Vernon and the Malabar Yard railroad improvements would not result in an increase in localized emissions nor an exceedance of LSTs. Impacts on localized air quality during operations would not be significant and no further analysis is required. (Please refer to **Appendix F of Final EIS Appendix Q , Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19 and Page 3.5-20**).

Implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

Air Quality Calculation Methodology for Overlapping Activities

The commenter states that if the schedule includes overlapping activities (e.g., track removal and grading), the worst-case day should be modeled to verify that concurrent operation of multiple pieces of equipment would not result in a significant localized impact for nearby receptors. Project emissions for the maximum daily on-site emissions of NO_x, CO, $PM_{2.5}$, and PM_{10} were calculated, which included overlapping activities.

As stated in **Final EIS Appendix Q, Chapter 2.0, Section 2.4 (Construction Summary)**, "Table 2-5 provides a summary of the construction duration for each component, the number of construction workers anticipated to perform work on each component, anticipated quantities of materials, and the type of construction equipment that is anticipated to be used throughout construction of the Malabar Yard railroad improvements. As identified in Table 2-5, construction of the Malabar Yard railroad improvements would take up to 18 months ***with various overlapping construction activities for each improvement***." *emphasis added.* Construction phasing assumptions are further detailed in **Final EIS Appendix Q (Appendix D – Section 3.0 (Construction Detail) Page 10 of 57)**:

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	46th St Building Demo	Demolition	8/1/2028	10/30/2028	5	65	
2	49th St Utility Relocations	Trenching	10/31/2028	5/2/2030	5	393	
3	46th St Utility Relocations	Trenching	10/31/2028	5/2/2030	5	393	
4	46th St Connector Track	Building Construction	5/3/2030	9/2/2030	5	87	
5	46th St Realigned Spur Track	Building Construction	7/6/2030	8/7/2030	5	23	
6	49th St Track Replacement	Building Construction	9/3/2030	9/30/2030	5	20	
7	49th St Road modifications	Paving	5/3/2030	11/4/2030	5	132	
8	46th St At Grade Crossing Enhancements	Paving	5/3/2030	7/3/2030	5	44	
9	46th St New At Grade Crossing	Paving	9/3/2030	11/4/2030	5	45	
10	49th St Bollard	Paving	11/5/2030	12/2/2030	5	20	
11	49th St Final Paving	Paving	12/3/2030	12/30/2030	5	20	
12	46th St Final Paving	Paving	12/3/2030	12/30/2030	5	20	

SCAQMD's LST Methodology Approach to Off-Site Emission Sources

The commenter states that the localized emissions analysis should account for haul truck emissions particularly along 46th Street, 49th Street and Soto Street and other local roads, as construction activities include significant hauling activities which may result in significant localized pollutant concentrations.

As previously stated, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. The emissions of concern from both construction and operational activities under SCAQMD's *LST Methodology* are for on-site sources only since a localized analysis examines impacts to nearby sensitive receptors near the Project footprint for the Malabar Yard railroad improvements. Off-site mobile sources (such as haul truck emissions) are addressed in the regional analysis. Additionally, SCAQMD's *LST Methodology* specifically state that, "Off-site mobile emissions from the project should ***NOT*** be included in the emissions compared to the LSTs."[24] *emphasis added.* Therefore, consistent with SCAQMD's *LST Methodology*, emissions associated with off-site haul trucks were not included.

C-5 CHSRA respectfully disagrees with the commenter's opinion that the DEIS/SEIR does not include a localized and regional air quality analysis where emissions are compared to appropriate thresholds established by the SCAQMD. As stated in **Final EIS Appendix Q, Section 3.5, Pages 3.5-20**, "…[i]n addition to a regional analysis, a localized analysis was completed for the construction of the Malabar Yard railroad improvements (see Appendix F). Please refer to **Response to Comments C-3 and C-4** for additional information regarding the regional and localized air quality analyses completed for the Project.

[24] South Coast Air Quality Management District. July 2008. Final Localized Significance Threshold Methodology. page 1-4

CHSRA respectfully disagrees with the commenter's opinion that the DEIS/SEIR only includes the quantification and disclosure of annual emissions. The commenter's assertion that the DEIS/SEIR does not disclose regional and localized air quality emissions and associated impacts is not accurate. Please refer to **Response to Comments C-3 and C-4** for additional information regarding the regional and localized air quality analyses completed for the Project.

The commenter states that if the analysis determines mitigation is required to reduce regional or localized impacts, the DEIS/SEIR should evaluate the feasibility of advanced technologies to reduce emissions, including the use of advanced engine tiers during construction and zero-emission operational rail yard equipment. Please refer to **Response to Comments C-3** for additional information regarding mitigation to reduce air quality emissions.

C-6 Clean Air Act Regulatory Requirements

As stated in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, there are two sets of regulations to implement Clean Air Act (CAA) Section 176(c). The first set promulgated the Transportation Conformity regulations (40 CFR Part 51 and 93), which applies to highway and mass transit projects. The second set of regulations promulgated the General Conformity regulations (40 CFR Parts 6, 51, and 93), which applies to all other federal actions not covered under Transportation Conformity. Because the Project would receive federal funding and is in federal nonattainment for ozone and $PM_{2.5}$ and attainment/maintenance for PM_{10} and CO, a conformity analysis applies.

General Conformity Definition

General Conformity is the pollution prevention and control program that requires a federal agency to assure any proposed activity the agency proposes will conform to the purpose of applicable implementation plans and will not interfere with a State or Tribe's ability to attain and maintain the National Ambient Air Quality Standards (NAAQS) for air quality, as required under Clean Air Act (CAA) section 176(c).

Established under the CAA section 176(c)(4)), the General Conformity regulations at 40 CFR part 93 subpart B play an important role in helping States and Tribes to protect air quality within their jurisdiction and authority that do not meet the NAAQS (nonattainment areas) and areas of vulnerable air quality (maintenance areas).[25]

Applicability of General Conformity

40 CFR Part 93.153(b) Applicability states "a conformity determination is required for each criteria pollutant or precursor where the total of direct and indirect emissions of the criteria pollutant or precursor in a nonattainment or maintenance area caused by a Federal action would equal or exceed any of the rates in paragraphs (b)(1) or (2) of this section."

[25] EPA, 2025. *What is General Conformity?* Available at: https://www.epa.gov/general-conformity/what-general-conformity

The Clean Air Act does not require a hot spot (or localized) analysis for the Malabar Yard railroad improvements. As detailed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the Malabar Yard railroad improvements are subject the General Conformity Rule under the Clean Air Act because the Link US Project (and Malabar Yard railroad improvements) would receive federal funding and the improvements are in federal nonattainment for ozone and $PM_{2.5}$ and attainment/maintenance for PM_{10} and CO.

General Conformity Analysis and Comparison to de minimis Levels

As explained in **Final EIS Volume II, Appendix G (Air Quality and Global Climate Change Assessment)**, the Link US Project's emissions (Build Alternative and Malabar Yard railroad improvements combined) are compared to the *de minimis* emissions levels. **Final EIS Volume II, Appendix G,** includes calculations for both construction and operational emissions at a regional level for the whole Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively). The *de minimis* levels serve as a threshold to determine if a project would cause adverse air quality impacts. Because the Project's emissions are below the *de minimis* levels with implementation of mitigation, no further analysis is required. Therefore, the Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively) satisfies general conformity requirements, and neither NEPA nor the CAA requires a localized air quality analysis.

Transportation Conformity Regulatory Requirements

Transportation Conformity Definition

Transportation conformity is required under Clean Air Act (CAA) section 176(c) (42 U.S.C. 7506(c)) to ensure that federally supported highway and transit project activities are consistent with (conform to) the purpose of a state air quality implementation plan (SIP). The U.S. Environmental Protection Agency's (EPA) transportation conformity rule (40 CFR 51.390 and Part 93) establishes the criteria and procedures for determining whether transportation activities conform to the SIP. Under the transportation conformity rule, a quantitative PM hot-spot analysis only applies to highway and transit projects that are identified in 40 CFR 93.123(b)(1).[26]

In the NRDC vs. EPA case in 2014, the D.C. Circuit court found that the EPA could not extend the timeline to attain ozone standards and that transportation conformity requirements could not be revoked and still applied to older 1997 Ozone Standards.[27]

Applicability of Transportation Conformity

Transportation conformity does not apply to the Project because the Project does not require Federal Highway Administration (FHWA) and Federal Transit Administration (FTA)

[26] EPA, 2024. Hot-spot Analyses and Project-Level Conformity Determinations. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P101BLJT.pdf

[27] U.S. Court of Appeals for the District of Columbia Circuit. (2014). Natural Resources Defense Council vs. Environmental Protection Agency. On Petition for Review of Final Administrative Action of the United States Environmental Protection Agency.

funding or approvals. Furthermore, as described in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, even if transportation conformity applied, "Per the EPA's PM Hot-Spot Guidance and FHWA's Guidance on Mobile Source Air Toxic (MSAT) Analysis, this type of project would not qualify for quantitative dispersion modeling and therefore would not have the potential to result in significant localized emissions." The Malabar Yard railroad improvements would not cause high traffic volumes (140,000 AADT to 150,000 AADT or greater for any local roadway in the City of Vernon), would not be a new or expanded highway project with a significant number of diesel vehicles, and would not worsen traffic-related levels of service (LOS) with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5. Therefore, the Malabar Yard railroad improvements would not fit any of the criteria necessary to require quantitative dispersion modeling, if transportation conformity applied.

Comparison to SCAQMD Air Quality Localized Significance Thresholds (see Response to Comment C-4)

A localized air quality analysis was conducted for CEQA purposes.

As previously described in **Response to Comment C-4** and on **Final EIS Volume III, Response to Comments, Key Issue Response 3, Page 30**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out, and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

Localized impacts during construction

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of the Final EIS Appendix Q**. The commenter mentions DPM emissions during construction as a reason to conduct a construction health risk assessment. DPM emissions are included as part of the PM_{10} emissions (which serve as a subset of DPM)

analyzed in the LST analyses therefore localized air quality is already analyzed and was determined to not be significant.

Localized impacts during operations

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

C-7 **Sensitive Receptors Definition**

The South Coast Air Quality Management District's definition of a sensitive receptor is not defined as a location where an individual could remain for one to eight hours. SCAQMD defines sensitive receptors as residences, schools, playgrounds and athletic facilities on school property, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. These are land uses where people stay for extended periods of time, such as 24-hours or more, or land uses where more vulnerable populations (children or people recreating that have higher breathing rates) congregate.

Although the Stacy Medical Center is a healthcare facility, it is not a long-term facility where patients or workers stay onsite overnight, therefore Stacy Medical Center is not considered a sensitive receptor.

The Holy Angels Church of the Deaf is not a sensitive receptor for air quality because churches are not classified as sensitive receptors under SCAQMD's definition. Additionally, the church is located at a greater distance from the Project than the nearest sensitive receptor, which was determined to have no adverse emission impacts. Therefore, the Project would not result in adverse air quality impacts at the Holy Angels Church of the Deaf.

Factories do not qualify as sensitive receptors. Workers at commercial and industrial facilities are not included because these individuals do not remain onsite for 24 hours and because these individuals are not young children or chronically ill with a long exposure time.

Based on the response above, the SEIR or EIS does not need to be recirculated because impacts on sensitive receptors were fully evaluated in the Draft EIS/SEIR and Final SEIR and Final EIS.

Air Quality Impacts on Sensitive Receptors

Additionally, as stated in **Response to Comment C-4**, pollutant emissions for NO_x, CO, PM_{10}, and $PM_{2.5}$ were below the appropriate LST for that pollutant in the screening process. Therefore, based on the SCAQMD LSTs methodology, a dispersion analysis was not warranted. A Health Risk Assessment would analyze the impacts from diesel particulate matter (DPM) through an air dispersion analysis, using PM_{10} as a surrogate for DPM. The LSTs include a threshold for PM_{10} so this pollutant is already covered in the LST analysis. As stated in **Response to Comment C-6**, if calculated emissions are below LSTs, then the proposed activity is not significant for air quality. No additional analysis in the form of dispersion modeling as part of a health risk assessment is required. The purpose of a health risk assessment is to determine the pollutant concentrations and risk to sensitive receptors. Because the Project has already made the determination that the Project is not significant for air quality through SCAQMD's *LST Methodology*, a health risk assessment is not required in order to determine the impact to air quality.

C-8 **Freight Rail Operations in Proximity to Sensitive Receptors**

As previously described on **Final EIS Volume III, Response to Comments, Page 30**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street. The number of train movements along the Harbor Subdivision would reduce from 4 daily train movements to 0.85 daily train movements in the future condition would have corresponding benefits within the entire City of Vernon. As such, the Project would not result in increased emissions occurring in close proximity to the Vernon City School.

C-9 As stated in **Response to Comment C-8**, the Malabar Yard railroad improvements will decrease overall rail operations in the City of Vernon, which would more than offset any increase in emissions from locomotive idling. As presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

It can be assumed locomotive idling would be reduced on the west side of the City of Vernon because train building would occur within a designated rail yard at Los Angeles Junction. Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**.

Please refer to **Response to Comment C-4** regarding a localized analysis and a health risk assessment.

C-10 As stated in **Response to Comments C-6 and C-8**, freight rail activity would shift away from sensitive receptors, which would result in a decrease of DPM exposure at those sensitive receptor locations. While the Project is located in an industrial area, the analysis uses conservative assumptions for locomotive and truck activity for the regional analysis and falls below SCAQMD's recommended screening-level thresholds in the localized air quality analysis. These thresholds are designed to ensure compliance with ambient air quality standards even in areas with existing industrial activity. In addition, the Project would reduce overall train movements in the City of Vernon, which would reduce air toxins in the City of Vernon and be beneficial to any sensitive receptors.

Cumulative Air Quality Impacts

When considering cumulative effects, the cumulative projects are shown in **Final EIS Volume I, Section 3.16 (Cumulative Effects), Table 3.16-2**. The Project, as a whole, would provide an alternative mode of transportation and reduce regional traffic so it would help the region attain its air quality standards. Furthermore, SCAQMD does not require cumulative health risk assessments for CEQA projects unless the Project itself exceeds localized significance thresholds or triggers specific toxic air contaminant thresholds and has the potential to exceed risk thresholds in combination with past, present and probable future projects. Because the Project would reduce overall train movements in the City of Vernon, the cumulative health risk in the City of Vernon would be less with the Project compared to the No Build Alternative.

C-11 Malabar Yard construction emissions were re-calculated using CalEEMod version 2020.4.0., as noted on **Final EIS Volume II, Appendix G (Air Quality and Global Climate Change Assessment), Page 45, footnote 7**.

C-12 As the commenter stated, the use of the updated CalEEMod is not required due to the NOP date of May 2016. As such, emissions will not be recalculated using the updated version. Additionally, emissions using CalEEMod 2022.1 would show similar emissions and impact conclusions would not change.

C-13 The DEIS/SEIR fully complies with CEQA and NEPA requirements. **Response to Comments C-3 and C-4** discuss regional and localized air quality analyses completed for the Project and proposed mitigation measures to reduce potential impacts to less than significant levels. **Response to Comment C-6** addresses the reduced health risks at

identified sensitive receptor locations. As discussed in **Response to Comment C-7**, Stacy Medical Center is not considered a sensitive receptor because it is not a long-term healthcare facility. **Response to Comments C-8, C-9, and C-10** further address the reduction in rail operation emissions due to freight activity shifted away from sensitive receptors. Therefore, a construction or operational health risk assessment is not required.

Exhibit "D": Memo re: Technical Adequacy of Link US FSEIR Responses to City of Vernon Transportation Comments

D-1 Comment responses to the report authored by Lochner are herein referred to and included in Exhibit "D".

D-2 The Project understanding summary presented in this report is confirmed.

D-3 The passage provided from the Final EIS is confirmed.

D-4 As discussed in the **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-A**, Mitigation Measure TR-3 would minimize the adverse effect by offsetting the loss of storage tracks at the BNSF West Bank Yard. Impacts to the BNSF West Bank Yard are different than a typical brick and mortar commercial/industrial business because the BNSF West Bank Yard is along the National Good Movement corridor and provides space for critical freight operations that support local, state, and national commerce. Project related effects on freight would result in loss of storage track capacity that would create operational inefficiencies or increased congestion on the shared passenger/freight rail network in the region. The removal of storage tracks at the BNSF West Bank Yard is considered an adverse effect that requires mitigation, whereas impacts to brick and mortar commercial/industrial businesses are addressed via Metro's Relocation Assistance Program and the Uniform Relocation Act.

The claim that the main purpose of Mitigation Measure TR-3 is to move "train building" from the BNSF West Bank Yard to the Vernon area is inaccurate. As discussed in the **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-11**, the total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer train movements and relocated "train building" improves citywide circulation.

The main purpose of Mitigation Measure TR-3 is not to move train building from BNSF West Bank yard to Vernon. A key secondary benefit of the Malabar Yard railroad improvements is that fewer train building activities would occur over City streets and within the Los Angles Junction rail yard thereby contributing to a citywide circulation improvement.

D-5 Comment noted and does not require further response.

D-6 The **Final EIS Volume III, Response to Comments, Key Issue Response 2** includes clarifications to the information presented in the **Final EIS Appendix Q, Chapter 2.0,** regarding freight railroad operations. All of the information and analysis of typical freight railroad operational patterns, and the conclusions in the Final EIS are based on a combination of historical data, stakeholder input, and expert analysis. The information collected from BNSF as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies is summarized in **Key Issue Response 2**.

As shown in **Final EIS Volume III, Response to Comments, Key Issue Response 2, Table 2**, 8 daily train movements occur on the affected routes considered (**Final EIS**

Volume III, Figure 7), and in the future condition, a total of 4.85 daily train movements would occur on these same affected routes (**Final EIS Volume III, Figure 8**). As shown in **Final EIS Volume III, Table 2**, the total daily frequency of train movements in the City of Vernon (Net Change) is reduced by 3.15 train movements per day and half of the train movements would occur at night. **Final EIS Volume III**, **Figures 7 and 8,** depict the existing and future daily train movements on the affected routes. Fewer train movements and relocated "train building" improves citywide circulation. Please refer to **Response to Comment AGE 3-11** for a discussion of city connectivity.

Trains would be 3,000 feet in the existing and proposed condition. Speeds would also remain the same for existing and proposed condition.

Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

As presented in the **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-10** and **Key Issue Response 2**, a queuing analysis was prepared at six locations in response to stakeholder engagement activities to determine whether the existing travel lane storage capacity is adequate to accommodate the queue formations generated from redistributed traffic. The results of the queuing analysis demonstrate for the Opening Year (2024), no increase to the queue formation would be attributable to the Malabar Yard railroad improvements with exception of northbound through movements at Railroad Crossing #4 where there is 20 feet of incremental addition to the existing queuing that already occurs. The increase in queue formation is not considered a substantial change for two main reasons:

- The additional 20 feet of queue formation translates into less than a vehicle of queue since one vehicle queue is 25 feet; and
- Because the added queue can be adequately accommodated with the current configuration of the roadway and it would take only one cycle of phasing to clear out the additional 20 feet of incremental addition to the existing queuing that already occurs without the need for any further improvements in lane configuration.

During coordination meetings with the City of Vernon staff after the close of the public comment period, queuing Downey Road was raised as a topic of concern. At Railroad Crossing #6 (Downey Road south of Vernon Avenue), the queue formation already exceeds the storage capacity in the existing condition (see **Final EIS Appendix Q, Section 3.3 (Transportation), Table 3.3-10**) and would continue to exceed the storage capacity during the 2024 No-Build scenario. The queue formation on Downey Road south of Vernon Avenue in the northbound through and southbound through direction remains the same during AM and PM peak hours.

With the Malabar Yard railroad improvements, fewer trains would operate in the City and half of the train movements would occur at night, which have very little to no impact on traffic. For trains operating during the day, if a train movement occurs during the AM and PM peak periods, there could be some effect, but trains are not anticipated to operate at the same time every day and are not all occurring during the AM or PM peak periods. The hourly schedule to service Vernon customers fluctuates and is variable throughout the week based on customer demand.

The improvements would not inhibit access because driveway modifications and other site design elements are proposed to maintain access so affected businesses can remain open throughout operations.

D-7 The topic of train crossing emergency access blockage has been addressed in the **Main Letter Response to Comment 43**, as well as in **Final EIS Volume III, Response to Comments, Key Issue Response 4**.

As discussed in the **Main Letter Response to Comment 43**, after the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon. Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received form the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received.

Based on the comprehensive quantitative analysis performed, the total daily delay that could potentially occur to an emergency response destination would be 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in **Final EIS Volume III, Response to Comments, Table 4**, the total daily delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction of total daily delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain

a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

D-8 Fewer trains would operate in the City of Vernon and all trains would be 3,000 feet consistent with the existing condition. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

D-9 The topic of train length and speed is addressed in the Main Letter Response to Comment 30, as well as in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. As discussed in the **Main Letter Response to Comment 30**, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of length of trains which are 3,000 feet in the existing and proposed condition.

Assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. This reduction is based on the assumption that in the existing condition trains would operate with the same length (3,000 feet) without the Malabar Yard railroad improvements.

D-10 The comment provided is merely a repeat of a City request with no technical details to provide further response. Please refer to **Response to Comment D-6**.

D-11 CHSRA respectfully disagrees with the commenter's opinion that the Project is not consistent with the City of Vernon's General Plan, specifically the Circulation and Infrastructure Element. The commenter states that the Project needs to provide grade separations to replace the at-grade crossings. Please refer to Main Letter Response to Comment 10 for additional information related to the Project's consistency with the City of Vernon's General Plan and the provision of grade separations.

D-12 Comment acknowledged. Additional comments are addressed herein and included in Exhibit "D".

D-13 The Final EIS and Final SEIR appropriately address operational changes associated with the relocation of storage capacity from BNSF's West Bank Yard to the Vernon area. In the existing condition, BNSF trains carrying empty bare tables leave BNSF Hobart and Commerce yards to drop off and store those empty bare tables at the BNSF West Bank Yard. When needed BNSF then runs trains to bring empty bare tables from BNSF West Bank Yard to BNSF Hobart and Commerce yards.

In the future condition, BNSF will continue to operate trains between BNSF West Bank Yard and the BNSF Hobart and Commerce Yards as they do in the existing condition after implementation of the Link US Project; but due to the reduction in BNSF West Bank Yard storage capacity a portion of those bare tables stored at West Bank Yard will no longer be able to be stored at the BNSF West Bank Yard. Upon implementation of the Link US

Project, some empty bare tables, which today are stored at the BNSF West Bank Yard, will need to be stored at the BNSF Malabar Yard instead. Those empty bare tables being stored at Malabar Yard would be carried by BNSF trains from BNSF Hobart and Commerce Yards and dropped off and stored at Malabar Yard. Then when needed BNSF would run trains to bring those empty bare tables from Malabar Yard to BNSF Hobart and Commerce Yard. This operation between Malabar Yard and Hobart or Commerce Yards would be in addition to and would complement the operations between the West Bank Yard and Hobart and Commerce Yard, given the reduction in capacity at the West Bank Yard. This does **not** necessarily result in increased train traffic along the Harbor Subdivision for the following reasons:

- **Purpose of Malabar Yard Railroad Improvements.** The improvements are intended to preserve existing levels of freight service, not to increase overall train volumes. The Project provides alternative storage for some of the trains that previously used the BNSF West Bank Yard, ensuring continuity of current operations rather than introducing new train movements.
- **No Change in Routing Patterns.** Train traffic along the Harbor Subdivision would be reduced as the amount of relocated storage from BNSF West Bank Yard to Malabar Yard is less than the amount of local customer service moving from Malabar Yard to Los Angeles Junction.
- **Train Building Activities.** While train building at Malabar Yard may temporarily occupy local roadways, these activities are not counted as additional train trips beyond those included in the analysis. The Malabar Yard railroad improvements would substantially reduce the train building activities that currently occur on local roadways north of Malabar Yard.
- **Train Length and Crossing Time.** The analysis applied standard train length and speed assumptions consistent with BNSF operational data. Consolidation of freight service does not inherently increase train length beyond what is already typical for existing operations because some cars are handled multiple times today. Crossing delay estimates therefore remain valid and conservative.

Existing and future train movements on affected routes, train lengths, and speeds were obtained from BNSF for the Project. This information was used in the queuing analysis for each of the at-grade grade crossings included in the analysis. BNSF's operational data reflect actual train volumes and routing under both existing and projected conditions. If the data do not show additional movements along the Harbor Subdivision, it is reasonable to conclude that the Malabar Yard railroad improvements do not create new demand for that corridor. Railroads operate under strict efficiency and cost constraints, and unnecessary routing changes would not occur without operational need. BNSF is the primary operator and has the best available information on routing and storage needs. Their data are the most accurate source for determining train volumes and crossing impacts, and reliance on this data is reasonable, consistent with regulatory guidance, and reflective of operational realities.

The consolidation of freight customer service in the City of Vernon will result in operational efficiencies reducing the number of trains needed through the City.

D-14 CHSRA respectfully disagrees with the commenter's opinion that the EIS uses invalid assumptions for its emergency access analysis. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4**. The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the city are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision would be reduced from 4 existing daily train movements to 0.85 daily train movements (please refer to **Key Issue Response 2, Table 2 and Figures 7 and 8**). Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision. In consideration of the train movements shown in **Final EIS Volume III, Response to Comments, Key Issue Response 2, Table 2 and Figures 7 and 8**, the total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer train movements on the Harbor Subdivision would increase opportunities for enhanced community connectivity.

As discussed above, in response to inquiries related to queuing and traffic congestion at the railroad crossings from Soto Street to Los Angeles Junction, a calculation was performed that demonstrates trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am). Considering the heavy presence of existing freight trains operating in the City already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, and the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, no adverse effect related to division of communities or reduced community connectivity would occur.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an extensive emergency response analysis in coordination with the City of Vernon. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Based on the comprehensive quantitative analysis performed, the total daily delay that could potentially occur to an emergency response destination would be 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in **Final EIS Volume III, Response to Comments, Table 4**, the total daily delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction of total daily delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above

demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

D-15 The physical changes at Malabar Yard and change in train operations due to the proposed Malabar Yard railroad improvements was taken into consideration for the queuing analysis. BNSF had provided the change in number of daily trains, routes, speed and train lengths due to the Project at Malabar Yard. Therefore, the queuing analysis does capture these changes in the train operations and the traffic related impacts in terms of queuing.

D-16 The train related information used for the analysis are not 'assumptions' but estimates that BNSF had shared for use in the environmental evaluation. BNSF had shared the information such as number of trains, train lengths, speed, and train routes once the Project is operational.

The train-related assumptions are used from the information that was provided by BNSF during the development of the traffic analysis. This information was updated by BNSF based on the changes in the train operation due to relocation of train operations from BNSF West Bank Yard to Malabar Yard. The train length, speed, and frequencies were updated by BNSF in 2024 and presented in **Final EIS Volume III, Introduction and Final EIS Appendix Q, Section 2.2**. BNSF analyzed the change in train operations due to the proposed Project and developed the estimates for number of trains, routes, train length, speed etc. based on their analysis. BNSF is the primary operator and has the best available information on routing and storage needs. Their data are the most accurate source for determining train volumes and crossing impacts, and reliance on this data is reasonable, consistent with regulatory guidance, and reflective of operational realities.

The speed of the train is not a factor in the calculation of 1.7 minutes. The 1.7 minutes per train in delay to emergency response time refers to the additional time needed to respond when a train is blocking the crossing and responders then reroute around the intersection as opposed to waiting for it to clear. These calculations were made based upon routes and routing presented and coordinated with the City of Vernon prior to finalizing for inclusion in the Final EIS (**Final EIS Volume III, Introduction Jey Issue Response 4**).

D-17 The best available vehicular traffic data from 2020 was collected and adjusted based on historical traffic data. The methodology used to adjust the raw 2020 traffic counts was presented and approved by the City in 2020 before being used for the traffic analysis. The assumption that better data is now available is unreasonable since the data used from 2020 was adjusted to reflect the conservative traffic conditions from that period. The traffic analysis was conducted in 2020 and hence the existing baseline conditions for the Malabar Yard railroad analysis is the year 2020. Typically, the traffic data is used for existing conditions during the time of the traffic study. The availability of better traffic data in future years doesn't mean that the older data should be replaced. This is standard industry practice.

D-18 Please refer to **Response to Comment D-11** above.

D-19 The traffic impact analysis has analyzed all the traffic impacts that due to the change in train operations due to the proposed Malabar Yard railroad improvements. Both

improvements were analyzed in the traffic analysis. The change in traffic circulation due to the closure of 49th Street Closure and the 46th Street Connector was analyzed along with its impact on the train operations. BNSF had adjusted the train operations information to reflect the change in operations due to the relocation of train operations from the BNSF West Bank Yard to Malabar Yard. The train information was used in the queuing analysis.

D-20 See **Response to Comment D-14** above regarding the train length intersection/driveway blockage analysis.

D-21 The topic of the Malabar Yard railroad improvements consistency with the City of Vernon General Plan was addressed in **Main Letter Response to Comment 10** and **Response to Comment D-11**, as well as in the **Final EIS, Volume III, Response to Comments**. As discussed in **Response to Comment D-11** response, **Final EIS Appendix Q, Section 3.2 (Land Use and Planning), Table 3.2-2** provides an evaluation of the railroad improvement's consistency with applicable plans, policies, and programs, which is required under 40 CFR 1502.16(c). Consistency of the City of Vernon General Plan (Amended 2015) with the Malabar Yard railroad improvements is analyzed within this table, including Policies CI-1.2, CI-1.3, and CI-1.5 and was overall found to be consistent with applicable general plan policies.

Additionally, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access.

D-22 The Final SEIR has addressed all the possible traffic related impacts due to the proposed Project and the change in train operations due to relocation of train operations from BNSF West Bank Yard to Malabar Yard. All assumptions in the traffic study were in consultation with the City of Vernon, BNSF, and Metro.

Exhibit "E": Environmental Evaluation for Malabar Yard Railroad Improvements – Noise Section 3rd Party Review

E-1 The comment provides an introduction to Urban Crossroads, Inc.'s review of the Environmental Evaluation for Malabar Yard railroad improvements - Noise Section. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

E-2 The comment provides an accurate summary of the Project background. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

E-3 The comment provides a summary of Urban Crossroads, Inc.'s review findings of the Environmental Evaluation for Malabar Yard Railroad Improvements - Noise Section.

- Bullet Item 1: CHSRA and Metro agree with the finding that the Environmental Evaluation for Malabar Yard railroad improvements - Noise Section analyzes noise and vibration impacts related to both temporary construction activity and long-term operation of the Project.
- Bullet Item 2: CHSRA and Metro agree with the finding that the noise analysis states the nearest residences are located over 1,000 feet from the Project boundary.
- Bullet Item 3: CHSRA and Metro agree with the finding that construction of the Malabar Yard railroad improvements would include the following construction phases: demolition (if required), site preparation, grading, building construction (if required), paving, and architectural coatings.
- Bullet Item 4: CHSRA and Metro find this finding inaccurate. Roadway traffic is present in the area but it may not always be the dominant noise source. The analysis area includes other sources of noise including what we assume are those from various industrial uses in the area as well as those from the activity along the existing railroad infrastructure.
- Bullet Item 5: CHSRA and Metro agree with the finding that the noise and vibration analysis relies on the FHWA Roadway Construction Noise Model (RCNIM) input and the Federal Transit Authority (FTA) methodologies.
- Bullet Item 6: CHSRA and Metro agree with the finding that due to the absence of noise-sensitive receivers within 1,000 feet of the Project boundaries, a detailed analysis of noise impacts was not required based on FTA methodologies.
- Bullet Item 7: CHSRA and Metro agree with the finding that the analysis provided a qualitative assessment of operational noise and vibration impacts and a partially quantitative analysis of construction noise and vibration impacts.

E-4 The commenter is correct that the analysis is limited to the Project footprint (Project boundaries); however is incorrect that the analysis ignores operational changes within Malabar Yard. The entire Malabar Yard is not part of the Project footprint because no

physical improvements would extend to the entire yard limits. The Final SEIR and Final EIS addresses the operational changes with the consolidated freight service, and these changes would extend along the Harbor Subdivision and the San Bernardino Subdivision – there is no requirement to extend the Project footprint along these corridors for the same reason there is no requirements to extend the Project footprint to the limits of Malabar Yard. Nonetheless, an analysis of noise and vibration indirect impacts was conducted beyond the footprint. It identified only a beneficial effect of less train noise along the Harbor Subdivision north of Malabar Yard. See **Final EIS Appendix Section 3.6, Pages 3.6-9 to 3.6-10**.

Pursuant to the Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment* manual, the 1,000-foot buffer applies to areas that are unobstructed to the Project, and a 650-foot buffer applies to areas that are obstructed. FTA and Federal Railroad Administration (FRA) guidelines include a screening level assessment that is used to establish whether a more detailed analysis should be conducted. The Project alignment would be considered obstructed; therefore the 650-foot screening distance applies. For the Malabar Yard railroad improvements, the Project system is considered a yard and therefore has different screening distances than the Build Alternative, which is considered a commuter main line. This screening assessment was performed and, per the FTA and FRA guidelines, no noise -sensitive land uses are located within 1,000 feet of the proposed 46th Street Connector and 49th Street Closure (without obstructions) or within 650 feet from the proposed Malabar Yard rail railroad improvements (with obstructions).

E-5 A detailed noise assessment is not required per the applicable FTA and FRA guidelines, however, an evaluation was performed to demonstrate the predicted noise and vibration levels in the vicinity of Malabar Yard railroad improvements. Construction assumptions were provided for both the noise and air quality analyses. FTA's guidelines for assessment of construction noise, as per the methodology in Section 7 of the FTA manual and Chapter 10 of the FRA manual, which are identical to one another, were considered, although a detailed assessment was not performed because there are no noise or vibration-sensitive land uses within the designated screening distances for the Malabar Yard study area.

It is noted in **Final EIS Appendix Q, Section 3.6 (Noise and Vibration)** that noise from construction activity is generated by the broad array of powered, noise-producing mechanical equipment used in the construction process. This equipment ranges from handheld pneumatic tools to excavators, loaders, a variety of trucks, and tie and rail handling equipment. Construction equipment required to implement the Malabar Yard railroad improvements include trucks, loaders, rollers, mobile cranes, ballast tampers, generators, and other items. Nonetheless, it will be up to the construction contractor to identify the exact methods to which they would use to construct the Malabar Yard railroad improvements. At the time appropriate local permits are obtained, any requirements that the City of Vernon may have that are applicable to the Project, including reasonable times of day when construction can take place, would be considered and accounted for.

E-6 The commenter is referring to the part of the analysis on **Page 3.6-9 of Final EIS Appendix Q**, which states that "any combination of design options for the Malabar Yard

railroad improvements would not result in a change to the track alignment or in how the yard or trains using the yard operate. The 46th Street connector would be located between two active rail lines. Therefore, there would be no perceptible change in operational noise under either design option. The Malabar Yard itself would operate similar to how it is currently used; except intermodal empty bare tables would be stored there instead of merchandise cars for customers. Less train building would also occur north of Malabar Yard because this activity would occur within the limits of Los Angeles Junction yard.

Please refer to **Response to Comments E-4 and E-5**. As previously indicated, a detailed noise assessment is not required per the applicable FTA and FRA guidelines because no noise -sensitive land uses are located within 1,000 feet of the proposed Malabar Yard rail line along the 46th Street and 49th Street intersection with Malabar Yard (without obstructions) or within 650 feet from the proposed Malabar Yard rail line along the 46th Street and 49th Street intersection with Malabar Yard (with obstructions).

E-7 Please refer to **Response to Comment E-6** above.

Exhibit "F": Email between Kevin Wilson and BNSF Project Engineer Greg Rousseau

F-1 Exhibit "F" is e-mail correspondence between former Vernon Public Works Director Kevin Wilson and BNSF Project Engineer Greg Rousseau, dated September 27, 2006. It seems to provide background evidentiary support for the proposition when BNSF had identified some similar project designs for facilitating freight rail transportation as early as 2006.

Metro Board of Directors Meeting Comments – Received 10/23/25

Comment Transcription and Response to Comments

Response to Comments Received During Metro Board Meeting on October 23, 2025

1. Leticia Lopez

Good morning. I'm Leticia Lopez, the Mayor of Vernon. On behalf of our City Council and our community, thank you, Chair Dutra, Director Hahn and Director Solis for your advocacy. We support Metro's Link US Project for the region. However, the Malabar yard expansion will cause traffic, slower emergency response time, increased pollution and noise, and diminish the quality of life for our city. Vernon is focused on building a future where progress, economic vitality, clean commerce, mixed-use residential, health, safety and community go hand in hand. Thank you.

Response:

In regard to traffic congestion, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2**. As discussed in that response, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue - operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, increased traffic congestion would not occur.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day.

The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality

sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

Regarding increased noise, the closest noise- and vibration -sensitive land use is a place of worship (Holy Angels Church of the Deaf, FTA Category 3 use) located at 4433 South Santa Fe Avenue, west of Malabar Yard and south of the Vernon Avenue/Pacific Boulevard intersection. The church is located behind intervening buildings and is outside of the 1,000-foot FTA screening distance as depicted in **Final EIS Appendix Q, Section 3.6, Figure 3.6-1**. Construction of the Malabar Yard railroad improvements would occur in phases over an approximately 18-month schedule and would result in temporary periods of elevated noise levels primarily during daytime hours. **Final EIS Appendix Q, Section 3.6, Table 3.6-2 and Table 3.6-3** provide the predicted daytime noise level at various distances for both the 46th Street Connector and 49th Street Closure, respectively. The daytime construction noise impact criterion is 80 A-weighted decibels (dBA) equivalent continuous sound level (Leq) and construction noise is predicted to attenuate to this level at approximately 150 feet from the loudest construction phase (track installation). Since there are no noise-sensitive land uses within 150 feet, no direct adverse effect would occur during construction.

The Malabar Yard railroad improvements would create additional storage capacity and operational efficiency but would not result in a change to the track alignment of Malabar Yard or how the yard or trains using the yard operate. The 46th Street connector would be located between two active rail lines (West Seville Connection and East Seville Connection). Therefore, there would be no perceptible change in operational noise under either design option because trains already operate on these two lines each day. No direct adverse effect would occur throughout operation.

The consolidation of freight train movements in Vernon would result in 3.15 fewer trains traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street. This reduction of train movements would result in a benefit of less train noise and vibration-related annoyance or impacts to nearby noise/vibration sensitive receptors that are currently present, in addition to future noise/vibration sensitive receptors that may be present upon the City of Vernon's implementation of the *2023 Vernon Westside Zone Change and General Plan Amendment*. In this context, a beneficial indirect adverse effect would occur throughout operation. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Pages 3.6-10 and 3.6-17**.

Fewer train movements in Vernon in addition to Metro's eleven proposed Offsetting Mitigation Measures (OMMs) would contribute to enhanced quality of life (see **Final EIS Appendix Q, Section 3.16, Section 3.16.9**. Metro is committed to continuing the ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements and develop solutions that preserve the city's economic vitality. Specifically, the following OMMs, proposed beyond mitigation measures to reduce potential environmental impacts, would enhance quality of life.

- OMM MY NV-1 and OMM MY NV-2: Quiet zone infrastructure would contribute to reduced train horn noise, improved quality of life for existing residents in nearby areas (minority communities), and reduced disruption to the Vernon City Elementary School and Holy Angels Church of the Deaf. It would also reduce impacts to noise-sensitive businesses

that may be located in the area. Additionally, the railroad safety measures would optimize safety for vehicles and pedestrians at exiting at-grade railroad crossings.

- OMM MY SS-3: the communication and radio systems upgrades would improve public safety, emergency response, and overall quality of life in the community by maximizing inter-and intra-agency coordination and communication abilities more efficiently during critical situations.
- OMM MY TR-9: Bus shelters would provide protection from weather and sun, making waiting for a bus more comfortable for passengers, further supporting their mode choice and reducing VMT within the community. Improved transit amenities and ridership within a developing area would enhance connectivity during both construction and operations and improve quality of life in the City of Vernon.

2. Darren Kettle

Good morning, Mr. Chair. My name is Darren Kettle. I'm the CEO of Metrolink. Metrolink has worked closely with Metro over a number of years and has been a part of the recent value engineering exercise to reduce project costs for this project. Metrolink strongly supports the Link US project as a transformational investment. Faster, more frequent, and reliable riders for our region. The run through tracks on the bridge spanning 101 are key features of Link US and will remove operational inefficiencies and currently require reversing out of the in and out stub tracks. Thank you.

Response:

Metro acknowledges the commenter’s support for the Project.

3. Hector Juarez

My name is Hector Juarez, and I've been working for this company for 21 years. I’m the plant Forman and in charge of operational logistics, we have a good safety record, and I hope to maintain that that's a company priority. However, this will make things difficult, and the congestion of Santa Fe will create a very unsafe condition of traffic for truck drivers and our employees. Furthermore, I know that bus schedule will be impacted, and we have employees who use the bus that will have a difficult time to get into work. The company treats the employees well.

Response:

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2)**. Malabar Yard Mitigation Measure TR-1 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5)** requires a Traffic Management Plan to be prepared and implemented, clearly marked detours to be implemented, and advanced notice be provided to nearby residences, emergency service providers, public transit and bus operators, the bicycle community, businesses, and organizers of special events. The Traffic Management Plan requires traffic flow to be maintained to the safest degree feasible and the City of Vernon to be notified in advance of street closures, detours, or temporary lane reductions.

As shown in **Final EIS Appendix Q, Section 3.3, Figure 3.3-4**, three local bus routes, operated by Metro, currently operate within the study area.

- Routes 751 and 251 carry passengers along Soto Street with stops at Vernon Avenue and Fruitland Avenue.
- Route 611 carries passengers along Vernon Avenue and Leonis Boulevard with a stop at Santa Fe Avenue.
- Metro Rapid Line 760 runs along Santa Fe Avenue and Pacific Boulevard.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, to address the impacts related to traffic delay that would occur at three intersections and one roadway segment (Fruitland Avenue), Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5)** are proposed to maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all level-of-service-related traffic impacts.

4. Albert Cienfuegos

Hi, my name is Albert Cienfuegos and I'm part of Local 300 which is the laborers' union, and I wasn't intending to speak but because I along with my brothers and sisters are being affected by lack of work, I felt that speaking up would be the logical thing to do. After being addicted to drugs and giving the prison system over 25 years of my life, it wasn't easy finding a job that paid a living wage. That is until I was introduced to Local 300. It has been better for us, that's for sure. But because of the holdups on projects accumulating, the hours for our living wages have been detrimental. Thank you. I pray that coming up here to speak will move on the hearts of those who can bless us with the jobs that we need so that we can continue to be productive members of society and a positive influence on those who may be also looking for a way out. God bless you guys.

Response:

Metro acknowledges the commenter's support for the Project.

5. Isiah Robles

That's hard to follow. Good morning, honorable board members. My name is Isaiah Robles. I'm the Sergeant at Arms at Laborer Local 300. I'm here on behalf of our business manager, Sergio Escalon, and our 8000 members of Los Angeles County, I'm asking you to move forward with the Link Union Station project so our members can get to work. Huge projects like this get, you know, they help get Los Angeles through hard times. And I, I think we see a few coming. It allows people to live where they work and work where they live. And I know the impact that construction is difficult and it's inconvenient at times, but it gives good wages, health insurance, a pension and apprenticeship opportunities. Please approve the project.

Response:

Metro acknowledges the commenter's support for the Project.

6. Zeina Moussa-Millward

Good morning. My name is Zeina Moussa Millward and I'm the City attorney for the City of Vernon. As a city attorney, I just have to start by saying that I'm not sure limiting public comment to 30 seconds respects the spirit of the Brown Act, especially on something this impactful. The Malabar

Yard mitigation is not about mitigating an environmental impact. It is about giving BNSF what it wants, an operational benefit it has been asking Vernon to approve since at least 2006. If the EIR certified with the Malabar Yard mitigation, Vernon will have no choice but to explore all legal options to protect our community. Thank you.

Response:

Regarding public comments, the Brown Act states, "Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body." Govt. Code § 54954.3(a). Under Government Code section 54954.3(b)(1), the legislative body may adopt "reasonable regulations" to ensure the public's right to comment in section (a) above is carried out, "including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker." In *Chaffee v. San Francisco Public Library Comm.*, the Court of Appeal determined that setting stricter time limits might be necessary in order to allow every member of the public who wished to speak to do so within the total time allotted for public comment, or in order to complete a meeting with a lengthy agenda within a reasonable period of time." Therefore, since all commenters were offered the same 30 second speaking period equally, this time limit is in accordance with the Brown Act.

FRA's *Procedures for Considering Environmental Impacts* (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a. *FRA's* Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.

- In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b. FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and CEQA Guidelines require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in

accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

7. Jason Baez

Jason Baez, Laborers Local 300, 4th Generation Los Angelino. A project like this gave me the opportunity to move out of our HACLA housing projects and now owning 3 homes. This project will benefit our community tremendously in so many different ways. There are many people who are looking forward to this and will help so many people in our community please move this project forward. Thank you so much.

Response:

Metro acknowledges the commenter's support for the Project.

8. Frank Garcia

Good morning. My name is Frank Garcia. I'm a proud member of Local 300. I'm here in support for this project to continue. It would like to say it would help bring jobs to our union members and make the transportation system better in City of Vernon, East Los Angeles, and the surrounding communities. I ask that you look into consideration of moving this forward. Thank you.

Response:

Metro acknowledges the commenter's support for the Project.

9. Nick Perez

Good morning, my name is Nick Perez of Vernon PD Captain. The proposed Malabar Yard mitigation will have serious and real impacts on public safety that will cause increase in response times. Vernon PD is currently meeting our standard average of 3 1/2 minutes for priority one response calls for service. The proposal will introduce risk factors that will change that. The analysis assumes that response times will be reduced by 5 minutes. But I'm confused by the analysis being the Vernon PD was never asked for supporting data. I do agree with the SEIRS' ultimate conclusion that this project could impede access.

Response:

Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment

period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

The commenter mentions Vernon PD was never asked for supporting data; however, Metro made diligent efforts as mentioned above to account for feedback from the Police Chief in the analysis of emergency response times. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Through these meetings, the Police Chief provided valuable insight into emergency response operations, including dispatch routes from the police station and interactions with existing train movements. This coordination directly informed the development of the OMMs that include Emergency Response Upgrades, pan-tilt-zoom (PTZ) smart cameras, AI-based traffic control systems, new traffic signal controllers, radio and communications upgrades, and a mobile Emergency Operations Center. These OMMs are above and beyond the mitigation measures to reduce environmental impacts under CEQA and NEPA, some of which were proposed by Metro solely based on the requests by the Police Chief.

10. Nick Ghirelli

Good morning. My name is Nick Ghirelli. I'm an attorney retained by the City of Vernon. We've submitted lengthy studies and analysis for the record. They explain clearly why the Malabar yard mitigation is deeply flawed and unlawful. The SEIR turns environmental mitigation onto its head. Mitigation must be both feasible and actually mitigate an environmental impact. Malabar Yard mitigation does neither. I've never seen an EIRs mitigation measure impose greater impacts and cause greater controversy than the project itself, which Vernon supports, and this is totally unnecessary. We've given you three options to allow this SEIR to move forward and we encourage you to look at them. Thank you.

Response:

Metro acknowledges receipt of the letter submitted by Richards Warson and Gershon. Please refer to the City of Vernon's Additional Comments on Link Union Station Project's Environmental Impact Statement/Supplemental Environmental Impact Report, and Objection to Certification of EIR and Project Approval dated October 22, 2025 and responses to comments in Exhibits A through E.

FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect.. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic

queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and CEQA Guidelines require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on

avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. The Malabar Yard railroad improvements are specifically designed to preserve current levels of rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[1] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

11. Lonnie

My name is Lonnie. I'm with Consolidated Fabricators. I've worked there for over 32 years. Safety concerns if E 49th Street is closed at the rail railroad right of way, since the street would no longer connect S Santa Fe to Pacific Boulevard. Delivery trucks would be forced to access the warehouse only from Santa Fe Ave. increasing truck traffic on a roadway that already has a significant amount of truck traffic.

Response:

The 49th Street Closure would be designed in a manner to allow business access to be maintained.

Metro staff collaborated with the Consolidated Fabricator’s property owner to develop the hammerhead configuration (49th Street Closure Design Option 2) to allow for safe and legal access into and out of the Consolidated Fabricators business with optimal maneuverability for large semi-trucks. During the February 3, 2025 meeting conducted onsite with the property owner, Metro provided exhibits to demonstrate closure and relocation of the Consolidated Fabricators business is not proposed, nor deemed required, as part of the Malabar Yard railroad improvements because the 49th Street Closure would be designed in a manner to allow business access to be maintained.

[1] 2025-0931 - MALABAR YARD MITIGATIONS AND CONTINUED COLLABORATION MOTION - Metro Board

During construction of either design option, temporary access restrictions to a portion of the driveway serving the Consolidated Fabricators business may be required to implement the 49th Street Closure; however, Metro is required to implement standard traffic control measures and safety precautions to maintain safe access to adjacent properties while construction occurs (see Malabar Yard Mitigation Measure TR-1 in **Final EIS Appendix Q, Section 3.3, Section 3.3.5**). Metro will continue to coordinate with the property owner to refine the conceptual design during the final design and right-of-way process.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, anticipated traffic redistribution and localized impact analysis performed, and the potential queuing associated with implementation of Malabar Yard railroad improvements. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all level-of-service-related traffic impacts. As such, the Malabar Yard railroad improvements would not contribute to traffic congestion that would be considered an adverse effect.

12. Robert Sousa

Good morning. My name is Robert Sousa and I'm the police Chief for the City of Vernon and have been a law enforcement officer in Vernon for over 28 years. I know Vernon's unique Street network and emergency response routines intimately. My officers rely on 49th St as a key East-West response route, which Metro proposes to close, effectively cutting off critical access to the east side of town. Vernon's compact industrial grid means limited alternate routes, even short delays, have serious consequences. Public safety must remain a high priority in any regional transportation project. We support Metro's goal of improved mobility, but never at the expense of the safety of our residents, our workforce and my officers.

Response:

After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro’s diligent effort to accurately resemble how emergency response occurs in Vernon.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route,

and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

13. Jose Rudio

Good morning. Thank you for this opportunity. My name is Jose Rudio. I am a member of LIUNA Laborers International Union of North America, and on behalf of our hard-working men and women, we're supporters project 100%. This project will bring fair wages, great benefits and it will strengthen our economy. Our members eagerly await the opportunity to initiate this remarkable project. I strongly support this project moving forward. Please also support this project.

Response:

Metro acknowledges the commenter’s support for the Project.

14. Betty Buenas

Hello, my name is Betty Buenas. I work at Consolidated Fabricators where we are on the corner of 49th and Santa Fe. I've been hearing all of this, you know that the project would help employees or people with jobs, but if you shut us down, hundreds of employees will be out of jobs in an already tough job market. So, I am against the Malabar expansion.

Response:

Closure and relocation of the Consolidated Fabricators business is not proposed as part of the Malabar Yard railroad improvements because the 49th Street Closure would be designed in a manner to allow business access to be maintained.

15. Brian Saeki

Good morning, Chair Dutra and members of the Metro Board. Brian Saeki and I am the City Administrator for the City of Vernon. Thank you for the opportunity to speak. As our mayor stated, Vernon fully supports the Link US project. Our concern is only specific to the proposed expansion of the Malabar Yard. Our request is simple. Approve the project today, certify the EIR, but remove the requirement to expand Malabar Yard and Vernon. If you do this, we commit to working with Metro and BNSF to help identify alternative storage options. Despite what you may have heard, this is well within your authority as a lead agency under CEQA. Thank you.

Response:

Metro acknowledges both the commenter's support for the Project and additionally the request to remove the Malabar Yard railroad improvements that are proposed as mitigation in Vernon. **Final EIS, Appendix Q, Chapter 1.0** states, "this technical memorandum provides a detailed description of the Malabar Yard railroad improvements in the City of Vernon and a full environmental evaluation of potential effects of the Malabar Yard mitigation for freight and displacement impacts at BNSF West Bank Yard." This passage explicitly affirms that Malabar Yard railroad improvements are required as mitigation tied to the Link US run-through tracks, not optional or irrelevant.

FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a. FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.

- In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b. FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and CEQA Guidelines require analysis of program plans, ordinances, or policies addressing the circulation system.

    - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in

accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[2] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

16. Salvador Contreras

Good morning. My name is Salvador. I have been working in one of this company for 23 years. My biggest concern is what I'm going to do if I just lose this job. I'm from the labor community. I'm not part of any union. So, what I'm gonna do? I have my kids. I don't have no choice. Please think about all the families that will be affected with this project. That's all.

Response:

[2] 2025-0931 - MALABAR YARD MITIGATIONS AND CONTINUED COLLABORATION MOTION - Metro Board

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 5**, some job loss resulting from potential building demolition may occur; however, as part of Metro's Relocation Assistance Program and the Uniform Relocation Act benefits processes, any businesses subject to building demolition or displacement would be compensated or referred to potential and/or suitable replacement sites.

17. Mildred Zepeda

My name is Mildred Zepeda, and my children attend Vernon Elementary. I wanna make sure that my kids are healthy and safe, not worrying about the air that they breathe and the school they attend is not harmful in any way. Metro plans to bring more population, noise, traffic just outside where my kids attend school to learn and play. Progress cannot be, cannot come to the expense of our children's well-being. They deserve clean air, safety, streets, learning environment and free from distractions in the same quality as live as any other children. The Malabar Yard proposed to prove that our children are not priority to Metro. They are the very last to this consideration.

Response:

The Malabar Yard railroad improvements would not result in an increase in population.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

Regarding increased noise, the closest noise and vibration sensitive land use is a place of worship (Holy Angels Church of the Deaf, FTA Category 3 use) located at 4433 South Santa Fe Avenue, west of Malabar Yard and south of the Vernon Avenue/Pacific Boulevard intersection. The church is located behind intervening buildings and is outside of the 1,000 foot FTA screening distance as depicted in **Final EIS, Appendix Q, Section 3.6, Figure 3.6-1**. Construction of the Malabar Yard railroad improvements would occur in phases over an approximately 18-month schedule and would result in temporary periods of elevated noise levels primarily during daytime hours. **Final EIS Appendix Q, Section 3.6, Table 3.6-2 and Table 3.6-3** provide the predicted daytime noise level at various distances for both the 46th Street Connector and 49th Street Closure, respectively. The daytime construction noise impact criterion is 80 A-weighted decibels (dBA) equivalent continuous sound level (Leq)and construction noise is predicted to attenuate to this level at approximately 150 feet from the loudest construction phase (track installation). Since there are no noise-sensitive land uses within 150 feet, no direct adverse effect would occur during construction.

The Malabar Yard railroad improvements would create additional storage capacity and operational efficiency but would not result in a change to the track alignment of Malabar Yard or in how the yard or trains using the yard operate. The 46th Street connector would be located between two active rail lines (West Seville Connection and East Seville Connection). Therefore, there would be no perceptible change in operational noise under either design option because trains already operate on these two lines each day. No direct adverse effect would occur throughout operation.

The consolidation of freight train movements in Vernon would result in 3.15 fewer trains operating along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street. This reduction of train movements would result in a benefit of less train noise and vibration-related annoyance to nearby noise/vibration sensitive receptors that are currently present, in addition to future noise/vibration sensitive receptors that may be present upon the City of Vernon’s implementation of the 2023 Vernon Westside Zone Change and General Plan Amendment. In this context, a beneficial indirect adverse effect would occur throughout operation. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Pages 3.6-10 and 3.6-17**.

In regard to traffic congestion, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2**. As discussed in that response, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue - operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, increased traffic congestion would not occur.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

Fewer train movements in Vernon in addition to Metro's eleven proposed Offsetting Mitigation Measures (OMMs), would contribute to enhanced quality of life (see **Final EIS Appendix Q, Section 3.16, Section 3.16.9)**. Metro is committed to continuing the ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements and develop solutions that preserve the city's

economic vitality. Specifically, the following OMMs, proposed beyond mitigation measures to reduce potential environmental impacts, would enhance quality of life.

- OMM MY NV-1 and OMM MY NV-2: Quiet zone infrastructure would contribute to reduced train horn noise, improved quality of life for existing residents in nearby areas (minority communities), and reduced disruption to the Vernon City Elementary School and Holy Angels Church of the Deaf. It would also reduce impacts to noise-sensitive businesses that may be located in the area. Additionally, the railroad safety measures would optimize safety for vehicles and pedestrians at exiting at-grade railroad crossings.
- OMM MY SS-3: the communication and radio systems upgrades would improve public safety, emergency response, and overall quality of life in the community by maximizing inter-and intra-agency coordination and communication abilities more efficiently during critical situations.
- OMM MY TR-9: Bus shelters would provide protection from weather and sun, making waiting for a bus more comfortable for passengers, further supporting their mode choice and reducing VMT within the community. Improved transit amenities and ridership within a developing area would enhance connectivity during both construction and operations and improve quality of life in the City.

18. Lilia Hernandez

My name is Lilia Hernandez, assistant to the City Administrator for Vernon. The proposed closure of 49th St. and new rail connector on 46th St. would also cause delays to transit services. These changes would adversely impact 6 metro bus lines running along Pacific, Santa Fe and Soto, some of which were not considered. Each day, approximately 50,000 workers from Vernon and from surrounding communities in your districts travel to Vernon to earn a living and support their families. Delays in transit services could jeopardize getting to their jobs on time. For these workers who support the regional economy and depend on these jobs for their livelihoods, thank you.

Response:

The Draft EIS/SEIR included an analysis of potential impacts on bus transit services during construction and operation of the Malabar Yard railroad improvements. As shown in **Final EIS Appendix Q, Section 3.3 (Transportation), Figure 3.3-4**, three local bus routes, operated by Metro, currently operate within the study area. Routes 751 and 251 carry passengers along Soto Street with stops at Vernon Avenue and Fruitland Avenue. Route 611 carries passengers along Vernon Avenue and Leonis Boulevard with a stop at Santa Fe Avenue. Metro Rapid Line 760 runs along Santa Fe Avenue and Pacific Boulevard. These bus routes would be potentially impacted during construction and operational activities.

Malabar Yard Mitigation Measure MY TR-1 (Prepare a Construction Traffic Management Plan for Malabar Yard Railroad Improvements) requires a construction TMP to be prepared by the contractor and reviewed and approved by Metro and the City of Vernon. Any identified street closure schedules in the construction TMP is required to be approved by the City of Vernon and coordinated among the construction contractor, Metro, BNSF, private businesses, **public transit and bus operators**, the bicycle community, Los Angeles Unified School District, and emergency

service providers to minimize construction-related vehicular and non-vehicular traffic impacts during the peak hour.

The transportation analysis was performed to determine if the Malabar Yard railroad improvements would result in traffic congestion, roadway hazards, impacts to emergency access, impacts to public transit, bicycle or pedestrian facilities, and/or impacts on freight. Indirect impacts related to economic and fiscal impacts resulting from increased traffic delays and congestion would not occur because all traffic impacts associated with traffic delay would be mitigated with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, to address the impacts related to traffic delay that would occur at three intersections and one roadway segment (Fruitland Avenue), Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) are proposed to maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all level-of-service-related traffic impacts.

In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard, which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad improvements, most train building activities will be relocated off of City of Vernon streets to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City of Vernon. With implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur. This circulation improvement would support bus operators ability to cross the Harbor Subdivision tracks in more efficient manner throughout operations

The mitigation measures outlined in **Final EIS Appendix Q** and summarized in **Final EIS Volume I, Executive Summary, Tables ES-1 and ES-2** would avoid, minimize, and mitigate the identified impacts in the City of Vernon. After mitigation, unavoidable adverse effects remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

19. Robert Zepeda

My name is Robert Zepeda. A part of the Malabar Yard is basically across the street from where my kids go to school, separated only by Santa Fe Avenue and a row of buildings. The expansion of the Malabar Yard will increase rail activity and will have severe impacts on air quality and traffic at the school and in the immediate surrounding areas. I ask all of you that sit on the Metro board, would you approve this project if your child went to school there. Not only will kids be exposed to more pollution and noise, but parents that are trying to travel to school, thank you for your time.

Response:

Substantial evidence and analysis has been presented to City of Vernon and in other public forums demonstrating that Malabar Yard railroad improvements would result in 3.15 fewer train movements in the City of Vernon per day (fewer train movements along the Harbor Subdivision per day). Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Table 2-4**.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality

sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

In regard to traffic congestion, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2**. As discussed in that response, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue - operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, increased traffic congestion would not occur.

In the current condition, BNSF's "train building" activities occur on City streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad improvements, most train building activities will be relocated off of City streets to BNSF's Los Angeles Junction rail yard on the east side of the City. With implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur – especially on roadways in the vicinity of Vernon Elementary School.

Regarding increased noise, the closest noise and vibration sensitive land use is a place of worship (Holy Angels Church of the Deaf, FTA Category 3 use) located at 4433 South Santa Fe Avenue, west of Malabar Yard and south of the Vernon Avenue/Pacific Boulevard intersection. The church is located behind intervening buildings and is outside of the 1,000 foot FTA screening distance as depicted in **Final EIS, Appendix Q, Section 3.6, Figure 3.6-1**. Construction of the Malabar Yard railroad improvements would occur in phases over an approximately 18-month schedule and would result in temporary periods of elevated noise levels primarily during daytime hours. **Final EIS Appendix Q, Section 3.6, Table 3.6-2 and Table 3.6-3** provide the predicted daytime noise level at various distances for both the 46th Street Connector and 49th Street Closure, respectively. The daytime construction noise impact criterion is 80 A-weighted decibels (dBA) equivalent continuous sound level (Leq)and construction noise is predicted to attenuate to this level at approximately 150 feet from the loudest construction phase (track installation). Since there are no noise-sensitive land uses within 150 feet, no direct adverse effect would occur during construction.

The Malabar Yard railroad improvements would create additional storage capacity and operational efficiency but would not result in a change to the track alignment of Malabar Yard or in how the yard or trains using the yard operate. The 46th Street connector would be located between two active rail lines (West Seville Connection and East Seville Connection). Therefore, there would be no perceptible change in operational noise under either design option because trains already operate on these two lines each day. No direct adverse effect would occur throughout operation.

20. Steven Florman

My name is Doctor Steven Florman. Historically, the police and fire department and the paramedics have demonstrated a less than three-minute response time when summoned. By far, this exceeds the NFPA goal of four minutes. The American Red Cross had determined that each

one-minute delay in response will lead to a 10% decrease in the chance of survival when attending a victim is in cardiac or pulmonary arrest, a three-minute delay while emergency response services are certain navigating the BNSF trains will result in a 30% increase in the chance of individuals death.

By the way, I want to let the workers know you have a broken gate arm on Vernon. It's been broken for two weeks at least. It has not been repaired. I don't know how you're gonna take care of the safety of issues with all this electronic equipment, but you can't even repair a broken wood gate arm.

Response:

The commenter provides no factual evidence to support the claims or prove that BNSF trains will result in a 30% increase in the chance of individuals death.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

The repair of a broken wood gate arm is outside of the scope of the EIS analysis.

21. Dan Wall

Dan Wall, City of Vernon. I've participated in numerous meetings with the Metro staff regarding the impacts of the Malabar Yard mitigation over the past year and still have major concerns. Very troubling is the lack of transparency. Metro and BNSF have not answered basic questions about train frequency, length or operations. Metro's own documents acknowledge risks such as traffic congestion and air quality and safety hazards, yet the environmental review concludes these impacts are less than significant, a conclusion that does not reflect the lived reality of our community. Please remove the Malabar Yard mitigation from the project.

Response:

Metro respectfully disagrees with the commenter's claim regarding a lack of transparency and that basic questions about train frequency, length or operations have been unanswered. Metro has facilitated meetings with City of Vernon Staff in 2020, 2021, 2024, and 2025 to share information regarding the Malabar Yard railroad improvements, including train frequency, length and operations. This information was presented to City staff in numerous PowerPoint presentations made to City staff and in public forums including a business stakeholder meeting in 2021, property owner meetings, BIC meetings, a City Council meeting, and an open house community meeting in 2025.

The future train movement estimates presented in **Final EIS Appendix Q** and the information in **Final EIS Volume III, Response to Comments** were developed using available operational data provided by BNSF, combined with reasonable planning-level assumptions regarding yard operations, switching patterns, and anticipated operational efficiencies following implementation of the Malabar Yard railroad improvements.

The trains operating in Vernon would extend up to 3,000 feet. BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am. The proposed frequency is summarized below for each of the affected routes that would have a changed condition upon implementation of the Malabar Yard railroad improvements. This information is consistent with the presentations shared with the City of Vernon in 2024 and 2025.

- Hobart Yard to/from Malabar Yard
  - Total daily train movements – 0.85
  - Time of Travel:
    - 3x Week: 7:30pm – 2:00am
- LAJ to West Seville (via 46th Street Connector)
  - Total daily train movements – 2
  - Time of Travel:
    - 1x Day: 6:30am – 2:00pm
    - 1x Day: 7:30pm – 2:00am
- LAJ to Exxon (via 46th Street Connector)
  - Total daily train movements – 2
  - Time of Travel:

- 1x Day: 6:30am – 2:00pm
- 1x Day: 7:30pm – 2:00am

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5)** would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air**

Quality and Global Climate Change), Pages 3.5-19 and 3.5-20. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

Metro respectfully disagrees with the commenter's opinion that impacts related to safety hazards are less than significant. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue. Notwithstanding the application of Mitigation Measure TR-6, unavoidable adverse effects under NEPA remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Under CEQA, the significant and unavoidable impact would remain after mitigation for Transportation (Threshold C and D) as disclosed in the **Final SEIR Table 7-31, Page 7-260**

- Threshold C - Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)
- Threshold D - Result in inadequate emergency access

For the reasons described above, impacts related to traffic delay and air quality would not be adverse after implementation of mitigation.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[3] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with

[3] 2025-0931 - MALABAR YARD MITIGATIONS AND CONTINUED COLLABORATION MOTION - Metro Board

the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

22. Willaim Carrick

Morning, my name is William Carrick. I'm a 25-year member of the Operating Engineers Local 12. Local 12 and its wages and benefits have allowed me to raise my family with the ability to survive comfortably in the city of Los Angeles. I stand here before you representing over 20,000 members of the Operating Engineers Local 12 and we strongly urge you to support the Link Us project. This project is long overdue, and plans are ready to go. This project will provide hundreds of workers' jobs and the OE Operating Engineers Local 12 workforce is ready.

Response:

Metro acknowledges the commenter's support for the Project.

23. Marisa Olguin

Hi Marisa with the Vernon Chamber of Commerce representing 1,400 businesses, 40,000 workers, and residents. We support transformative projects, but not at the expense of the city that will be altered permanently. Despite multiple meetings with stakeholders in Metro, it's abundantly clear this is a land swap from the Metro to BNSF for a slice of Vernon. You're being told that this is going to improve circulation, reduce emissions. It's in fact the opposite. It's a flawed plan that's going to cut Vernon in half. We urge you to omit Malabar Yard and continue to work with BNSF.

Response:

Metro recognizes the unique economic and industrial importance of Vernon, with its 40,000 employees, 1,400 businesses, and interconnected network of operations.

A land swap from Metro to BNSF for a slice of Vernon is not proposed. Mitigation Measure TR-3 is required to minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need. No response to the commenter's opinion that the outcome of the Malabar Yard railroad improvements are opposite of what Mero has reported can be provided because no backup or technical details to prove otherwise were provided with the claim.

During the Draft EIS/SEIR public comment period, comments were received expressing a perception that the Malabar Yard railroad improvements would result in more trains traveling through the City of Vernon and that the closure of 49th Street and addition of the 1,000-foot connector track would physically divide the community. In response to public and agency comments related to physical division of the community, additional analysis was completed to demonstrate no adverse effect related to division of communities or reduced community connectivity would occur, consistent with the conclusions presented in the Draft EIS/SEIR, Final SEIR, and Final EIS. Clarifications were made in the Final EIS to demonstrate that:

- The BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening of the Alameda Corridor in 2002, the BNSF Harbor Subdivision also provided connectivity between the local ports and national railroad networks.
- In the 1920s, the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.
- The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned, would be reduced from 4 existing daily train movements to 0.85 daily train movements. Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned.
- In the current condition, BNSF's "train building" activities occur on City streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City and off of City roadways on the westside of the City.
- The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer daily train movements would reduce existing gate down time that temporarily restricts vehicular, bicycle, and pedestrian circulation in the community.
- In response to inquiries related to queuing and traffic congestion, a calculation was performed that demonstrates trains using the 46th Street Connector track (from Malabar Yard to Los Angeles Junction) would block a driveway (or an intersection) approximately 2 percent of the day, half of which would occur during the night (7pm-2am).

Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, and that access to all properties throughout the community would be maintained or replaced, no direct adverse effect would occur during operation.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[4] that were passed when the Final SEIR was

[4] 2025-0931 - MALABAR YARD MITIGATIONS AND CONTINUED COLLABORATION MOTION - Metro Board

certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

24. Father Tom Schweitzer

Hello, my name is Father Tom Schweitzer, pastor of Holy Angels Church of the Deaf in Vernon, resident of Vernon we are a parish for deaf people who come from all over the county. They come in most of us in the city and from public transportation and we just don't want this to impact them even more trying to get in. We're going to, you know, take one for the greater good, but it shouldn't be disproportionate to a community that doesn't have that much clout. Thank you.

Response:

The Draft EIS/SEIR included an analysis of potential impacts on bus transit services during construction and operation of the Malabar Yard railroad improvements. As shown in **Final EIS Appendix Q, Section 3.3 (Transportation), Figure 3.3-4**, three local bus routes, operated by Metro, currently operate within the study area. Routes 751 and 251 carry passengers along Soto Street with stops at Vernon Avenue and Fruitland Avenue. Route 611 carries passengers along Vernon Avenue and Leonis Boulevard with a stop at Santa Fe Avenue. Metro Rapid Line 760 runs along Santa Fe Avenue and Pacific Boulevard. These bus routes would be potentially impacted during construction and operational activities.

Malabar Yard Mitigation Measure MY TR-1 (Prepare a Construction Traffic Management Plan for Malabar Yard Railroad Improvements) requires a construction TMP to be prepared by the contractor and reviewed and approved by Metro and the City of Vernon. Any identified street closure schedules in the construction TMP is required to be approved by the City of Vernon and coordinated among the construction contractor, Metro, BNSF, private businesses, **public transit and bus operators**, the bicycle community, Los Angeles Unified School District, and emergency service providers to minimize construction-related vehicular and non-vehicular traffic impacts during the peak hour.

The transportation analysis was performed to determine if the Malabar Yard railroad improvements would result in traffic congestion, roadway hazards, impacts to emergency access, impacts to public transit, bicycle or pedestrian facilities, and/or impacts on freight. Indirect impacts related to economic and fiscal impacts resulting from increased traffic delays and congestion would not occur because all traffic impacts associated with traffic delay would be mitigated with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5. As discussed in **Final**

EIS Volume III, Response to Comments, Key Issue Response 2, to address the impacts related to traffic delay that would occur at three intersections and one roadway segment (Fruitland Avenue), Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) are proposed to maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all level-of-service-related traffic impacts.

In the current condition, BNSF's "train building" activities occur on City streets north of Malabar Yard, which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad improvements, most train building activities will be relocated off of City streets to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City. With implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur. This circulation improvement would support bus operators ability to cross the Harbor Subdivision tracks in more efficient manner throughout operations

The mitigation measures outlined in **Final EIS Appendix Q** and summarized in **Final EIS Volume I, Executive Summary, Tables ES-1 and ES-2** would avoid, minimize, and mitigate the identified impacts in the City of Vernon. After mitigation, unavoidable adverse effects remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Please refer to the **Final EIS Appendix Q, Section 3.16** for an analysis of potential disproportionate and adverse effects on minority communities, low-income communities, and non-minority communities, and a discussion of how such disproportionate and adverse effects would not occur upon implementation of mitigation measures. Mitigation measures, BMPs, and compliance with federal, state, and local requirements would minimize potential for disproportionate and adverse effects.

The local minority individuals living and traveling within the community analysis study area would predominantly benefit from the improvements, including a reduction in emissions by shifting some freight rail activity away from them; safety enhancements at at-grade crossings and closure of one at-grade crossing to facilitate safe crossing; and expanded curbs, new sidewalks, traffic signals, center medians, and restriping to improve mobility and pedestrian and vehicular safety. OMMs introduced to complement existing mitigation measures, further limit or compensate potential impacts to the community, and are consistent with local planning initiatives on the west side of the community analysis study area. Fewer trains operating on the Harbor Subdivision would also provide benefits to the local minority community by removing trains where sensitive receptors, including the Holy Angels Church of the Deaf, are located. Because the community analysis study area consists predominantly of a resident minority community, the benefits and

offsetting benefits would be equal to or greater than the benefits experienced by the general public.

Based on these considerations, the Malabar Yard railroad improvements would not result in disproportionate and adverse effects on minority communities, low-income communities, or non-minority communities.

25. Sergio Canales

My name's Sergio Canales. I'm a president of Vernon. I'm concerned of the Malabar yard expansion impact the public safety. I live on the east side of City of Vernon. Vernon PD is located on the West side. I'm worried about how this project will impact the emergency services for myself, my family and neighbors. Several of whom are elderly. It would allow freight trains nearly a mile long to run through the heart of the city and block crossings for 30 minutes.

Response:

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park.

These coordination meetings demonstrate Metro’s diligent effort to accurately resemble how emergency response occurs in Vernon. Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day.

The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

The longest train considered in the analysis would be 3,000 feet long, not 5,620 feet long (one mile). This is consistent with the existing condition, and based on most recent information provided by BNSF in 2024.

In March 2025, Metro facilitated a Community Meeting/Open House in the City of Vernon. Multiple comments were raised by the community regarding the duration of time that intersections could be blocked by freight trains. In response to these comments, in April 2025 Metro installed cameras at multiple locations throughout the City to record continuous train activity over the course of a week (April 19–25, 2025), 24-hours per day.

Applying the video footage collected, Metro performed an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing condition and with implementation of the Malabar Yard railroad improvements. Metro presented the results of the intersection delay/blockage analysis on June 17, 2025, to the Vernon City Council and on June 23, 2025, to the Vernon Chamber of Commerce. Multiple property owners and business representatives attended both meetings.

Based on the video data collected, results were summarized for two conditions (Actual Condition [based on observed train activity] and Worst-Case Condition) to determine how the Malabar Yard railroad improvements would change intersection delay/blockage at eight locations and effects to citywide vehicular circulation. Results are summarized below:

1. Actual Condition (based on observed train activity)

    a. Length of Observed Trains: 350 feet to 1,500 feet

    b. Daily Intersection Blockage Results: With Malabar yard railroad improvements, daily intersection delay/blockage would be reduced by 30 minutes.

2. Worst Case Condition (consistent with NEPA/CEQA EIS/SEIR evaluation)

    a. Length of Longest Potential Trains: 3,000 feet

    b. Daily Intersection Blockage Results: If longer trains are needed due to customer demand in the City of Vernon, the corresponding reduction in daily intersection blockage with the Malabar Yard railroad improvements would also increase as compared to the existing condition. Assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. This reduction is based on the assumption that in the existing condition trains would operate with the same length (3,000 feet) without the Malabar Yard railroad improvements.

Based on the train observations conducted in April 2025, the data supports the conclusion that with implementation of the Malabar yard railroad improvements, a citywide circulation improvement would occur. This is primarily because:

1. 3.15 fewer trains would operate in the City of Vernon, and
2. In the current condition, BNSF's "train building" activities occur on City streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City.

26. Victor Mares

My name is Victor Mares with Consolidated Fabricators. I've been working for this company for 43 years already and I'm a little worried about my job because this is going to impact my work because I'm the chief in manager and it's going to make the traffic very difficult and distracting with this. One of our project they're going to probably block the street and they're gonna make traffic very dangerous for everybody there. So, I'm really worried and I hope it doesn't go through.

Response:

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, anticipated traffic redistribution and localized impact analysis performed, and the potential queuing associated with implementation of Malabar Yard railroad improvements. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not contribute to traffic congestion that would be deemed as dangerous.

27. Sarah Sandoval

Sarah Sandoval, with the City of Vernon. We urge the Board to reject the proposed Malabar Yard expansion in Vernon. This aspect of the Link US project only serves BNSF and its operations don't have any bearing on Union Station improvements, nor does BNSF need additional storage in Vernon. The Malabar Yard modifications affect our elementary school, church, Civic Center and new residential apartment complex. All are located within 700 feet of BNSF storage tracks at Malabar Yard. Any fallout in Vernon resulting from the Link US proposed plan has been an afterthought. In truth, these modifications have been in BNSF sights for over 15 years. Conveniently, this project proposal gives BNSF what have been seeking for almost 2 decades.

Response:

FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a. FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b. FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and CEQA Guidelines require analysis of program plans, ordinances, or policies addressing the circulation system.

    - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3 .

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of rail

operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the city are served from the Los Angeles Junction. The consolidated train movements would result in 78 percent less train movements on the Harbor Subdivision coming from/to the San Bernardino Subdivision. Thus, fewer train movements on the Harbor Subdivision equates to less vehicle idling (including truck idling) and railroad noise/vibration at each of the at-grade crossings where sensitive receptors are located, such as the Vernon City School, church, Civic Center and new residential apartment complex.

28. Kevin Wilson

I am Kevin Wilson, and I was the former Director of Community Services and Water for the City of Vernon. I held that position for over 20 years. During my time as a director, I met with Los Angeles Junction officials on multiple occasions to discuss the request at the city permit the construction of the 46th St. connection that is now being proposed as part of the Link US project.

They were advised that the impacts of the rail operations were too significant for the city to even consider. Now Metro is proposing to provide this gift to the BNSF railroad, even though the city opposes the project.

Response:

The Malabar Yard railroad improvements in the City of Vernon are not being provided as a gift; the improvements would offset the impacts resulting from loss of storage track capacity at the BNSF West Bank Yard.

FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process, *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a. *FRA's* Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

    o As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.

- In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b. FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment, 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and CEQA Guidelines require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with

CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations. Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

29. Xochitl Medrano

Good morning. My name is Xochitl Medrano. I'm here on behalf of the LAOC building trades with my brothers and sisters here behind me. We're asking you to approve the Final SEIR for the Link Union Station so we can finally get to work. This project means thousands of good union jobs, local hire opportunities, and cleaner and more connected transportation for Los Angeles. It should be built by local hire. It is time to build.

Response:

Metro acknowledges the commenter's support for the Project.

30. Mary McCormick

Good morning. My name's Mary McCormick I. I'm here as a private citizen, but I own a company called MBI Media. We have been in the rail industry for over 35 years, and we've been intimately involved in a lot of the projects at Metro and Metrolink. And we have seen the positive effects particularly of this specific project for Link Union Station. And we would encourage your approval.

Response:

Metro acknowledges the commenter's support for the Project.

31. Brian Bailey

Good morning. I'm Brian Bailey with Popco Paper. We border the Malabar Yard. We've supported the Link Union Station project but believe the expansion of Malabar Yard will split the city, impact our business, impact the school, impact the church, and all the residents and we strongly urge you to drop Malabar from the project.

Response:

Metro acknowledges the commenter's support for the Project. No direct physical impacts to the property where Popco Paper is located is proposed.

During the Draft EIS/SEIR public comment period, comments were received expressing a perception that the Malabar Yard railroad improvements would result in more trains traveling through the City of Vernon and that the closure of 49th Street and addition of the 1,000-foot connector track would physically divide the community. In response to public and agency comments related to physical division of the community, additional analysis was completed to demonstrate no adverse effect related to division of communities or reduced community connectivity would occur, consistent with the conclusions presented in the Draft EIS/SEIR, Final SEIR, and Final EIS. Clarifications were made in the Final EIS to demonstrate that:

- The BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening of the Alameda Corridor in 2002, the BNSF Harbor Subdivision also provided connectivity between the local ports and national railroad networks.
- In the 1920s, the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.
- The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned, would be reduced from 4 existing daily train movements to 0.85 daily train movements. Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned.
- In the current condition, BNSF's "train building" activities occur on City streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City and off of City roadways on the westside of the City.
- The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer daily train movements would reduce existing gate down time that temporarily restricts vehicular, bicycle, and pedestrian circulation in the community.
- In response to inquiries related to queuing and traffic congestion, a calculation was performed that demonstrates trains using the 46th Street Connector track (from Malabar Yard to Los Angeles Junction) would block a driveway (or an intersection) approximately 2 percent of the day, half of which would occur during the night (7pm-2am).

Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, and that access to all properties throughout the community would be maintained or replaced, no direct adverse effect would occur during operation.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling (including truck idling) at each of the at-grade crossings where sensitive receptors are located, such as the Vernon City School, church, and new residential apartment complex.

32. Dennis Berman

My name is Dennis Berman, business owner and property owner in Vernon. I'm at the area of impact at 46 and Seville. The train will be crossing my driveway entrance and creating what was once accessed from all directions to no access due to traffic congestion from the train crossing and blocking Seville 46 also referred to as the area of permanent impact between construction of the 46th St. thoroughfare and unrestricted forecasted usage upon completion. Both my suppliers and customers will not make deliveries or pickups. This must not go on.

Response:

The commenter is referring to Draft EIS/SEIR, Appendix Q, Section 2.0, Figure 2-8 that depicts the temporary and permanent impact areas for Malabar Yard railroad improvements (Design Option 2). What is not depicted on Figure 2-8 is the parcel lines to demonstrate that the project footprint does not encroach onto the subject parcel. Across from the commenter's property, two active freight tracks already cross 46th Street. **Final EIS Appendix Q, Chapter 2.0, Figure 2-11**, more clearly identifies the parcels potentially affected by the Malabar Yard railroad improvements. During the January 9, 2025, meeting conducted onsite with the property owner, Metro provided exhibits to demonstrate no physical impacts on the commenter's property are proposed and to clarify the Project components in context with the existing property.

Under either Design Option 1 or Design Option 2, proposed roadway and civil improvements would be designed and coordinated with the City of Vernon, CPUC, and adjacent business stakeholders to minimize impacts to properties and business operations to the maximum extent possible while still meeting applicable regulatory requirements. The existing driveway for this property is referred to as Driveway 11 in **Final EIS Appendix Q, Section 3.3, Figure 3.3-5**. Based on the heavy presence of industrial land uses and stakeholder feedback received on the heavy truck use in the traffic study area, a truck turning movement analysis was performed to evaluate the impact on truck turning ingress/egress and vehicular circulation in terms of the ability to make safe movements.

With the proposed 46th Street Connector and the proposed at-grade railroad crossing enhancements at Driveway 11, the Draft EIS/SEIR disclosed that the raised median on either side of the railroad crossing along 46th Street would reconfigure the truck turning ingress/egress for large trucks using the driveway on 46th Street. The Draft EIS/SEIR disclosed that Driveway 11 would be maintained but would become right-in/right-out only. After the close of the public comment period, and upon further field investigation of the commenter's property, it was confirmed by Metro that Driveway 11 is used for trucks to enter the property, and trucks exit the

property from a different driveway on Seville Avenue. Based on these observations, **Final EIS Appendix Q, Section 3.3** has been revised as follows:

> Driveway No. 11: The raised median on either side of the railroad crossing along 46th Street would not affect the ability for large trucks to enter the property from 46th Street. Trucks currently exit the property on Seville Avenue, and no change to this exiting movement is proposed. Driveway 11 would be maintained in its current configuration upon implementation of either design option for the 46th Street Connector. The location of medians along 46th Street would be coordinated with the CPUC, City of Vernon, and property owners during final design, and the ultimate extent of the medians may be subject to change based on further coordination and approval from CPUC.
>
> Driveway Nos~~. 11~~ and 12: The raised median on either side of the railroad crossing along 46th Street would reconfigure the truck turning ingress/egress for Driveway 12 ~~these two driveways~~. ~~Both driveways~~Driveway 12 would be maintained but would become right in/right out only as a result of either design option for the 46th Street Connector. The location of medians along 46th Street would be coordinated with the CPUC, City of Vernon, and property owners during final design, and the ultimate extent of the medians may be subject to change based on further coordination and approval from CPUC.

It can be reasonably anticipated there would be no change to the timely shipments and pickups at the property because access would be maintained.

Based on prior meetings with Metro and the property owner, potential modifications to the design of the median and at-grade railroad crossing improvements could be explored during final design, including adding quad gates and removing or shortening the proposed center medians to maximize ingress/egress to the commenter's property. These types of design considerations will be coordinated with BNSF, City of Vernon, CPUC, and the affected property owners as design progresses.

In regard to project construction, Driveway 11 may be subject to temporary access restrictions during construction activities. However, with the implementation of Malabar Yard Mitigation Measure TR-1 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**), which requires the preparation and implementation of a Traffic Management Plan to minimize construction-related roadway hazardous conditions, these impacts would be minimized. The Traffic Management Plan requires traffic flow to be maintained to the safest degree feasible, notice signs to be posted prior to construction in areas where access to local businesses could be affected, and notification to be coordinated with the City of Vernon in advance of street closures, detours, or temporary lane reductions.

33. Diana Figueroa

Hello Diana Figueroa, City of Vernon. The Malabar yard expansion in Vernon should be rejected. The proposed plan would be devastating for traffic and daily operations. The street closure at 49th and modifications at 46th would cut off vital arteries used every day by businesses, commuters, residents and 1st responders. This undermines the very foundation of Emergency Management and response. It's unacceptable to ask our city to agree to a plan that compromises safety and restricts access to emergency services. We need a solution that does not jeopardize community welfare.

Response:

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

34. Darrell Clark

Hello, I'm Darrell Clark representing the Sierra Club. I wrote Metro back in 2017 supporting what was then called the Run Through Tracks. You've made a lot of good progress since then. Now let's get it done for better Amtrak, better Metrolink, and future high-speed rail. Thank you.

Response:

Metro acknowledges the commenter's support for the Project.

35. Marta Costa (This comment is through a translator)

My name is Marta Costa, and I am a mother of a student at Vernon City Elementary.

More trains in Vernon means that there's more pollution in the air that our children are breathing, it means more noise. That's disturbing their learning. It means more traffic that congests the streets that we use to get back and forth from school.

Our children are going to be the people who are suffering negative impacts, which we will surely see reflected in their grades and more than anything, in their mental health. And this is why I'm worried about the proposal to amplify Malabar Yard.

Response:

In regard to traffic congestion, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2**. As discussed in that response, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue - operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, increased traffic congestion is would not occur.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

Regarding increased noise, the closest noise- and vibration -sensitive land use is a place of worship (Holy Angels Church of the Deaf, FTA Category 3 use) located at 4433 South Santa Fe Avenue, west of Malabar Yard and south of the Vernon Avenue/Pacific Boulevard intersection. The church is located behind intervening buildings and is outside of the 1,000-foot FTA screening distance as depicted in **Final EIS Appendix Q, Section 3.6, Figure 3.6-1**. Construction of the Malabar Yard railroad improvements would occur in phases over an approximately 18-month schedule and would result in temporary periods of elevated noise levels primarily during daytime hours. **Final EIS Appendix Q, Section 3.6, Table 3.6-2 and Table 3.6-3** provide the predicted daytime noise level at various distances for both the 46th Street Connector and 49th Street Closure, respectively. The daytime construction noise impact criterion is 80 A-weighted decibels (dBA) equivalent continuous sound level (Leq) and construction noise is predicted to attenuate to this level at approximately 150 feet from the loudest construction phase (track installation). Since there are no noise-sensitive land uses within 150 feet, no direct adverse effect would occur during construction.

The Malabar Yard railroad improvements would create additional storage capacity and operational efficiency but would not result in a change to the track alignment of Malabar Yard or how the yard or trains using the yard operate. The 46th Street connector would be located between two active rail lines (West Seville Connection and East Seville Connection). Therefore, there would be no perceptible change in operational noise under either design option because trains already operate on these two lines each day. No direct adverse effect would occur throughout operation.

The consolidation of freight train movements in Vernon would result in 3.15 fewer trains traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street. This reduction of train movements would result in a benefit of less train noise and vibration-related annoyance or impacts to nearby noise/vibration sensitive receptors that are currently present, in addition to future noise/vibration sensitive receptors that may be present upon the City of Vernon's implementation of the *2023 Vernon Westside Zone Change and General Plan Amendment*. In this context, a beneficial indirect adverse effect would occur throughout operation. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Pages 3.6-10 and 3.6-17**.

Fewer train movements in Vernon in addition to Metro's proposed Offsetting Mitigation Measures (OMMs) would contribute to enhanced quality of life (see **Final EIS Appendix Q, Section 3.16, Section 3.16.9**. Metro is committed to continuing the ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements and develop solutions that preserve the city's economic vitality. Specifically, the following OMMs, proposed beyond mitigation measures to reduce potential environmental impacts, would enhance quality of life.

- OMM MY NV-1 and OMM MY NV-2: Quiet zone infrastructure would contribute to reduced train horn noise, improved quality of life for existing residents in nearby areas (minority communities), and reduced disruption to the Vernon City Elementary School and Holy Angels Church of the Deaf. It would also reduce impacts to noise-sensitive businesses that may be located in the area. Additionally, the railroad safety measures would optimize safety for vehicles and pedestrians at exiting at-grade railroad crossings.
- OMM MY SS-3: the communication and radio systems upgrades would improve public safety, emergency response, and overall quality of life in the community by maximizing inter-and intra-agency coordination and communication abilities more efficiently during critical situations.
- OMM MY TR-9: Bus shelters would provide protection from weather and sun, making waiting for a bus more comfortable for passengers, further supporting their mode choice and reducing VMT within the community. Improved transit amenities and ridership within a developing area would enhance connectivity during both construction and operations and improve quality of life in the City.

36. Eli Lemon

Hi, good morning. Eli Lemon from Move LA. That was my wonderful board. Mayor Darrell Clark. Umm, I want you all to look at each other right now because these are the people that are about to vote in the most transformative project in the region for 20 million people. Now I know I say that a lot. I said that about the downtown connector. I said that about the LAX transit center, but the fact that we're going to have a run through like the Berlin Hoppenhof here in Los Angeles is transformative. So, vote yes today. Vote yes for yourself. Vote yes for your children and my children so we can take high speed rail all the way from San Francisco to Orange County. Thank you.

Response:

Metro acknowledges the commenter's support for the Project.

37. Tomas Garcia

Good morning, my name is Deacon Tomas Garcia, and I am a deaf community member of Holy Angels Catholic Church of Deaf in the City of Vernon and I'm speaking in strong opposition to the Malabar Yard expansion. This project will make our city harder to access for deaf and disabled individuals, especially with more traffic like routes and delays in emergency services, we already face communication barriers. Please do not add physical ones too. Protect our community's safety and access. Please reconsider and listen to what our city leaders are proposing. Thank you.

Response:

In regard to traffic congestion, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2**. As discussed in that response, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue - operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, increased traffic congestion would not occur.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare

the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

38. Rachel Wagner

Good morning. My name is Rachel Wagner representing the Southern California Association of Governments or SCAG. I'm pleased to be here in support of this item number 10. The transformative investment will modernize Union Station into a 21st century mobility hub, improving regional connectivity, advancing sustainability and enhancing the passenger experience for millions of riders. Link Union Station is an important project in SCAGs regional transportation plan and sustainable communities' strategy due to the project's capacity to reduce greenhouse gas emissions. Thank you.

Response:

Metro acknowledges the commenter's support for the Project.

39. Gerardo Cabrera

Good morning, everyone. My name is Gerardo Cabrera. I am the receiving manager on 49th St. and Santa Fe for Consolidated. I'm strongly against the Malabar project because they want to close down my yard. On a daily basis. I get at least 10 to 20 trucks in my yard. Now I always get congested all the way to Santa Fe gets gridlock because it might. Now they want to close it down. And how is that gonna affect everyone that works there, more than hundreds of people will be affected.

Response:

Construction and operation of the Malabar Yard railroad Improvements will not result in the closure of Consolidated Fabricators. During construction of either design option, temporary access restrictions to a portion of Driveway No. 2 and 3 may be required to implement the 49th Street Closure; however, Metro is required implement standard traffic control measures and safety precautions to maintain safe access to adjacent properties while construction occurs (see Malabar Yard Mitigation Measure TR-1 in **Final EIS Appendix Q, Section 3.3, Section 3.3.5**). Metro will continue to coordinate with the property owner to refine their parcel-specific conceptual design during the final design and right of way process.

During the February 3, 2025 meeting conducted onsite with the property owner, Metro provided exhibits to demonstrate closure and relocation of the Consolidated Fabricators business is not proposed, nor deemed required, as part of the Malabar Yard railroad improvements because the 49th Street Closure would be designed in a manner to allow business access to be maintained. On February 20, 2025, Metro provided two additional preliminary concepts that were developed

for review/consideration based on discussions held onsite with the commenter/property owner and their staff. Metro believes the alternative configurations for truck movements on the property would facilitate ongoing business operations.

40. Peter Melideo

Hi, my name is Peter. I'm General Manager, Consolidated Fabricators. We've been running steel there for over 40 years, providing parts and building products to the industries surrounding areas and we receive at least 10 to 20 trucks every week, sometimes 10 to 20 trucks a day. Backing them up onto Santa Fe and having them line up in the median all the way to the school and meeting pollution and having all that, the congestion that would come from that, not having that Thruway at 49th St. which has caused so much trouble for everybody, including us and our business, It's not sustainable.

Response:

In 2020 and 2021, Metro staff collaborated with the owner of Consolidated Fabricators to develop the hammerhead configuration (49th Street Closure Design Option 2) as a means to allow for safe and legal access into and out of the Consolidated Fabricators business with optimal maneuverability for large semi-trucks.

Both design options were evaluated to determine if adequate ingress/egress for large semi-trucks would be maintained using a 65 foot long "CA Legal" truck turning template. The analysis demonstrated that Design Option 1 could impact ingress/egress or large semi-trucks and Design Option 2 would facilitate optimal maneuverability in and out of the Consolidated Fabricators business (see clarifications made to **Final EIS Appendix Q, Section 3.3, Section 3.3.4**).

During construction of either design option, temporary access restrictions to a portion of Driveway No. 2 and 3 may be required to implement the 49th Street Closure; however, Metro is required implement standard traffic control measures and safety precautions to maintain safe access to adjacent properties while construction occurs (see Malabar Yard Mitigation Measure TR-1 in **Final EIS Appendix Q, Section 3.3, Section 3.3.5**). Metro will continue to coordinate with the property owner to refine their parcel-specific conceptual design during the final design and right of way process.

During the February 3, 2025 meeting conducted onsite with the commenter/property owner, Metro provided exhibits to demonstrate closure and relocation of the Consolidated Fabricators business is not proposed, nor deemed required, as part of the Malabar Yard railroad improvements because the 49th Street Closure would be designed in a manner to allow business access to be maintained.

The 49th Street Closure Design Option 2 would allow for safe and legal access into and out of the Consolidated Fabricators business and adequate ingress/egress for large semi-trucks would be maintained. In February 2025, Metro met with the property owner and requested to be present during heavy delivery days when trucks are staged along Santa Fe Street to assess the potential for worsening these types of backups. The property owner did not respond to Metro's requests to observe heavy delivery days. Metro has committed to coordinate further with the property owner to maintain safe, legal, and adequate access for vehicles and large-semi-trucks during construction and throughout operation.

No new truck trips would be generated throughout operations. Traffic redistribution on Santa Fe Avenue would occur and was considered as part of the traffic impact analysis. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, anticipated traffic redistribution and localized impact analysis performed, and the potential queuing associated with implementation of Malabar Yard railroad improvements.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** for a discussion related to sensitive receptors considered in the air quality analysis performed for potential impacts related to vehicle idling associated with the Malabar Yard railroad improvements.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling

emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

41. Johnny Escobedo

Good afternoon, board members. My name is Johnny Escobedo and I'm representing approximately 8000 iron workers within the County of Los Angeles. The Link US project has been a long time coming and will be one of the most regional transportation projects that Metro will undertake. It is shovels ready project and will provide hundreds of good paying jobs to our local workers and community members. It is important to support and get this project moving now knowing that the federal government is taking transportation dollars away. Thank you.

Response:

Metro acknowledges the commenter's support for the Project.

42. Stephanie Sahgeb

My name is Stephanie Sahgeb and I'm a property manager for a family that owns 6 buildings in Vernon. Including one at 49th and Hampton. We think it is crucial to approve the motion put forward by Director Hahn to explore alternative solutions to the Malabar Yard mitigation. In the October 16th Executive Management Committee meeting, Director Hahn said that BNSF has not been a good partner, has not been coming to the meetings, and has refused the City's request for an operational agreement, leaving open the possibility that train frequencies and lengths could be increased at any time. We need BNSF to come to the table and be partners with Metro and the City and consider their operations.

Response:

The Final SEIR was certified by the Metro Board at the board meeting held October 23, 2025, pursuant to the Metro Board Motions File #2025-0931,[5] which entails that Metro shall collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar

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Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

43. George Bocanegra

Good afternoon. My name is George Bocanegra. I'm with the Western States Regional Council of Carpenters. The Link project will generate construction jobs, new retail and long-term economic activity. Improving union stations' capacity supports regional growth, tourism and local commerce. Every dollar invested here builds a stronger, more connected Southern California. Carpenters strongly support this project.

Response:

Metro acknowledges the commenter's support for the Project.

44. Patricia Roach Finkel

My name is Patricia Roach Finkel. I'm a property owner at 4811 Hampton. It's on the corner of 49th and Hampton. Union jobs are great in the short term, but you have to remember it's in exchange for long-term loss in the City of Vernon. We do not feel that there has been sufficient research into alternatives that are alternative to the Malabar Yard plan. Our families have been investing in Vernon for decades and will suffer from negative economic impacts that this project will likely yield. Thank you.

Response:

As disclosed in **Final EIS Appendix Q, Chapter 1.0, Section 1.1**, a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) for the loss of storage tracks that would result at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the following identified screening criteria:

- Initial Screening Criterion: The freight rail storage track replacement site shall be located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards.
- Secondary Screening Criterion: The freight rail storage track replacement site shall replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations.

Based on the screening and evaluation process in **Final EIS Appendix Q, Chapter 1.0, Section 1.1**, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard.

During preparation of the Final EIS, after the close of the 45-day public comment period in mid-2024, at the request of the City of Vernon, Vernon Chamber of Commerce, and Los Angeles County Supervisor Hahn's office, additional analysis was conducted to determine if replacement of BNSF storage tracks could be implemented at BNSF's Hobart Yard facility or BNSF's Los Angeles Junction facility; thereby no longer necessitating the 49th Street Closure as part of the Link US Project (see **Final EIS Appendix Q, Chapter 1.0, Section 1.1.1**). As concluded these

two sites are not feasible to accommodate storage to offset the loss of storage track capacity that results from the Link US Project.

Please refer to **Final EIS Appendix Q, Section 3.13** for an in-depth analysis of economic and fiscal effects of the Malabar Yard railroad improvements. A balanced analysis was performed to determine the conclusions presented in the Final EIS based on the local and regional impacts from short-term construction spending, as well as long-term impacts related to potential job displacement and lost property tax revenues due to the required ROW acquisitions.

Metro is committed to continuing the ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements and develop solutions that preserve the city's economic vitality.

45. Parker Renick

My name is Parker, and I work regularly with the Chamber in Vernon. Metro keeps highlighting these 24 and a half million dollars in mitigation, but let's be honest about what they are. They're bus shelters, cameras, painted crosswalks and cool pavement. Metro, you guys are offering cosmetic fixes and shifting the burden of train traffic into new areas of the city. True mitigation means solutions that. The scale of the problem, I'd like you to ask yourself, how does a crosswalk help when emergency responders can't get through? These are real impacts with real consequences that deserve true solutions.

Response:

In consideration of adverse effects related to transportation, safety and security, and socioeconomics and communities affected, the extensive railroad infrastructure and operations that are present on a daily basis throughout the community, and changes in planned land uses, the City of Vernon has requested certain measures to offset the adverse effects and the historic and cumulative effects that the community has experienced that create more adverse existing conditions. Metro has evaluated these measures, and in consideration of the potential for impacts on the City of Vernon community and consistency with planning initiatives, Metro is proposing to adopt these measures as a part of the Link US Project as OMMs. These measures would be required upon implementation of the Malabar Yard railroad improvements. The proposed OMMs were developed through engagement with the City of Vernon and would complement the City's planning initiatives as part of the Westside Zone Change and General Plan Amendment and further citywide goals and objectives. The OMMs are separate from the direct mitigation measures in the Final EIS; and separate from improvements required by local, state, or federal mandates.

Benefits of the community improvements can provide an offsetting reduction in effects or may be accepted by an impacted community as OMMs for project effects. The OMMs would benefit the City of Vernon (a minority community), are consistent with community goals and planning initiatives, and consider community feedback on the Draft EIS/SEIR. The process and evaluation of OMMs is described further in **Final EIS Appendix G (Offsetting Mitigation Measures).**

The commenter states the Malabar Yard railroad improvements would shift the burden of train traffic into new areas of the city. The consolidated freight service would result in additional trains traveling between Malabar Yard and Los Angeles Junction; however daily train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned, would be reduced from 4 existing daily train movements to 0.85 daily train movements. Since all

Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned. In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon. Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

46. Felipe Rodriguez

Good morning, Metro board members. My name is Felipe Rodriguez. I work for Coast Packing Company; a food manufacturer headquartered in the City of Vernon for over 100 years. The EIR and the SEIR omitted any study of traffic, air quality, and goods movement for the eastern sector of Vernon. Adding turning lanes will not mitigate the impact on 1st responder response times, nor will they mitigate the extended idling time for traffic or the local air pollution generated by the

extended idling of vehicles blocked by trains. Metro's newer traffic studies were completed over a two-week period, what we need is a 30/60 day [Phone call cut off].

Response:

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, the traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips and would only result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-9**). Trains currently operate across Pacific Boulevard/Vernon Avenue, Pacific Avenue and 46th Street, Seville Avenue, Soto Street, 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road. No operational changes along the East Seville Connection and Hobart Yard/Los Angeles Junction Connection routes would be attributable to the proposed Malabar Yard railroad improvements; therefore, traffic analysis was not conducted at those corresponding intersections.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While Metro recognizes BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of

dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay

to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

47. Michael Melideo

I'm Michael Melideo, owner of Consolidated Fabricators. You've heard from my employees who will probably lose their jobs. The EIR is wrong, flawed and a lie. If you close down 49th St. that 20 to 30 truckloads a day we get at times during the month will come in Santa Fe and back out Santa Fe and not be able to queue East. They will idle in front of the elementary school. They will shut down traffic on Santa Fe, it will be dangerous, and it will be dirty. And they haven't listened to me, and I've been telling them that and they didn't take it into consideration. It's gonna be dangerous and dirty. Thank you. Possibly lose jobs, 40 years.

Response:

In 2020 and 2021, Metro staff collaborated with the owner of Consolidated Fabricators to develop the hammerhead configuration (49th Street Closure Design Option 2) as a means to allow for safe and legal access into and out of the Consolidated Fabricators business with optimal maneuverability for large semi-trucks.

Both design options were evaluated to determine if adequate ingress/egress for large semi-trucks would be maintained using a 65 foot long "CA Legal" truck turning template. The analysis demonstrated that Design Option 1 could impact ingress/egress or large semi-trucks and Design

Option 2 would facilitate optimal maneuverability in and out of the Consolidated Fabricators business (see clarifications made to **Final EIS Appendix Q, Section 3.3, Section 3.3.4).**

During construction of either design option, temporary access restrictions to a portion of Driveway No. 2 and 3 may be required to implement the 49th Street Closure; however, Metro is required implement standard traffic control measures and safety precautions to maintain safe access to adjacent properties while construction occurs (see Malabar Yard Mitigation Measure TR-1 in **Final EIS Appendix Q, Section 3.3, Section 3.3.5**). Metro will continue to coordinate with the property owner to refine their parcel-specific conceptual design during the final design and right of way process.

During a February 3, 2025 meeting conducted onsite with the commenter/property owner, Metro provided exhibits to demonstrate closure and relocation of the Consolidated Fabricators business is not proposed, nor deemed required, as part of the Malabar Yard railroad improvements because the 49th Street Closure would be designed in a manner to allow business access to be maintained. The 49th Street Closure Design Option 2 would allow for safe and legal access into and out of the Consolidated Fabricators business and adequate ingress/egress for large semi-trucks would be maintained. In February 2025, Metro met with the property owner and requested to be present during heavy delivery days when trucks are staged along Santa Fe Street to assess the potential for worsening these types of backups. The property owner did not respond to Metro's requests to observe heavy delivery days. Metro has committed to coordinate further with the property owner to maintain safe, legal, and adequate access for vehicles and large-semi-trucks during construction and throughout operation.

No new truck trips would be generated throughout operations. Traffic redistribution on Santa Fe Avenue would occur and was considered as part of the traffic impact analysis. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, anticipated traffic redistribution and localized impact analysis performed, and the potential queuing associated with implementation of Malabar Yard railroad improvements.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** for a discussion related to the sensitive receptors considered in the air quality analysis performed for potential impacts related to vehicle idling associated with the Malabar Yard railroad improvements. Construction or operation of the Malabar Yard railroad improvements would not result in extended idling time for trucks or vehicles. Fewer train movements on the Harbor Subdivision equates to less vehicle idling. Benefits from operation of Malabar Yard railroad improvements include reduced intermodal railcar miles of travel, resulting in reduced fuel consumption by rail and associated rail emissions. The long-term, regionwide reduction in emissions is a beneficial effect disclosed in the **Final EIS Appendix Q, Section 3.5, Section 3.5.4.**

PHONE CALLS

48. Jack Cline

Good morning, members of the board. My name is Jack Cline. I'm a stakeholder in the City of Vernon, California's industrial community. The proposed expansion of the Malabar Yard and the 46th St. connection impedes truck and vehicle access to more than 50% of Vernon's industrial land area, frankly, affecting an estimated 900 properties, 500 small businesses and approximately

20,000 workers. We expect this disruption and unreliability to cause a 5% annual reduction in assessed property values representing hundreds of millions of dollars at risk and of course corresponding 5% annual decline in business activity and employment.

Response:

The Malabar Yard railroad improvements would facilitate safe and legal access to businesses. Property values would not be reduced because uses on the parcels could be maintained and fair compensation would be provided for any required acquisitions. The commenter provides no basis for the claims that the Malabar Yard railroad improvements would impedes truck and vehicle access to more than 50% of Vernon's industrial land area, or how an estimated 900 properties, 500 small businesses and approximately 20,000 workers would be affected. Furthermore, no technical details or calculations are provided to support the claims of how a 5% annual reduction in assessed property values would result, or how hundreds of millions of dollars are at risk based on a decline in business activity and employment. Without any technical details to support these claims, no further response can be provided.

An in-depth analysis of economic and fiscal effects of the Malabar Yard railroad improvements is disclosed in **Final EIS Appendix Q, Section 3.13**. A balanced analysis was performed to determine the conclusions presented in the Final EIS based on the local and regional impacts from short-term construction spending, as well as long-term impacts related to potential job displacement and lost property tax revenues due to the required ROW acquisitions.

The socioeconomic impact analysis of the Malabar Yard railroad improvements, including an analysis of business displacements and the economy can be found in the **Final EIS Appendix Q, Section 3.15**. The analysis concludes that the Malabar Yard railroad improvements could potentially cause one business relocation under Design Option 2, although, overall, it would cause a beneficial economic effect because the Malabar Yard railroad improvements would generate employment, labor income, and tax revenues.

49. Michaela Gibson

Good afternoon. My name is Michaela Gibson and I'm speaking on behalf of the Valley Industry and Commerce Association or VICA. Link US is more than a transportation project; it's an economic development investment. Every dollar invested in linked US generates long term returns, faster and more reliable train service, increased capacity for future growth and a stronger, more connected Southern California economy. This project keeps people, goods and our regional economy moving. Thank you.

Response:

Metro acknowledges the commenter’s support for the Project.

50. Marsha McLean

Hello, this is Marsha McLean, city Councilwoman for the city of Santa Clarita and I am calling to express strong support for certifying the EIR for link US. It’s a project that needs to happen, but I'm hearing as a council person I'm also you know, protecting our residents and I'm hoping that you will take a look at what the residents of Vernon have brought to you. The project needs to go through the certification needs to happen, but please take a look at protecting our [Cut off].

Response:

Metro acknowledges the commenter's support for the Project.

51. Brianna Egan

Good afternoon. My name is Brianna Egan. I'm calling in from the South Bay in strong support of the Link Union Station project. As a member of Californians for Electric Rail, I know that this project will be transformative, unlocking through running service for Metrolink, Amtrak and high-speed rail, helping Angelenos go further and faster. I urge you to certify and approve the supplemental EIR to prevent further delays and cost increases and to certify the Final EIR for the sealine extension to Torrance at a future board meeting. Thank you.

Response:

Metro acknowledges the commenter's support for the Project.

52. Alyssa Diaz

Good afternoon, my name is Alyssa Diaz, Director of public Policy for the Los Angeles Area Chamber of Commerce. The Chamber respectfully urges the Board to approve this item to continue improvement and investment in Southern California regional mobility and connectivity through the Link US project. With Union Station being the major multimodal transportation hub in California, it's vital this project moves forward to improve rail faster travel by allowing more frequent, reliable and efficient service. Increased connectivity and mobility options strengthen jobs and housing, thus supporting our region's economy. Thank you for your time and consideration.

Response:

Metro acknowledges the commenter's support for the Project.

53. Connor Webb

Hi, my name is Connor Webb and I urge the board to certify the EIR and move the project forward. This is the lowest hanging fruit for completely transforming mobility in the region. These run through tracks will allow service connecting all the valleys, gateway cities, OC and San Diego with new fast frequent one seat rides and allow high speed rail service. However, we still face a big funding gap and we need champions on the board for this project. So please support this project today and please fight even harder to fully fund and advance this project. ASAP. Thank you.

Response:

Metro acknowledges the commenter's support for the Project.

54. Hector de la Torre

Good afternoon. This is Hector de la Torre. I'm the Executive Director of the Gateway Cities Council of Governments. Calling with kind of a mixed message, supportive of approving the EIR, but also concerned about the City of Vernon's concerns. As a Gateway city, we want to be supportive of them. They have committed to me to negotiate in good faith. If Metro will bring those discussions to them. So supportive of the EIR but please address the issues around Malabar Yard.

Response:

Metro acknowledges the commenter's support for the Project.

55. Brian Yannity

Good afternoon, my name is Brian Yannity. I'm Vice President South of the Rail Passenger Association of California Nevada or RailPac. I would volunteer nonprofit advocating for rail passengers. We strongly support final certification of the supplemental Final EIR for link union station to say that run through tracks at LA Union Station are long overdue and understatement. We have supported it since the organization formation in 1978 our predecessor Red Passenger Rail Advocate Center has been pushing for run through [cut off].

Response:

Metro acknowledges the commenter's support for the Project.

56. Gary Hunter

Gary Hunter with Railroad Industries Incorporated, consultant for the City of Vernon. I have 49 years in the rail industry. I've worked for BNSF as a consultant for 3 1/2 years and terminals, yards, and facilities. I looked at the Malabar Yard. It could be used today without any modifications or changes in terms of storage, and it would not disrupt the City of Vernon with those changes. So, I urge you to consider it.

Response:

In the existing condition, BNSF Malabar Yard would not serve as a viable alternative to the project because General Code of Operating Rules (GCOR) limit storage of standing trains within 250 feet of the 49th Street at-grade crossing. Furthermore, the tracks at Malabar Yard currently serve their own purpose, to facilitate storage of local cars for local customers.

57. Monet Rodriguez

Good afternoon, my name is Monet Rodriquez. I'm a resident in Vernon and live a couple of blocks away from Malabar Yard and work at a company located on the east side of the city. I'm deeply concerned about Metro's proposal to expand the BNSF property near my neighborhood. Our streets are already busy. Adding mile long freight trains will make it harder for people to get to work, school, and access emergency services. The project should not come to the expense of our quality of life The city has been prioritizing commerce and residents [cut off].

Response:

Expansion of BNSF property on the east side of the City of Vernon is not proposed. The longest train considered in the analysis would be 3,000 feet long, not 5,620 feet long (one mile). This is consistent with the existing condition and based on most recent information provided by BNSF in 2024.

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard –

construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

In consideration of adverse effects related to transportation, safety and security, and socioeconomics and communities affected, the extensive railroad infrastructure and operations that are present on a daily basis throughout the community, and changes in planned land uses, the City of Vernon has requested certain measures to offset the adverse effects and the historic and cumulative effects that the community has experienced that create more adverse existing

conditions. Metro has evaluated these measures, and in consideration of the potential for impacts on the City of Vernon community and consistency with planning initiatives, Metro is proposing to adopt these measures as a part of the Link US Project as OMMs. These measures would be required upon implementation of the Malabar Yard railroad improvements. The proposed OMMs were developed through engagement with the City of Vernon and would complement the City's planning initiatives as part of the Westside Zone Change and General Plan Amendment and further citywide goals and objectives. The OMMs are separate from the direct mitigation measures in the Final EIS; and separate from improvements required by local, state, or federal mandates.

Benefits of the community improvements can provide an offsetting reduction in effects or may be accepted by an impacted community as OMMs for project effects. The OMMs would benefit the City of Vernon (a minority community), are consistent with community goals and planning initiatives, and consider community feedback on the Draft EIS/SEIR. The process and evaluation of OMMs is described further in **Final EIS Appendix G (Offsetting Mitigation Measures).**

Fewer train movements in Vernon in addition to Metro's eleven proposed OMMs, would contribute to enhanced quality of life (see **Final EIS Appendix Q, Section 3.16, Section 3.16.9**). Metro is committed to continuing the ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements and develop solutions that preserve the city's economic vitality. Specifically, the following OMMs, proposed beyond mitigation measures to reduce potential environmental impacts, would enhance quality of life.

- OMM MY NV-1 and OMM MY NV-2: Quiet zone infrastructure would contribute to reduced train horn noise, improved quality of life for existing residents in nearby areas (minority communities), and reduced disruption to the Vernon City Elementary School and Holy Angels Church of the Deaf. It would also reduce impacts to noise-sensitive businesses that may be located in the area. Additionally, the railroad safety measures would optimize safety for vehicles and pedestrians at exiting at-grade railroad crossings.
- OMM MY SS-3: the communication and radio systems upgrades would improve public safety, emergency response, and overall quality of life in the community by maximizing inter-and intra-agency coordination and communication abilities more efficiently during critical situations.
- OMM MY TR-9: Bus shelters would provide protection from weather and sun, making waiting for a bus more comfortable for passengers, further supporting their mode choice and reducing VMT within the community. Improved transit amenities and ridership within a developing area would enhance connectivity during both construction and operations and improve quality of life in the City.

58. Mishrim Valentino

My name is Mishrim Valentino. I started regularly taking the train from Fullerton Station to Union Station in 1967. I was 19 years old and had no other transportation. It was a train that afforded my Los Angeles boyfriend and I to meet and fall in love with life. Think of how rail connects people to their jobs, family, shopping, appointments and all. I support the link US project Reduce greenhouse gases, reduce the amount of frustration with aggressive reaction of motorists caused by gridlock and traffic delays.

Response:

Metro acknowledges the commenter's support for the Project.

59. Marlene Ibarra

Morning. My name is Marlene Ibarra. Vernon has been home to my family for many generations. As a parent of two students at Vernon City elementary, I am speaking up for the children who will be most affected by this project. Metro states that the Link project will reduce emissions regionally, but the pollution will increase here in Vernon and Southeast LA. The air that our children breathe in their learning environments and the safety and efficiency of the routes that lead to and from the school are at risk. Environmental justice needs protecting our children's health, Safety, education and their future.

Response:

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in

the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

Please refer to the **Final EIS Appendix Q, Section 3.16** for an analysis of potential disproportionate and adverse effects on minority communities, low-income communities, and non-minority communities, and a discussion of how such disproportionate and adverse effects would not occur upon implementation of mitigation measures. Mitigation measures, BMPs, and compliance with federal, state, and local requirements would minimize potential for disproportionate and adverse effects.

The local minority individuals living and traveling within the community analysis study area would predominantly benefit from the improvements, including a reduction in emissions by shifting some freight rail activity away from them; safety enhancements at at-grade crossings and closure of one at-grade crossing to facilitate safe crossing; and expanded curbs, new sidewalks, traffic signals, center medians, and restriping to improve mobility and pedestrian and vehicular safety. OMMs introduced to complement existing mitigation measures, further limit or compensate potential impacts to the community, and are consistent with local planning initiatives on the west side of the community analysis study area. Fewer trains operating on the Harbor Subdivision would also provide benefits to the local minority community by removing trains where sensitive receptors, including the Holy Angels Church of the Deaf, are located. Because the community analysis study area consists predominantly of a resident minority community, the benefits and offsetting benefits would be equal to or greater than the benefits experienced by the general public.

Based on these considerations, the Malabar Yard railroad improvements would not result in disproportionate and adverse effects on minority communities, low-income communities, or non-minority communities.

60. Michael McCormick

Good afternoon. I'm Michael McCormick. I live in the City of Vernon. I'm afraid that this additional traffic will make it difficult for police department to get to me if I need assistance. I'm a 79-year-old with limited mobility and every second of our emergency response time matters to me. As you make your decision today, I ask that you please think about those of us who will be negatively impacted by the proposed changes that Malabar and on 46th St. Thank you.

Response:

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

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from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

61. Steph Wong

Good afternoon. This is Steph Wong with the San Gabriel Valley Council of Governments. On behalf of the COG, I would like to express our support for certifying the Final SEIR for the Link Union Station project. This is a critical step to advance this long-planned project, which will deliver meaningful benefits not only for Los Angeles but also for the San Gabriel Valley. We respectfully urge Metro Board to certify the Final SEIR and advance the project. Thank you.

Response:

Metro acknowledges the commenter’s support for the Project.

RWG Letter to CHSRA Board Chair Richards and Members of the CHSRA Board of Directors – Dated 11/11/25

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November 11, 2025

VIA ELECTRONIC MAIL

California High-Speed Rail Authority
Board of Directors
770 L Street, Suite 620
Sacramento, CA 95814

Re: City of Vernon's Comments on Link Union Station Project's Environmental Impact Statement/Supplemental Environmental Impact Report, and Objection to Certification of EIS and Project Approval

Dear Chair Richards and Members of the Board of Directors:

This firm has been retained by the City of Vernon ("City") to provide additional comments on the Los Angeles County Metropolitan Transportation Authority ("Metro") Link Union Station project ("Link US") and Environmental Impact Statement / Supplemental Environmental Impact Report ("EIS") being considered for certification by the California High-Speed Rail Authority ("CHSRA") Board of Directors ("CSHRA Board"). 1

The City supports regional efforts to expand rail service and the larger Link US Project. But the City remains deeply concerned about the Project's unmitigated impacts on businesses and vulnerable communities arising from the proposed changes at the Malabar Yard ("Malabar Yard Mitigation"). 2

The City requests that CHSRA consider alternative options to "mitigate" the loss of BNSF Railway ("BNSF") storage space caused by the Link US Project. We believe that suitable options exist, and request that CHSRA seriously consider such options before moving forward. Many of the deficiencies that the City has identified in the EIS relate to the Malabar Yard Mitigation. 3

The City made an identical request to the Metro Board of Directors at its Board meeting on October 23, 2025. Over the objections of the City and a large number of community members and business owners, the Metro Board decided to certify the Final SEIR and approve the Project. 4

As such, the City now intends to file a suit challenging the Final SEIR. Should the CHSRA Board similarly ignore the objections raised by the City and the Vernon community, the City will have no choice but to explore all available legal options against CHSRA under NEPA.

That said, if CHSRA commits to removing the Malabar Yard Mitigation from the project analyzed in the EIS and evaluating other options to address BNSF's request for additional rail storage, the City would likewise commit to working in good faith with CHSRA to address these issues. This is a win-win for both CSHRA and the City, as it would save years of litigation and legal expenses for both agencies, while promoting the worthwhile cause of improving the region's rail infrastructure.

4 cont'd

The CHSRA Board must understand one important point about this project: the Malabar Yard Mitigation, inclusive of a closure of 49th Street and 1,000 feet of new track and associated crossing infrastructure at 46th Street, **requires the City of Vernon's approval**. The City must vacate the necessary right-of-way, convey easements or licenses, and issue applicable encroachment permits, all of which are discretionary in nature and have yet to be negotiated. This is no small undertaking, and there is no avoiding this fact. Mitigation Measure MY TR-6 states: "For all new and existing at-grade railroad crossing modifications, Metro and BNSF shall obtain required approvals from the City of Vernon . . . ." Despite Metro staff's repeated "coordination" efforts, Metro has failed to comprehend that **the City is very unlikely to issue the approvals** for the Malabar Yard Mitigation to proceed. As a result, this Mitigation Measure is not feasible, enforceable, or practicable. (14 CCR § 15126.4(a)(2); 40 CFR § 1505.2 (2024)[1].)

5

This should not be surprising. No rational public agency would agree to overhaul its already congested traffic system without BNSF's assurances on the extent and frequency of road closures and based upon a flawed traffic study taken during the height of the COVID-19 shutdown. Over the years, BNSF has repeatedly sought the City's approval to implement the Malabar Yard Mitigation, only to be denied because of its well-known impacts. With this important point in mind, the City urges CHSRA to eliminate the Malabar Yard Mitigation and identify an alternative storage option for BNSF. The City stands ready to support CHSRA's further exploration of alternative options. This approach will ultimately save CSHRA and the City time and resources by avoiding unnecessary litigation, uncertainty, and delay to an otherwise important regional transportation project.

6

[1] Pursuant to the CEQ Interim Final Rule, 90 FR 10610 (February 25, 2025, delayed effective date of April 11, 2025), the regulations in 40 CFR Part 1500 – 1508 have been rescinded. However, CEQ states in its Interim Final Rule that "agencies should . . . continue to rely on the version of CEQ's regulations that was in effect at the time that the agency action under challenge was completed."

For the foregoing reasons, the EIS's analysis of the Malabar Yard Mitigation is flawed and the appropriate corrective action is to remove the Malabar Yard Mitigation from the project analyzed in the EIS. The City's comments are largely intended to reflect NEPA requirements. As noted above, the City has already provided further comment as part of the CEQA process before the Metro Board of Directors. 7

I. Fundamental Flaws with the EIS's Treatment of the Malabar Yard

a. Freight Rail Is Not an Adverse Environmental Effect Requiring Mitigation

Even though it is not a part of the Link US Project description in the EIS, the Malabar Yard Mitigation is not an environmental mitigation. Treating it as mitigation is inappropriate under NEPA or CEQA for several reasons.

First, Metro staff has admitted—on the record—that **the Malabar Yard is not necessary to mitigate any adverse environmental effects** caused by the Link US Project. Metro staff has repeatedly said that Metro's preference is to compensate BNSF for the taking of its property at the BNSF West Bank Yard, rather than pursue the Malabar Yard Mitigation. The payment of just compensation is the appropriate and legally justified way to compensate a property owner for the taking of property needed for a public improvement, such as the Link US Project. By Metro's own admission at its October 16, 2025 Executive Board meeting, if BNSF accepts just compensation (or other negotiated amount), then the Malabar Yard Mitigation would be unnecessary and dropped from the EIS. Yet, the City is straddled with the impacts of the Malabar Yard Mitigation simply because BNSF has rejected monetary compensation for the taking of its property *and requested the Malabar Yard Mitigation*. Tellingly, BNSF has asked the City for approvals to expand the Malabar Yard starting at least 10 years ago, unrelated to the Link US Project. Therefore, the Malabar Yard Mitigation is and never was environmental mitigation, but rather a negotiated solution by Metro to avoid condemning property from BNSF and deliver BNSF the operational benefit it has long sought from the City. 8

Second, an impact to freight rail storage is not an environmental impact under CEQA or an adverse environmental effect under NEPA. We have found no case suggesting that the loss of freight rail storage alone requires mitigation under CEQA or NEPA, nor is it listed as an environmental topic under the checklists for CEQA or the Federal Transportation Administration's NEPA checklist.[2] For purposes of CHSRA's consideration of the EIS under NEPA, the lone basis for imposing the Malabar Yard Mitigation is an inconsistency with one program 9

[2] https://www.transportation.gov/administrations/office-policy/checklist-environmental-requirements-and-resources-1313-and-appendix

and one policy of the Los Angeles Mobility Plan 2035 and the California Transportation Plan 2040. (*See*, Final EIS/SEIR, at p. 7-164.) These are not Metro's plans, but guiding documents for other public agencies. Moreover, the perceived inconsistencies involve aspirational language that encourage goods movement projects, address climate change, and improve multimodal transportation. None of these plans suggest that Metro's Link US Project results is an inconsistency. Moreover, an inconsistency with a plan, such as the Los Angeles Mobility Plan, is not by itself a significant adverse environmental effect under NEPA. The potential loss of freight storage space is not *per se* a significant adverse environmental effect under NEPA, without full consideration of the impacts of the inconsistency. (*See, e.g.*, *Center for Biological Diversity v. National Highway Traffic Safety Admin.* 538 F.3d 1172, 1185 (9th Cir. 2008) ("Whether an action may 'significantly affect' the environment requires consideration of 'context' and 'intensity.'")). Rather, it appears to be merely an operational issue for BNSF. 9 cont'd

Further, the City of Los Angeles Mobility Plan and the California Transportation Plan are not even the relevant plans for purposes of this analysis. **The City of Vernon General Plan is a relevant and applicable plan. Why was it not analyzed?** The Circulation and Infrastructure Element at Section 2.1 states: "**Many at-grade rail crossings remain in the City. These should gradually decrease** as the City encourages rail lines to merge facilities, to abandon spur lines, and to participate in separating streets from remaining railways." The Malabar Yard Mitigation is inconsistent with virtually every planning policy in the General Plan: 10

- **POLICY CI-1.2**: Continue to coordinate with the rail companies to provide for efficient rail service that minimizes impacts on the local street system. *No coordination has taken place between BNSF and the City, and the EIS admits that the Malabar Yard Mitigation will impact the local street system.*

- **POLICY CI-1.3**: Limit rail yards to areas agreed on and consolidate rail spurs where feasible. *The City has not agreed to the expansion of the Malabar Yard.*

- **POLICY CI-1.5**: Continue to pursue grade separation for railroad crossings on designated streets. *The Malabar Yard Mitigation's 46th Street crossing is at-grade, not grade separated.*

Despite these clear inconsistencies, the EIS does not even consider the Link US Project's and the Malabar Yard Mitigation's consistency with the City's General Plan. Instead, the EIS focuses on the cherry-picked policies that would drive a decision to adopt the Malabar Yard Mitigation. If the EIS will consider inconsistencies with planning policies as adverse environmental effects (and it need not), then it needs to consider the most relevant plan of all: the City of Vernon General Plan.

The City has a long history with BNSF's efforts to modify the Malabar Yard, which the City has repeatedly resisted because of the City of Vernon's clear policies that prohibit the project. Former Vernon Public Works Director Kevin Wilson was in contact with BNSF about potential realignment of the Malabar Yard dating back to at least 2006. (*See*, email between Mr. Wilson and BNSF Project Engineer Greg Rousseau, dated September 27, 2006, attached hereto as Exhibit "F".) Mr. Wilson also previously met with BNSF's General Manager for the Los Angeles Junction regarding the proposed 46th Street connection on several occasions. He informed BNSF that the proposed crossing's impacts would be significant and unacceptable to the City. Separately, former Vernon Public Works Project Engineer Brandon Araujo met with BNSF between 2016-2019 to discuss the City's proposed Atlantic Bridge expansion project. According to Mr. Araujo, BNSF would not grant the necessary approvals for the City's proposed bridge unless the City agreed to the 49th Street closure to expand the Malabar Yard. In sum, BNSF is now using Metro to improperly obtain operational benefits through NEPA that it could not otherwise obtain from the City. By all accounts, BNSF is doing so in a way that is fully intended to **increase train traffic into and out of Vernon without any assurance to the contrary.** 11

b. The Malabar Yard Does Not Fully Mitigate the Alleged Adverse Effect

Even assuming freight rail impacts are an adverse environmental effect in need of mitigation, the Malabar Yard Mitigation does not fully mitigate the loss of freight rail storage. The EIS states that 5,500 feet of track space is being taken from the West Bank Yard, but the Malabar Yard Mitigation only accommodates an additional 3,350 feet of storage space. The 46th Street cross track does nothing to mitigate the loss of freight rail storage. 12

Yet, the EIS does not identify an adverse impact or significant adverse effect even after implementation of the Malabar Yard Mitigation. We assume this means that Metro and the CHSRA do not view the loss of freight rail storage as an environmental issue. Instead, as Metro staff stated at its October 16th Executive Board meeting, the Malabar Yard Mitigation is the result of an agreement between Metro and BNSF because Metro could not purchase the West Bank Yard property from BNSF. Metro and CHSRA are improperly converting a real estate transaction into a mitigation measure under CEQA and NEPA, and pushing the impacts of its project onto the residents, workers, and businesses of Vernon. 13

c. The Malabar Yard Does Not Meet CHSRA's Specified Mitigation Criteria

The EIS conducted a screening process to identify a suitable location for a replacement site to offset the loss of freight rail storage at BNSF's West Bank Yard. Two criteria were established for this screening analysis. First, the "freight rail storage track replacement shall be located in 14

proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards." (Final EIS/SEIR, Appendix Q, pg. 1-9). Second, the alternate location must provide **"full replacement** of 5,500 track feet of lost storage track capacity." (Final EIS/SEIR, Appendix Q, pg. 1-10). The Malabar Yard Mitigation satisfies neither of these requirements. 14 cont'd

First, Malabar Yard is located two miles from the Hobart/Commerce Intermodal Yards, further from the Hobart Yard, Commerce Yard, and LA Junction. Of the four options that meet this initial criteria, it is the furthest away from the desired location.

Second, Malabar Yard does not provide full replacement of 5,500 track feet of lost storage capacity. According to the EIS, it provides 3,350 feet of storage capacity. Thus, it does not satisfy the secondary screening criteria.

As a result, the EIS's own evidence concludes that the Malabar Yard Mitigation was improperly selected as the location for the replacement for freight rail storage. This further supports the conclusion that the Malabar Yard Mitigation is not really mitigation, but an operational benefit specifically requested by BNSF.

The City of Vernon contracted with Gary Hunter of Railroad Industries Incorporated ("RII") to evaluate BNSF's existing capacity and the EIS's alternatives analysis, among other issues. Mr. Hunter has over 45 years of experience in the railroad and transportation industry. His report concludes that numerous options are available to BNSF to offset the loss of freight rail storage at the West Bank Yard, including modifications to the existing Malabar Yard configuration that do not require the closure of 49th Street or additional crossings on 46th Street. As noted in Mr. Hunter's report, only cursory evaluation is given to the options outlined in the EIS, and the EIS completely fails to analyze a variety of other feasible mitigations that achieve a similar objective and do not cause adverse environmental effects on Vernon. (*Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 351 (1989) (stating that an EIS must "contain a detailed discussion of possible mitigation measures"); *Japanese Village, LLC v. Federal Transit Administration,* 843 F.3d 445, 458 (9th Cir. 2016) (NEPA requires agencies to take "a hard look at each alternative and discuss[] the extent to which adverse effects can be avoided.")) Mr. Hunter's analysis is attached hereto as Exhibit "A" ("RII Report"). 15

d. The Malabar Yard Mitigation Improperly Causes Significant Adverse Environmental Effects

Under NEPA, a mitigation measure must reduce a project's adverse environmental effects. Pursuant to 40 CFR § 1502.16(a)(11), an EIS must include an analysis of "[m]eans to mitigate adverse environmental effects." 16

NEPA does not require mitigation measures that ***completely*** eliminate a project's environmental effects. (*Conner v. Burford*, 848 F.2d 1441, 1450 (9th Cir. 1988) ("NEPA does not require that mitigation measures completely compensate for the adverse environmental effects . . . .")) Indeed, a mitigation measure can cause a new adverse effect in addition to those caused by the project, so long as it, on balance, mitigates net adverse environmental effects. (*See, e.g.*, *Okanogan Highlands All. v. Williams*, 236 F.3d 468, 474 (9th Cir. 2000) (finding that an EIS sufficiently evaluated proposed mitigation measures based on the overall probability of effectiveness.)) What NEPA does not allow is for the EIS to manufacture a significant adverse effect, such as freight rail impacts, and propose mitigation that would cause additional significant adverse effects. This is especially true where, as here, the impacts to traffic and emergency response are the precise impacts that the EIS contends the Malabar Yard Mitigation would avoid. This subverts NEPA's command to mitigate environmental effects in a way that avoids, minimizes, or reduces environmental effects. 16 cont'd

e. The Malabar Yard Mitigation Is Infeasible and Impracticable

Finally, the EIS's traffic mitigation plan for the Modified Proposed Project at the Malabar Yard is not sufficient mitigation because it is ***not possible***; such mitigation is completely reliant on approvals that the City of Vernon will not grant. As noted above, Mitigation Measure MY TR-6 states: "For all new and existing at-grade railroad crossing modifications, Metro and BNSF shall obtain required approvals from the City of Vernon . . . ." The City has conveyed to Metro on numerous occasions, and also would like to make clear to CHSRA, that it is very unlikely to grant the required approvals. 17

An EIS must contain "a detailed discussion of possible mitigation measures." (*Robertson*, 490 U.S. at 351.) It must "[s]tate whether the agency has adopted all practicable means to mitigate environmental harm from the alternative selected, and if not, why the agency did not." (40 CFR 1505.2(c).) Further, such mitigation is only enforceable if "the record of decision incorporates mitigation and the analysis of the reasonably foreseeable effects of the proposed action is ***based on implementation of that mitigation***." (*Id.*) 18

In *Robertson*, for example, the Supreme Court reviewed an EIS for a special use permit for a ski resort neighboring federal park land. (*Id.* at pp. 338-39.) To mitigate recognized effects on biological resources and air quality, the EIS recommended mitigation measures that would require, among other things, that local government acquire and manage adjacent conservation land. (*Id.* at pp. 344.) Project opponents challenged the EIS, claiming that the proposed mitigation measures were inadequate, in part, because the mitigation was contingent upon the actions of multiple state and local agencies. (*Id.* at pp. 346-47.) The Supreme Court ruled that 18 cont'd

an EIS may include mitigation measures, even if they are contingent upon subsequent approval of local agencies that have not yet been granted. (*Id.* at pp. 353.) That said, the EIS must contain "a detailed discussion of ***possible*** mitigation measures." (*Id.* at pp. 351 [emphasis added].) 18 cont'd

Here, unlike in *Robertson*, the entirety of the Malabar Yard Mitigation is within a single jurisdiction: the City of Vernon. Both the proposed closure of 49th Street and the new segment of train track on 46th Street are **completely predicated on the City's approval of a right-of-way vacation, easements or licenses, and encroachment permits**. Vernon's involvement is not limited to a mere ministerial permit or tangential approval as part of a larger scheme of mitigation. **And, no cause for speculation is required here: the City of Vernon does not intend to grant these approvals**. Therefore, unlike in *Robertson*, the proposed mitigation measures are not even possible. While *Robertson* upheld the adequacy of proposed mitigation measures that were pending review by state or local authorities, the City has been clear that it would not voluntarily grant the approvals necessary to complete the Malabar Yard Mitigation as proposed. As such, the EIS cannot rely on the Malabar Yard Mitigation as adequate mitigation to alleviate alleged impacts of the Link US project. 19

Further, the proposed Malabar Yard Mitigation is also not possible because it is not consistent with constitutional requirements. In order to be implemented over Vernon's clearly stated objection, Metro must condemn the City's right-of-way. In order to initiate eminent domain proceedings, Metro must find that the right-of-way is necessary for a public use. This finding cannot be made because, as stated above, the mitigation is not needed to mitigate an environmental effect and not needed to compensate BNSF for the loss of freight rail capacity. The Malabar Yard Mitigation is therefore improper. 20

II. Inadequacies in the EIS Analysis

NEPA requires public agencies to "take a 'hard look' at environmental consequences" to implement the broad public purposes of NEPA and "guarantee[] broad public dissemination of relevant information." (*Robertson*, 490 U.S. 332 (1989).) As discussed in detail below, the EIS fails to take a hard look at the Malabar Yard Mitigation and does not include enough relevant information to inform the public about the project. It is therefore inadequate under NEPA. 21

a. Project Description for Malabar Yard Railroad Improvements

The EIS's analysis of the Malabar Yard Mitigation impacts is based on existing train operations data and future projections provided by BNSF. (Final EIS/SEIR, Appendix Q, pg. 2-2.) There are a number of fundamental issues with the descriptions of current and projected train operations as 22

presented in the EIS. These comments are supplemented by the analysis of RII attached hereto as Exhibit "A". 22 cont'd

1. Outdated baseline train traffic data.

Even though the Draft EIS was released in June 2024, the EIS still uses the year 2020 as the baseline for its impact analysis, and does not account for changes in train operations despite tumultuous changes in global trade and freight demand in the intervening period. The data is clearly stale. As such, it is unclear whether the baseline figures provided by BNSF are still accurate. To provide an accurate analysis of project impacts, the baseline numbers must be updated to reflect the actual existing train traffic at the Malabar Yard. Any discrepancies in the 2020 figures and the updated numbers must be incorporated into an updated impact analysis. 23

2. No factual basis for train traffic projections.

The EIS does not provide a clear factual basis for its estimates of future train movements. The EIS relies solely on figures provided by BNSF in March 2021, but does not explain how BNSF derived those projections. (Final EIS/SEIR, Appendix Q, p. 2-2.) They are entirely speculative. 24

The City has repeatedly requested that Metro and BNSF provide accurate information about ongoing and future planned operations at the Malabar Yard in order to evaluate and plan for increased train traffic at this central location within the City. (*See, e.g.*, City Letter to BNSF Railway, October 6, 2025, attached hereto as Exhibit "B".) However, neither Metro nor BNSF has provided responsive information. While the City understands that BNSF may not wish to divulge proprietary information about its business operations, BNSF must provide enough information about train traffic volume in order for the EIS to meet its disclosure obligations and for the City to evaluate whether to approve the planned operations at the Malabar Yard. Indeed, the EIS cannot effectively study the impacts of the project without an accurate accounting of future train traffic. 25

Further, if BNSF and CHSRA still consider the train movement projections in Tables 2-1 and 2-2 accurate, the EIS should include a mitigation measure capping train traffic at approximately those levels. Absent such a limitation, any increase in train traffic beyond the analyzed volumes could render the EIS's conclusions invalid. 26

3. Apparent inaccuracy of stated train traffic projections.

Aside from not providing any factual basis for the numbers presented, the EIS appears to grossly understate future train traffic volume. In its description of future operations at the Malabar Yard, 27

the EIS states that improvements would "increase operational efficiency for BNSF because merchant train traffic would be redistributed from the north Entrance of Malabar Yard to the east entrance." (Final EIS/SEIR, Appendix Q, p. 2-4). However, the estimated future train movements for the north and east entrances presented in Table 2.1 and Table 2.2, respectively, do not reflect such a redistribution. Table 2.1 shows an estimated reduction in total weekday train movements from 20 movements to 3 movements in the first four years following completion of the Malabar Yard Mitigation. However, Table 2.2 does not show a proportionate increase in traffic train movements from the yard's east entrance. Upon completion of the 46th Street Connector, Table 2.2 estimates that there will be a total of just 10 movements at the east entrance, though there will be a reduction in 17 movements at the north entrance. 27 cont'd

Moreover, what has been provided is clearly flawed. The EIR assumed train movements will occur during the five-day work week and six train movements per day would occur into and out of Malabar Yard using the northern entrance across Pacific Boulevard on the Harbor Subdivision. (Final EIS/SEIR, Appendix Q, p. 2-5). However, Table 2-1 makes the erroneous assertion that train movements would be reduced to 0.5 per day. **Six train movements per day divided by five weekdays is 1.2 train movements per day, not 0.5 per day. This flaw is carried through the entire EIR, and it overestimates the Malabar Yard Mitigation's benefits in a way that misleads the reader.** 28

4. Inadequate analysis of projected train lengths.

The EIS describes the Malabar Yard Mitigation in terms of increases in train movements, but does not properly quantify the potential increase in train lengths. In describing the "future operational characteristics" of trains along the proposed 46th Street Connector, the EIS suggests that "typical train lengths" will be 2,000 feet to 4,000 feet (Final EIS/SEIR, Appendix Q, pg. 2-9), whereas existing typical train lengths are up to 1,250 feet. Based on the project increase of 10 weekday train movements per week, this means that there could be an additional 27,500 feet (approximately 5.24 miles) of trains moving across 46th Street Connector in a given week. Analyzing project impacts in terms of train movements rather than train lengths conceals the true scope of increased train traffic associated with this Project. Moreover, the EIR uses wide ranges of train lengths that make it difficult to quantify such impacts. There is a marked difference between the impacts of a train that is 2,000 feet (0.38 miles) versus 4,000 feet (0.76 miles) long. The EIS analysis is frankly incomplete if it does not accurately consider the length of the trains that will be passing through the Malabar Yard and 46th Street Connector. 29

Further, the EIS notes that "[i]f commercial demand increases during future operations, BNSF will add train cars to train sets traveling out of the east entrance; therefore, train volumes would remain constant through 2040, and no increase in train movements would occur through 2040." 30

(Final EIS/SEIR, Appendix Q, pg. 2-5.) The EIS does not provide estimates on how long trains could extend if required by an increase in commercial demand. Moreover, this assertion is entirely speculative as BNSF will not commit to any particular train length or frequency of movements. 30 cont'd

b. Air Quality

As detailed below, the Air Quality analysis for the Malabar Yard Improvements are technically deficient and do not properly account for impacts on sensitive receptors in the vicinity of the Malabar Yard, including a church, residences and an LAUSD elementary school. The City engaged air quality experts at Urban Crossroads to closely review the EIS's air quality analysis. (*See*, Urban Crossroads, Malabar Yard Railroad Improvement Air Quality Impact Analysis Peer Review ("AQ Peer Review"), dated October 10, 2025, attached hereto as Exhibit "C".) Expert analysis highlighted, among other things, the following failures in the EIS's methodology and findings: 31

1. Failure to evaluate localized emissions

Section 3.5 of Appendix Q evaluates impacts related to air quality and global climate change. In its analysis of criteria air pollutants, Appendix Q only compares the projected emissions from the Malabar Yard against federally set General Conformance *De Minimis* thresholds, and does not consider localized impacts on sensitive receptors.

An EIS must include a "hot-spot analysis" when a proposed project, like the Link US Project, may contribute to localized violations of air quality standards, even where total emissions are below *de minimis* thresholds. (*See*, *Nat. Res. Def. Council, Inc. v. U.S. Dep't of Transp.*, 770 F.3d 1260, 1264 (9th Cir. 2014) ("Project sponsors must carry out this hotspot analysis to ensure that the project does not 'cause or contribute to any new localized ... $PM_{2.5}$ violations, increase the frequency or severity" of such violations, or "delay timely attainment" of air quality goals.'")) 32

Here, the EIS only compares projected construction and operations emissions for the Malabar Yard Mitigation against region-wide *de minimis* standards, and does not study localized impacts despite the acknowledged existence of sensitive receptors within the vicinity of the Malabar Yard. 33

Without measuring localized project impacts, the EIS fails to properly take a "hard look" at potential adverse effects. The EIS must be updated and recirculated to incorporate an analysis of localized air quality impacts, as required by NEPA. (*See*, Air Quality Impact Analysis, pp. 1-2.)

2. Failure to identify and evaluate impacts on nearby sensitive receptors and EJ Community 34

The EIS must study the Project's potential to cause "disproportionate and adverse human health and environmental effects on communities with environmental justice concerns." (40 CFR 1502.16.) The EIS identifies an Environmental Justice Community ("EJ Community") within the Malabar Yard EJ study area, which requires study of comparative project impacts. (EIR, Appendix Q, pp. 3.16-20.) While the EIS discusses particular transportation, safety/security, and socioeconomic impacts on the designated EJ Community, it does not specifically address air quality impacts despite acknowledging the existence of at least three major sensitive receptor sites for the community within the vicinity of the Malabar Yard improvements, including the Vernon City School (Vernon's only school) and residents along 53rd Street and Furlong Place. Note that the EIS does not analyze potential impacts on those sites because they are inaccurately and arbitrarily deemed to be located more than a quarter mile from the Project. (Final EIS/SEIR, Appendix Q, pp. 3.5-13; EIS/SEIR Response to Comments, Volume III, pp. 29-30.) Due the existence of residences, a school, a medical facility, place of worship, and work sites within the vicinity of the Malabar Yard, the EIS cannot summarily ignore localized air quality impacts that will inevitably be borne by the EJ Community. 34 cont.

The EIS's analysis of impacts on sensitive receptor sites impacting the EJ Community is inadequate for the following reasons.

i. Distance threshold is arbitrary.

The EIR arbitrarily and improperly applies a quarter-mile screening radius without clearly explaining why that distance was selected. Note that the South Coast Air Quality Management District ("SCAQMD") does not impose such a strict screening radius when analyzing impacts on sensitive receptors. In its prior guidance, SCAQMD "recommended that the AQMD be consulted to obtain facility-specific emissions information and accepted assessment methods for determining relative exposure and health risk for proposed projects." (See, SCAQMD, "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning", May 6, 2005, p. 2-4. https://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf?sfvrsn=9e021c61_4.) 35

The EIS must explain why the quarter-mile screening radius was selected. Given the increase in train traffic and idling in the area, air quality impacts may very well extend beyond the quarter-mile threshold applied in the EIS analysis.

We also note that the quarter-mile (or 1,320 feet) threshold appears to have been deliberately chosen to very narrowly exclude analysis of impacts on the nearby Vernon City School (alleged to be 1,350 feet away) and the Residences at 53rd Street (alleged to be 1,325 feet away). (Final

EIS/SEIR, Appendix Q, pp. 3.5-13.) This is improper given that the Malabar Yard is located less than 1,000 feet from these sensitive receptors. 35 cont.

ii. Impact radius appears incorrectly drawn.

Even if the quarter-mile radius were proper, the EIS does not accurately measure the distance between sensitive receptors and the expected emission sources. As shown in Figure 3.5-1 of Appendix Q, the EIS appears to center the quarter-mile radius from the 49th Street intersection and from certain portions of 46th Street. (Final EIS/SEIR, Appendix Q, pp. 3.5-15.) However, this Project will introduce mobile emission sources along the ***entire length*** of the Malabar Yard and across the 46th Street connector. As is obvious in Figure 3.5-1, portions of the Malabar Yard tracks come much closer than a quarter mile to the residences and Vernon City School. For example, in some instances, increased train traffic would likely pass approximately 750 feet (approximately 0.14 miles) from the Vernon City School. (*See*, AQ Peer Review, p. 3.) Therefore, even assuming a quarter-mile radius, the school and residences fall squarely within the impacted area, and the EIS must be updated and recirculated to include a full analysis of the air quality impacts on those sensitive receptors. 36

iii. Other sensitive receptor sites have not been properly considered.

The EIS also omits key sensitive receptor sites for the EJ Community that would be impacted by increased activity at the Malabar Yard:

- **Stacy Medical Center**, 4580 Pacific Blvd, Vernon, CA 90058

The City's only health care facility is located approximately 200 feet from project construction and operations at the Malabar Yard site.

- **Holy Angels Church of the Deaf**, 4433 S Santa Fe Ave, Vernon, CA 90058 37

This church is immediately adjacent to the Vernon City School, and frequently holds on-site services and community events for parishioners.

- **Nearby Factories**

There are a number of factories in close proximity to the Malabar Yard where factory workers would be exposed to heightened air pollutants during their 8-hour shifts. (*See*, AQ Peer Review, p. 3.)

In order to properly study the air quality impacts of the Malabar Yard improvements, the EIR must be updated and recirculated to address impacts on these additional sensitive receptor sites. 37 cont.

3. Failure to consider emissions from idling trucks and passenger vehicles

As set forth in Table 3.5-6, the EIS expects an overall reduction in criteria air pollutant emissions where more-efficient rail trips offset long-haul trucking trips. (*See*, AQ Peer Review, p. 3.) As a peer review of the EIS's air quality analysis points out, however, the modeling does not account for expected increases in train idling times at the Malabar Yard as storage capacity grows and more rail traffic is diverted. In order to accurately show Project impacts, the air quality analysis must be updated and recirculated to address the expected increase in train idling at the Malabar Yard. 38

4. Use of outdated emissions models

Appendix Q uses CalEEMod (Version 2016.3.2) to calculate construction emissions, even though CalEEMod Version 2022 was available at the time the modeling was performed. Because there were material changes to the model between 2016 and 2022, the figures presented in the EIS should be re-run with the latest available model to improve the accuracy of the figures presented. (*See*, Air Quality Impact Analysis, p. 4.) 39

c. <u>Traffic / Transportation</u>

The City engaged traffic and transportation experts at Lochner to closely review the EIS's analysis. (*See*, Memo re: Technical Adequacy of Link US FSEIR Responses to City of Vernon Transportation Comments, dated October 22, 2025, attached hereto as Exhibit "D".) This analysis identifies a number of significant flaws in the EIS, as explained in detail in the report. 40

d. <u>Noise / Vibration</u>

As detailed below, the Noise analysis for the Malabar Yard Improvements are technically deficient and do not properly account for effects on sensitive receptors in the vicinity of the Malabar Yard, including a church, medical facility, and LAUSD elementary school. The City engaged noise experts at Urban Crossroads to closely review the EIS's air quality analysis. (*See*, Urban Crossroads, "Environmental Evaluation For Malabar Yard Railroad Improvements - Noise Section 3rd Party Review" ("Noise Peer Review"), dated October 20, 2025, attached hereto as Exhibit "E".) This analysis identifies a number of significant flaws in the EIS, as explained in detail in the report. 41

e. Public Safety

To address safety impacts, the EIS vaguely states that "further coordination with CPUC and the City of Vernon is required," without providing any additional details about what coordination might be necessary. (Final EIS/SEIR, Appendix Q, pp. 3.14-22.) Without such information, the EIS cannot accurately conclude that the impacts, including impacts on EJ Communities, will be less than significant. Furthermore, as has been stated by the Vernon Police Department, no coordination has occurred between the Police Department and Metro to identify the impacts on emergency response times caused by the Malabar Yard Mitigation. The Police Department prides itself on meeting its standard average of 3.5 minutes per response, but the Malabar Yard Mitigation causes a significant adverse effect to response times. This impact is unacceptable to the Police Department and endangers lives. 42 43

f. Land Use

The EIS fails to properly analyze the land use impacts of the Malabar Yard expansion in the following ways:

i. Bifurcation of City's central hub.

Taken together, the closure of 49th Street and the expansion of the rail crossing at 46th Street would create a physical division of an established community, and effectively bifurcate a key civic and business hub of the City. In describing the 49th Street closure, the EIS states that "the street closure is located in a primarily industrial area adjacent to the Malabar Yard with no residential uses or established communities in the vicinity." (Final EIS/SEIR, Appendix Q, pp. 3.2-34.) This cursory description of the area surrounding the Malabar Yard belies the importance of this area to the City. As mentioned above with respect to Air Quality, the Malabar Yard is in close proximity to the City's only school, its only residential center, and its only 24/7 medical care facility. In addition, the Malabar Yard is within approximately 1,000 feet of the Vernon City Hall. The closure of 49th Street and increased traffic blockage along Pacific Boulevard caused by the 46th Street crossing would effectively cut off access from the eastern half of the City to essential public services in the west for extended periods of time throughout the day. This major impact must be more carefully studied as part of the EIS. 44

Further, the EIS states that the 46th Street crossing "would facilitate safe pedestrian, bicycle, and vehicular access and connectivity and would not inhibit access to surrounding properties." (Final EIS/SEIR, Appendix Q, pp. 3.2-34.) Given that the goal of the 46th Street crossing is to facilitate increased train traffic, it is unclear how it would not "inhibit access" to surrounding properties. 45

Without further analysis and explanation, this conclusion cannot be the basis for finding no significant adverse effect under the EIS. 45 cont

ii. Amendments to General Plan and zoning classifications.

The EIS states that the City would need to change existing General Plan and zoning classifications to accommodate the proposed design options for both the 49th Street closure and the 46th Street connector. (Final EIS/SEIR, Appendix Q, pp. 3.2-17.) Despite this, the EIS claims that "no direct adverse effects would occur because the properties would still be usable after implementation of the railroad improvements at this location and the potential land use entitlements mentioned above are administrative procedures that would support the continuation of movement of goods and people along roadways and railways in the City." (Final EIS/SEIR, Appendix Q, pp. 3.2-17.)

In addition to being conclusory, Appendix Q's analysis of the land use impacts of the Malabar Yard improvements are not based in fact. In meetings and correspondence, the City and business owners have repeatedly told Metro that the railroad improvements—and the accompanying traffic impacts—would have serious negative impacts on business operations in the immediate vicinity of the Malabar Yard and beyond. 46

Further, the General Plan and zoning amendments mentioned above would not be mere "administrative procedures." Rather, they would require close study by City staff and the City Council, and cannot at this time be considered a foregone conclusion.

III. Alternatives Analysis

"[C]onsideration of reasonable alternatives to the proposed action" is the "heart of the EIS." (*Conner v. Burford*, 848 F.2d 1441, 1451 (9th Cir. 1988).) As described in greater detail below and within the expert analysis included in this letter, the EIS's analysis of the impacts of the Malabar Yard Mitigation does not meet NEPA's requirements to adequately study the available alternatives, including feasible alternative storage locations within nearby existing BNSF yards. Rather, Section 1.1 of Appendix Q of the EIS sets forth only a cursory consideration of alternative sites for the addition of train storage. For that reason, the EIS in its current form does not meet the requirements of NEPA, and must be updated and recirculated with a full analysis of available alternatives that avoid unwarranted adverse environmental effects at the Malabar Yard. 47

a. Inadequacy of the proposed Project to meet the stated mitigation objectives 48

The EIS claims that the Malabar Yard improvements and accompanying closure of 49th Street would mitigate the loss of freight storage at the BNSF West Bank Yard. Specifically, the EIS states that "[c]losure of the at-grade railroad crossing at 49th Street would accommodate BNSF storage capacity at the BNSF West Bank Yard by approximately 3,350 track feet." (Final EIS/SEIR, Appendix Q, p. 2-1.) Yet, the Link US Project is expected to result in a loss of 5,500 track feet of freight rail storage at the BNSF West Bank Yard. (Final EIS/SEIR, Transportation, p. 3.3-67.) As the EIS indicates, BNSF would still lose 2,150 feet of track even with the Malabar Yard improvements. (Final EIS/SEIR, Transportation, p. 3.3-69.) Given that the Malabar Yard improvements would only replace approximately 60 percent of the track being lost, it is not sufficient mitigation for the operational impacts at the BNSF West Bank Yard. 48 cont.

b. <u>CHSRA did not meet NEPA requirements to properly analyze feasible alternatives</u>

It is clear that an EIS must properly evaluate reasonable alternatives. (*See*, *Conner*, 848 F.2d at p. 1451.) Further, as part of that required analysis, an EIS must seriously consider a "no action" alternative before approving a project. (*Id.*) The EIS fails to provide this critical analysis.

In Section 1.1, the EIS explains why alternative locations – including the Hobart Yard, Commerce Yard and Los Angeles Junction – do not meet CHSRA's bespoke screening criteria, but it does not analyze the potential ***environmental*** effects of those alternatives. As stated above, operational inconveniences are not, *per se*, adverse environmental impacts. Under NEPA, the EIS is incomplete without a clear analysis of the environmental effects of the alternatives. The EIS does not provide decision-makers or community stakeholders with an adequate understanding of possible alternatives that would reduce the adverse effects of the Malabar Yard Mitigation and the Link US Project more broadly. 49

As noted above, the City has engaged Gary Hunter of RII, a train expert with more than 45 years of experience working in the railroad industry, including advising on BNSF yard and terminal operations. Pursuant to an analysis of BNSF operations at the Malabar Yard and surrounding train yards, BNSF likely would have ample storage space at the existing Malabar Yard and other BNSF facilities to relocate displaced trains from the BNSF West Bank Yard, without having to close 49th Street. (*See*, RII Report.) Despite these obvious available alternatives, the EIS neglects to provide ***any*** environmental analysis of the alternatives, and is therefore in violation of NEPA. The EIS analysis must be updated, and the document recirculated to meet these critical NEPA requirements.

IV. Conclusion

Given the significance of the Link US Project, the City respectfully requests a continuance of the Board's consideration of the EIS so that the Board has sufficient time to carefully consider these comments and those submitted by others. Based on the many complicated environmental and community impacts that will arise from this Project (including the many issues related to the Malabar Yard Mitigation discussed above), the Final EIS incorporates numerous substantive changes to the Draft EIS that undoubtedly require thorough analysis and consideration by the CHSRA Board and myriad community stakeholders. The community deserves time to review the Final EIS and provide input to help the CSHRA Board determine whether the serious environmental effects have been thoroughly and accurately studied. 50

Should the CHSRA Board not defer consideration of certification of the EIS, the City submits that the Board must remove the improper Malabar Yard Mitigation. In the spirit of cooperation, the City has proposed the following options to achieve this result without burdening the larger Link US Project: 51

- Remove Mitigation Measure TR-3, the Malabar Yard Improvements, and Appendix Q of the EIS, and make findings that the disclosure of the potential loss of freight storage space at the West Bank Yard and the planning document inconsistency are provided for informational purposes, but they are not a significant adverse effect that requires mitigation under NEPA.

- Remove Mitigation Measure TR-3, the Malabar Yard Improvements, and Appendix Q of the EIS, make findings that no feasible mitigation currently exists to offset the inconsistency with the Mobility Plan, and deem the inconsistency a significant adverse effect for which mitigation is not possible. The Malabar Yard is not feasible as additional storage space (although we believe there is currently storage capacity) because the City of Vernon will not grant the approvals necessary to implement the Malabar Yard Improvements. 52

- Remove the Malabar Yard Improvements and modify Mitigation Measure TR-3 as follows: "Metro shall work cooperatively with BNSF and surrounding jurisdictions to identify additional locations for freight train car sets that may no longer be able to be stored at the BNSF West Bank Yard. If a mutually acceptable location is identified, Metro, BNSF, and the affected jurisdiction shall enter into an operating agreement governing the terms of use that prevents impacts to the affected jurisdiction. Metro and BNSF must obtain all 53

necessary permits, approvals, and real estate from the affected jurisdiction(s). The timing for implementation and operation of this mitigation measure shall be mutually agreed upon Metro, BNSF, and the affected jurisdiction(s)." We feel this mitigation is both feasible and consistent with the motion adopted by Metro's Executive Committee. 53 cont.

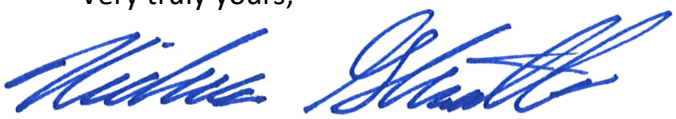
The City remains willing to cooperate with CHSRA, Metro and BNSF on feasible alternatives, including appropriate alterations to the Malabar Yard that would increase its capacity. The City is willing to continue its coordination after the EIS has been certified without the Malabar Yard Mitigation.

Should CHSRA fail to revise the EIS as requested, the EIS will remain inadequate under NEPA. The City therefore objects to certification of the EIS in its current form, and to any further action on the Project until the necessary and proper environmental review has been completed, and all potential impacts have been analyzed, disclosed, and properly mitigated. 54

In short, if the EIS is certified with the Malabar Yard Mitigation, the City will have no choice but to explore potential legal options to protect its community from the Project's significant adverse environmental effects.

The City reserves its right to submit additional comments as deemed appropriate. Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Nicholas R. Ghirelli

cc: Honorable Mayor and City Council
Brian Saeki, City Administrator
Zaynah Moussa, City Attorney

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EXHIBIT "A"

Railroad Industries Incorporated Report

Review of "Link Union Station Draft Environmental Impact Statement/Supplemental Environmental Impact Report"

Prepared For:

The City of Vernon, California
4305 S. Santa Fe Ave. Vernon, CA 90058









Report Date: October 17, 2025

Prepared By:

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Executive Summary

Background



The Los Angeles Metropolitan Transit Authority (Metro) and California High Speed Rail Authority (CHSRA) are expanding rail service operations and infrastructure in the Los Angeles area. This includes an expansion of the Los Angeles Union Station in a new location that will require the removal of 5,500 feet of track currently owned and used by BNSF Railway (BNSF) to store empty intermodal flat cars.

Metro proposes to replace BNSF's lost storage capacity in a manner that maintains the current freight flows and smooth operations in the area. Metro has approached the City of Vernon with a proposal to use BNSF's under-utilized Malabar Yard located in Vernon, outside Los Angeles, about 3.05 miles south of where the tracks are to be removed for the new Link Union Station (LUS). Metro has requested that a large at-grade railroad crossing at 49th Street be closed to connect two portions of Malabar Yard. In addition, BNSF would like to build a connector track along 46th Street to connect Malabar Yard with Los Angeles Junction (LA Jct.) Yard. This connection would utilize other existing tracks within Vernon to allow trains to flow directly between the two yards.

A-1

Metro has released a Draft Environmental Impact Statement (EIS) for the entire project, including the proposed modifications in Vernon.

Purpose

The purpose of this report is to review this Draft EIS and determine if the impacts to the City of Vernon have been thoroughly examined and mitigated, including but not limited to scale and breadth of impacts, any additional impacts not examined, additional mitigations needed and alternatives to the Metro proposal.

A-2

Railroad Industries Incorporated (RII) inspected the area on September 30 and October 1, 2025 including the proposed construction areas at Malabar Yard, 49th Street and 46th Street, intersections throughout the city between the two yards, as well as the West Yard, Hobart Yard, Commerce Yard and LA Jct. Yard.

In order to perform this assessment, RII reviewed the following documents:

Link US Draft Environmental Impact Statement Supplemental Environmental Impact Report
Appendix G - Air Quality and Global Climate Change Assessment and Health Risks Assessment
Appendix D - Community Impact Assessment
Appendix E - Traffic Impact Assessment
Appendix F - Visual Impact Assessment
Appendix H - Noise and Vibration Study
Appendix O - Economic and Fiscal Impact Assessment
Appendix Q - Environmental Evaluation of Malabar Yard Mitigation
Appendix R - Coordination and Outreach Plans
City of Vernon Notice of Preparation Draft Environmental Impact Report and Public Scoping Meeting for Vernon Wsetside Specific Plan April 20, 2022
City of Vernon Website
Link Union Station Project - City of Vernon Coordination Meeting March, 6, 2025

A-2

In addition, RII examined the mitigations and alternatives and developed several other alternatives to the proposed option. RII has made some recommendations for the City of Vernon for further study and negotiation to assist with its discussions with Metro.

Summary of Findings

The City of Vernon has such a bustling industrial history, that it is easy for others to forget that it is an evolving city. It may be small in comparison to Los Angeles, but it has come a long way during the last decade toward modernizing, cleaning up the city and diversifying its economy, residence options and plans for the future. The current city council has gone to extreme efforts to improve the attractiveness of the city, draw in new industries, expand housing opportunities and voter pools, and truly grow into the modern post-industrial era.

The City recognizes that BNSF is one of its valued industries in the city and appreciates its service to Vernon's existing rail-served customers. The City supports rail and intermodal development as host to BNSF largest intermodal yard, Hobart Yard on its east side. The city is also well aware of the numerous rail assets throughout the city that BNSF inherited with LA Jct. Vernon understands what operations would be best for BNSF and utilization of its own assets and capacity, but Vernon has to consider a bigger picture. Vernon has to consider the whole city, all including 95% of industries not served by rail, all of the 55,000 employees, service personnel and carrier drivers working in the city every day, the small but growing population of residents and the quality of life, work, safety, and future for all of these stakeholders.

A-3

Metro's obligation to BNSF is to provide just compensation for what it is taking, not to provide infrastructure investment to a private freight railroad. If improved freight

movements are a consequential boon of Metro's obligation, that would be great. However, implementing improvements beyond those proposed to compensate BNSF directly for the loss of a specific number of storage spaces at the expense of another party is beyond the scope of Metro's project, obligation and authority.

Metro also has the prerogative and flexibility to negotiate with BNSF in many ways regarding its own vast properties, jurisdictions, privileges and intersections where the two major railways meet throughout the state. It can work out creative deals to make both parties winners as they grow the transit and freight operations in California. However, Metro cannot force its own obligations to BNSF upon other stakeholders to shoulder the burden. The City of Vernon has nothing to do with Metro's new station plans three miles away in a different city. Metro and BNSF's negotiations regarding this facility are between those two parties.

A-3 cont.

The City of Vernon should have been asked for its input as soon as the idea for utilizing its assets and impacting its community were under consideration. If the City of Vernon had been included in the discussions regarding Malabar Yard and 46th Street connection before these ideas were studied, it could have helped direct the studies to ensure they included all potential negative impacts to Vernon for safety, traffic, health, air quality, economic development, etc. and it also could have fully examined alternatives. The way it unfolded appears as if the deal was made solely between Metro and BNSF, knowing that Vernon would object, so it was quickly pushed through as a revised plan and the "only option" that would allow the Metro project to move forward to prevent objections.

A-4

The key is that there are alternatives. This grand proposal to burden Vernon with all of these traffic impediments is completely unnecessary for BNSF to continue its operations as they always have. Replacing 5,500 feet of empty flatcar storage is not as difficult as the EIS implies (or 3,350 feet as it implies is enough). There are alternatives, which were not thoroughly looked for, let alone examined in detail. RII has illustrated some of these options, but they are by estimates only, have not been explored in engineering detail and by no means exhaust all of the potential alternatives.

A-5

This is effectively a merger of two previously unconnected railroads and the town of Vernon evolved around the experience and assumption that full trains were never moving through it. There were ever only slow moving switching trains serving its industries. What BNSF is attempting to do here is merge the previously separate operations to streamline its own regional operations, which would be devastating to the city of Vernon. BNSF has been trying to get the city to approve connecting these yards for the last 20 years, and the answer is still "No."

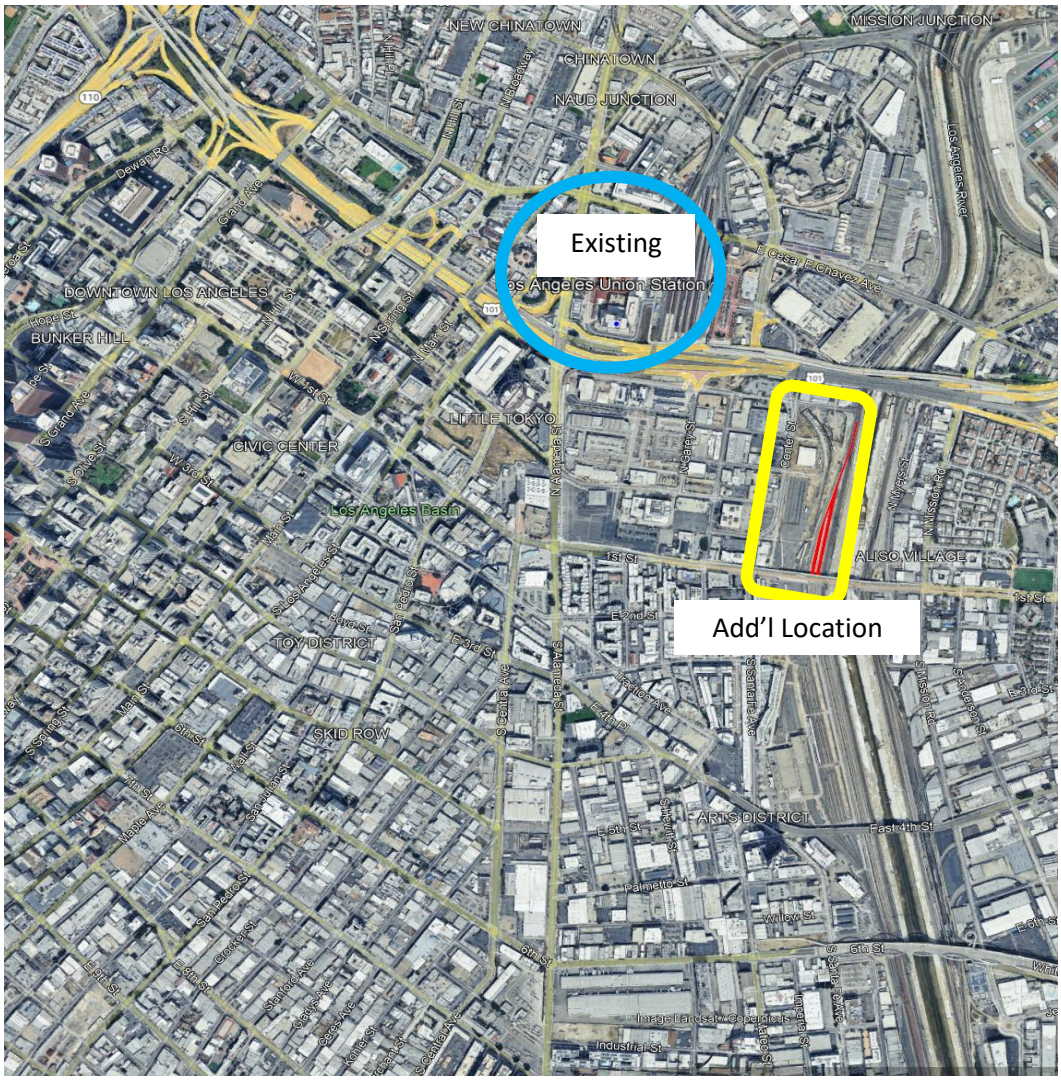
A-6

The Draft EIS itself falls short in numerous areas:

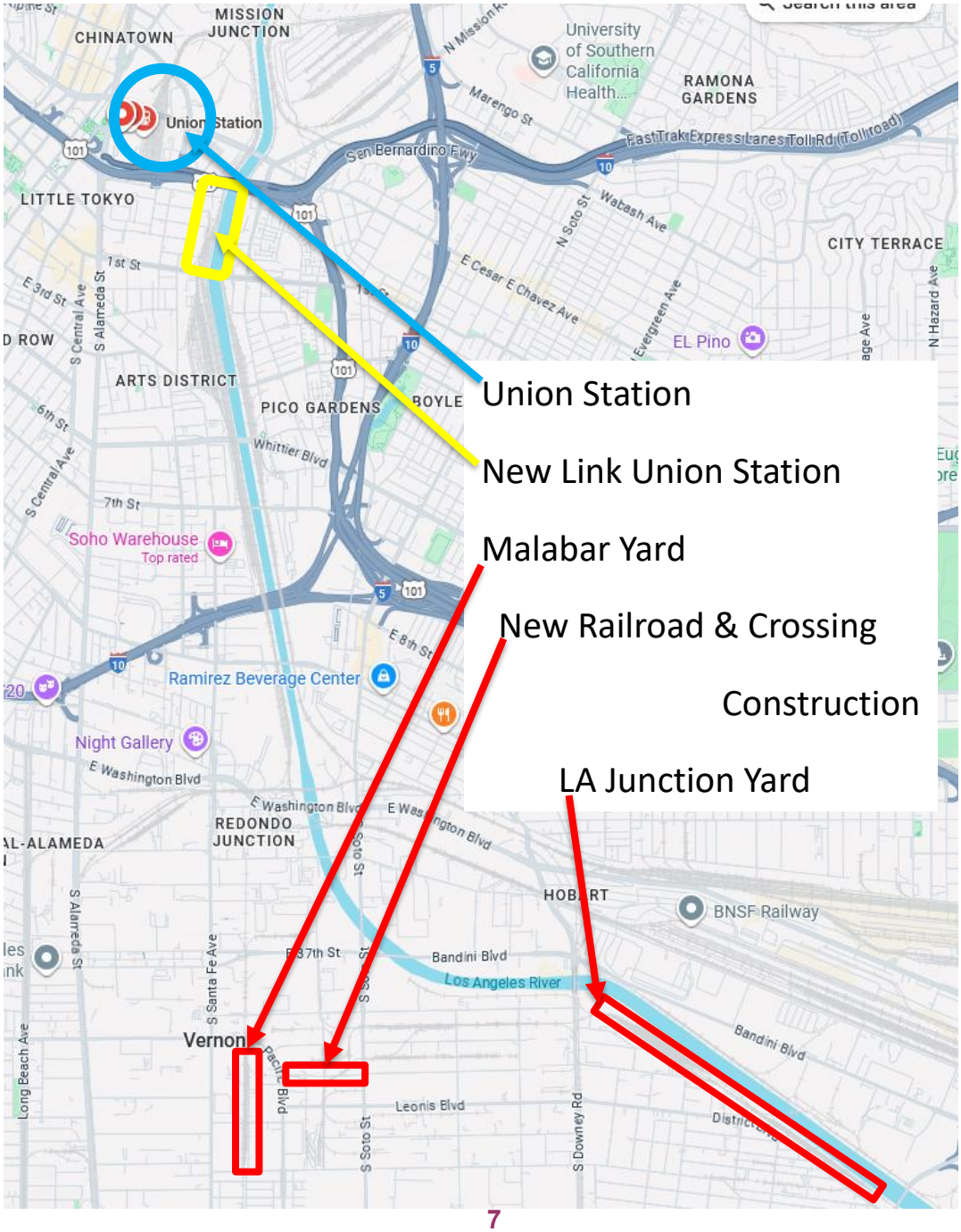
a) Old data is used for traffic which skews the results and makes the impacts measured irrelevant. A-7
b) The impacts of actually moving the trains were completely overlooked or intentionally omitted.
c) Train impacts left out include all of the following at a minimum: A-8
   a. additional traffic intersections affected by the trains
   b. additional roadway segments affected by the trains A-9
   c. air quality impacts from increased idling of vehicles delayed A-10
   d. economic impacts of increased traffic delays and congestion
d) Where adverse effects were acknowledged, many provided no mitigation or minimal attempt at mitigation.
e) Several mitigation strategies mentioned are essentially a simple commitment to be compliant with any laws without any actual mitigation for the negative impact. A-11
f) Several mitigation strategies mentioned requiring coordination with California Public Utilities Commission (CPUC) and City of Vernon, meaning there is no mitigation and the burden is either on the City to suffer it or mitigate itself.
g) Several aspects of the project require approvals from outside authorities for components that are unlikely to be approved as is and the project should not move forward until such issues have been resolved. A-12
h) There are numerous misstatements and fallacies in the EIS where sufficient details were not provided to support them. A-13
i) There were several instances where the language in the EIS convoluted the reality of what the impacts would be that could be due to any of the following:
   a. Simple but broad innocent mistakes and accidental omissions of important details and impacts
   b. Genuine ignorance of how the specific language and omissions skewed the perspective A-14
   c. Intentional use of language to deflect from attention on certain issues, to justify predetermined actions, to imply impacts are less than they are, to distract from the very specific impacts to the City of Vernon, to exaggerate benefits that are not relevant and to
   d. A combination of any of the above that truly had a misleading and catastrophic impact on the assumptions and results of this study.
j) Lack of involvement of the City of Vernon itself in identifying parameters for the study, alternatives and updated data points. A-15
k) Old environmental standards were used. Any changes that will have this mucn impact on a community need to be using the modern standards that were developed in 2018. A-16

Link Union Station Plans

The Link Union Station (LUS) has been in the works for over a decade. Passenger ridership was studied to estimate an increase of 100,000-200,000 passengers per day by 2040. This station connects the LA region to Amtrak's national network, as well as connecting six California counties for commuters and general local mobility. In order to plan for the expected growth, the LA Metropolitan Transit Authority (Metro) and California High Speed Rail (CHSRA) partnered to develop the LUS Project, which will expand Union Station with another location called LUS approximately 2,000 feet southwest from Alameda Street between Center Street and the LA River. Construction of the new facility is proposed to increase regional/intercity rail capacity, improve transit connectivity and make way for the planned high-speed rail system at the previous facility.



From the project's official public notice in 2016 through most of 2020, the project proceeded through public notices, stakeholder discussions and changes in project ownership. Abruptly in September 2020, a revised plan was posted regarding "minor changes" including 1) closing the 49th Street crossing through Malabar Yard in Vernon to vehicle traffic as "the only option" for replacing BNSF's storage tracks at the new LUS and 2) construction of new track and railroad crossing along 46th Street in Vernon to connect Malabar Yard to LA Jct. Yard. Both of these changes have major impacts on the City of Vernon and its own traffic, safety, air quality and economic development prospects.



A-17 cont.

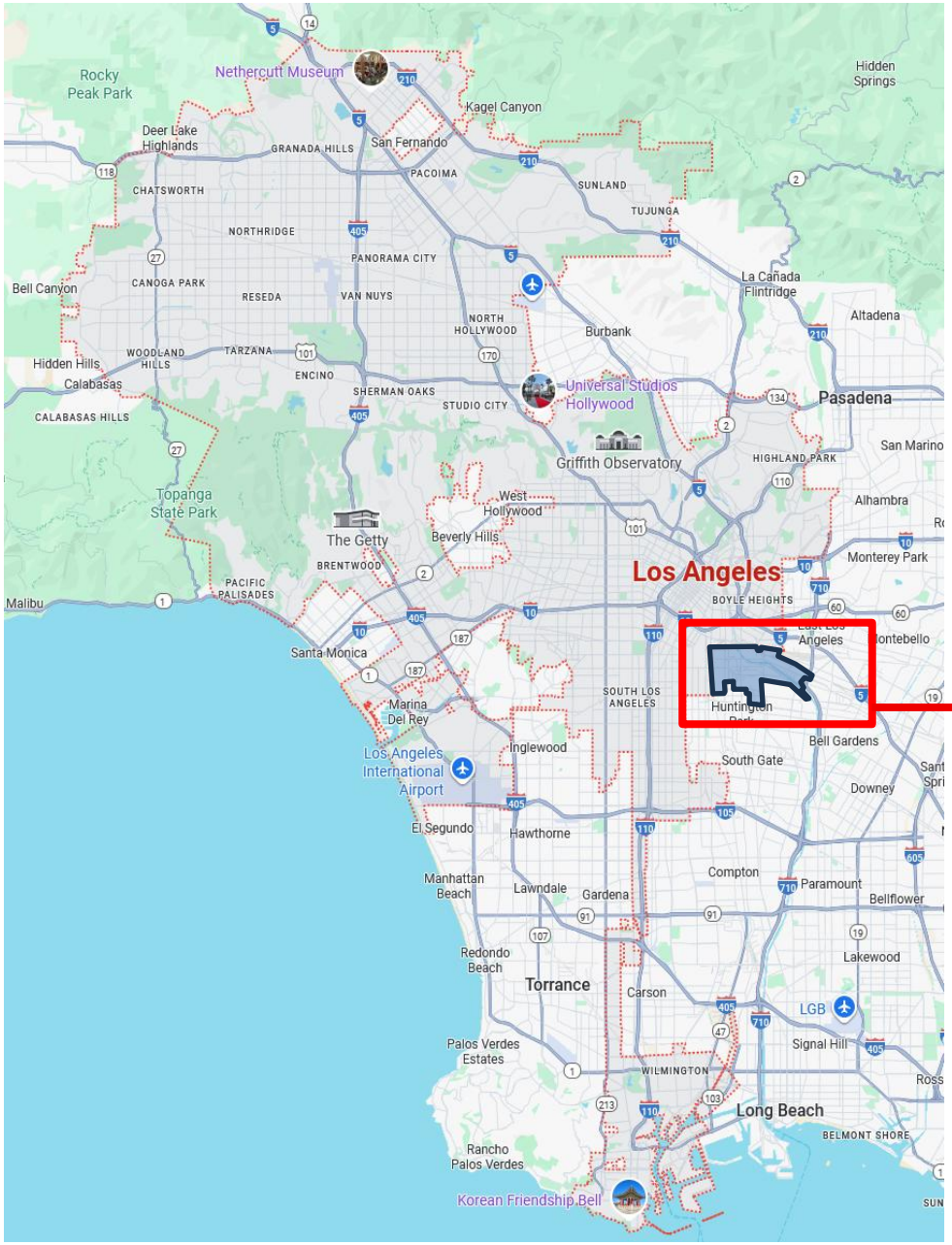
City Of Vernon Now and Future

The City of Vernon is an independent municipality located adjacent to Downtown Los Angeles, on its southeast side. The entire city is only 5.2 square miles, including .2 miles of the Los Angeles River. Although there are only just over 200 residents at this time, there are over 1,800 businesses and up to 50,000 employees of those businesses. According to the Economic Policy Institute, this equates to almost 159,000 additional indirect jobs for suppliers and another 301,000 induced jobs from their general spending. Businesses in the City of Vernon directly employ up to 50,000 people commuting every day, including personnel contracted to work in Vernon from outside agencies. By adding the daily number of service personnel providing services within the city to its 1,800 businesses on a given day, truck and passenger vehicles commuting through the City, as well as the extensive ongoing transportation traffic (inbound materials and outbound product) for Vernon's heavy manufacturing base, Vernon has estimated current daily traffic exceeding 55,000.

Throughout its history, from its rancher beginnings and incorporation as a city outside Los Angeles in 1905, the city of Vernon has fostered industry. The city has been able to attract and keep companies through business and industrial friendly city policies, low cost power and development direction.

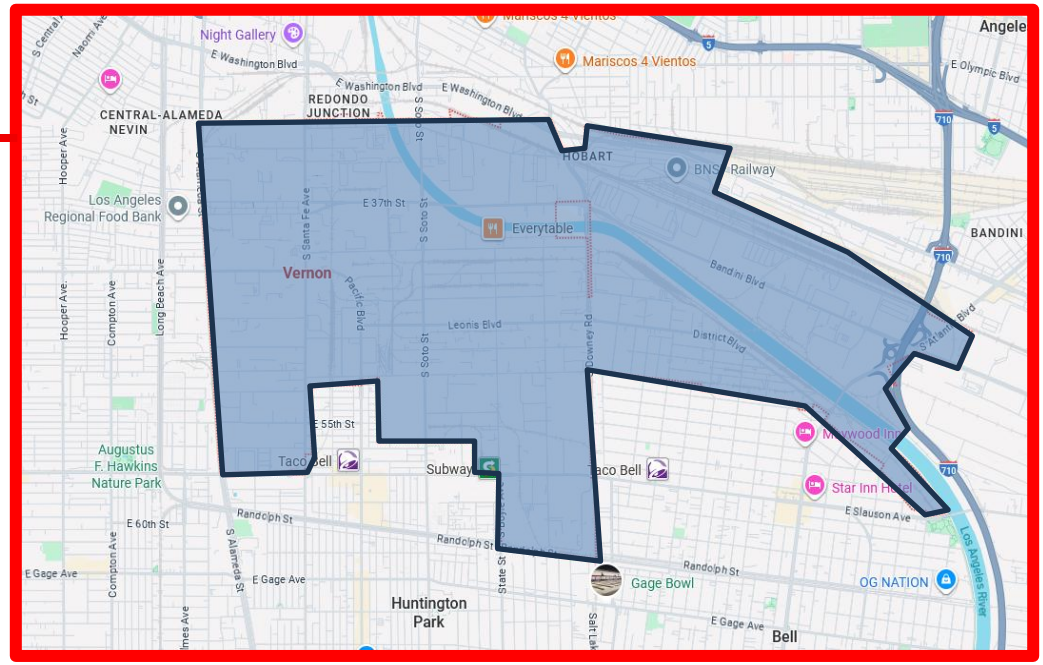
Today, Vernon has its own municipal health department that specializes in industrial issues. It has a police force and its own light and power generation facility, ensuring lower competitive rates for its own industries. In October 2020, it kicked off planning for the Westside Project. The identification of opportunities and constraints took place in early 2021, leading into an extensive stakeholder engagement process. Between February 2021 and November 2022, a series of seven Stakeholders Advisory Committee (SAC) meetings were held, The Environmental Impact Report (EIR) scoping period occurred from April 20 to May 20, 2022, including a public scoping meeting, The process concluded with a public hearing and zoning amendment adoption in Summer 2023, marking the culmination of a comprehensive, multi-year planning and community engagement effort. Those zoning amendments were the cornerstone of the City's Housing Element Update which was recently found to be in compliance with State Housing and Community Development requirements.

A-18



Vernon is almost surrounded by the greater Los Angeles city, bordered by Alameda Ave, on its west side, Downtown Los Angeles on its north side, City of Commerce on the east side and residential community of Huntington Park to the south. Even though it provides most of its own services, because it is completely bound by congested development on all sides, it must plan for its own development based on what is going on in the neighboring cities. Its West Side Specific Plan is one of those strategies, paying close attention to development patterns surround the city.

A-18 cont.



Issues

The LUS Plan abruptly made changes on 2020, suddenly stating that it would require major changes to the City of Vernon's streets:

1) Permanently closing one of its main crossings (49th Street)
2) Adding a new dangerous at-grade crossing (46th Street)
3) Taking property along 46th Street to construct a connector track between Malabar Yard and LA Jct Yard, which harms Vernon's industries
4) Increasing train traffic (all Exxon traffic) directly through the city versus going around the city as it currently does.

A-19

Vernon does not approve these changes to the plan. It is not involved in the development of the LUS within the city of Los Angeles, nor the discussions with BNSF that resulted in these decisions. The entire Draft EIS for the LUS was developed and put out with numerous deficiencies:

A-20

A) Almost all data used to determine "impacts" are extremely old, especially the traffic data for Vernon, which was from 2020 (during COVID-19 shutdowns) or from even earlier 2015. Vernon has had immense traffic growth since those times.

A-21

B) No impacts were measured for the City of Vernon for the new trains that will pass directly through the city under the proposed plan between the two yards. Trains have not moved through this area in many years and increasing train traffic directly through the city increases traffic delays, air quality issues, economic growth concerns, safety hazards, noise pollution and city aesthetic issues. Increased operations at LA Jct. would also have an impact on water quality at the river.

A-22

C) Alternatives to Malabar Yard as the "only option" to replace the storage were not thoroughly explored. The reasons were taken at face value from BNSF, who has a vested interest far beyond replacing the storage tracks in connecting Malabar Yard to LA Jct. for its own operational benefits. No analysis of space, traffic growth, traffic diversions, etc. was performed to compare other options.

A-23

D) Malabar Yard does not solve the train length issue for BNSF anymore than any other option.

E) There are material facts misrepresented in the Draft EIS implying that more track is needed than is true and that the 46th street connector to Malabar Yard is "necessary" for the LUS project, when it has nothing to do with that project.

A-24

F) The LUS project as presented currently in the Draft EIS directly conflicts with the development plan already in progress with the City of Vernon, and appeasing BNSF at Vernon's expense is not acceptable. The 2020 "changes" to the LUS Plan that directly involve the City of Vernon are not welcomed by Vernon.

A-25

Metro's Rationale for Changes

The reason provided for the 2020 changes to the LUS Plan that involve Vernon is to "replace 5,500 feet of storage capacity" to BNSF because of property and track that will be taken at the new LUS facility. The LUS Plan at the new location will remove the north end of BNSF's West Yard along the river. This yard is currently used to store intermodal flat cars waiting to build intermodal trains in nearby Hobart Yard. A-26

Existing BNSF West Yard

BNSF currently owns four tracks on the property that it uses to store empty intermodal flat cars. The total trackage owned by BNSF in the West Yard is over 31,000 feet; however, some of this trackage is access lead and access tracks for each of the actual four storage tracks in the yard. After allowing clearances for accessing each track, RII agrees with the assessment that there are approximately 30,145 feet of actual storage capacity. The longest track will allow a single train set up to 7,950 feet long. The following statements in the Draft EIS are false:

BNSF West Bank Yard can accommodate a continuous 9,000-foot-long trainset in any of the four storage tracks (EIS page 3.3-27)

The existing BNSF West Bank Yard can accommodate up to an 8,000-foot-long trainset in any of the four storage tracks. (Appendix Q-Alternatives page 1.1-10)

The only way to get a 9,000-foot long complete train set on the West Yard would be to fill one track all the way up the north lead that accesses the tracks, cutting off the other three tracks of the yard.

Existing storage capacity by track in the West Yard is as follows: A-27

Track 1 (riverside) = 7950 feet
Track 2 = 7650 feet
Track 3 = 7450 feet
Track 4 = 7095 feet
Maximum storage 31,145 feet

These figures are corroborated by the "railroad professional" measurements of car storage capacity and the historical cars stored measurements in the EIS pages 3.3-67-69. These same historical aerial images were measured by RII and verified. It is possible that this language is a simple mistake by different writers of the EIS understanding the difference between track feet and storage capacity.



Much of the track feet is excluded from the actual storage capacity because it must remain clear for safety and access to the other tracks. In the image above, only the green portions are included in the car storage capacity measurements. Similar clearances are assumed for all measurements in this report.

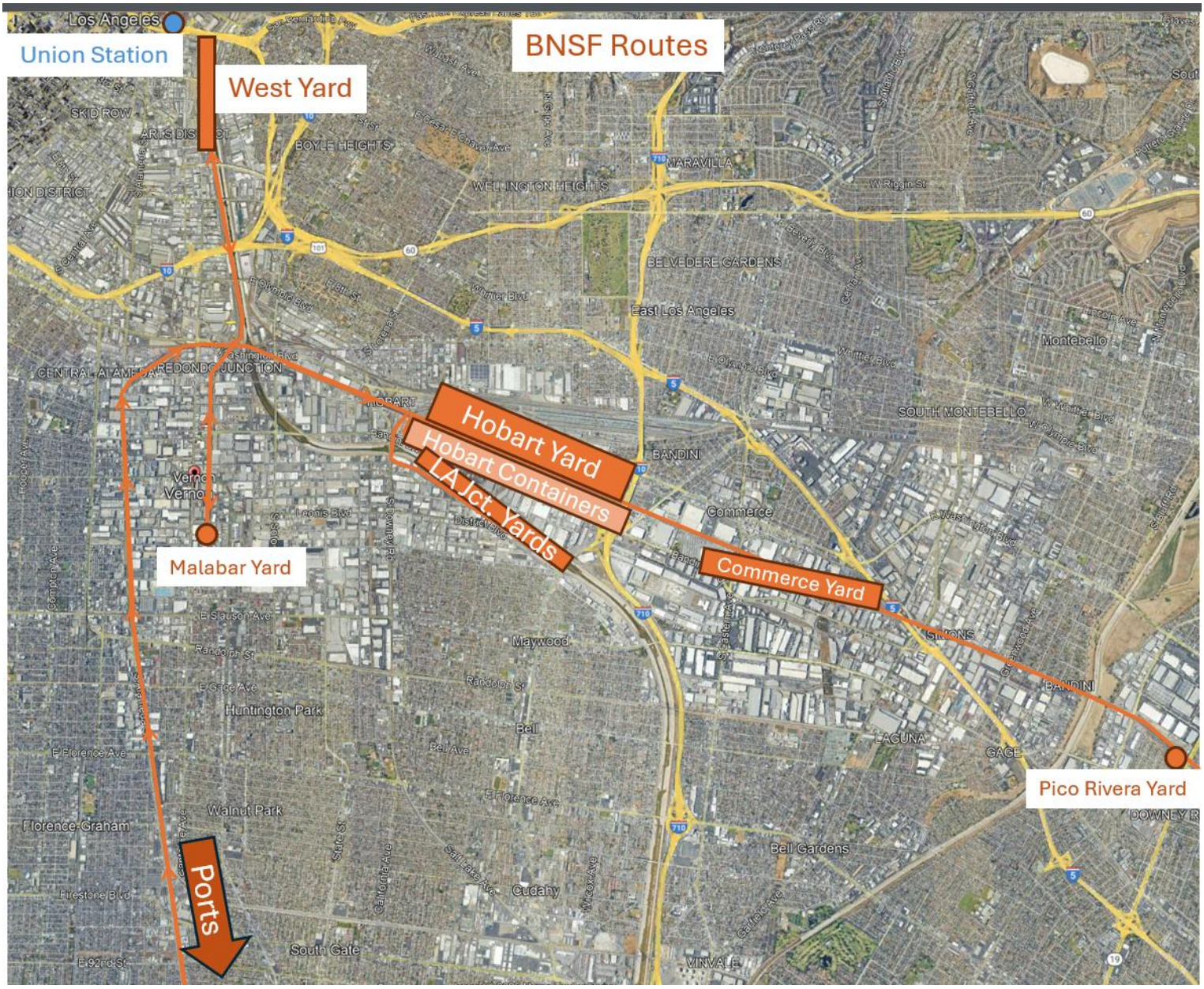
One point to clarify from the approach taken in the EIS is that intermodal trains are of various lengths depending on their destination and BNSF picks up as many cars as it needs for a given movement. For example, although a 7,000-foot track may be full with 104 cars (approx. 67 feet per car), if BNSF is sending an 80-car train, it uncouples what it needs to load and moves only the 80 cars in a set. If it needs 120 cars and has two tracks with 60 cars each, it can pull out, switch tracks and attach the rest it needs. There is extra time involved for the switch, but it does not involve a whole train movement back and forth between the yards. Today, if BNSF wants a 9,000-foot trainset pulled into Hobart Yard, it will require hooking up cars from two track in West Yard anyway as none of those tracks hold 9,000 feet. Only one track can hold almost 8,000 feet of storage, tapering down to 7095 storage feet for the shortest track.

A-28

The point is that the length of the storage tracks is less relevant when understanding intermodal train-building than the car capacity. The EIS leans heavily on the language of replacing the “8,000-foot track” or even “8,000 or 9,000 feet long” throughout the document(s) implying that specific length is needed when it is not. In fact, it is misleading and detracts from potential alternative locations by implying they need to be a certain length. Longer storage track would of course be more convenient and efficient, but it is rare to have that convenience available. In fact, the proposed “added capacity” of 3,350 feet of storage that the EIS states closing 49th St. will add to Malabar Yard is the combined feet of six different tracks that will require multiple switches to attach the stored cars to build a train set. Therefore, this opens several options for alternatives that were not explored.

Intermodal containers and returning empty chassis currently come up from the ports along the Alameda Street Corridor to be sorted in BNSF's Hobart and Commerce intermodal yards. Empty cars must be stored as close to Hobart Yard as possible, ideally somewhere easily accessible between Hobart and where the track diverts from Alameda. The West Yard is the ideal location for this operation, and BNSF will likely continue to utilize the remaining storage in West Yard once the LUS is constructed.

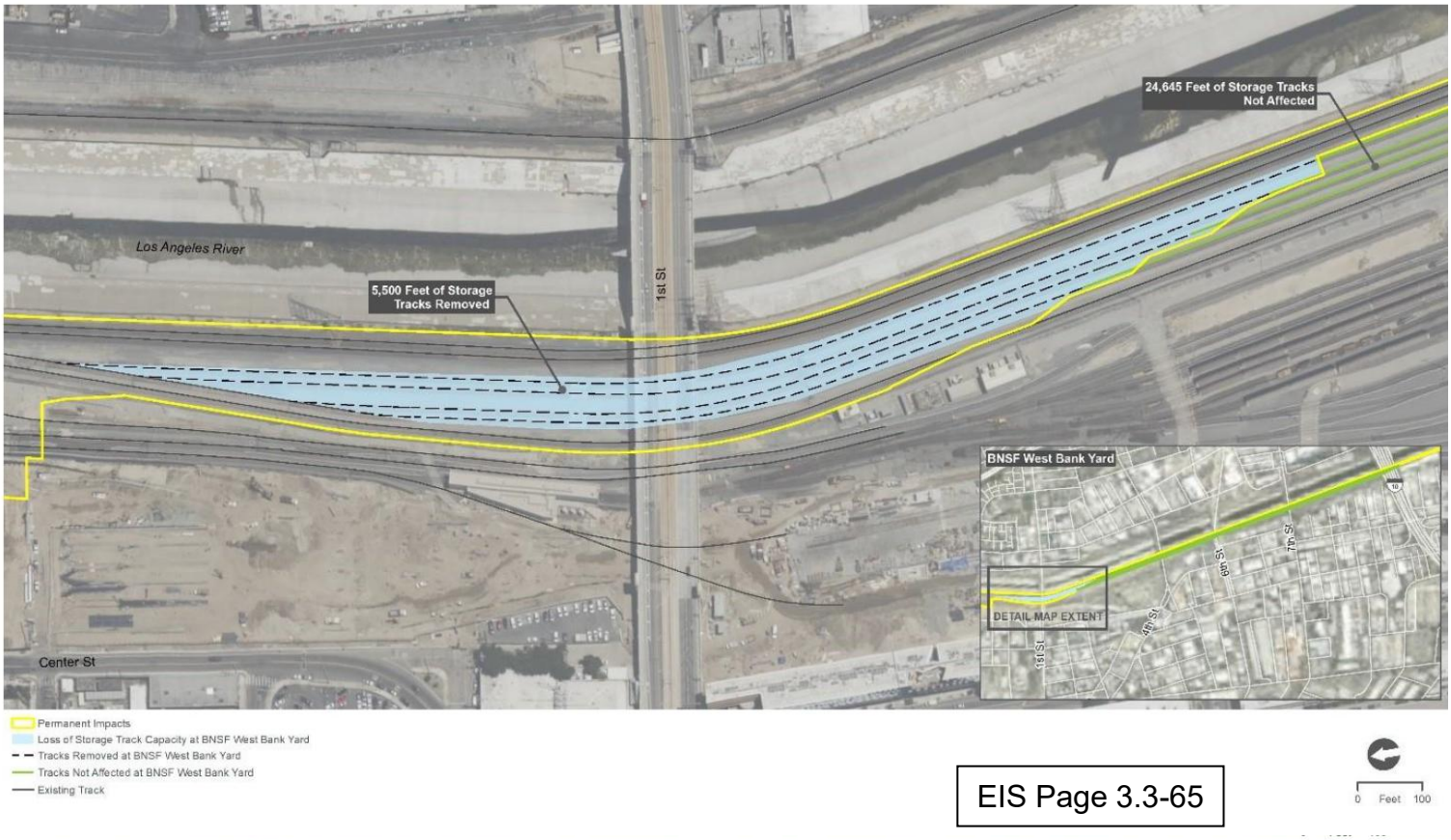
A-29



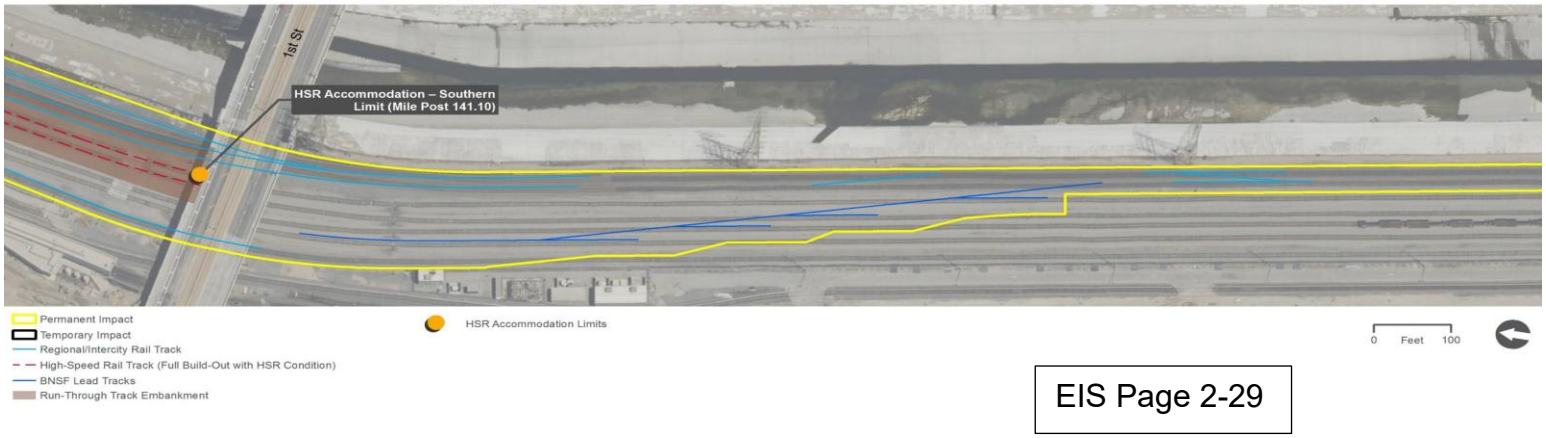
Metro Mitigation Proposal

The Metro Plan is to remove 5,500 feet of storage on all four tracks from their existing switch points to new switch points located south of 1st Street as shown in the following two images from the Draft EIS. A-30

Figure 3.3-7. Loss of Storage Track Capacity at BNSF West Bank Yard



EIS Page 3.3-65



EIS Page 2-29

This will allow BNSF to continue to access the yard from the north. Based on this new alignment and how the tracks line up at the south end, the remaining storage capacity on the four tracks would be divided as follows:

Track 1 (riverside) = 6100 feet
Track 2 = 6130 feet
Track 3 = 6190 feet
Track 4 = 6225 feet
Maximum storage 24,645 feet

A-30

Intermodal volumes fluctuate year over year, so the yard moves between empty and full depending on intermodal traffic. The key is that BNSF needs to retain the capacity for when intermodal traffic is heavy, even if all tracks are not used all of the time. Therefore, Metro is obligated to provide or assist BNSF in re-establishing the 5,500 feet of intermodal storage space elsewhere without losing significant operational efficiency that the West Yard provided.

Malabar Yard

Metro is proposing to use BNSF's Malabar Yard in Vernon to replace this storage. Currently, Malabar Yard is used only for local traffic, which is only four customers: Exxon and the west side of BNSF's Team Track/Transload. Cars are staged in the yard before being built into trains to take northward and down to LA Jct. The yard is rarely very full. Malabar Yard has seven tracks including the through track. A through track is typically left clear in a yard but in this case, the westernmost "through track" is actually owned by Metro itself, preserving a right of way lane for future transit development and no track south of Malabar Yard/Fruitland Ave. is currently in service or maintained. Therefore, it is assumed Metro would allow this track to be used as part of its trade off with BNSF for the lost storage at the new Metro station in Los Angeles. There are also two industry tracks along the east side of the yard which are not addressed in the existing yard storage capacity on the next page, but are addressed later in the Alternatives chapter.

A-31

The EIS mentions a rule by the California Public Utilities Commission (CPUC) requiring 150 feet of clearance from the crossing for stored railcars at 49th Street. However, CPUC does not govern specific railroad operations on the tracks; the CPUC helps enforce Federal Railroad Administration (FRA) rules, which simply states the railroad must allow enough distance to ensure safety and prevent collision by other rail equipment of vehicles. 49th Steet is a wide paved roadway with only two lanes of traffic and slow moving trains within a yard operation.

A-32

You can see from this aerial taken in July 2025, BNSF currently uses both ends of Malabar yard as needed and parks railcars as close as 20 feet of the pavement.



RII measured the tracks within Malabar from clearance of the switch (where the track begins to taper toward another track), leaving any access track clear so that all tracks are accessible. This resulted in the following feet of storage capacity available for storage or train building in Malabar Yard:

Malabar Yard	With 49th St. Crossing in Place															With 49th St. Crossing Removed	
in Feet	South End	Storage	Capacity	By ft road clearance		North End	Storage	Capacity	By ft road clearance		Total Yard	Storage	Capacity	By ft road clearance		Total Track	Storage
Track	Total Track	150ft	100ft	50ft	20ft	Total Track	150ft	100ft	50ft	20ft	Total Track	150ft	100ft	50ft	20ft		Capacity
Through Track	960	700	750	800	830	1680	1370	1420	1470	1500	2640	2070	2170	2270	2330	2700	2430
Yard Track 1	870	595	645	695	725	1550	1300	1350	1400	1430	2420	1895	1995	2095	2155	2470	2245
Yard Track 2	780	530	580	630	660	1485	1240	1290	1340	1370	2265	1770	1870	1970	2030	2300	2105
Yard Track 3	690	450	500	550	580	1400	1150	1200	1250	1280	2090	1600	1700	1800	1860	2215	2025
Yard Track 4	615	370	420	470	500	1345	951	1001	1051	1081	1960	1321	1421	1521	1581	2020	1681
Yard Track 5	545	290	340	390	420	1120	875	925	975	1005	1665	1165	1265	1365	1425	1720	1520
Yard Track 6	440	280	330	380	410	1020	864	914	964	994	1460	1144	1244	1344	1404	1510	1494
Access Tracks	1044					700					1744					1744	
Totals:	**5944**	**3215**	**3565**	**3915**	**4125**	**10300**	**7750**	**8100**	**8450**	**8660**	**16244**	**10965**	**11665**	**12365**	**12785**	**16679**	**13500**

*Access Track includes paved track in crossing, lead track to access each track and crossovers.
*Storage capacity deducts switch clearances and roadways clearances.
*Does not count industry tracks branching off from the yard.

The EIS determined that closing the 49th Street crossing would "add 3,350 feet of storage capacity," likely assuming a 150 clearance on either side of the road. However, RII's measurements for this yard provided only 3,215 feet total for all storage available in the south segment of the yard, and only 2,555 feet added for closing the 49th Street crossing: 150 clearance x 2 sides + 65 feet wide roadway x 7 tracks. This passage is from the EIS:

The 3,350 feet of freight rail track storage capacity added from the 49th Street Closure, combined with the remaining capacity of BNSF West Bank Yard that would not be affected by the Link US Project (24,645 feet south of First Street), BNSF's ability to stage and store empty bare tables from BNSF Hobart/Commerce Intermodal Yards and nearby ports would be maintained. (Appendix Q – Alternatives page 1.1-12)

RII is uncertain how exactly the 3,350 feet was determined as added capacity, or how it equals the 5,500 to be replaced, but it also states that BNSF's ability to serve the ports and store the cars is maintained with the addition of 3,350 feet.

Since BNSF already uses the south part of Malabar Yard when it wants to and operates with clearances of only about 20 feet from the road, the storage capacity added by closing the 49th St. crossing amounts to approximately 715 feet, or the equivalent of about 10 cars.

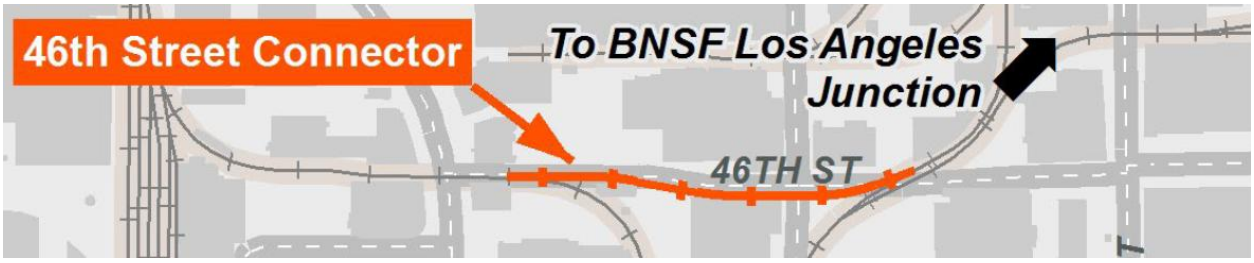
Regardless of how the storage would be configured or measured, BNSF would still need to switch from at least three tracks to pull as many cars to make up for the in-kind 5,500 feet lost at West Yard, pull from at least four tracks to build an 8,000 foot trainset and from five tracks to build a 9,000-foot trainset.

A-33

The track south of Malabar Yard is not used by BNSF and is not an outlet for Malabar Yard. The track is pulled up, paved over or fouled in most areas and Metro now owns the right of way and track.

46th Street Extension

BNSF has said that it would need to divert manifest traffic from Malabar Yard to make enough room for the intermodal storage, so the proposal includes constructing a connector track about 900 feet long along 46th Street. This new track would connect the closest two operational tracks from the east and west sides, effectively connecting Malabar Yard with LA Jct. directly through Vernon.



A-34

Source: March 6, 2025 City of Vernon Coordination Meeting Presentation

This track would allow BNSF to move the Exxon traffic directly over to LA Jct. through Vernon. Currently, the Exxon traffic is all handled on the west side near Exxon's facility, with some storage and train building in Malabar Yard, and the trains move up the west side line, over the north side of Vernon and into Hobart Yard/LA Jct. It is a significant amount of traffic amounting to four trains per day. BNSF would prefer this situation over its current method because it would save operational costs.

However, because there is so much unused storage space in Malabar Yard and it is never full with Exxon cars, it is unclear why diverting all of this traffic out of Malabar Yard is "necessary" in order to compensate for the loss in intermodal storage space at West Yard. BNSF's Exxon operations and LA Jct. operations are not the purpose of this

project. If the trade off were improving freight operations as an added bonus without so many negative impacts for the City of Vernon, all stakeholders would be cheering it on. Unfortunately, this plan takes Vernon for granted and drops major issues into this small city's lap.

A-34 cont.

It appears as if the EIS is using the *"City of Los Angeles' Mobility Plan 2035"* as part of the justification for the BNSF Malabar Yard/LA Jct. scenario, as if it is the "necessary" improvement needed to comply with the plan. However, the City of Vernon is not part of the City of Los Angeles and is not bound by the plan, nor should be used as the dumping ground for any plans for Los Angeles development.

A-35

These negative impacts and benefits for the Malabar Yard plan are listed in the Draft EIS, Executive Summary – page ES-xviii – xix:

Implementation of the Malabar Yard railroad improvements would result in unavoidable adverse effects in the following topic areas:

- *Transportation – Operations (potential roadway hazard due to queuing)*
- *Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)*
- *Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)*
- *Transportation (Malabar Yard Railroad Improvements only)*

o Throughout operations, implementation of the Malabar Yard railroad improvements would cause a potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delays to transit services, or disrupt pedestrian and bicycle access.

A-36

Thankfully, the EIS has addressed several negative impacts that will severely affect the City of Vernon. Unfortunately, all of the benefits listed benefit only Metro and BNSF.

A-37

Impacts to City of Vernon

It appears that the impacts of actually running new trains through the City of Vernon were completely overlooked in the EIS. The impacts of the improvements themselves and their construction – 49th Street crossing closure and 46th Street connector – were examined in detail, but no examination whatsoever was performed regarding the impacts of these trains, including but not limited to the following:

A-38

- Changes in rail traffic increase safety concerns and traffic flows
- Vehicle traffic, commute times, crossing delays, etc.
- Increased idle times and air quality
- Access to emergency services within the city
- Mobility and opportunities for Vernon employees, business and residents
- Water quality for increased rail operations in LA Junction, right next to river
- Impacts to economic development and future growth plans

For those effects that were examined, RII has commented or attempted to show the impacts for missing pieces. The impacts during the Construction stage appeared to be examined in the most detail, presenting a solid analysis of environmental impacts and standard mitigations for Construction work. Therefore, RII has made little comment regarding the construction stage. Unfortunately, it appears that the impacts for the operations once trains are moving on the new infrastructure were only examined as an afterthought. Where negative impacts are identified, they have not been detailed and there is insufficient mitigation recommended (and sometime no mitigation offered).

A-39

Railroad Traffic

The City of Vernon rose up through industry with heavy rail-served manufacturing once being its primary driver. At one point, nearly every industry had its own spur track and the private railroad started by the Central Business District of Chicago switched them all as a terminal railroad, i.e. providing switching and interchange to a line haul carrier versus transporting the freight over distances.

Railroad Timeline:

1923 – Railroad is constructed in Vernon by the Central Business District of Chicago to connect Vernon industries to all three Class I railroads in the area.

1929 – LA Jct. acquired by Atchison, Topeka and Santa Fe Railway (ATSF)

1930-1960's – Industrial business boomed in Vernon and rail traffic was heavy. Peak traffic was over 85,000 carloads annually during World War II.

A-40

Next 40 years – Vernon remains Industrial complex, but heavy rail traffic slowly thins

1995 – Burlington Northern and Santa Fe acquires ATSF and its assets, including LA Jct.
Next 10 years – rail traffic continues to dwindle on west side of river as other industries rise up

2005 – BNSF contacts the City of Vernon for possibility of 46th St. connector concept, which is rejected by the city

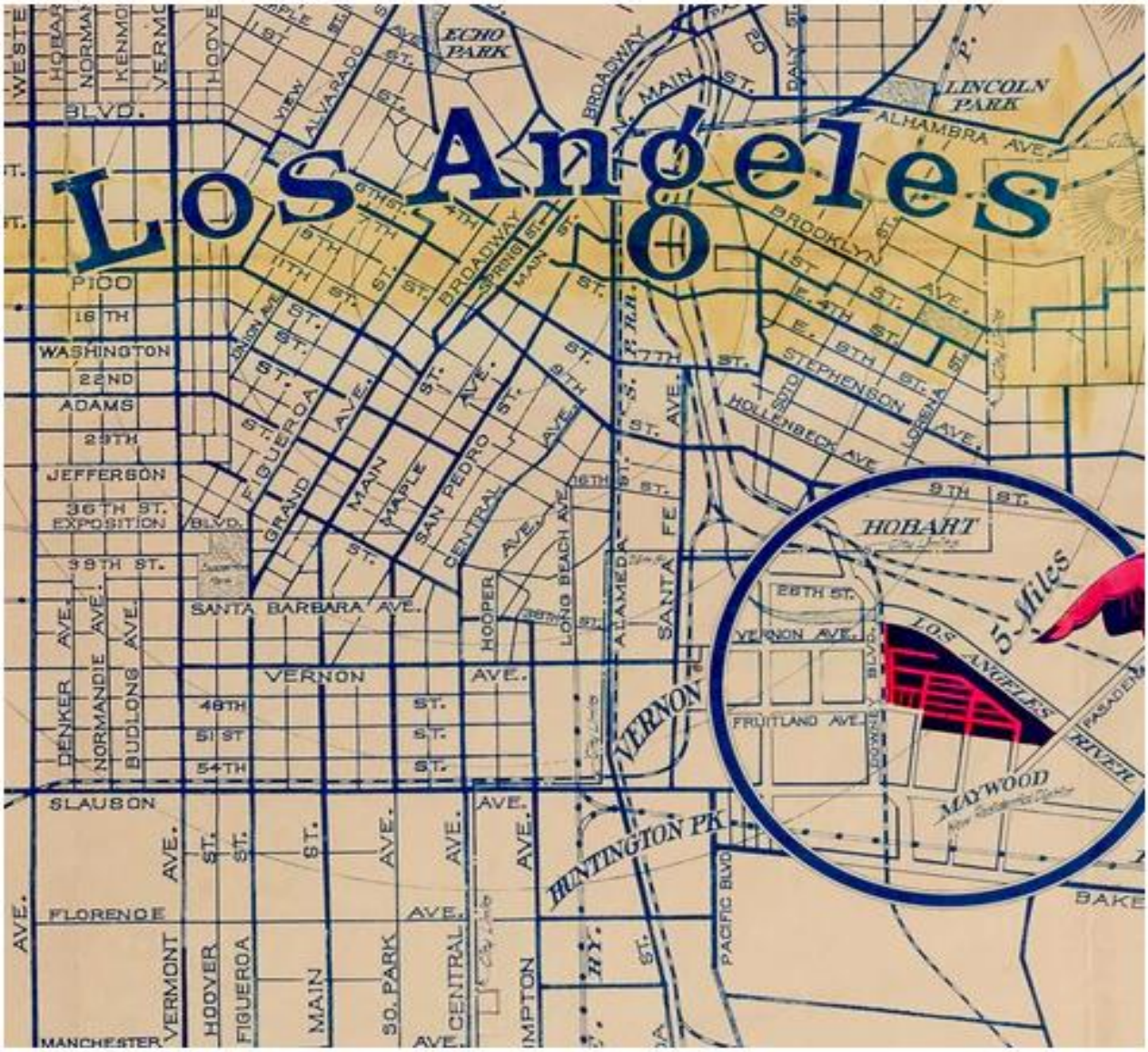
2008 – Traffic down to 15,000 carloads

2010 – City of Vernon again contacted for options for BNSF to connect its old Santa Fe assets in the west to its acquired ATSF assets in the east of Vernon.

2015 – City of Vernon begins development plans that ween out the derelict tracks and spurs within the city, especially on the west side of town. Plans are complementary to the newly planned Union Station being developed to the north, for which Notice of Intent and plan was released in 2016.

2020 – Metro revises its plan for the new LUS and releases Notice of Intent, informing City of Vernon about plans to force a 46th St. connector on behalf of BNSF.

This map from 1923 shows the industrial complex in Vernon with the Class I railroads before the LA Jct. was constructed.

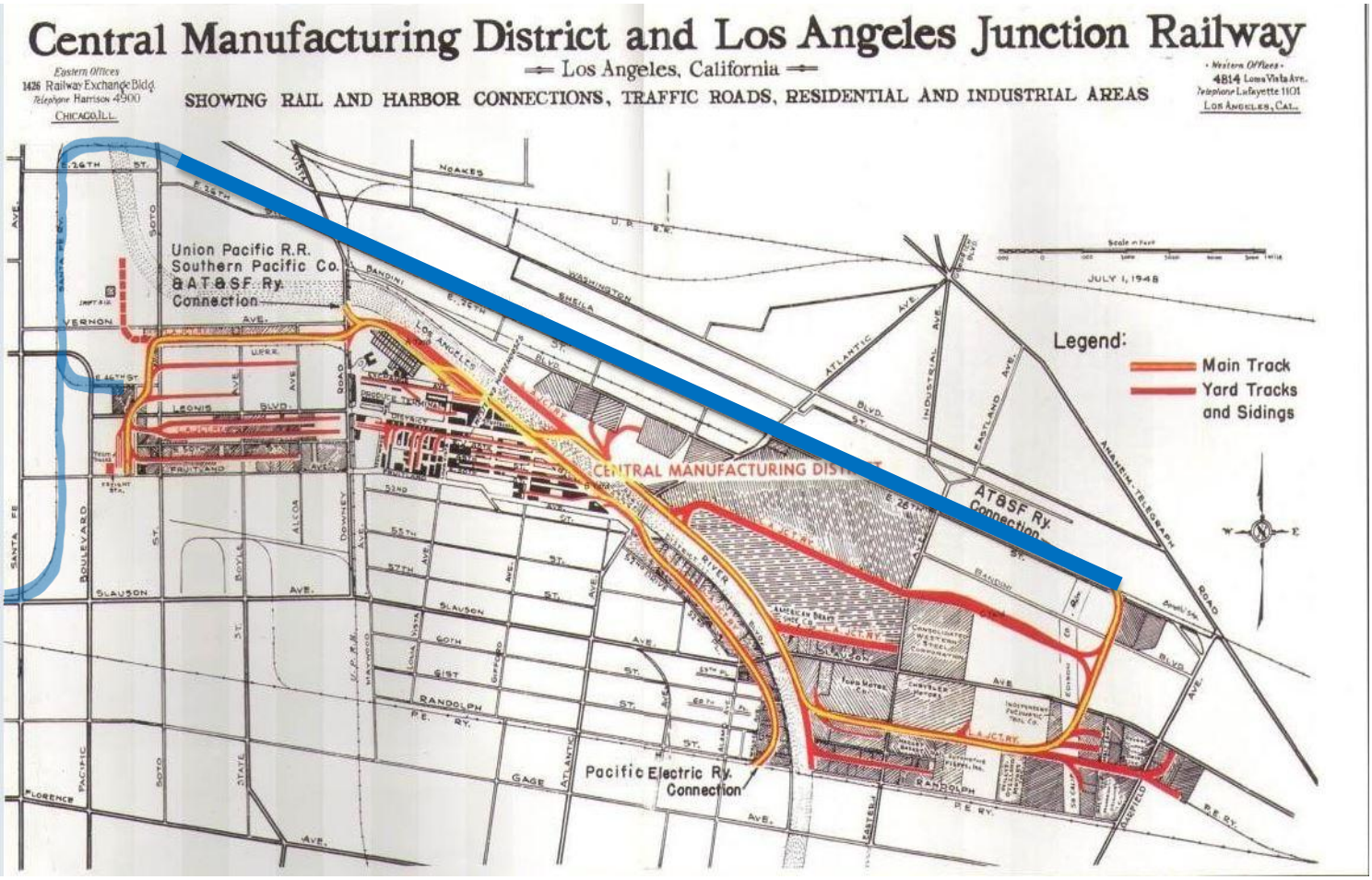


1923 Central Manufacturing District of Los Angeles map - Vernon rail lines & streets, Public domain, via Wikimedia Commons

A-40 cont.

The following map from BNSF Facebook shows the original main lines and yard tracks of the LA Jct., with the City of Vernon in the top left quadrant. The blue line has been added, which was the Santa Fe Railroad prior to its merger with Burlington Northern Railroad. Note that this line never connected to LA Jct. in this western section. They were two separate railroads whose later parent inherited the other.

A-40 cont.



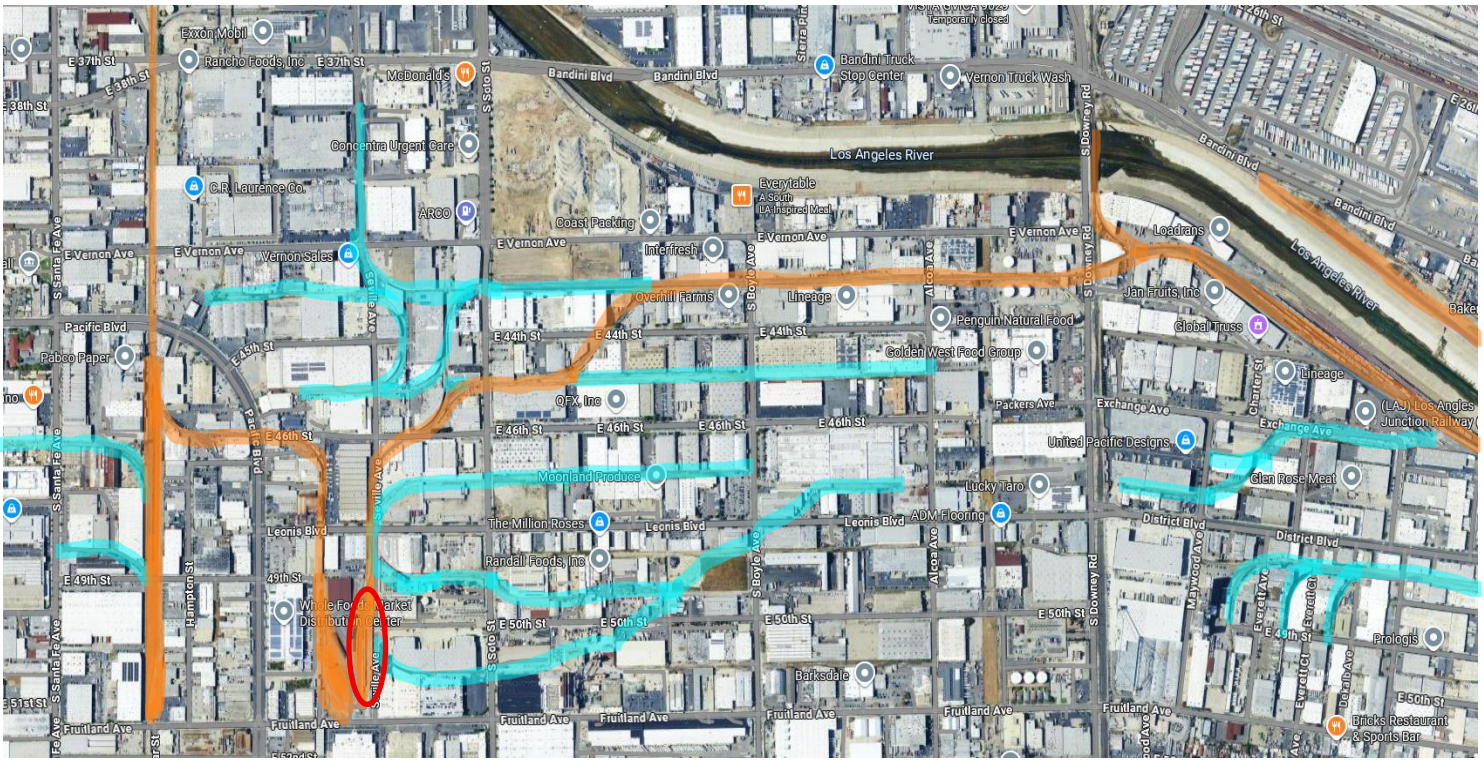
A-40
cont.

Today, most of the businesses on the west side of the river have converted to manufacturing that does not require rail. They ship using trucks for local market distribution or transload to rail off site. This has left a spaghetti bowl of tracks leading to nowhere, sidings and into new industries that would never use rail, and curved corners on buildings designed around the curving right of way. Some of the tracks are pulled up and paved over, while others remain in place, overgrown and rusted. According to Los Angeles County assessor records, some of the segmented rights of way are owned in fee by BNSF in a patchwork of widths ranging from 75 feet wide to only 17 feet in some locations and some were granted as easements by adjacent shippers between 1922 and 1940.

Aerial shot right of way between Soto and Boyle, 46th and Leonis.



This image shows the many out of service tracks or remnants of tracks throughout the city in blue as compared to the BNSF service tracks in orange (south of Fruitland is UP).



It is important to note that the single in-service track running through the city only serves the Team tracks located in the east side of the BNSF yard on Fruitland (red circle). This yard has several stub-end tracks that BNSF customers use to transload their own products. The east and west sides do not connect.

A-40 cont.

The following details from the EIS provide the existing operations and make up of trains currently moving in Vernon:

• *Typical Speed of Trains: 10-20 miles per hour*

• *Typical Length of Trains: Up to 1,250 feet (up to 15 Rail Cars)*

• *Typical Number of Engines: One locomotive*

… Malabar Yard…

• ***North Entrance*** *(Malabar Yard to Hobart Yard Connection – There are 2 round trips per weekday into/out of Malabar Yard using the northern entrance across Pacific Boulevard on the Harbor Subdivision (4 train movements total).*

• ***East Entrance*** *(Malabar Yard to Spur Line Track East of Pacific Boulevard – There is one round trip per weekday into/out of Malabar Yard using the east entrance across Pacific Boulevard to serve local customers on the existing commercial spur line that leads south toward Fruitland Avenue.*

A-41

• ***South Entrance –*** *Trains do not enter Malabar Yard from the south, but the south entrance at Fruitland Avenue is utilized to perform "head-end moves." These moves can occupy track southwest of BNSF Malabar Yard to the 2nd Street crossing in the vicinity of Slauson Avenue.*

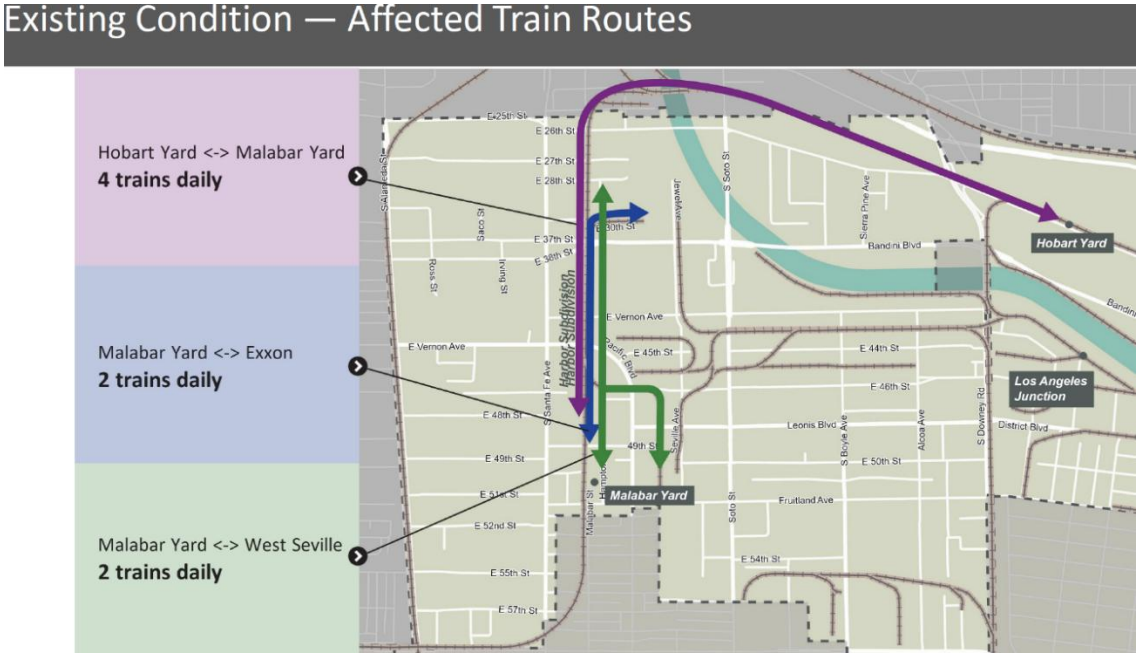
After the proposed modifications in Vernon, the train operations will be as follows:

• *Typical Speed of Trains: 10-20 miles per hour*

• *Typical Length of Trains: 2,000 feet – 4,000 feet (up to 60 cars)*

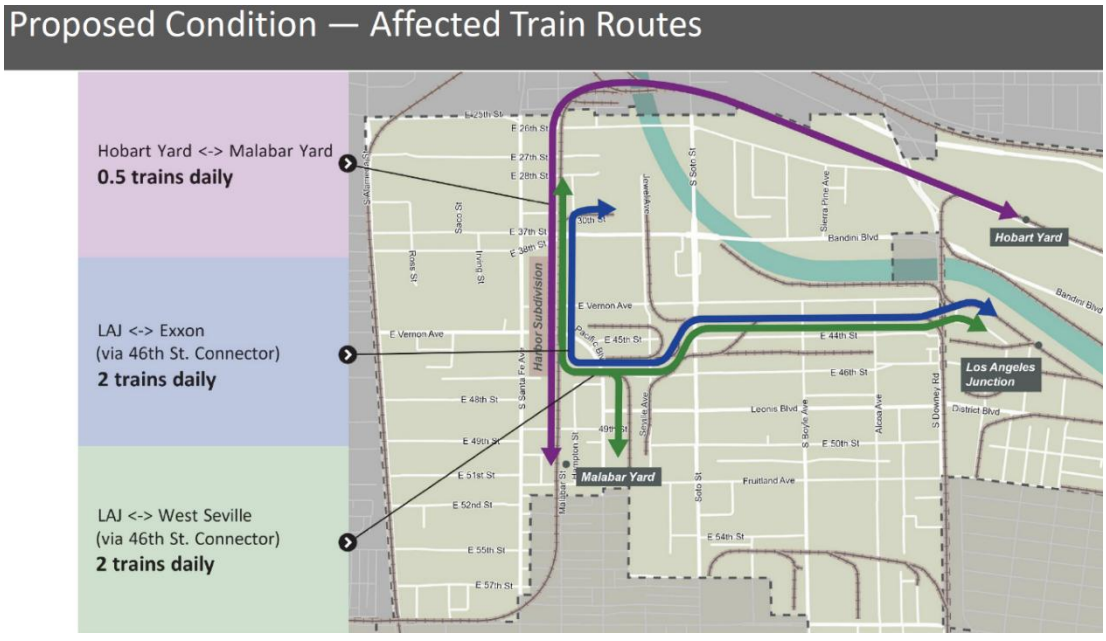
• *Typical Number of Engines: Two locomotives*

These slides from the March 6, 2025 City of Vernon Coordination Meeting illustrate how there are many tracks within Vernon, but they do not host significant rail traffic.



Currently, the vast majority of traffic flows northward and around the city to come down into LA Jct. Yard or Hobart Yard, depending upon whether it is intermodal or manifest traffic. The next image shows the expected traffic to begin moving consistently through Vernon once the connection between Malabar and LA Jct. yards is made. Basically, the 4 Exxon trains that were moving by the north track will now move through town and the few cars that made up the previous “2 trains daily” will simply be attached to these larger trains.

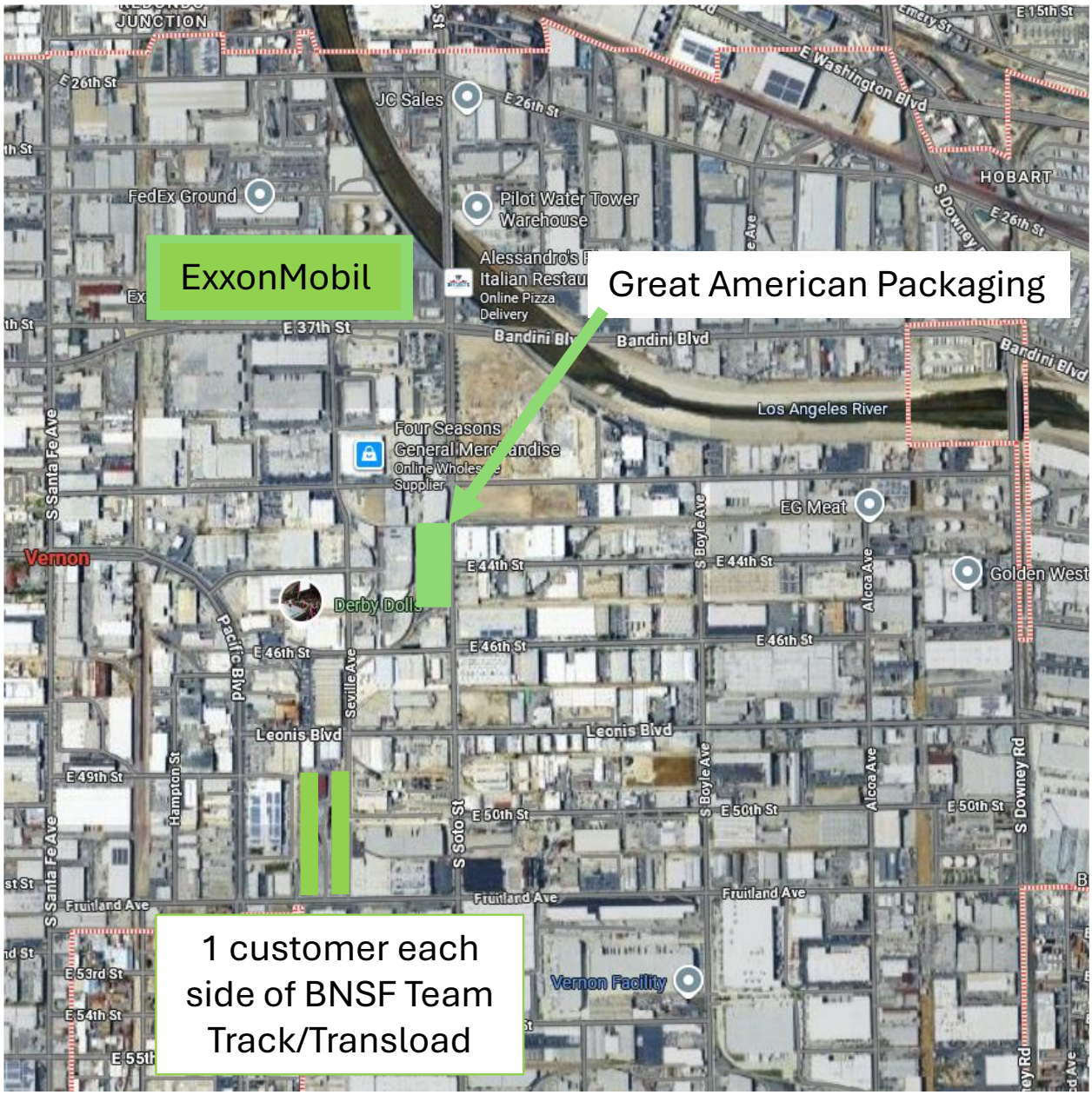
A-42



This would be long four trains every day moving through the middle of Vernon where previously there was only a short (a few cars) train for the transload. This is a major traffic change that was completely ignored by the EIS.

A-42 cont.

There seems to be a misunderstanding that because Vernon is mainly an industrial city and has many tracks running all through its streets, this new train traffic would be a “minor change” as was stated in the Revised EIS notification. There are only four customers still served by rail on the west side of the river in Vernon.



All traffic from Exxon and the west side of the transload move only at Malabar and northward out of Vernon and only Great American Packaging and the east side of the transload are served via LA Jct. moving cars through the city.

A-43

The Revised EIS Plan for a connector in Vernon to LA Jct. would have four much longer trains running through the city every day between Malabar and LA Jct. that include all of the Exxon traffic and west side transload. BNSF has not provided information on the expected length of the trains to pass through Vernon. As an example, the most recently available aerial shot of Malabar yard shows 20 Exxon cars stored in the yard as the train is built. That implies that trains will be at least this long. If we were to believe that "8,000 or 9,000-foot trains" are the norm, then a single train would bisect the entire city at once.

The assumed operation is that two trains per day are brought in to Exxon and two trains per day of empty tank cars are brought out, totaling the four trains. It is also assumed that each train size is usually roughly the same, estimated at 20-40 cars per train, or a train length of 1,500 – 2,880 feet in length.

A-43 cont.

This point was deftly glossed over in the EIS by emphasizing that there would be no increase in number of trains while the number of cars in those trains would increase exponentially. Exxon is the largest customer on the west side of the river prompting its own four trains daily northward. Moving all of that traffic across Vernon would be four major trains with numerous cars every day versus the few cars at a time in today's trains in Vernon. Adding Malabar Yard and LA Junction plans in Vernon to the EIS plan was in no way a minor change and these mitigations for Metro's negotiation with BNSF are not acceptable to the City of Vernon.

In addition, the Exxon facility in Vernon is a Lube Oil distribution facility. An analysis of five different forecasts for lube oil over the next 5-8 years shows an average forecasted growth rate in demand for lube oil of 4.5% per year, meaning the volumes to be transported for Exxon, and resulting train lengths, will only increase, and significantly.

The City of Vernon has been approached by BNSF in the past several times to allow it to connect its yards through the city and Vernon has prohibited such a move due to the impacts mentioned above. BNSF reached out in 2005 to the city and again in 2010. BNSF cannot negotiate some side deal with Metro to try and force Vernon into capitulating.

A-44

Vehicle Traffic

One of Vernon's major concerns is how the trains will affect traffic in its busy streets. Vernon has 1,800 businesses that depend on timely transportation for their employees, services and goods carriers. Traffic delays are costly to businesses, inconvenient for visitors and customers, cause vehicle idling times to increase and affect air quality, contribute to collision incidents and pedestrian/bicyclist safety concerns, emergency service access and noise.

A-45

The Draft EIS included several issues with how it analyzed the Malabar Yard mitigations and their impacts on Vernon's traffic:

1. Out-dated and skewed traffic data was used for the analysis
2. Traffic that was examined was near the construction areas and missed some important points
3. Traffic was not examined at all for streets to be impacted by new trains moving through the city

Traffic Data

The traffic data used to analyze the impacts to Vernon was old and skewed. Anytime a study like this is completed, it is almost always utilizing data from the previous year, or even up to five years. It takes time to compile data into something useable, and it would be understandable for the data to be a few years old and possibly projected forward for growth in Vernon.

However, not only were no projections applied to the Vernon traffic for growth, but the traffic counts were taken in **August 2020** right in the middle of COVID shut downs. It was excruciating attempting to gather data and values during 2020 and 2021 for meaningful analysis. However, in order to "normalize" the traffic against the skewing of COVID, the traffic counts were normalized ***backwards*** to earlier years, with much of the data supplemented with data from 2015. This makes the bulk of the data used to measure impacts to Vernon's traffic a decade old – completely inaccurate and inappropriate for this purpose.

Language has been used in the EIS to imply that Vernon has undergone very little change since that time so that old numbers can still work. Focus was paid to Vernon's small number of residents and its overall "industrial" as a catch all for all industry, including rail operations. This is an egregious assumption that completely ignores Vernon's growth in businesses, changes in industries, employment and traffic flows, and

A-46

Means of Commuting	2023(1)	
	Number	Percent
Total Workers	4,749,934	100.0%
All Commuters	4,053,687	85.3%
Means of Commuting	**2023(1)**	
	Number	Percent
Commuted by Car, truck, or van	3,622,186	76.3%
Drove alone	3,152,184	66.4%
Carpooled	470,002	9.9%
In 2-Person Carpool	341,889	7.2%
In 3-Person Carpool	78,248	1.6%
In 4-or-More-Person Carpool	49,865	1.0%
Means of Commuting	**2023(1)**	
	Number	Percent
Public Transportation (excluding taxi)	194,530	4.1%
Bus	165,494	3.5%
Subway or Elevated Rail	17,071	0.4%
Long-Distance Train or Commuter Rail	5,650	0.1%
Light Rail, Streetcar or Trolley	4,333	0.1%
Ferryboat	1,982	0.04%
Means of Commuting	**2023(1)**	
	Number	Percent
Bicycle	27,349	0.6%
Walked	118,196	2.5%
Taxicab, Motorcycle, or Other Means(3)	91,426	1.9%

growth in employees. Vernon's active employees within the city were 39,542 in 2018 (EIS Appendix Q, pg. 3.13-4) Today, Vernon's employees and contractors within the city daily amount to 55,000+.

That is a 39% increase over the last seven years and employees comprise the bulk of Vernon's traffic. The scope of this analysis and report did not include collecting new traffic data within the City of Vernon, but simply by applying Vernon's known growth in employees of 39% to the traffic, a more accurate picture of Vernon's traffic today would add at least 12,800 additional vehicles to Vernon's current traffic for both peak morning (in) and evening (out) traffic counts. This is adjusted assuming that 9.9% carpooled, 4.1% take public transportation and 3.1% walk or bicycle to work according to Los Angeles County statistics as of 2023 (chart to the left).

Vernon's traffic includes employees, thousands of contractor vehicles traverse Vernon's streets every day delivering services, supplies, shipping and distribution services for Vernon's 1,800 businesses, often using the large trucks possible for California of 65 feet long. These larger trucks make their service calls and deliveries during the day as opposed to the morning and evening peak traffic times when the bulk of employees are coming changing shifts. Peak traffic times are defined by the number of vehicles and omits the impacts for delays that occur during the daytime with the influx of fewer but much longer vehicles/trucks.

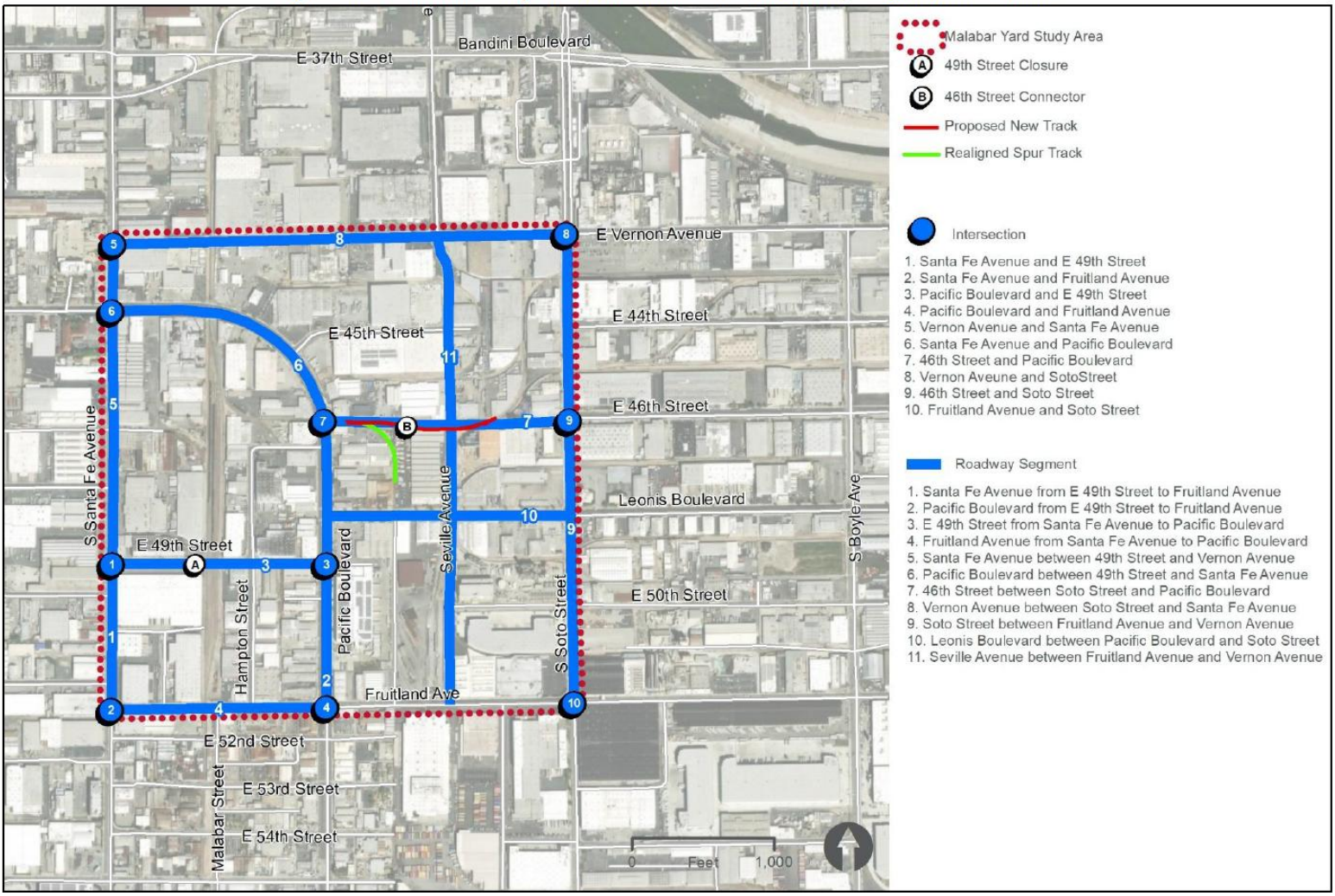
It is unfortunate that this project has taken so long that studies using prior years' data have aged so much. However, it has crossed the point where the data is even still valid and updated information must be examined. The traffic data should be updated with accurate, on-the-ground figures and all traffic types should be examined.

A-46 cont.

Roadways and Intersections Examined

The ESI established a “Study Area” that included approximately a .25 mile radius from the construction areas of the physical improvements at Malabar Yard and the 46th Street connector track. This area defined the intersections and roadway segments to be studied for impacts as shown in the following map from the EIS:

Figure 3.3-1. Traffic Study Area and Intersection/Roadway Segment Locations



Based on this table from the EIS and its 2015 traffic numbers, increasing the volumes on each respective street by 39% to match modern traffic more closely puts the entirety of Santa Fe Ave. and Soto St. currently almost at capacity. A-47

Table 3.3-9. Existing (2020) Conditions Roadway Segment Level of Service Summary

Number	Roadway Name	Capacity	AM Peak Hour			PM Peak Hour		
			Volume	V/C	LOS	Volume	V/C	LOS
1.	Santa Fe Avenue between 49th Street and Fruitland Avenue	5,600	2,535	0.45	A	3,043	0.54	A
2.	Pacific Boulevard between 49th Street and Fruitland Avenue	8,400	1,567	0.19	A	1,928	0.23	A
3.	49th Street between Santa Fe Avenue and Pacific Boulevard	2,800	163	0.06	A	156	0.06	A
4.	Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard	2,800	765	0.27	A	843	0.30	A
5.	Santa Fe Avenue between 49th Street and Vernon Avenue	5,600	2,649	0.47	A	3,121	0.56	A
6.	Pacific Boulevard between 49th Street and Santa Fe Avenue	8,400	1,459	0.17	A	1,871	0.22	A
7.	46th Street between Soto Street and Pacific Boulevard	2,800	194	0.07	A	243	0.09	A
8.	Vernon Avenue between Soto Street and Santa Fe Avenue	5,600	782	0.14	A	786	0.13	A
9.	Soto Street between Fruitland Avenue and Vernon Avenue	5,600	2,239	0.40	A	2,681	0.48	A
10.	Leonis Boulevard between Pacific Boulevard and Soto Street	5,600	1,199	0.21	A	1,369	0.24	A
11.	Seville Avenue between Fruitland Avenue and Vernon Avenue	2,800	315	0.11	A	334	0.12	A

Notes:
LOS=level of service; V/C=volume-to-capacity

Remember this is a minimum figure accounting for the growth between 2018 and 2025, where the EIS traffic counts are mainly from 2015, so three additional years of growth are missing. They may well indeed be at or beyond capacity now.

In addition, the roadway segments for where the trains will actually start running were not examined at all. These will be streets where true trains have never run before – only switching services of a few cars at a time, and even those were long ago. Especially on Vernon Ave. east of Santa Fe, all of 44th St., 46th St. east of Santa Fe and Leonis Bl. where most traffic will be diverted, these segments should be evaluated. A-48

The intersections that were examined are as follows in this EIS Table:

Table 3.3-8. Existing (2020) Conditions Intersection Level of Service Summary

Number	Intersection	Traffic Control	AM			PM		
			V/C	Delay (sec)	LOS	V/C	Delay (sec)	LOS
1.	Santa Fe Avenue/49th Street	Two-way stop	>1	>50	F	>1	>50	F
2.	Santa Fe Avenue/Fruitland Avenue	Signalized	0.75	—	C	0.77	—	C
3.	Pacific Boulevard/49th Street	Two-way stop	>1	55.9	F	>1	>50	F
4.	Pacific Boulevard/Fruitland Avenue	Signalized	1.15	—	B	0.63	—	B
5.	Vernon Avenue/Santa Fe Avenue	Signalized	0.97	—	E	0.97	—	E
6.	Santa Fe Avenue/Pacific Boulevard	Signalized	0.97	—	E	1.07	—	F
7.	46th Street/Pacific Boulevard	Two-way stop	0.98	46.0	E	>1	>50	F
8.	Vernon Avenue/Soto Street	Signalized	0.77	—	C	0.92	—	E
9.	46th Street/Soto Street	Two-way stop	>1	>50	F	>1	>50	F
10.	Fruitland Avenue/Soto Street	Signalized	0.79	—	C	0.89	—	D

Notes:
Bold indicates LOS E or F
LOS=level of service; Sec=seconds; V/C=volume-to-capacity

A-49

The method of traffic analysis raises two issues:

1) If current traffic were used instead of 2015 traffic, these intersections would show much more tension, especially the outlet from 46th St. to Pacific. RII also feels that Leonis intersections should have been studied since this is a major street through Vernon and would likely be where much of the 46th St. traffic were to be diverted if the proposed infrastructure were put in.
2) The EIS shows the traffic data collection in good detail (notwithstanding missing intersections as stated), but it does not identify the capacity for the intersections and hides issues behind a lump ">1" so we cannot tell what the impacts of the proposed operation are – as if just because the intersection is already beyond capacity that new congestion won't make a difference. A proper analysis would identify the capacity of the intersection, then volumes to come to the V/C figure, exactly as they did for the roadway sections.

The EIS states that it examined delays and storage capacity at existing railroad crossing (only as a courtesy it claims since it was not required to do so for the EIS) and a non-comprehensive examination was performed for a few of the crossings. However, that is not what the stakeholders were asking for. They wished to know how traffic would be affected at the intersections that are nearest to the crossings with the new trains moving through the city. This analysis was not performed.

The following adverse effects were noted in the EIS and yet, no mitigation was proposed. There were comments about mitigations requiring "coordination with CPUC and City of Vernon," as if those parties were responsible for mitigating the impacts.

Adverse Effect

• The New Railroad Crossing #5 at the intersection of Seville Avenue and 46th Street would introduce a potential roadway hazard due to queuing that would cause southbound vehicular traffic to extend across 46th Street. On Seville Avenue south of 46th Street, two separate sets of gate arms proposed near each other would introduce a potential roadway hazard due to northbound and southbound vehicle queuing.

Adverse Effect

• Implementation of the Malabar Yard railroad improvements would exceed the applicable V/C ratio threshold at two intersections (Intersection #6: Santa Fe Avenue/Pacific Boulevard and Intersection #4: Pacific Boulevard/Fruitland Avenue) and one roadway segment (Roadway Segment #4: Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard), which may impede access for emergency responders throughout operations. Intersection #6 is located along a designated disaster route.

A-50

• A potential roadway hazard may occur from vehicle queuing along Seville Avenue, which in turn may also impede access for emergency responders.

Adverse Effect

• A potential roadway hazard may occur from vehicle queuing along Seville Avenue, which in turn may also cause schedule delays to transit services or disruption of pedestrian and bicycle access.

• A potential roadway hazard may occur from vehicle queuing along Seville Avenue, which in turn may also affect access to the Stacy Medical Center.

Adverse Effect

• The applicable V/C ratio threshold would be exceeded at two intersections (Intersection #6: Santa Fe Avenue/Pacific Boulevard and Intersection #4: Pacific Boulevard/Fruitland Avenue) and one roadway segment (Roadway Segment #4: Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard).

MY-TR 3 through 6 below have been proposed to solve this Adverse Effect.

Restriping of the Santa Fe Avenue/Pacific Boulevard Intersection: *During the final*

engineering phase and at least 30 days prior to implementation of the Malabar Yard railroad improvements, Metro and BNSF shall obtain approval from the City of Vernon to restripe one eastbound through lane to an eastbound turn lane at Vernon Avenue.

Restriping of the Pacific Boulevard/Fruitland Avenue Intersection (Future Horizon Year 2040): *In the Future Horizon Year (2040), Metro and BNSF, in coordination with the City of Vernon, shall restripe the northbound shared through/right-turn lane to a right-turn-only lane and a through lane at Pacific Boulevard.*

A-51

Add a New Vehicular Lane on the Fruitland Avenue Roadway Segment between Santa Fe Avenue and Pacific Boulevard (Future Horizon Year 2040): *In the Future Horizon Year (2040), Metro and BNSF, in coordination with the City of Vernon, shall add a new westbound vehicular lane on Fruitland Avenue.*

Adverse Effect

• The New Railroad Crossing #5 at the intersection of Seville Avenue and 46th Street would introduce a potential roadway hazard due to queuing that would cause southbound vehicular traffic to extend across 46th Street. On Seville Avenue south of 46th Street, two separate sets of gate arms proposed near each other would introduce a potential roadway hazard due to northbound and southbound vehicle queuing.

It appears that the EIS's solution is to gain approval for an at-grade crossing and simply implement whatever protections that CPUC or FRA require. Unfortunately, such protections are focused on safety at the particular crossing, not maintaining traffic flows.

Many of the mitigation strategies are designed to make the measurement itself look good rather than solve the actual problem. For example, changing lanes at intersections to "right turn only" when most traffic is trying to go straight through only backs up more traffic into one or two lanes versus the two or three it had previously. It may force traffic out of the intersection to maintain the measured delay score, but it does not move the traffic where it needed to go. It is confusing to drivers and increases individual drive time to be diverted to the right. This method may reduce idling and improve air quality, but at the expense of quality of life and commuter travel time. The City of Vernon is not simply interested in whether the impacts and their mitigations are "compliant" with California Environmental Quality Act rules, FRA rules or other authorities. It is interested in how the project impacts the City of Vernon negatively, regardless of whether it complies with some other authority. Mitigations that simply divert traffic to achieve a passing V/C score at the expense of traffic capacity and Vernon citizen and workers' convenience are not sufficient.

A-52

Another misunderstanding about mitigations is safety protections versus traffic flow. Almost all traffic controls are designed to ***stop or slow*** uncontrolled traffic to make it safer. Whether that involves signals, stop signs, turn lanes or a round-about median, the purpose is to slow traffic to improve safety regardless of delay impacts. Traffic protections may sometimes be designed in a manner that maximizes traffic flow, but safety is the goal, not traffic capacity. Therefore, it is important to identify the purpose of the traffic metric being used and the mitigations being relied upon. If the mitigation is designed to meet a certain metric for which the goal is safety, the metric may be irrelevant to solving the capacity and delay concern presented by the City of Vernon. The mitigation may even exacerbate the problems, causing more delays, congestion, or worse, diversion of interest in Vernon as a place to work, live, do business and grow.

A-53

This is an interesting qualifier:

Based on the property owner and business stakeholder engagement conducted in the City of Vernon, queuing analysis results for existing and proposed at-grade crossings are presented for informational purposes only; however, they are not a required component of the methodology to determine LOS impacts, and therefore, do not contribute to the NEPA determination of effects for LOS traffic impacts.(pg. 3.3-6)

The queuing resulting from adding a new crossing and railroad traffic across every vertical street in West Vernon is a required component of the methodology to determine LOS impacts as far as the City of Vernon is concerned for approving this project or not.

A-54

The reason delays from railroad crossings are not considered in the impacts of an EIS is that the safety of the crossing outweighs any considerations of traffic flow. The safety protections are determined based on the trains running in the area (volumes and speeds) and the vehicle traffic (volumes and speeds). The protections are there to ensure vehicles yield to the trains since the trains cannot stop. Therefore, at-grade crossings always have the effect of slowing vehicle traffic, even if it is simply a passive crossing where the driver must look both ways for a train. As stated before, the City of Vernon is opposed to installing any new infrastructure that impedes its traffic capacity. Traffic delays are a serious concern for Vernon and canned responses about FRA compliance do not address the issue Vernon is bringing up.

Similarly, Vernon's precious employers would be negatively impacted:

For Design Option 1, Driveway Nos. 7 and 8 would be closed, and Driveway No. 9 would be reconfigured and remain open for continued business access/egress and operations. For Design Option 2, Driveway No.7, Driveway No.8, and Driveway No. 9 would all be reconfigured and will remain open for continued business access/egress and operations.

o ***Driveway No. 10:*** *Trucks do not use this driveway. Driveway No. 10 will be closed as part of the Malabar Yard railroad improvements. The access to this property will be maintained from Driveway No. 9.*

o ***Driveway Nos. 11 and 12:*** *The raised median on either side of the railroad crossing along 46th Street would reconfigure the truck turning ingress/egress for these two driveways. Both driveways would be maintained but would become right-in/right-out only as a result of either design option for the 46th Street Connector.*

o ***Driveway No. 13:*** *This is a new driveway and under either design option would provide right-in/right-out only access.*

A-55

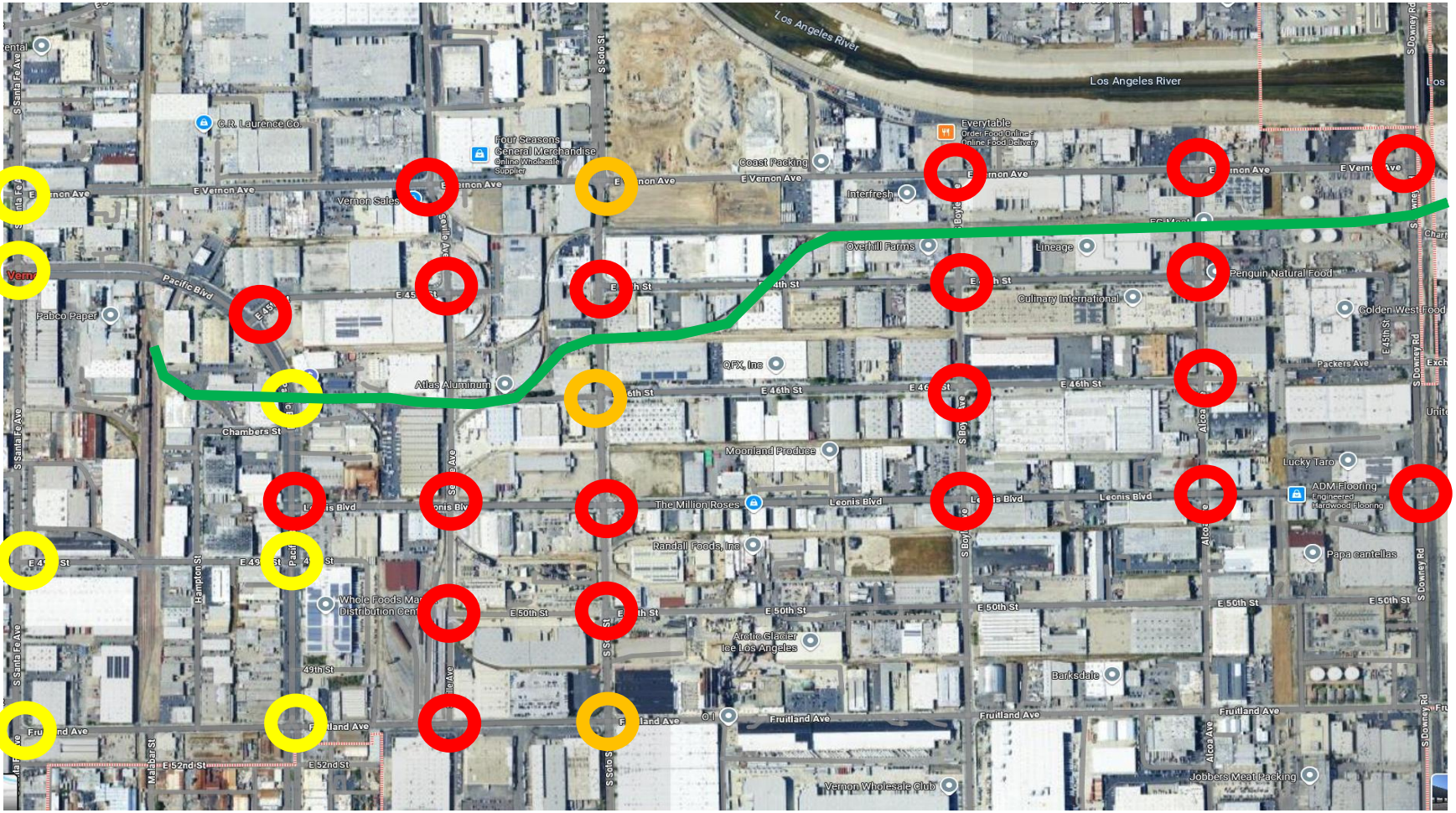
Vernon's businesses are its lifeblood. This proposal does nothing but take property, negatively impact property, cause inconveniences at a minimum and cost significant operational dollars in transportation delays, worker productivity, worker and customer access, satisfaction and liability, not to mention the increased worker and customer health and safety risks.

There are no benefits for Vernon in this proposal, only sacrifices it is being expected to tolerate for the greater good of indirect regional transit and freight goods movements. Vernon gains no goods movement benefits since BNSF does not market new customers or freight traffic in the area, in fact, it discourages adding rail traffic to the west side due to the circuitous track access. This yard-to-yard link for BNSF in the Metro proposal does not facilitate developing new rail business in Vernon; it is simply a cost saving convenience for BNSF and its handling of the existing Exxon traffic. Development direction of Vernon has accepted this fact, focusing on non-rail commercial, transit oriented and residential development on the west side and focusing rail-service needs on the east side of the river.

A-56

Roadways and Intersections Neglected

None of the intersections or roadways affected by the trains moving through the city were examined at all. The following map shows the intersections examined in the EIS in yellow and orange, and all of the remaining potentially affected intersections in red.



A-57

Especially the intersections at Pacific/Leonis, Seville/Leonis, Soto/Leonis, 46th/Soto, Vernon/Soto, Vernon/Boyle, Vernon/Alcoa, Vernon/Downey and five intersections along 44th that will run parallel with the active tracks. There seems to be some misunderstanding between the delays at intersections from the new trains versus the delays from the at-grade railroad crossings themselves. Delays from at-grade crossings are not usually included in an EIS because they are there for safety reasons and cannot be considered a new impact. However, the delays at the crossings themselves are not the same as the delays created at vehicle intersections half a block from the crossing.

A-57 cont.

BNSF could maintain its track and use these "active" crossings now if it wished. Railroads typically have preemption to run whatever traffic they wish over their rights of way. However, BNSF is a fiscally responsible corporation and has not maintained the tracks and crossings because there is no benefit to it to maintain the tracks and crossings nor to run trains if there is not enough business. The result is that it has been decades since trains have passed over most of these streets. Four new daily trains of up to 60 cars traveling up to 20 mph over these tracks would be a major change in traffic, safety and hazards for the city that has grown up around it. Just because the track and crossings remain "active" by railroad terminology does not mean the impacts to the intersections can be ignored under the auspices of railroad preemption.

A-58

BNSF has no reason to run these trains unless the 46th St. connector is installed and Vernon will not be approving such a project until and unless the pertinent traffic intersections are examined for their impact, whether the writers of the EIS feel it is "required" or not.

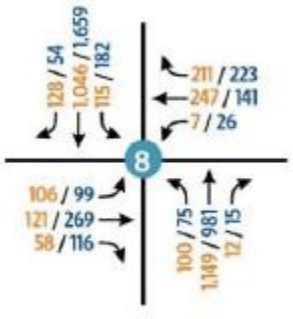
As mentioned previously, the scope of this analysis and report did not allow for collecting new traffic data within the City of Vernon, but we have extrapolated estimates for the main roadways these train routes would impact based on the data presented in the EIS for adjacent intersections and adjusted for Vernon's growth through 2025.

The trains would run partly along 46th St. then slightly north to move along an LA Jct. right of way behind businesses between Vernon St. and 46 St. Therefore, the most heavily impacted streets and intersections would be Vernon Ave., 46th St., 44th St. and Leonis Ave.

A-59

Because the traffic data is so incomplete and the intersection capacities were not documented, it is difficult to confirm the results or apply the methods to the missing intersections and roadways. A new thorough traffic analysis should be preformed on all of Vernon's streets to fully analyze the impacts of this new train operations where all steps and methodologies for all data gathering and analysis are thoroughly detailed and documented.

However, RII has attempted to extrapolate some of the data to give a picture of what the impact to the omitted intersections and roadways might look like for these trains. RII has taken the LOS ratings from the EIS for the same streets (or nearest street) with the same controls to assign the LOS rating and estimate the delays for the additional intersections. Volumes are based on the analysis below, adjusted for Vernon's known growth.



As an example, let us look at Vernon Ave. The EIS only looked at two intersections for this major roadway through Vernon. Soto/Vernon shows 248 vehicles continuing eastbound down Vernon from Soto in the morning and 466 continuing eastbound in the evening. No intersection was examined east of this point to give a better reference for westbound traffic, but we can see that at least 465 vehicles are entering the Soto/Vernon intersection from westbound Vernon in the morning and 390 vehicles are entering this intersection from westbound Vernon in the evening. Therefore, we can extrapolate the volumes for the Vernon Ave. between Soto St. and Downey Rd. to be roughly 750 vehicles x 1.39 = 1,043 vehicles in 2025. This method not as accurate as physical counts and should only be used for high level comparisons like this. It is essentially counting all traffic into the street a certain direction and subtracting what does not show up at the next intersection as traffic diverted at the intersection between them. It does not account for traffic diverting into and out of driveways, cutting through parking lots, etc.

A-60

Roadway Segment affected by Trains	# of Intersections affected w/ delays	Control Type	AM Volume	PM Volume	AM 2025 Adjusted Volume	PM 2025 Adjusted Volume
E. Vernon Ave: Soto St. to Downey Rd.	4+2	4-Way Stop Signs	713	756	991	1051
45th St: Pacific Bl. to Seville St.	2	1 Way Stop/Yield	118	75	164	104
44th St: Soto St. to Alcoa St.	3	1-4 Way Stop/Yield	150	74	209	103
Leonis Bl: Pacific Bl to Downey Rd	6	Mostly Signalized	512	308	712	428
46th St: Seville St. to Alcoa St.	4	1-2 Way Stop/Yield	150	74	209	103

Regardless of the current condition of the intersections and traffic in Vernon, the trains would add their own delays that are not there presently. It is 7,700 feet from the start of the track leaving Malabar Yard to the start of LA Jct. on the proposed rail path. It would take a train traveling at 20 mph 4 minutes and 22.5 seconds to traverse this distance. It would take a 2,880-foot long train 1 minute and 38.2 seconds to clear a crossing at that speed. For a train approaching a crossing at 20 mph, the signals will activate at least 20 seconds before the train arrives and continue for 20 seconds after the train clears the crossing. This is a minimum delay of 2 minutes and 18 seconds (138 seconds) per

A-61

crossing adding to the delays of any existing delays at the adjacent intersections. It can take up to 15 minutes for pre-crossing flows to resume after the crossing is cleared.

In reality, BNSF will run trains as long as possible to maximize its operations and the EIS mentions trains as long as 4,000 feet (up to 60 cars). In that case, trains would move more slowly, slowing as they see fit for crossings, curves, etc., even stopping in some intersections while switching in the yard, causing longer delays. By estimating an average train speed of 10mph, including 20 second lead times on each side of the crossing, the minimum delay for a 4,000-foot long train would be 5 minutes and 13 seconds (313 seconds).

Based on the above assumptions and methods, the following is an account of the delays that could be expected for each of these roadway segments at all intersections along the proposed rail route.

DAILY DELAYS

Roadway Segment affected by Trains	Average 2025 Peak Volume	Total seconds of traffic delay for 4 trains	Total Minutes Delays	Total Hours Delays
E. Vernon Ave: Soto St. to Downey Rd.	255	91580	1526	25.44
45th St: Pacific Bl. to Seville St.	34	12032	201	3.34
44th St: Soto St. to Alcoa St.	39	13964	233	3.88
Leonis Bl: Pacific Bl to Downey Rd	142	51120	852	14.20
46th St: Seville St. to Alcoa St.	39	13964	233	3.88
Total for 5 street segments	**509**	**182661**	**3044.34**	**50.74**

*2,880-foot long train at 20mph

Roadway Segment affected by Trains	Average 2025 Peak Volume	Total seconds of traffic delay for	Total Minutes Delays	Total Hours Delays
E. Vernon Ave: Soto St. to Downey Rd.	255	207713	3462	57.70
45th St: Pacific Bl. to Seville St.	34	27290	455	7.58
44th St: Soto St. to Alcoa St.	39	31673	528	8.80
Leonis Bl: Pacific Bl to Downey Rd	142	115946	1932	32.21
46th St: Seville St. to Alcoa St.	39	31673	528	8.80
Total for 5 street segments	**509**	**414295**	**6905**	**115.08**

*4,000-foot long train at average speed 10mph

A-61 cont.

* We do not have traffic counts for non-peak hours or any information on proposed train schedules to estimate delays per vehicle for non-peak hours, so a ballpark estimate for purposes of this comparison attributes the follow volumes for each of the four daily trains using 2025 projected traffic:

- 1 train = peak hours = 100% of peak time traffic
- 2 trains = daytime/business hours = 65% of peek time traffic
- 1 train = off hours (before 6am or after 7pm) = 30% of peak time traffic
- Peak traffic divided by ¼ of an hour for vehicles exposed to the train.

It is important to point out that these delays would be <u>daily</u> and do not include other intersections/streets likely impacted by these delays.

In reality, once BNSF has authority to run over this route as a main connector, it will not be required to follow any schedule. These estimates are extremely high level to give an idea of the scale of impacts neglected in the Draft EIS. To determine the true impacts, a thorough traffic analysis of all traffic, during all parts of the day, for all affected roadways and intersections should be performed. The City of Vernon should be the one to shoulder the cost of such an analysis that should have been performed as part of the EIS in the first place. The city should, however, be involved in selecting any future study parameters, approving the study tasks and scope, and ensuring an independent neutral firm is selected for the study.

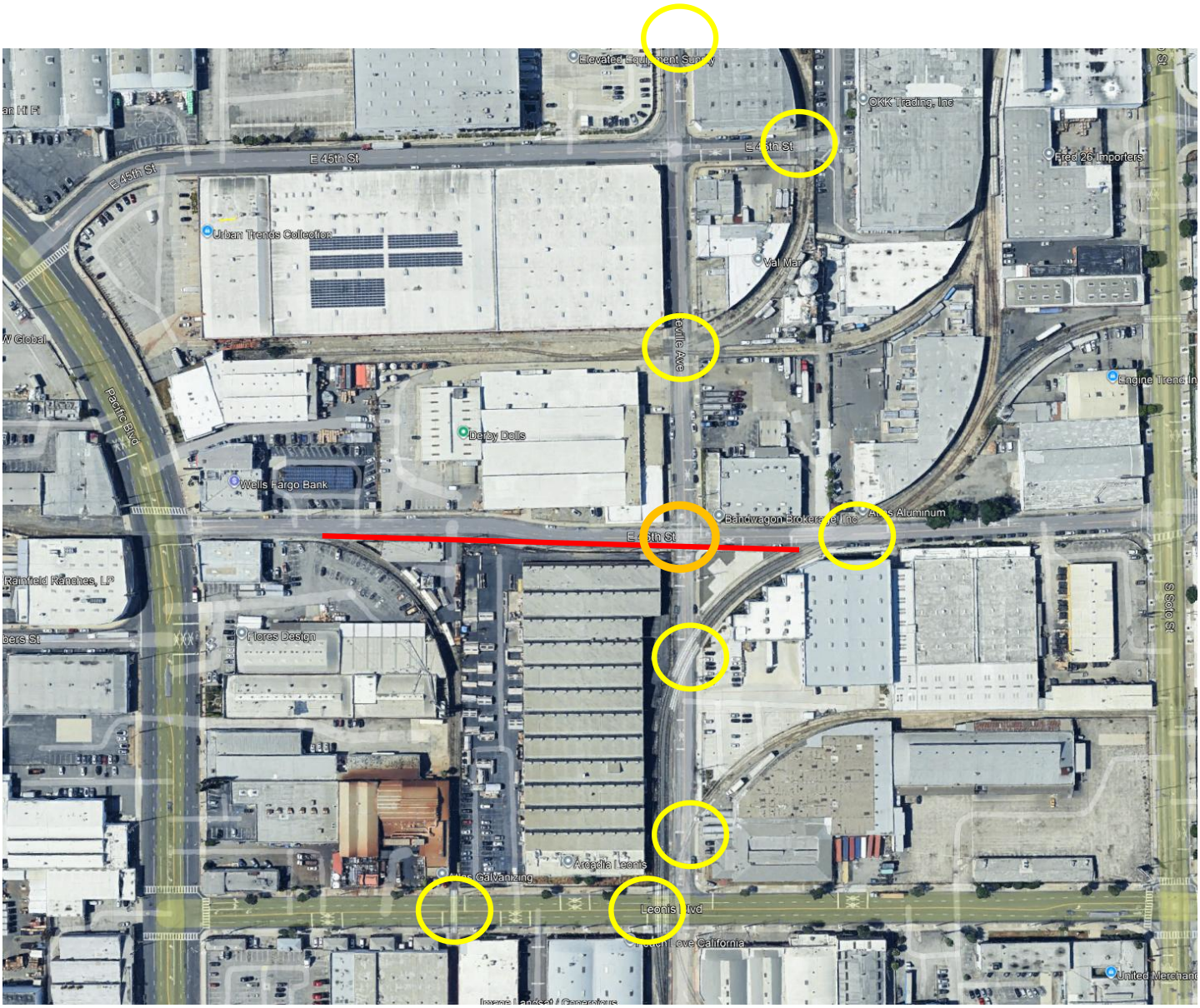
A-62

Health and Safety

Implementing this operation in Vernon presents significant impacts to the people in Vernon, including the 55,000 in employees who work there every day, service personnel serving the industrial areas and the currently small resident population.

Safety Hazards:

This new proposal suggests adding a dangerous at-grade railroad crossing to an area that is already inundated with railroad crossings across almost every street. The specific location of this crossing is an odd angle affecting traffic in several directions and is set right on the middle of a patch of other crossings.



A-63

The proposed location for this crossing is 120 feet from another to the south, 170 feet from another to the east, 300 feet from another to the north, and adds a fourth crossing on Seville, a street with already three railroad crossings within a two block distance. A-63

The likelihood of the CPUC approving a new railroad crossing is low. A proponent must meet a "heavy burden" of proof of necessity to gain approval. An applicant must convincingly show two things to receive approval:

- **A separation is impracticable:**
- **Public convenience and necessity absolutely require a crossing at grade:** The applicant must prove that the public's need for the new crossing is so great that it outweighs the inherent dangers. A-64

This is not a great need; it is a private improvement for BNSF. CPUC has been approached regarding installing another at-grade crossing in Vernon and has not been receptive at all. BNSF is now trying to get Metro to fight that battle for them and circumvent the City of Vernon.

Based on 2019 data from FRA, there were 122 roadway/highway-rail grade crossing incidents in Los Angeles County from January 2014 to December 2018. Four of those incidents occurred within the City of Vernon during the time period mentioned above, though none occurred within the Malabar Yard study area (FRA 2018). (pg. 3.14-14)

Because of the increased freight traffic at the extension, most of the existing crossings will require upgrades. The following image from the EIS shows the improvements needed at specific crossings, including exits from private businesses onto the street.

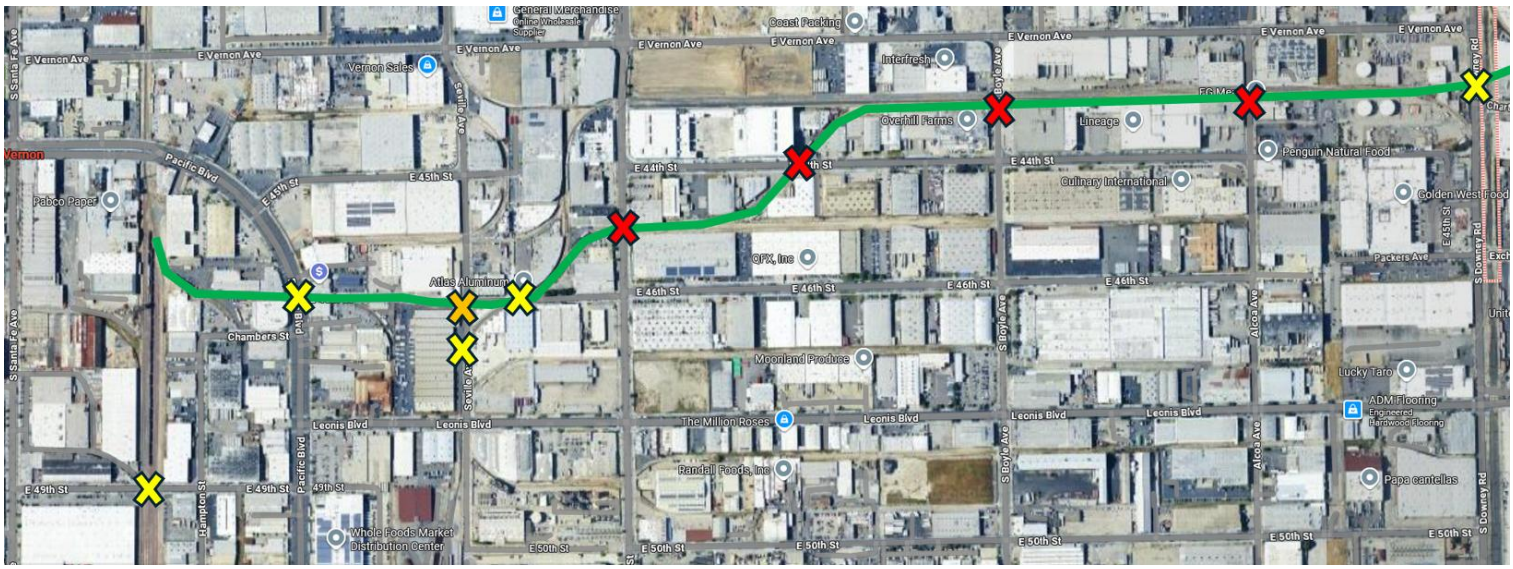
Figure 2-3. BNSF Malabar Yard Railroad Improvements (49th Street Closure and 46th Street Connector Design Option 1)



A-65

The new track and protections practically box in one industry whose employees will not even be able to enter or exit its own property while a train is moving. The unique angle of the tracks for this 900-foot length will require holding up traffic in this way in six different locations with full gates preventing traffic movement.

What the disclosures on Adverse Effects to Safety do not reveal is the chain of crossings across the city that currently have no rail traffic at all. These have been passive crossings with no trains over them for many years. Most drivers in the area likely cannot remember seeing a train cross. Regardless of the fact that these are “active” crossings in BNSF’s system, adding four daily trains to this route would effectively be like installing four additional new at-grade crossings (red X’s). A-65



The yellow X’s are the only crossings reported on in the EIS. The EIS claims that it is not “required” to include delays from railroad crossings in its analysis, but only did so based on discussions with shipper stakeholders (Vernon businesses). The EIS therefore included delays from the six noted crossings, including the orange X, the new crossing proposed for Seville St.

However, with the changed traffic profiles for many of these crossings, many of them may require new protections. That is, with the increased vehicle traffic since these crossings were last assessed and the planned new railroad traffic, they may all now require active protections: gates, flashing lights, medians, etc. The study should include a much more thorough traffic analysis so that the FRA and CPUC can assess these safety concerns. These studies will have to be done anyway to get FRA and CPUC approvals, but Vernon should require they be completed prior to moving forward versus after the fact when choice have been diminished.

Air Quality:

It is understandable that when Metro first started this project in 2015, releasing its Notice of Intent in 2016, that it used the current Air Quality guidelines from the most recent National Environmental Protection Agency (NEPA) guidelines, which were from 1978 and 1986. However, this project has now dragged on for almost a decade and clinging to the original Notice of Intent date just to bypass current health and safety codes is ludicrous. Once the entire plan was changed to involve major changes in Vernon with a Notice of Intent dated 2020, the project should have been subject to the updated environmental rules. These rules were effective for any projects started after 2018 and were a long overdue update for the outdated 1978/86 rules. Using environmental regulations that are almost 5 decades old is unacceptable. Any parts of the proposal that affect the City of Vernon should be required to base their studies on the current rules and standards. A-66

It should be very clear that the air quality benefits claimed in the EIS are a general indirect regional benefit and in no way benefit the City of Vernon. NO traffic is moved from truck to rail for this operation, so to imply that is does is grossly misleading. There are minimal air quality benefits to the north in Los Angeles by moving the problem into Vernon; it's the same traffic moving, just consolidated in Vernon yards vs. West Yard.

In fact, the traffic delays in Vernon will have a significant negative impact on air quality due to vehicle idling. The following chart from Department of Energy is the same data used by the IMPLAN program and the EIS. It presents the emissions from an average car idling for one second. A-67

Table 1. Idling Emissions and Fuel Use per Second

NO_x (mg)	THC (mg)	CO (mg)	CO_2 (g)	Fuel (cc)
0.0097	0.266	0.108	0.588	0.279

When applied to the idling vehicles added to the City of Vernon due to increased rail traffic and crossing delays, it reveals the following added emissions at a minimum as an adverse effect:

Minimum Added Emissions	NOx(mg)	THC(mg)	CO(mg)	CO2(g)	Fuel(cc)
DOE emission per second:	0.0097	0.266	0.108	0.588	0.279
Total Daily Delay Seconds					
182661	**1771.808**	**48587.72**	**19727.34**	**107404.4**	**50962.31**

This is an outstanding increase and does not account for the heavier emissions from the multitude of trucks that will be operating

The EIS notes the following sensitive receptors for air quality impacts:

• *Residences at 2415-2427 E 53rd St. (located approximately 1,325 feet [0.25 mile] south from the Malabar Yard railroad improvements).*

• *Vernon City School at 2360 East Vernon Avenue (located approximately 1,350 feet [0.25 mile] northwest from the Malabar Yard railroad improvements).*

• *Residences on Furlong Place located approximately 1,650 feet (0.31 mile northwest from the Malabar Yard railroad improvements).*

It seems odd that the study would cut off the boundary for sensitive receptors literally right on the edge of such receptors. In RII's experience, if a radius is set and sensitive receptors are found to be right on the edge of the radius, they are included in the assessment. The point of the assessment is to protect those sensitive areas, not skirt dealing with them. A-68

Then it is incredulous that Stacy Medical Center was not included as a sensitive receptor. This is the main emergency central for occupational health and injuries for the high industrial city. Stacy Medical Center sits at the center of these operations, both during construction and operations, at the northeast corner of Pacific Bl. and 46th St. at 4580 Pacific Bl.

The map on the following page from the EIS shows how the buffer zone for air quality concerns cuts off exactly at the sensitive receptors. Stacy Medical Center has been added to the map to show its location within the buffer zone and proximity to the proposed construction.

Figure 3.5-1. Sensitive Receptors Closest to Malabar Yard Railroad Improvements



A-68 cont.

The EIS claims that air quality impacts for these operations will be beneficial.

Direct Effects – Operations

As shown in Table 3.5-6, any combination of design options for the Malabar Yard railroad improvements would result in a net reduction in regional CO2 emissions because it would reduce train miles for empty intermodal railcars and reduce truck VMT. Direct effects would be beneficial.

This made no sense whatsoever since there is less than a mile difference in distance between how the cars are handled now, how they would be handled out of Malabar Yard or how they are proposed to be handled between Malabar and LA Jct.

West Yard = 2.95 rail miles between closest points of West Yard and Hobart Yard

Malabar Yard = 2.41 rail miles between closest points of Malabar to Hobart Yard via north connection

Malabar Yard = 1.47 rail miles between Malabar Yard and LA Jct. A-Yard via 46th St. connector

A-69

Then we realize that the air quality assessment is comparing Barstow as the alternative, as if BNSF would ever store the orphaned trainset that far. It would never happen. BNSF would sooner repair tracks in Vernon to park the cars than transport them that far and back in. It is understood that capacity within the city is strained during peak time, but manipulating the figures with this kind of hyperbole is misleading and false.

Also, NO trucks would take this freight; it will still move by rail no matter where BNSF parks the trainset. Lastly, as stated, any air quality benefits, if indeed there are actually any, would be spread out over the southern half of the state, while Vernon takes the brunt of the significant negative local air quality impacts.

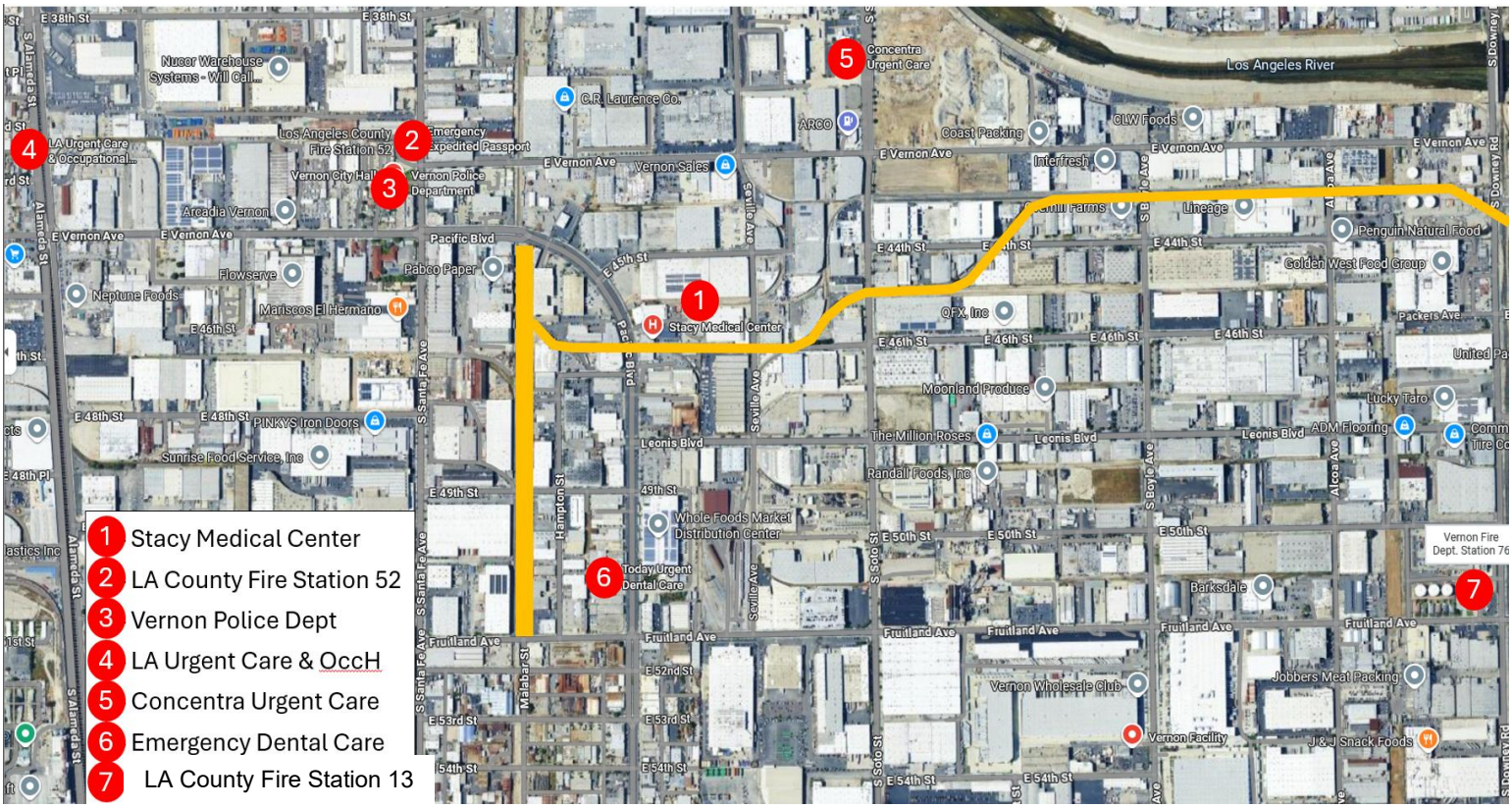
The EIS is actually not clear on how it arrived at the air quality savings figures. It would help to know the exact parameters they used for comparison, such as origin and destination point in Hobart for distance, number of cars estimated and projected for the conversion rate, and exactly how they calculated it. If it was IMPLAN's calculation based on number of trucks moved to railcar, the above statements hold true that the cars would never be stored so far away and would never move to truck.

Our assessment shows that there are several options for storing the cars within the immediate vicinity.

Emergency Services:

The proposed services effectively cut off half the city from the other half whenever a train is running. The traffic delays shown for the intersections will have a compounded effect for the emergency services within the city.

A-70



1. Stacy Medical Center is a hospital located literally right next to the proposed extension. This is the primary emergency facility for work injuries in this highly industrial manufacturing city with 40,000-50,000 direct employees. While a train is moving, no emergency vehicles can reach the entire south half of the city without waiting or by going all the way up and around Malabar Yard, almost a mile out of the way.

2. LA County Fire Dept 52 works in conjunction with #7 LA County Fire Station 13 (formerly Vernon Fire Dept 76). These two Fire Stations protect the City of Vernon west of the LA River, with the closest station responding to emergencies. With a train bisecting the city, the closest fire station will not be able to reach everything in its jurisdiction in a timely manner. For example, an incident at Pacific and Leonis, only 2000 feet away from Fire Station 52, would need to be served by Station 13, over a mile away.

3. Vernon Police Dept. has the same issue reaching the entire south half of the city in an emergency whenever a train is present.

4. LA Urgent Care and Occupational Health and the Concentra Urgent Care are both located north of the proposed bisection and the south half of Vernon would be delayed in reaching these emergency facilities.

5. Concentra Urgent Care – see #4 above

6. Emergency Dental Care facility may seem like a rare type pf emergency, but because of the heavily industrial area, injuries can be to the extent requiring these services more often than general commercial areas, which is the reason the facility is located in Vernon. Similarly to the urgent care centers north of the bisection, injured people would face delays from trains or long traffic diversions to get around the trains to this facility south of the bisection.

7. LA County Fire Dept 13 – see #2 above

A-70 cont.

The vehicle traffic delays expanded in the traffic section of this chapter escalate the concerns for these services where seconds make the difference between life and death.

Hazardous Materials

The following statement in the EIS describes the risks from haz-mat in the city:

Direct Effects – Operations

The routine transport, storage, use, or disposal of hazardous materials and wastes during operations of the Malabar Yard railroad improvements could result in accidental releases from improper handling of hazardous materials and wastes. However, the volume of hazardous materials and wastes to be transported, used, or disposed of during operations would not be substantially different than the existing condition in the vicinity of Malabar Yard. Freight storage would be accommodated at Malabar yard, which could potentially increase the quantity of hazardous materials on site but would not substantially increase the risk of accidental release. The limited potential for release of hazardous materials and wastes during the routine transport, use, storage, and disposal of such substances used during operation of any combination of design options would not create substantial hazards to the public or the environment. BNSF facilities already in operation would continue to provide areas for safe storage, containment, and disposal of chemicals and hazardous materials during operations, including waste materials, in compliance with existing regulations and legislation governing the safe handling and disposal of hazardous materials. Therefore, no direct adverse effect would occur. (Page 3.10-18)

A-71

However, Metro and BNSF are not asking to continue storing haz-mat railcars in the yards, they are asking to transport it daily through the city. How is that not an increased risk to Vernon? It increases the area of risk and risks to the number citizens, businesses, visitors and employees of Vernon. Then again on page 3.10-21, stating that general railroad operations involve the risk of *"hazardous materials and wastes, such as gasoline, brake fluids, and coolants that could be subject to accidental releases"*, but since there are already heavy rail operations "in the immediate surrounding area," the rest of Vernon will just have to accept it. "*No adverse effect*." Reliance on compliance with regulations is not helpful for Vernon in this case.

Water Quality

The effect of the increased trains by the river was acknowledged as an adverse effect. However, the best mitigation offered is to make BNSF comply with "Best Management Practices" to minimize water degradation. Railroad operations automatically produce said chemicals, metals and pollutants, and BNSF will be free to operate any way they wish once started, so BMPs are a false mitigation. The point is that the impact to Vernon's water quality, which is negative, and no mitigation has been offered for this new pollutant of increased trains or risks of contamination.

A-72

Future Development

The City of Vernon has its own vision of development within its boundaries. Vernon began formulating new development ideas and concepts in 2015. These plans include diversifying development with new mixed use areas and open spaces, increasing the population and voter numbers by adding more housing options, diversifying the economy by bringing in new modern industries while still supporting its manufacturing base, expanding transportation options with trails, bicycle paths and transit routes, and supporting cleaner energy with electric charging stations for heavy trucks, hydrogen generation energy facility and making its own natural gas-fired power generation facility available for new industries.

Vernon has come a long way in the last decade. It is a small city in comparison to Los Angeles, but it has unique qualities and resources that make it stand out. Vernon has been working hard to capitalize on those special qualities rather than be dismissed as the dirty industrial area that is taken for granted. As a self-governing and responsible authority, the City of Vernon has a right to self-determination as far as its development and activities within its boundaries go.

A-73

The EIS Plan is referencing outdated City of Vernon Plans from 2007 and 2015 in order to deem the effects of its proposed modifications as "Consistent" with their plans. The following excerpt and tables from the EIS state that there are no residential units in the study area, when the Vernon West Side Specific Plan absolutely shows residential units in the area.

3.15, Socioeconomics and Communities Affected • Local Gov't Services (Schools/ Libraries) o Schools – The Malabar Yard railroad improvements do not include residential development that would directly generate population growth. As no residential units are proposed, there would not be an increase in the number of school-age children in the area, and thus, no new demand for educational services would be generated. The schools located in the vicinity of the Malabar Yard study area would not be physically impacted or altered in a way that would cause relocation or need for new facilities. No effect would occur.

Table 3.2-2. Consistency with Applicable Plans, Policies, and Local Land Use Controls

Policy/Goal	Malabar Yard Railroad Improvements
Federal	
Partnership for Sustainable Communities Livability Principles	
Principle 1. Provide more transportation choices. Develop safe, reliable and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions and promote public health.	**Consistent.** Any combination of design options for the Malabar Yard railroad improvements would provide for efficient rail service that minimizes impacts on the local street system.

State	
California Transportation Plan 2050 (2021)	
Goal 1: Safety. Provide a safe and secure transportation system. Goal 8. Infrastructure. Maintain a high-quality, resilient transportation system.	**Consistent.** Implementation of any combination of design options would support physical railroad improvements and operational modifications capable of maintaining BNSF's operations and preserving the current levels of freight rail operations and regional goods movement. All Malabar Yard railroad improvements would be designed and constructed to comply with FRA and CPUC standards and specifications to maximize safety for both motorized and non-motorized forms of transportation. Safety improvements at identified at-grade crossing locations would be implemented to minimize potential safety concerns between motor vehicles, pedestrians, bicyclists, and freight trains.
Smart Mobility Framework (2010)	
Smart Mobility Principles: Reliable Mobility. Manage, reduce, and avoid congestion by emphasizing multimodal options and network management through operational improvements and other strategies. Provide predictability and capacity increases focused on travel that supports economic productivity. Robust Economy. Invest in transportation improvements – including operational improvements – that support the	**Consistent.** As the Malabar Yard railroad improvements are associated with the Link US Project, the railroad improvements would contribute to enhancing rail yard capacity for regional and intercity rail trains, and providing interconnectivity to the planned HSR system, making it an attractive alternative to congested highways.

economic health of the state and local governments, the competitiveness of California's businesses, and the welfare of California residents.

A-73 cont.

This is simply a canned generic railroad response assuming that every railcar equals cars off roads and improves freight for all. This project moves no cars off roads and benefits only BNSF, hiding behind the benefits to Metro and general freight at the expense of Vernon health and prospects. Metro needs to wrangle these side-deals with BNSF using its own assets or at least for communities who can benefit from them.

A-74

All claims to be "Consistent" with City of Vernon's plans are false and misleading, relying on old documents. City of Vernon rejects this plan as it is NOT consistent with its city plans and vision of the future.

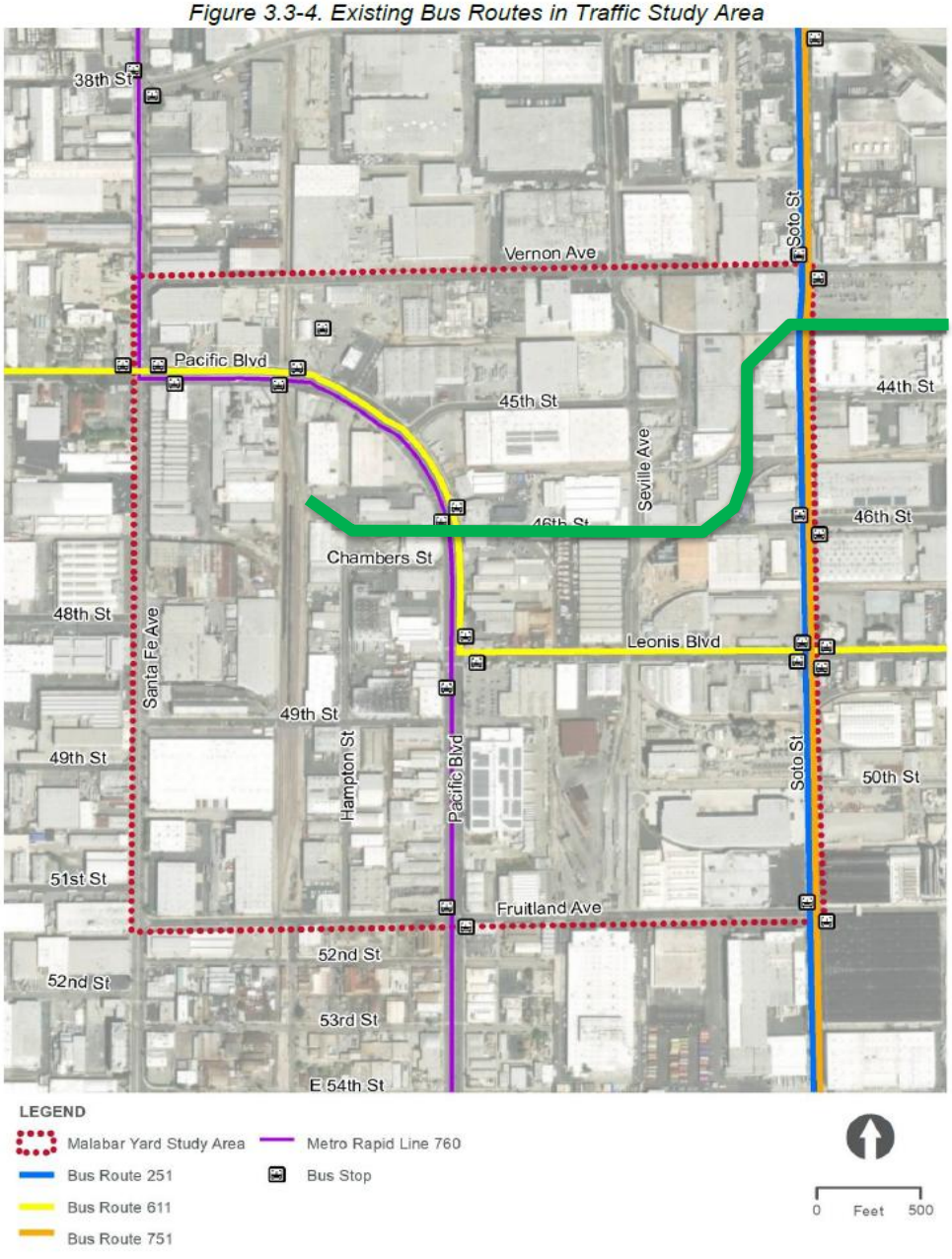
Mobility and Transportation Diversity

Availability of public transit is strongly linked to the growth and success of cities. It makes the city more attractive to workers, makes jobs more accessible, expands the workforce options for employers and allows businesses to be more competitive. The City of Vernon likely does not need to express to Metro the importance of reliable transit lanes serving the city. Yet, this proposed freight rail expansion would bisect all four public transit routes currently serving Vernon. This map from the EIS has been overlayed with the freight rail route in green. A-75

The EIS acknowledges that the proposed operations would likely impact these transit routes, and yet the only mitigations offered are "further coordination with CPUC and City of Vernon."

The mitigation strategies for TR-3-6 only attempt to preserve compliance, without actually addressing impacts to the systems in Vernon. Just because a mitigation brings a negative impact into compliance, does not mean that Vernon did not still suffer a decline.

Figure 3.3-4. Existing Bus Routes in Traffic Study Area



The City of Vernon has been planning a bicycle system since 2016. It has been measuring traffic on key streets to determine which lanes can support an extra bicycle lane, and vehicle traffic and capacity are the key determining factors for the planning and success of any Vernon bicycle program. This chart shows how the city examined traffic in 2016 to show which traffic lanes could support addition of a bike lane without putting intersections into the "F" level of service category.

Table 5-1: Intersection Volume/Capacity and LOS for 2016 Base Conditions and Lane Reduction Alternatives for Bikeways

Intersection	2016 - No Build	Alternative 1	Alternative 2	Alternative 3
Alameda St & Slauson Ave LOS (AM/PM)	B/B	B/B		
Santa Fe Ave & 25th/26th St LOS (AM/PM)	C/D	-1 SBT F/F		
Santa Fe Ave & Vernon Ave/Pacific Blvd LOS (AM/PM)	C/D	-1 NBT F/F		
Pacific Blvd & Leonis Blvd * HCM 2000 LOS (AM/PM)	B*/C*	B*/C*		
Soto St & 26th St LOS (AM/PM)	C/C	-1 SBT F/F		
Soto St & 37th St/Bandini Blvd LOS (AM/PM)	E/E	-1 SBT F/F		
Soto St & Leonis Blvd LOS (AM/PM)	D/C	-1 SBT & -1 EBT E/F	-1 EBT D/D	-1 SBT E/F
Boyle Ave & Leonis Blvd LOS (AM/PM)	B/B	-1 EBT B/C		
Boyle Ave & Slauson Ave LOS (AM/PM)	E/E	-1 SBT & -1 EBT F/F	-1 SBT E/F	-1 EBT F/F

A-76

Cost to Economic Development

An economic impact study by Hymel examined traffic congestion and employment growth in 85 metropolitan areas between 1990 and 2003 and found evidence of rising regional traffic congestion choking employment growth. For example, a 50 percent reduction in congestion could boost employment by 10 to 30 percent in America's top 10 most congested cities. For Los Angeles, the most congested city in the U.S. in several measurement categories according to the Texas Transportation Institute, a 10 percent increase in regional congestion reduced employment growth by 4 percent, according to Hymel's estimates. By contrast, 10 percent reduction in travel times could boost production of goods and services by 1%. A-77

This project would negatively affect the competitiveness of Vernon's businesses in numerous ways:

1. Diminished workforce because employees only look for work that they can reach within a certain amount of time
2. Downtime for delayed employee arrivals
3. Rescheduling deliveries and pickups to miss traffic/train times
4. Lost productivity
5. Extra fuel and labor costs for shipping

The EIS states: *Overall, it is estimated that the ROW acquisitions required would displace approximately 48,872 square feet of building space. These ROW acquisitions may result in some property tax losses to the county and city as well as job losses. Specifically, it is expected that up to 46 jobs2 could be displaced and property taxes would decrease by $61,001 approximately every year.*

Yet, it proceeds to conclude that this results in *"No adverse effects."* This makes no sense and is by definition an adverse effect for the city. It does not even include the adverse effects of the trains running through town and their adverse traffic effects. A-78

A 2019 study by American Road and Transportation builders Association measured the cost to the economy per hour for traffic congestion for cities across the United States. It reported that the average cost per hour for traffic congestion in Los Angeles on streets near Vernon (Cesar Chavez Ave. and Azusa Ave.) to be $420. This equates to a cost of almost $7.8 million annually to the City of Vernon in economic development opportunity if the proposed trains were running, not counting indirect and induced costs.

Daily Hours Delays	Annual Hours Delays	Cost per Hour	Annual Hours Delays
50.74	18519.75	$ 420	$ 7,778,297

Alternatives

The EIS appears to have explored alternatives to Malabar Yard for storage of the intermodal cars, but it did not examine them very closely. There was no examination of traffic, projections, yard capacity, distances, etc. It appears that BNSF was consulted regarding which location(s) would work and provided its wish list. The reasons for eliminating the other prospects are broad and vague. It appears as if the alternatives were only examined through confirmation bias with the goal of Malabar Yard being the only option, and all studies ploughed forward with this assumption as if it was the only option. A-79

Both via historical aerial imagery and through RII's inspections in September and October 2025, there appear to be several alternative options to replace 5,500 feet of storage capacity, or even 3,350 as the EIS stated would be enough to maintain "… *BNSF's ability to stage and store empty bare tables from BNSF Hobart/Commerce Intermodal Yards and nearby ports …" (Appendix Q – Alternatives page 1.1-12).*

Hobart Yard, Commerce Yard, LA Jct. Yard and even Pico Rivera have numerous tracks that are rarely ever full and could easily serve as storage for the needed empty train sets. In addition, there were numerous unused tracks in the area owned by both Metro and BNSF, from sidings and unused industry tracks to leads and other abandoned rights of way that could be upgraded. Many of these have space to build additional tracks if necessary. It is up to Metro and/or BNSF to give better evidence and study as to why any and all of these options are not viable. The explanations in the EIS for eliminating these options are vague and give no measured evidence or reasons other than broad generalization about them being at 100% capacity, have too many other facilities and would take too much property acquisition and reconfiguration to consider. The City of Vernon has pointed out much more to "consider" for the Malabar Yard option, so perhaps these things should also be considered for the other options. A-80

Even Malabar Yard itself as an option could be utilized more to compensate for the lost storage capacity without the proposed enhancements. The key is that all Metro has to accomplish with BNSF for this project is replacing the car storage being lost – nothing more. The alternatives were not looked at closely, the obstacles to the few that were identified have been exaggerated and there are numerous options available. A-81

Malabar Yard Alternatives

There are numerous options for using Malabar Yard as it is without the purported changes of the proposal:

Existing Malabar Tracks:

BNSF could simply use the existing tracks in Malabar when necessary for intermodal overflow. Malabar Yard is currently rarely full and there is space for extra empty intermodal flat cars on a given day. RII has demonstrated on Page 14 that there is substantial space available in Malabar Yard today if needed. Since the EIS was not clear on whether the 3,350 spaces it said would be available if 49th Street crossing was removed, we cannot be certain whether that included the Metro track through the yard (westernmost track). If it did not, Metro should allow it as an example of it giving up something through its negotiations versus expecting Vernon to give so much up with no benefits. That track alone is 2,330 feet of car storage space. A-82

Malabar Yard	With 49th St. Crossing in Place															With 49th St. Crossing Removed	
in Feet	South End	Storage	Capacity	By ft road clearance		North End	Storage	Capacity	By ft road clearance		Total Yard	Storage	Capacity	By ft road clearance		Total Track	Storage
Track	Total Track	150ft	100ft	50ft	20ft	Total Track	150ft	100ft	50ft	20ft	Total Track	150ft	100ft	50ft	20ft		Capacity
Through Track	960	700	750	800	830	1680	1370	1420	1470	1500	2640	2070	2170	2270	2330	2700	2430
Yard Track 1	870	595	645	695	725	1550	1300	1350	1400	1430	2420	1895	1995	2095	2155	2470	2245
Yard Track 2	780	530	580	630	660	1485	1240	1290	1340	1370	2265	1770	1870	1970	2030	2300	2105
Yard Track 3	690	450	500	550	580	1400	1150	1200	1250	1280	2090	1600	1700	1800	1860	2215	2025
Yard Track 4	615	370	420	470	500	1345	951	1001	1051	1081	1960	1321	1421	1521	1581	2020	1681
Yard Track 5	545	290	340	390	420	1120	875	925	975	1005	1665	1165	1265	1365	1425	1720	1520
Yard Track 6	440	280	330	380	410	1020	864	914	964	994	1460	1144	1244	1344	1404	1510	1494
Access Tracks	1044					700					1744					1744	
Totals:	**5944**	**3215**	**3565**	**3915**	**4125**	**10300**	**7750**	**8100**	**8450**	**8660**	**16244**	**10965**	**11665**	**12365**	**12785**	**16679**	**13500**

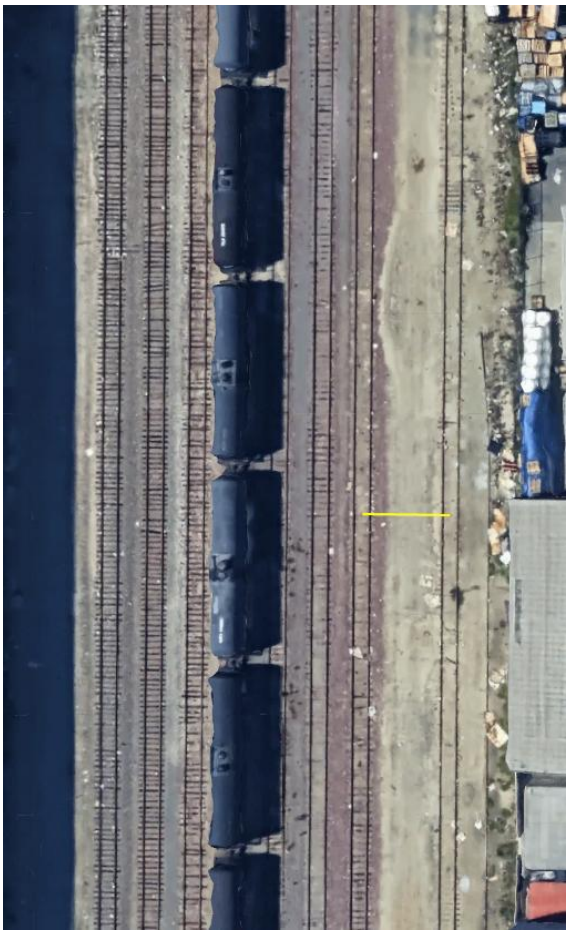
*Access Track includes paved track in crossing, lead track to access each track and crossovers.

*Storage capacity deducts switch clearances and roadways clearances.

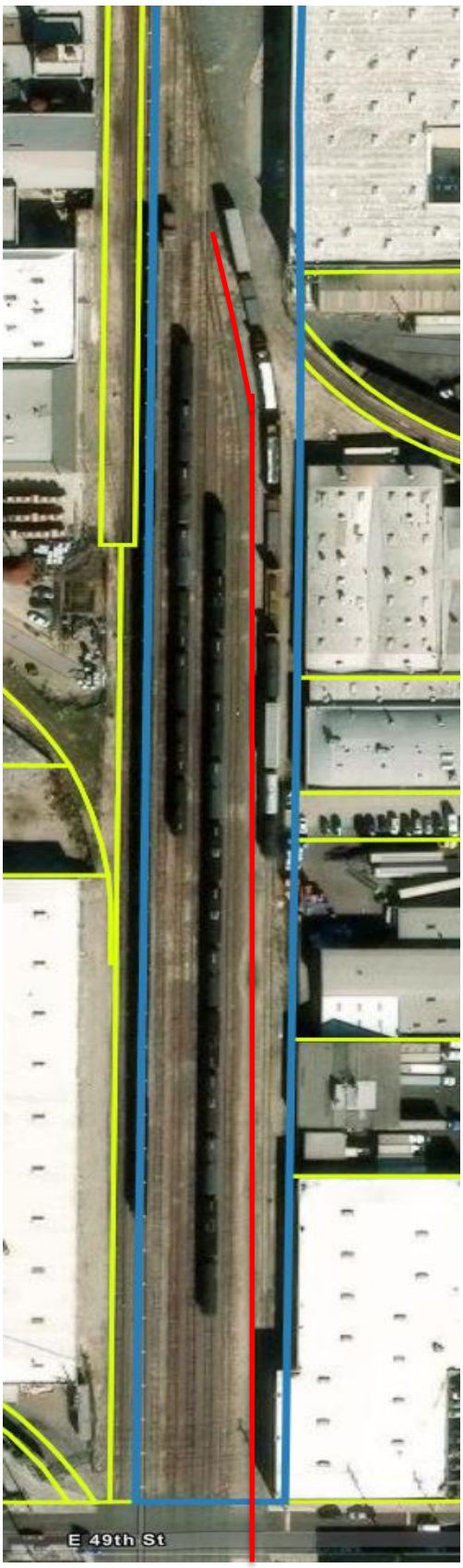
*Does not count industry tracks branching off from the yard.

Build One More Track in Malabar:

BNSF could build one more track in Malabar along the east side off the lead track on BNSF property. Parcel lines show BNSF owns this property and there is enough space for exactly one more track to maintain the 13 feet distance from the centerline of any other track in the yard. There is enough space to add a track over 1,700 feet long.



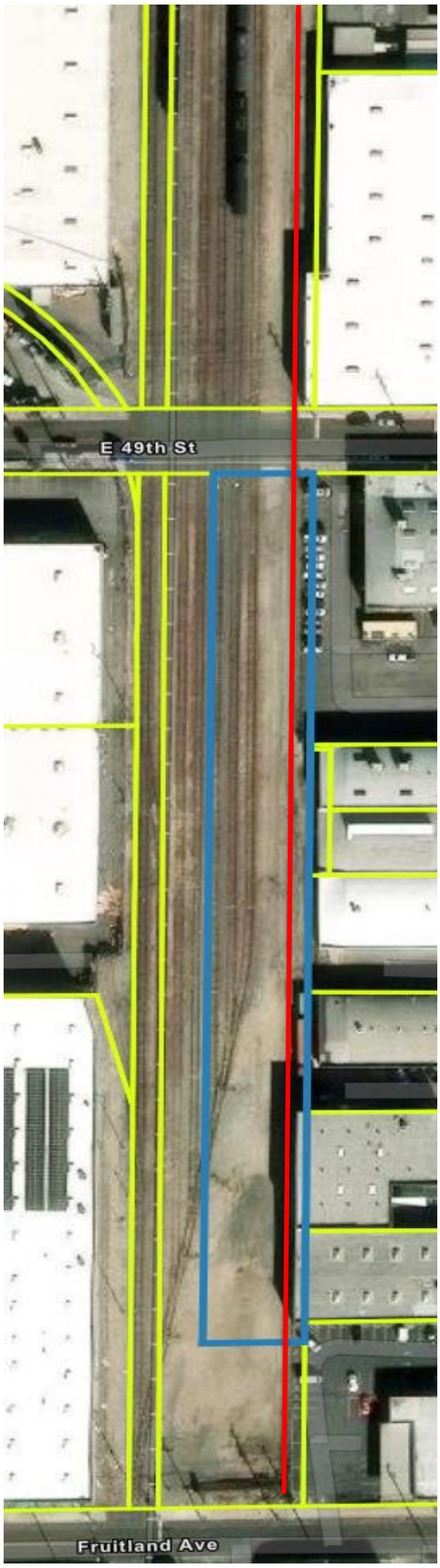
The blue and yellow lines show the parcel lines, with BNSF owning the blue parcel. The narrow strip along the west side is the Metro-owned track. The red line denotes where the new track could be constructed within the existing yard, parallel to existing tracks.



A-83

Rehabilitate the Siding in Malabar Yard:

Also, property records show BNSF owns the property all the way up to the buildings along the east side. There are two existing tracks running behind those buildings within the yard, with one running the entire length of the yard along the back of the buildings that has not been used in a long time. These tracks were not included in the overall Malabar Yard measurements for storage capacity. Rehabilitate one or both of these existing tracks to handle additional storage on property already owned and controlled by BNSF.



The red line to the right is an existing track within the yard running along the back of the buildings. This is railroad property and BNSF could use it for storage if it was truly needed. This track begins as two tracks on the north side of the yard with one track ending in the north yard. Aerials show random cars are placed on these tracks sometimes.

The other track extends all the way across 49th Street, through the south end of the yard to Fruitland Ave. Both tracks together total 2,900 feet of potential storage space.

The key point is that there is space in Malabar Yard to replace the lost storage space at West Yard without closing 49th Street.

Construct additional Track = 1,700 feet

Rehabilitate existing eastern tracks = 2,900 feet

Fully utilize the south end of the yard, observing a 20-foot clearance from 49th Street as is the current clearance practiced = 4,125 feet

A-84

LA Junction Alternatives

LA Jct. Railroad has numerous options throughout its 64-mile system for railcar storage. None of these appeared to be explored; only broad general dismissals about “no land area available,” “too many industries around it,” “the river is a barrier,” and again, “any reconfiguration would require….” None of these are true for many of the options.

A-85

LA JCT. A- Yard:

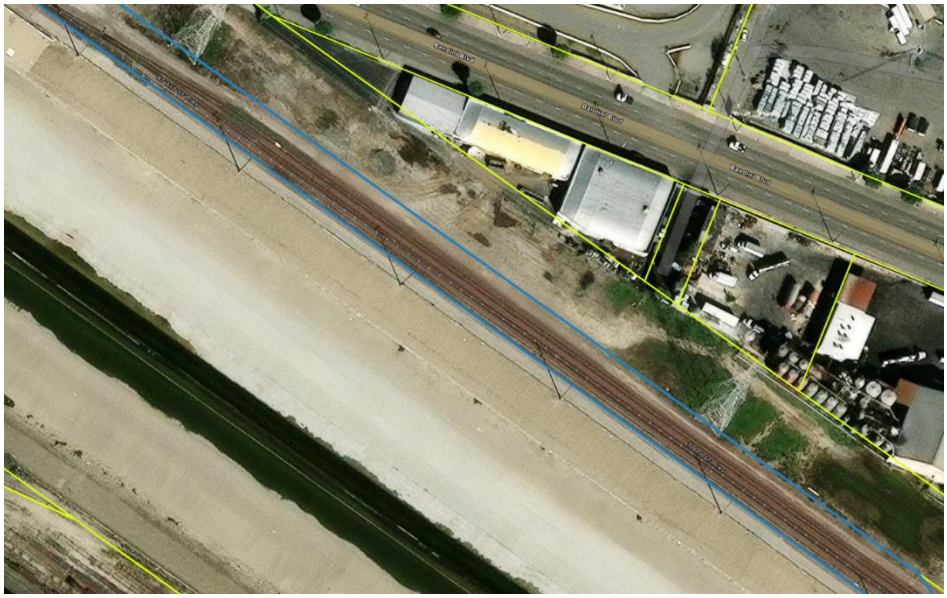
We find it hard to believe that not a single track in the main LA Jct. Yard can be dedicated to intermodal storage. If the closest track to the river were dedicated, easily pulled across the bridge to Hobart, it would add 2,200 feet of storage capacity. Property lines also indicate there is room for one more track to be constructed along the south side for another 1,300 feet, if needed.

More important are the three tracks located right across the river. These tracks are usually empty based on historical aerial images. They are used for overflow traffic when either intermodal or manifest traffic is heavy. The northern/easternmost track is used to serve two industries off the yard, but most of the tracks on those leads have been pulled up, although BNSF still owns the right of way.

A-86

By not even touching the outer track to those industries and using only the two tracks nearest the river, there is over 7,000 feet of storage capacity. If the industry were accessed only from the south/east end (where the bridge is anyway), another 2,000 feet of storage capacity could be dedicated on the north/west end of that track. This is all on existing track rarely used today.

The property line for BNSF also extends well to the north of the tracks, allowing enough room for one more track to be constructed if needed, for another 2,000+ feet of storage.



LA Jct. B Yard:

This yard appeared to be quite busy, and investigation shows that it indeed appears to have no land available for additional tracks. It is bound by the river, industries and other leads. Perhaps this is the LA Jct. Yard that was being described in the EIS. It fits the description of why it is not a candidate for storage capacity. Its situation is unique from the other locations on the LA Jct. railroad, however.

A-87

LA Jct. C-Yard:

This is a 15.58-acre parcel located in the City of Commerce behind the industries between Bandini Bl. And Rickenbacker Rd.; it already stores empty intermodal trainsets, is ideally located for easy transport to and from Hobart and Commerce Yards, and has room to add more tracks. Without moving anything else in the yard and attaching to existing tracks, there is room to add 5,500 feet of storage capacity. By cleaning up and consolidating (or even relocating) the track materials located at this site, even more tracks could be put in. Track materials and equipment have many more options for storage than railcars and the tracks for them. There is no need to waste long parcels like this if they are truly needed for intermodal storage, especially at the expense of other stakeholders like Vernon who otherwise have negative impacts.

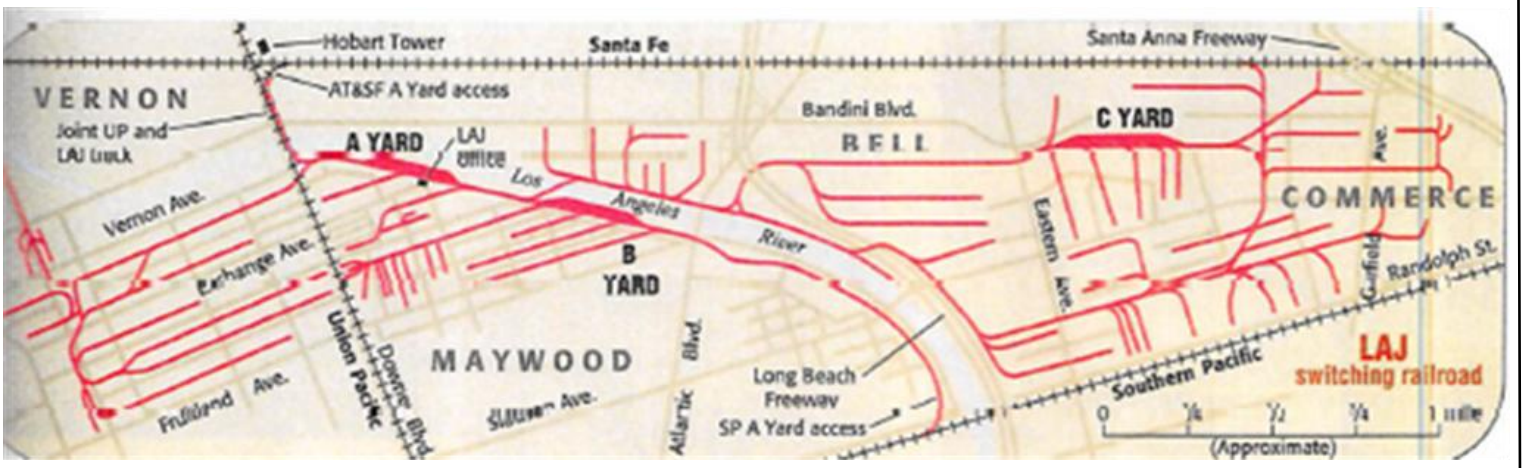
A-88



LA Jct. Unused Right of Way:

LA Jct. has 64 miles of track running through Vernon, Bell, Maywood and Commerce, most of it unused. The following map from 1992 illustrates the numerous spurs branching out all of the small area. Although BNSF has sold off some of these rights of way, it still owns many of them, with track pulled up or sitting idle.

A-89



This report has highlighted numerous specific spots where tracks could be reconstructed or rehabilitated on BNSF owned right of way that has been left to deteriorate. Many are long corridors and leads ideal for storage. Even in corridors where BNSF still has current operations, often the right of way is wide enough for more than one track and excess tracks could be used for storage.

A-90

BNSF could utilize any of this property to store railcars as needed. Existing properties of BNSF and Metro should be the priority here.

Commerce Yard Alternatives

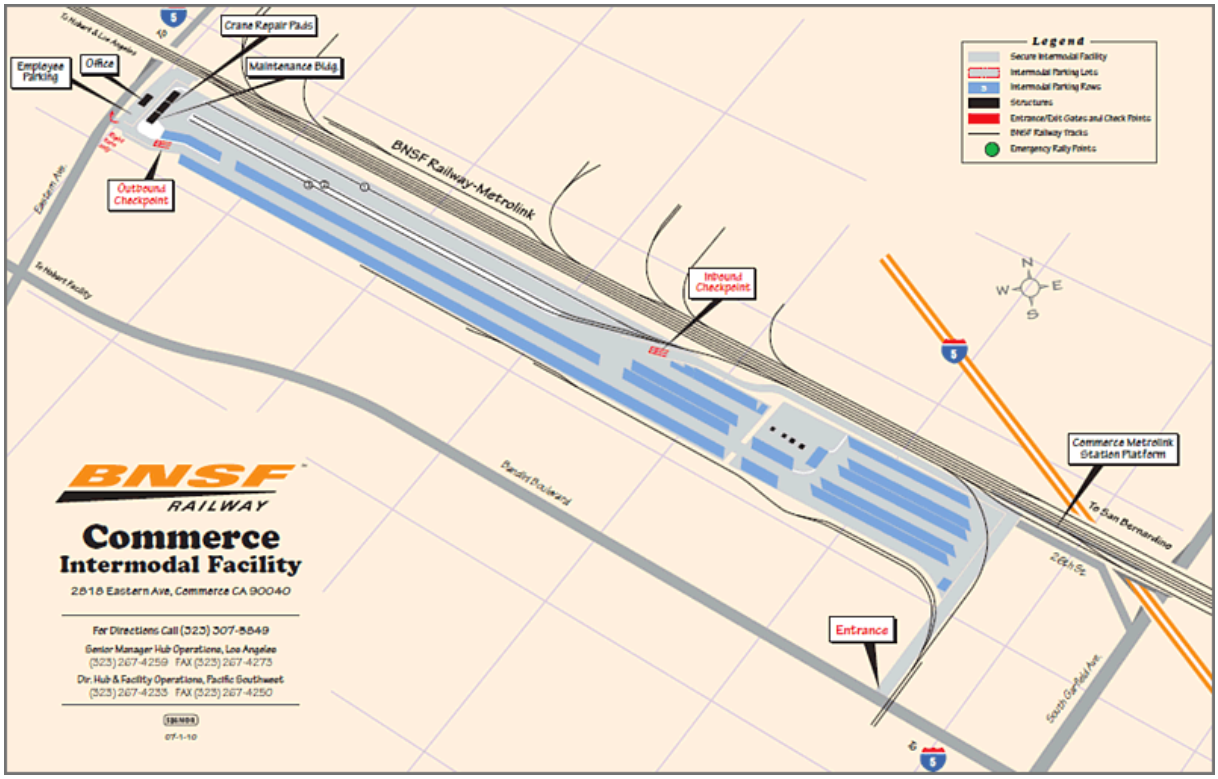
Commerce Yard was eliminated by noting a long list of arduous things that would need to be done without locating them, explaining measurements and impediments, comparing costs and stakeholders, etc.

Only broad generalizations were given as reasons, such as:

"Any change to the existing intermodal facilities at BNSF Commerce Yard would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement".

This statement is simply untrue. There are options that do not touch any passenger operation and options that maintain BNSF's current level of capacity and efficiency.

A-91



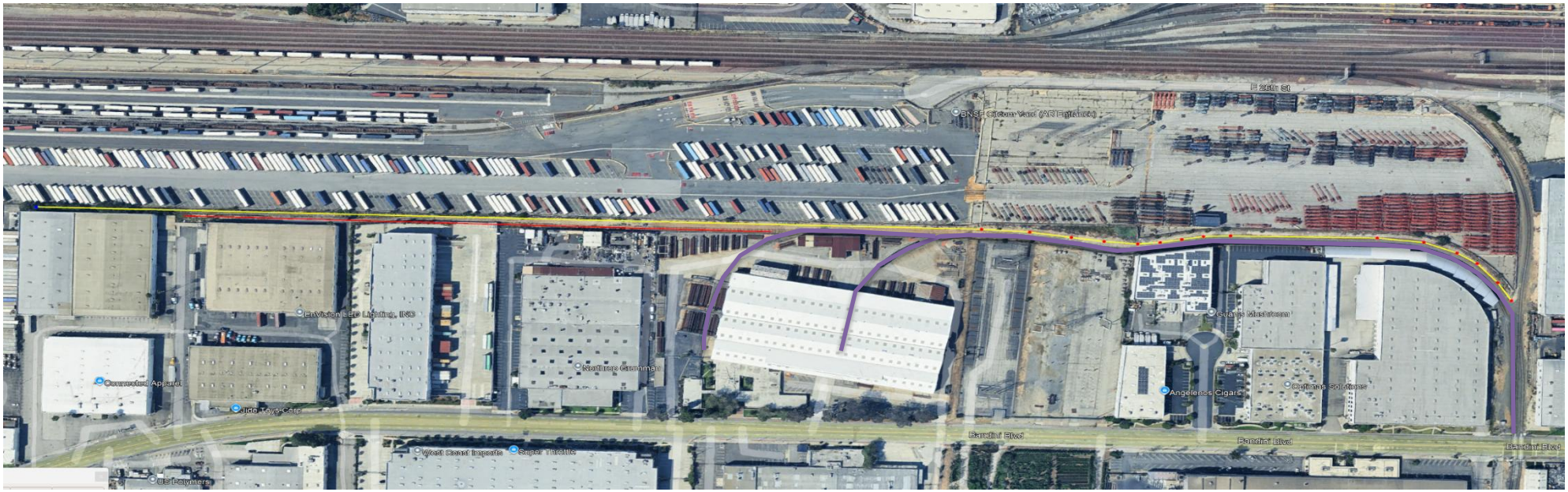
Claims that any reconfiguration would have negative impacts on other operations are dismissed since this is exactly what the City of Vernon is being pressured to do – adjust its own operations to accommodate this major infrastructure and traffic impediment. If BNSF and Metro want to work out a deal, they may have to reconfigure their own operations.

A-92

South Industry Lead:

A-93

Without moving any existing infrastructure, BNSF could make better use of the land it already owns. This is an industry lead running along the southern border of Commerce Yard.



The purple line is the existing track in use serving the industries on the south. The track is not in use beyond the customer in the middle, so the red line indicates existing out-of-service track in poor condition. The right of way in this location is owned by BNSF and is wide enough for two tracks (it appears that two tracks went through here at one point and there are switches and branches where the track curved to other industries in the past). While maintaining the tracks currently used for the existing industries, BNSF could construct/rehabilitate the right of way to support two complete tracks, adding 4,700 feet of storage capacity between the two tracks.

Relocate Truck Entrance:

This more ambitious option allows at least three tracks to be constructed where trucks currently enter Commerce Yard. The current layout wastes space along an entire street that could be used as well as wasting significant space in the equipment storage yard. A minimum of three tracks could be constructed along the northern fence line of Commerce Yard of approximately 1,900 feet each, adding 5,700 feet of storage. The 26th Street closure would have no impact since this BNSF facility is the only thing it accesses.

A-94

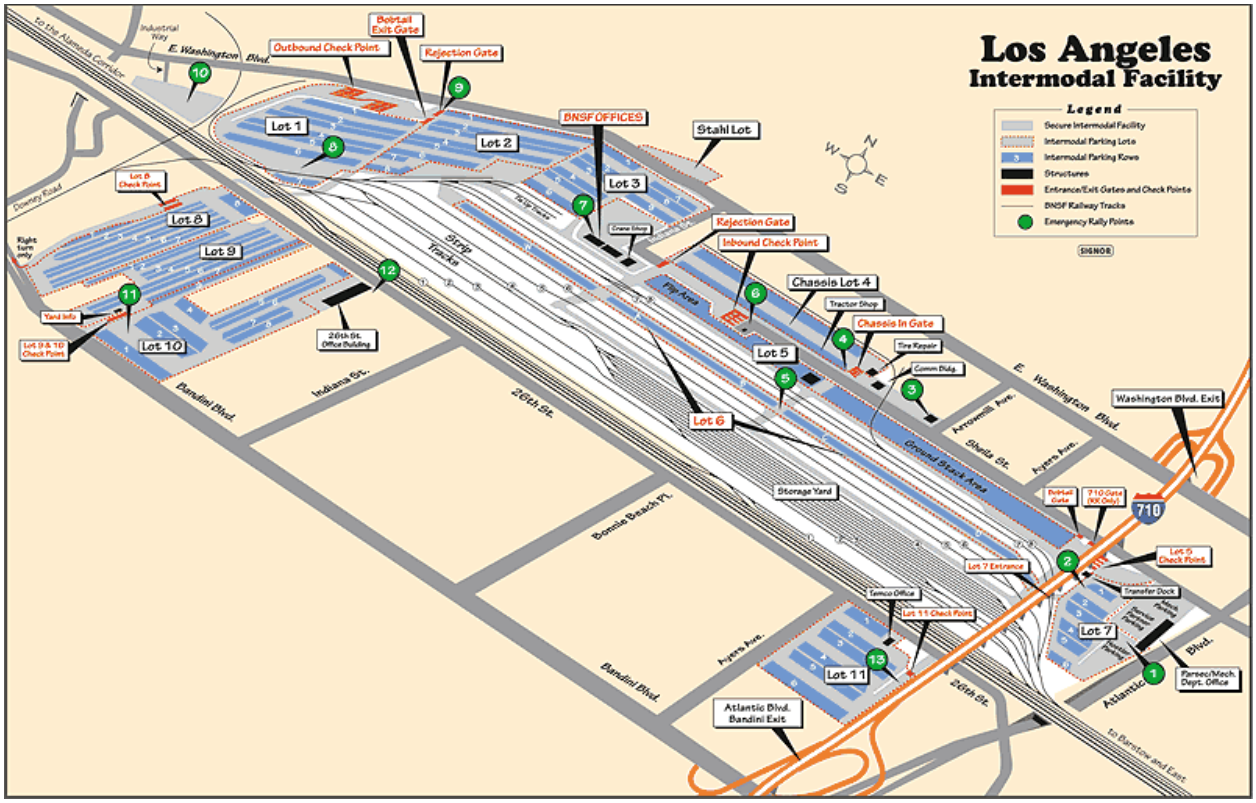


This option would require relocating the existing truck entrance, but there is space to place this entrance on the east side of the facility. It would then simply require rearranging some equipment and restriping lanes for the trucks, all on BNSF property. This reconfiguration does not affect passenger traffic in any way, any industries, nor any other property except the City of Commerce. The property on the east side is owned by the City of Commerce (in blue) and serves no purpose at this time. Utilizing this parcel for the truck entrance and cul-de-sac for trucks to turn around (orange) would not impact the surrounding parcels or land uses, and the rest of 26th Street would remain intact for industries to use. The same trucks entering Commerce Yard today already use this parcel to traverse to the strip of 26th St. that enters Commerce.

This option would need to be presented to the City of Commerce for feedback and concerns the same way the City of Vernon should have been consulted about Malabar Yard.

Hobart Yard

Hobart Yard is the busiest intermodal and unit train yard and appears to be boxed in on all sides against further growth. There is no open or unused space that could be feasibly repurposed that would allow a new track of at least 1,000 feet.



Out of all of the options addressed in the EIS, the following statements appear to be true for Hobart Yard:

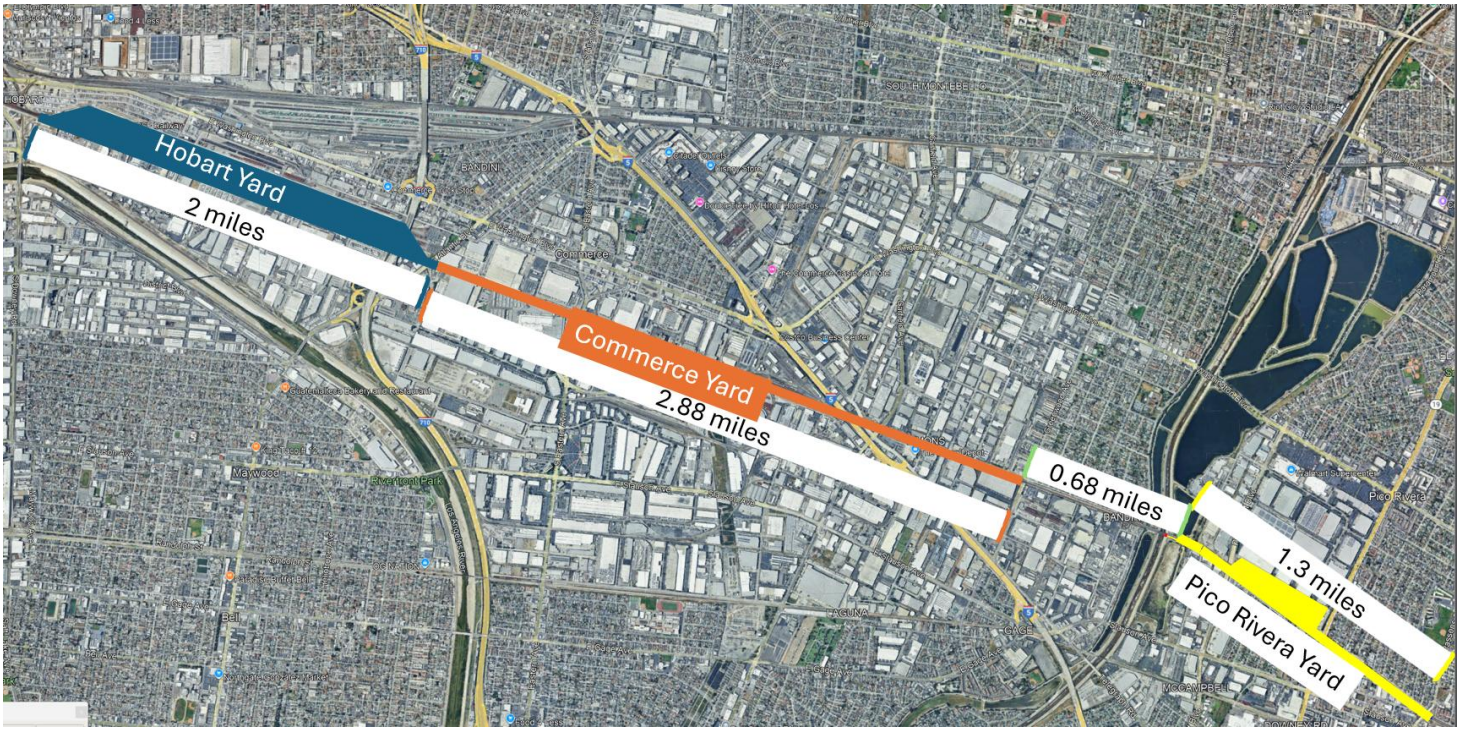
BNSF Hobart Yard does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at BNSF Hobart Yard is occupied by site-specific facilities associated with intermodal operations (i.e., intermodal tracks, buildings, operation centers, maintenance buildings and storage/mechanical workshops, drive aisles, truck parking, truck maintenance docks, chassis/crane parking, and chassis/crane maintenance areas). The existing footprint of BNSF Hobart Yard is at full capacity.

A-95

Pico Rivera Yard

This option has been misrepresented as being 5 miles away from the intermodal yards of Hobart and Commerce in order to eliminate it quickly. By measuring the distance from the farthest points of Hobart Yard to the farthest of Pico Rivera Yard, the EIS has given the impression that Pico Rivera Yard is too far away to be considered. This is a gross misrepresentation since proximity to these yards is the greatest factor in determining the most efficient option, and Pico Rivera Yards starts just 3,500 feet from where Commerce Yard ends.

The yards themselves are over a mile long each. The yard limits are measured from where the triple track of the main line splits into at least four or more tracks, even though there may be additional shorter tracks in a wider section of the yard, matching BNSF's yard limits in its timetables. (Hobart Yard limits may extend farther than noted here, shortening Commerce Yard, but wherever Hobert ends, Commerce begins). This illustrates the fact of how close Pico Rivera Yard is to these intermodal hubs, less than a mile, or only 3,500 feet. It should therefore be considered one of the best options, even greater than Malabar. A-96



Pico Rivera is already used to assist intermodal operations. The EIS stated that Pico Rivera Yard was used for merchandise cars and mixed freight, but failed to mention works well for intermodal as well. Aerial images show intermodal trains parked on Pico Rivera's long tracks at certain points as necessary.

It will be important for Metro to provide the studies requested by the City of Vernon before moving forward with this plan. The proposed modifications to the City of Vernon's infrastructure are permanent and will have a major impact on its future development. The challenges brought up by the City of Vernon must be addressed before any more time is wasted on studies using old or incomplete data, not consulting all stakeholders for ongoing input and trying to push for a specific alternative instead of honestly exploring others. A-97

<u>BNSF Perspective</u>

BNSF acquired the LA Jct. assets in 1928 under its predecessor Atchinson Topeka and Santa Fe Railway (ATSF). This terminal railroad remained one of the busiest railroads serving 400 factories on almost 64 miles of track within a 2,800-acre industrial district for the next 65 years. During the last 35 years, many factories have closed or relocated outside of the congested area and BNSF allowed many of the spur tracks interlaced throughout the area to be abandoned. Some of the property was sold off to non-rail businesses in the city and others remain owned railroad right of way with pulled up or deteriorated track conditions. The city has grown up around the derelict spur tracks.

As intermodal freight from the ports grew substantially during the last two decades, BNSF has wanted to reconnect Malabar Yard to LA Jct. to improve its own operations. It would have done this long ago if it could have, but the City of Vernon no longer welcomed the idea of trains running directly through town that has grown and developed without such dependence on rail. In addition, connecting the two yards would require installing yet another at-grade crossing in an already dangerous area, for which the CPUC has continuously denied permits for good reason. A-98

BNSF is a successful, financially responsible private company. It is well-versed in how to make the most of its assets and benefit from rationalization and track and liquidation of assets when the timing is valuable. BNSF benefitted by allowing the spurs to languish and eventually dissolved access to them by not having to spend maintenance and operational costs on spurs that did not generate enough revenue. BNSF also benefited from the real estate values of the spur property it sold over the years.

In most cases where a freight movements are presented as a benefit, the location where the freight is moving is usually the beneficiary of the project, i.e. the city where the project is located would reap the benefits of the new rail traffic, new industries, new jobs, new tax base, new economic development. New customers for the railroad usually means A-99

economic growth for the community. However, in this case, Vernon receives none of these things. BNSF simply gets to move existing traffic more cheaply and bring intermodal cars into Vernon with no benefit to Vernon, just the substantial negative impacts mentioned in this report. BNSF does not market rail services to the industries in Vernon, contributing to the decline in rail-served industries over the last three decades. Vernon has been proceeding with its development plans with that understanding. To state that these "improvements" in Vernon are "Beneficial for freight movements" is an extreme reach since the same freight is moving between Exxon and Hobart Yard and could continue as it does today without negative impacts to anyone. To state that it is "Necessary" to replace the storage capacity lost in West Yard is a blatant gross misrepresentation.

A-99

This proposal is a way for BNSF to have Metro abuse its eminent domain authority to try and force the issue on the City of Vernon for them. There is no doubt in anyone's mind that this connection would be beneficial for BNSF. It reduces its operational costs, streamlines its operations for Exxon and opens capacity for growth in Exxon traffic and intermodal traffic. It also makes better utilization of BNSF property assets in the area. Exxon is the prime generator for the rail traffic on this side of Vernon. They are a key customer for BNSF, and BNSF will continue to serve them regardless of whether this project goes in or not. No action at Malabar Yard will not harm Vernon's industry nor BNSF's existing service.

A-100

However, BNSF is a private company attempting a wise strategy of utilizing the negotiations with the public entity, Metro, to gain leverage and costs covered for an infrastructure improvement that will greatly benefit it. If Metro were offering concessions that affected itself in a balanced trade off, it could offer whatever it wished. Metro and BNSF share numerous overlaps and agreements across their systems to work out benefits for each other in a situation like this. Instead, they are attempting to trade something at the expense of the City of Vernon, an innocent bystander in this deal. Vernon is receiving no benefits at all for shouldering the burden of this proposed relocation.

The infrastructure and operational changes in Vernon are not "necessary" for the removal of the tracks at West Yard. BNSF does not need all of these changes to replace 5,500 feet of intermodal storage capacity. It may never even use Malabar Yard for the proposed single trains set to be stored there. Vernon should not be held responsible for this ulterior motive of BNSF to connect its east and west yard by railroading the city.

A-101

Current Data and Regulations

For any consideration to be given to this proposal, the impacts of the trains running through Vernon must be studied with the same vigor as the original study examined construction at Malabar Yard and train traffic for the Metro LUS. A-102

Current traffic data must be collected for the City of Vernon. Traffic in the EIS for Vernon was collected in 2020 (during COVID shutdowns) and supplemented with 2015 data. Vernon has grown considerably during the last decade. It is a misrepresentation to imply that because Vernon's resident population is so low that its traffic is also low when it hosts over 55,000 employees commuting every day. Since Vernon is in a quickly changing growth spurt, any update should account for the current year's growth in traffic, employees and population, whatever that year ends up being.

BNSF will need to provide its current and projected train schedules and traffic volumes. On the one hand, it says that train volumes will be light and traffic impacts will be negligible, but on the other hand, it is saying that it needs all of this capacity enhancement for expected heavy volumes. If such volumes materialize, then the traffic impacts to Vernon will be compounded. If the traffic impacts to Vernon remain negligible, then why does BNSF need any enhancements at all? We can acknowledge that even though rail traffic is low at the moment, it could pick up any time. Although many of the yards appear empty and underutilized right now, rail traffic ebbs and flows and the capacity will likely be necessary later. Therefore, we need these expected volumes from BNSF. A-103

All possible options for alternatives must be thoroughly examined and every exception should be documented and reported. No broad generalized rejections of options should be accepted and Malabar Yard should not be assumed as the best option until all other options are equally studied.

It is also our opinion that the study be updated for current environmental standards. Just because the EIS has taken so long to draft does not mean that the City of Vernon (not anyone in California) should be subject to standards that were developed in 1978 and 1986. The environmental standards were updated in 2018 and 2022 for a reason and those should be the standards by which this project is developed. A-104

Future Study

It is clear that if Metro insists on pursuing this option, further study must be completed in order to cover details and areas that were neglected, omitted or skewed.

It is recommended that any updated studies related to assets and resources within the City of Vernon be performed by researchers jointly chosen by Metro and the City of Vernon. Metro must pay for the studies and City of Vernon should be involved in all research, discussions, selection panels and decisions regarding any actions within Vernon.

A-105

The ESI approach, language and conclusions were greatly skewed to push forward a predetermined agenda. This was misleading and full of bias. The only way to mitigate this behavior is for the City of Vernon to be involved in selecting the scope, requirements and researchers chosen to perform these studies. The studies should be independent, fact-based, balanced and well-supported, honest and thorough, not assuming a foregone conclusion. This is the only way to ensure a non-biased study to determine the true impacts to the study of Vernon, if they can be mitigated acceptably for the City or if alternatives can or must be examined.

RII recommends a future study require a modeling component to show the impacts of trains actually moving to account for train speeds, train lengths and train schedules. None of these were examined in the EIS, making its analysis incomplete, to say the least and grossly inaccurate to be honest.

Metro and BNSF need to prove the following before any action can be taken:

A. That the car storage capacity is actually needed
B. That there are truly no alternatives in the entire area that could be used instead of Malabar Yard
C. That the City of Vernon is truly receiving benefits for this trade off (not general benefits that the whole region enjoys on the shoulders of Vernon)
D. That any and all negative impacts are completely identified thoroughly
E. That any and all negative impacts are mitigated proportionate to the impact
F. That the benefits to Vernon are Net Positive in spite of any negative impacts

A-106

Conclusions

Metro is working creatively with BNSF to work out its obligations regarding the new LUS and the EIS appears to be solid related to the station itself in Los Angeles. However, using Malabar Yard to mitigate BNSF's loss of storage was abruptly tacked on to the overall plan after the fact. The studies appear to have been an after-thought with a predetermined goal in sight. This will not work for the City of Vernon for good cause.

Review of the Draft EIS:

1. The train volumes through the City of Vernon were not examined at all.
    a. Only impacts during construction and closing of 49th Street at Malabar Yard were examined in detail, versus the trains that will impact every intersection between Malabar and LA Jct. Yards.
    b. Trains were misrepresented as "number of trains" to imply there would be little to no change when the fact that the same number of trains will be 10 times longer or more. The length of the trains has a direct impact on the traffic delays and safety concerns.
    c. The higher carload volumes running through the city causing more traffic delays affect not only the livelihoods of the 55,000 employees, service workers, carriers and 1800 businesses working in the city, but also the health and safety, air quality, water quality and access to emergency services.

A-107

2. The EIS is based upon outdated environmental standards, outdated traffic data for the City of Vernon, outdated development plans for the City of Vernon and insufficient details from BNSF regarding its traffic, operations and facilities in the area.

3. Alternatives were not thoroughly examined to determine if they could be acceptable alternatives to replace the car storage.
    a. Numerous other options were overlooked or dismissed frivolously.
    b. Options that require reconfigurations were excluded as options, yet that is exactly what the City of Vernon is being asked to do.

4. Alternatives were misrepresented in order to easily exclude them and focus on the pre-determined preferred option.
    a. Pico Rivera Yard misrepresented as being 5 miles away from the other alternatives when it is 3,500 feet away.
    b. Malabar Yard is misrepresented as an equal trade for BNSF's lost 5,500 feet of storage capacity. If 3,350 in replaced storage capacity truly is sufficient for BNSF as the EIS states, then the EIS misrepresents in several

places that 5,500 is required. It has the effect of inappropriately dismissing alternatives if the full 5,500 is not needed.

c. Malabar Yard also does not support 8,000-foot long trains as one track in West Yard could. That West Yard could support 9,000-foot trains or that all four tracks could support even 8,000-foot trains is false. If Malabar is an option with a maximum storage capacity of 2,430 on its longest track, then many other options are opened up throughout the area.
d. LA Jct. was misrepresented as having no land for additional tracks when it appears that this is true only for B – Yard. LA Jct, has multiple yards and support tracks available, both in existing yards, yards with extra space and rights of way with space and/or old tracks that can be reconstructed or rehabilitated.

A-108

5. This entire mitigation program greatly benefits Metro and BNSF, while giving the City of Vernon nothing but negative impacts.
    a. The negative impacts have been understated at a minimum, and grossly ignored in some cases, possibly even intentionally.
    b. Vernon needs to receive benefits in excess of any negative impacts

<u>Suggested Next Steps</u>:

1. Require that Vernon be included from the beginning in any discussions, including brainstorming, new ideas, potential alternatives, impacts and negotiations with any party regarding any property or operation within or affecting the City of Vernon.
2. Metro and BNSF need to prove that there is no other option available, omitting nothing and being honest about what BNSF can do with its extensive assets throughout the region – without guiding the results to support the operational enhancement it desires.
3. Vernon can simply reject the plan and make Metro and BNSF sort out the issue themselves with their own assets and leave Vernon's resources out of it.
4. For anything to move forward, Metro would need to prove benefits directly for the City of Vernon, including mitigating any negative impacts for a net positive impact for Vernon.

A-109

Hopefully, Metro and BNSF can work together to come up with creative negotiations that benefit the City of Vernon as much as they each stand to benefit from this project.

Appendix A – Abbreviations and Resources

Abbreviations:

Abbreviation	Description
ATSF	Atchison, Topeka and Santa Fe Railway - predecessor railroad of BNSF
Ave.	Avenue
Bl.	Boulevard
BNSF	BNSF Railway and any/all subsidiary companies - Class I railroad
CHSRA	California High Speed Rail Authority
CPUC	California Public Utilities Commission - CA agencywith authority over new railroad crossings
Dept	Department - government agency
EIS	Environmental Impact Statement
FRA	Federal Railroad Administration - federal railroad oversight agency
ft	Feet-12 inches
IMPLAN	Impact Analysis forPlanning software program that measures development impacts
LA Jct	Los Angeles Junction - terminal railroad owned by BNSF operating several Yards in Vernon
LOS	Level of Service - used to rate intersection congestion
LUS	Link Union Station
Metro	Los Angeles Metropolitan Transit Authority
mph	miles per hour
NEPA	National Environmental Protection Agency
Rd.	Road
RII	Railroad Industries Incorporated - railroad consultant
St.	Street
V/C	Volume divided by Capacity - score for intersection congestion

Resources:

Link US Draft Environmental Impact Statement Supplemental Environmental Impact Report
Appendix G - Air Quality and Global Climate Change Assessment and Health Risks Assessment
Appendix D - Community Impact Assessment
Appendix E - Traffic Impact Assessment
Appendix F - Visual Impact Assessment
Appendix H - Noise and Vibration Study
Appendix O - Economic and Fiscal Impact Assessment
Appendix Q - Environmental Evaluation of Malabar Yard Mitigation
Appendix R - Coordination and Outreach Plans
CalTrans website
City of Vernon Bicycle Master Plan, December 2017
City of Vernon Notice of Preparation Draft Environmental Impact Report and Public Scoping Meeting for Vernon Wsetside Specific Plan April 20, 2022
City of Vernon Website
eCode360 website (Vernon Code of Ordinances)
Gridlock and Growth , a 2009 study published by Reason Foundation and University of North Carolina at Charlotte, Professor David Hartgen
Huntngton Digital Library; Bandini: Map of the Los Angeles junction railway - Original 1940/notes through 1968
Journal of Urban Economics "Does traffic congestion reduce employment growth?" By Kent Hymel, Volume 65, Issue 2, March 2009, Pages 127-135
Link Union Station Project - City of Vernon Coordination Meeting March, 6, 2025
Link Union Station Website
Los Angeles Almanac website
Los Angeles County Assessor parcel maps
Los Angeles Times, "Long Haul on Short Line : Transportation: The longest trip on the Los Angeles Junction Railway is just a few miles. But the line provides crucial service at a busy freight hub." By Bob Pool, July 10, 1992
OperatingSessions.com - Model Railroading website, Bob Calichia
Pinky's Iron Doors website, Blogs: "Vernon California - Past & Future"
Reason Foundatiion, Traffic Congestion and the Economic Decline of Cities-How traffic is costing people jobs and stifling economic growth, By Samuel Staley, January 5, 2012
Revised Notice of Intent To Prepare an Environmental Impact Statement for the Link Union Station Project, Los Angeles, CA, Federal Register / Vol. 85, No. 181 / Thursday, September 17, 2020 / Notices
Transportation Research Interdisciplinary Perspectives, Volume 19, May 2023, "How does transportation facilitate regional economic development" By Ramesh Pokharel, Luca Bertolini and Marco te Brömmelstroet
US Department of Transportation, federal Highway Administration, Highway Capacity Field Manual 2000
Vernon Westside Specific Plan - Stakeholder Presentation 5, Catalytic Development September 28, 2021

EXHIBIT "B"

City Letter to BNSF Railway

VERNON
CALIFORNIA
INDUSTRY | COMMUNITY | INNOVATION

October 6, 2025

Lena Kent
General Director, Public Affairs
BNSF Railway
Lena.kent@bnsf.com

Subject: Request for Information: Malabar Yard Expansion in Support of Metro's LINK US Project

Dear Ms. Kent,

The City of Vernon respectfully requests additional information from BNSF Railway regarding the proposed expansion and reconfiguration of the Malabar Yard and extension of rail on 46th Street in support of Metro's LINK US project. The City seeks to understand how these proposed changes in rail infrastructure will affect existing and future rail operations in Vernon, as well as its potential impacts on local businesses and the City's industrial community. B-1

It is our understanding that BNSF currently has the ability to serve customers in Vernon using existing infrastructure and that the proposed Malabar Yard expansion primarily supports regional train storage rather than improving direct service to Vernon industries and businesses. To evaluate the project's implications, the City requests BNSF's response to the following items:

1. Current and Proposed Rail Operations

- Please provide current train schedules serving Vernon, including service times, train lengths, crew sizes, and the number of locomotives used. B-2
- Provide corresponding information for the proposed post-expansion operations. B-3
- Identify any changes in frequency, timing, train lengths, and routing of trains that would directly affect rail movements through or within the City of Vernon. Please provide information regarding maximum frequency, train lengths, and usage of the Malabar Yard, both from LA Junction and other BNSF facilities, if the project is approved and implemented. B-4

2. Switching and Customer Service Activity

- How much time does BNSF currently spend actively switching customers in Vernon on a typical day or week?
- How many customers are presently served by BNSF within Vernon's boundaries?
- Will the proposed changes alter switching frequency, duration, or routing for these customers? If yes, please elaborate.

3. Yard Operations and Purpose

- Please describe the current operational uses of the Malabar Yard, including storage, classification, and interchange functions.
- Describe how the yard will be used following the proposed expansion, and how this differs from existing operations.
- What is the operational rationale or specific benefit for BNSF in connecting 46th Street to the Los Angeles Junction (LA JCT) line?

4. Impacts on Local and Regional Rail Service

- Does BNSF anticipate any increase or decrease in rail traffic serving Vernon customers as a result of the project? Please explain the basis for this projection.
- Does BNSF currently market, or plan to market, rail service to customers in Vernon as part of this project or BNSF's broader service strategy?

5. Intermodal and Storage Capacity

- Can the existing Malabar Yard currently be used to store intermodal cars?
- Given BNSF's multiple facilities throughout the Los Angeles region, are there alternative sites available to accommodate intermodal storage or staging operations without expanding Malabar Yard? Please explain.

The City of Vernon appreciates BNSF's cooperation in providing this information. These details will assist the City in evaluating potential operational and economic impacts of the proposed project on Vernon's business community and industrial base.

Please provide your response at your earliest convenience, but in no case later than October 15, 2025, so that the City can evaluate the information in advance of Metro's October 23, 2025 Board meeting where it will consider action on the project. If answers to these questions are not received by that date, the City will have no choice but to demand that Metro defer action on the LINK US project given the lack of evidence needed to support Metro's environmental finding under CEQA. Should you have any questions, feel free to contact me at (323) 583-8811 ext 305 or via email at dwall@cityofvernonca.gov

B-5
B-6
B-7
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B-13
B-14
B-15

Sincerely,



Daniel S. Wall, P.E.
Director of Public Works-City Engineer
City of Vernon

EXHIBIT "C"

Malabar Yard Railroad Improvement Air Quality Impact Analysis Peer Review

DATE: October 10, 2025
TO: Travis Kaya, Richards, Watson & Gershon
FROM: Haseeb Qureshi, Michael Tirohn, Urban Crossroads, Inc.
JOB NO: 16830-03 Peer Review Memo

SUBJECT: MALABAR YARDS RAILROAD IMPROVEMENT AIR QUALITY IMPACT ANALYSIS PEER REVIEW

Urban Crossroads, Inc. is pleased to provide the following Air Quality Impact Analysis Peer Review for the BNSF Malabar Yards Railroad Improvement Project, which is located in the City of Vernon primarily on 46th and 49th Streets between Santa Fe Avenue and Soto Street. The focus of this peer review is related to the *Link Union Station Draft Environmental Evaluation of Malabar Yard Mitigation* (DEIS/SEIR), dated June 2024, and the respective Air Quality and Global Climate Change sections. C-1

PROJECT OVERVIEW

C-2

The proposed Project proposes the closure of the at-grade railroad crossing at 49th Street, which would accommodate storage at the BNSF Malabar Yard. Additionally, the Project proposes to construct an approximately 1,000-foot segment of new track between two existing track segments in order to provide a dedicated connection between the BNSF Malabar Yard and BNSF's Los Angeles Junction.

MALABAR YARDS RAILROAD IMPROVEMENT PEER REVIEW

C-3

Urban Crossroads has reviewed the document and offers the following comments.

REGIONAL AND LOCALIZED SIGNIFICANCE

While the DEIS/SEIR presents a comparison of the estimated construction and operational emissions against General Conformity *De Minimis* thresholds in tons per year, the analysis does not include a comparison of the Project's maximum daily construction or operational emissions against the South Coast Air Quality Management District (SCAQMD) regional significance thresholds. As such, the analysis fails to identify potentially significant impacts and identify potential mitigation measures to reduce potential impacts to less than significant levels.

C-4

Additionally, the DEIS/SEIR fails to evaluate the potential significance of the Project's localized construction emissions. SCAQMD requires that localized emissions be compared to localized significance thresholds to determine whether Project construction activities would potentially result in a significant impact. If the schedule includes overlapping activities (e.g., track removal and grading), the worst-case day should be modeled to verify that concurrent operation of multiple pieces of equipment would not result in a significant localized impact for nearby receptors, including worker receptors. In addition, the localized emissions analysis should account for haul truck emissions particularly along 46th Street, 49th Street and Soto Street and other local roads, as Project construction activities include significant hauling activities which may result in significant localized

pollutant concentrations. Localized emissions modeling should be provided to demonstrate that localized pollutant emissions remain below significance thresholds. C-4 cont'd

It is standard practice for Project's subject to CEQA to prepare a regional and localized air quality modeling to determine the ground level concentration and nearby sensitive receptors in the vicinity of a project or proposed action. Since the DEIS/SEIR does not include such an analysis, a localized and regional air quality analysis should be prepared where emissions are compared to appropriate thresholds established by the SCAQMD. C-5

A thorough review of the DEIS/SEIR including the Malabar Yard Construction CalEEMod outputs included clearly show that only annual emissions have been quantified and disclosed. In order to ensure completeness and to provide the public and decisionmakers with sufficient information, the DEIS/SEIR should be amended to disclose regional and localized air quality emissions and associated impacts.

If the analysis determines mitigation is required to reduce regional or localized impacts, the DEIS/SEIR should evaluate the feasibility of advanced technologies to reduce emissions, including the use of advanced engine tiers during construction and zero-emission operational rail yard equipment.

Evaluation of Potential Health Risks

The DEIS/SEIR fails to adequately evaluate whether emissions associated with Project construction and operational activities would result in a significant impact for nearby receptors, including worker receptors. C-6

The Office of Environmental Health Hazard Assessment (OEHHA) states that a risk assessment should be prepared for construction activities that last more than 2 months (see Page 8-18 of the *Air Toxics Hot Spots Program Guidance Manual, February 2015*). Construction activities have the potential to result in significant diesel particulate matter (DPM) emissions with the potential to result in significant health impacts for nearby receptors. As described in the DEIS/SEIR and CalEEMod model outputs, construction activities are anticipated to last approximately 18 months and utilize up to 13 pieces of construction equipment during any given phase. Additionally, construction would require substantial hauling activities, including 2,000 total hauling trips for the Utility Relocation phase alone. Given that the nearest sensitive receptors are located approximately a quarter mile from the Project site and numerous potential worker receptors located adjacent to construction activities, it is recommended that modeling be performed to evaluate localized construction emissions and that construction health risk assessment be prepared for full disclosure purposes to evaluate the potential risk to nearby receptors.

During operation of the Project, locomotives and other equipment utilized in the Malabar Yard would result in potentially significant quantities of DPM emissions. Although the Project may result in a net reduction in emissions at the regional level, it appears that at the local level emissions may be concentrated in a smaller area, potentially increasing the health risk for receptors. Specifically, the Project proposes to remove the at-grade crossing at 49th Street in order to expand the train car storage capabilities of the Malabar Yard. However, it is unclear if this action would lead to additional rail traffic in the Malabar Yard, as well as rail car switching activities that may result in an increase in localized emissions and increased diesel particulate matter at nearby sensitive receptors. As such, it is recommended that localized construction and operational emissions be quantified and modeled

along with a health risk assessment to ensure that the proposed Project would not result in any significant localized impacts for nearby receptors, including nearby worker receptors.

C-6 cont'd

As such, a health risk assessment should be prepared to demonstrate that the Project's operational emissions would remain below the applicable significance thresholds.

Receptor Identification

C-7

The Project vicinity was evaluated to ensure the analysis accounts for all potential sensitive receptors. This review identified the Stacy Medical Center, located at 4580 Pacific Boulevard, approximately 200 feet from construction activities that would occur along 46th Street. As such, it is recommended to consider evaluating this location as a sensitive receptor or worker receptor, as previously discussed.

The DEIS/SEIR notes that the nearest sensitive receptors are located approximately a quarter mile from the proposed Project, however there are several potential worker locations in close proximity to the Project where workers are likely to be present for one to eight hours per day. The SCAQMD's definition of a sensitive receptor is a location where an individual could remain for one to eight hours or longer – this is due to the fact that there are one- and eight-hour averaging times for criteria pollutant emissions standards. As such, it is recommended that localized emissions modeling and a health risk assessment be prepared in order to determine the significance of any impacts that may result from construction or operation of the proposed Project.

Underestimation of Distance to Receptors and Idling Emissions

C-8

Although the DEIS/SEIR asserts that no sensitive receptors are within a quarter mile of the Project site, it appears that the analysis underestimates the potential distance between sensitive receptors and increased train traffic activity that would occur through implementation of the Project. In particular, due to the layout of the tracks, it appears as though any trains utilizing the 46th Street connection would be required to travel north on tracks and then reverse south onto a rail siding in the Malabar Yard. The train tracks in the location where this would presumably occur is located approximately 750 feet east of Vernon City School, along the same route that trains currently travel on from the Hobart Yard under the existing condition. Given an identical number of daily trains anticipated under the existing conditions, if trains are required to travel north, stop, and reverse direction to travel south on a siding in the Malabar Yard, the Project may result in increased emissions occurring in close proximity to the Vernon City School, compared to the existing condition where trains traveling to/from the Hobart Yard would not be required to change directions.

C-9

Additionally, the analysis does not consider an increase in locomotive idling that would be expected with the increased usage of the Malabar Yard for rail car storage purposes. Idling would occur in the situations described above, where locomotives enter Malabar Yard and are required to switch tracks, which would often occur at a distance of less than a quarter mile from sensitive receptors. Idling would also be expected to occur when trains exit the Malabar Yard or when rail cars are moved to different tracks. As such, the DEIS/SEIR should account for potentially increased idling of locomotives in close proximity to sensitive receptors in preparing a localized significance threshold analysis and health risk assessment.

CUMULATIVE ANALYSIS

C-10

The Project site is located in a heavily industrial area, with sensitive receptors surrounded by industrial uses. As previously discussed, even if the proposed Project has the potential to reduce overall emissions in the region, it also has the potential to result in increased rail travel in closer proximity to sensitive receptors compared to current conditions and may result in significant exposures to DPM at these receptor locations, particularly when cumulative conditions are considered. As such, it is recommended that the DEIS/SEIR evaluate potential cumulative health risk from the proposed Project as well as other industrial, rail, and truck travel in the area.

USE OF OUTDATED EMISSIONS MODEL

C-11

The DEIR text indicates that construction emissions were modeled using CalEEMod Version 2016.3.2, but the model outputs provided in Appendix D indicate that the modeling was performed using CalEEMod Version 2020.4.0. It is recommended that the DEIR text be updated to reference the correct version of the model that was used.

C-12

Additionally, CalEEMod Version 2022 was available at the time that the modeling was performed. While technically not required given the NOP date of May 2016, it may be useful to run CalEEMod 2022 to determine whether any substantively different impacts may occur. CalEEMod 2022 includes several refinements, and as such may indicate higher emissions, particularly VOC and CO, compared to previous versions of the model.

CONCLUSION

C-13

Our review of the DEIR suggests that the analysis may be incomplete and requires further clarification and potentially additional analysis. These changes are recommended to ensure the DEIS/SEIR fully complies with CEQA and NEPA requirements and provides transparency to the public regarding potential air quality impacts. The recommendations herein should not be construed as specific requirements and the ultimate decision on the updates should be made by the lead agency.

If you have any questions or comments, I can be reached at hqureshi@urbanxroads.com.

Respectfully submitted,

URBAN CROSSROADS, INC.





Haseeb Qureshi

Principal

Michael Tirohn

Senior Environmental Scientist

EXHIBIT "D"

Memo re: Technical Adequacy of Link US FSEIR Responses to City of Vernon Transportation Comments

Lochner

1100 Corporate Center Drive, Suite 201 • Monterey Park, CA 91754
OFFICE 323.260.4703 • hwlochner.com

Date: October 22, 2025

To: Travis M. Kaya, RICHARD WATSON GERSHON, Attorneys for the City of Vernon

From: George Rhyner, P.E., Project Manager, Lochner Company

Subject: **Technical Adequacy of Link US FSEIR Responses to City of Vernon Transportation Comments**

Lochner was retained to carefully review the *Link Union Station Final Supplemental Environmental Impact Report* (FSEIR - State Clearinghouse No. 2016051071) dated October 2025. The purpose of our review was to assess whether Los Angeles County Metropolitan Transportation Authority's (Metro) adequately addressed the issues that were raised by the City of Vernon (the "City") in their Responses to Comments. The City submitted comment letters from Judith Menlo, Mayor and Daniel S. Wall, P.E., Director of Public Works, both dated August 6, 2024. Our review was on the automobile, truck, pedestrian, and bicycle transportation comments and the responses. We did not review the numerous comments on other environmental issues. Note that the comments focused on the impacts to the City of Vernon where the Malabar Yard and its access is to be reconstructed to accommodate activities being displaced from the Burlington Northern Santa Fe (BNSF) West Bank Yard where storage track is to be removed (Mitigation Measure TR-3). Below are the results of our review. D-1

PROJECT UNDERSTANDING

The Malabar Yard is located between Santa Fe Avenue and Pacific Boulevard in the City of Vernon. The yard contains up to seven parallel tracks and merge sections that extend from the Fruitland Avenue crossing approximately 2700 feet north to the Pacific Boulevard crossing. Tracks extend north and south from Malabar Yard. The project Option 2 (the preferred option) illustrated in the Link Union Station Final Evaluation of Malabar Yard Mitigation (presumably the reference final version of the DSEIR Appendix Q as it has the same title (except for the word Draft being replaced by Final and the same table of contents, but is not labeled as such) is shown below: D-2



That track extension is to be accomplished by a closure of the 49th Street crossing. Additionally, the rail line along 46th Street is to be reconstructed and extended. An overview of the mitigation is shown below as provided in the Link Union Station Final Evaluation of Malabar Yard Mitigation:

D-2 cont'd



MALABAR YARD IMPROVEMENTS INTENDED PURPOSE

D-3

The purpose of the modifications to the Malabar Yard are stated in the FSEIR as:

> *Mitigation Measure TR-3 would minimize the adverse effect by offsetting the loss of storage tracks at the BNSF West Bank Yard. Impacts to the BNSF West Bank Yard are different than a typical brick and mortar commercial/industrial business because the BNSF West Bank Yard is along the National Good Movement corridor and provides space for critical freight operations that support local, state, and national commerce. Project related effects on freight would result in loss of storage track capacity that would create operational inefficiencies or increased congestion on the shared passenger/freight rail network in the region.*

The above text is from AGE 5-1 – the first response to Mayor Merlo. As it sets forward, the intended purpose of the Malabar Yard Improvement project is to allow for the relocation of storage capacity and operations from the BNSF West

Bank Yard to Malabar Yard, where they will no longer be efficiently accommodated. D-3 cont'd

What those operations include is not discussed in the Link Union Station Final Evaluation of Malabar Yard Mitigation report. The 46th street connector is discussed as allowing for a more direct connection between the Los Angeles Junction and Malabar Yard/the Seville Avenue east and west side tracks. A shift of the West Bank Yard activities to the 46th Street Connector, Malabar Yand, Los Angeles Junction and Seville Avenue east and west side tracks is not discussed, but for the 46th Street connector to be part of Mitigation Measure TR-3 such a shift in activities is necessary. Additionally, "train building" is discussed in the report. However, it is not discussed as it relates to the storage tracks being no longer available in BNSF West Bank Yard to be a necessary part of "train building". As no other operations are discussed and "train building" requires storge tracks, presumably "train building" in the BNSF West Bank Yard would be relocated to the Malabar Yard, Los Angeles Junction and the Seville Avenue east and west side tracks. Thus, the FSDEIR makes clear that a main purpose of Mitigation Measure TR-3 is to move "train building" from the BNSF West Bank Yard to the Vernon area – Malabar Yard, Los Angeles Junction and the Seville Avenue east and west side tracks. D-4

CITY OF VERNON COMMENT ISSUES

City of Vernon comments included a large variety of subjects, both transportation related and other issues. A major item was the impact of "train building" upon the community. That includes air quality, noise and a variety of other issues. However, this memorandum concentrates on the transportation issues raised by the City. Below are some of the categories of transportation issues raised in the City comments. D-5

TRAIN CROSSING VEHICULAR AND PEDESTRIAN BLOCKAGE

A major impact upon the City will be the increased crossing blockage time from the number, size and activity level associated with "train building" in the City. The increased blockage from more trains at each crossing was brought up by the City Comments. Likewise, the impacts from the longer train size and slower operational speeds were raised. Those train operations modifications will increase both the delay and queuing at the rail crossings in the City of Vernon. This will have an impact on the public at large. Additionally, the impacts on local businesses of having uncertain access both in the near-term and long-term was raised was raised. D-6

TRAIN CROSSING EMERGENCY ACCESS BLOCKAGE

Beyond rail crossing interference blocking traffic for other purposes, it will block emergency access. Fast and reliable safety response needs to be available 24/7, rather than not being available at the crossing times on a particular day. The rail blockage extending for an east-west row of rail crossings across the City will have particular impacts as the blockages cannot be anticipated and the emergency vehicles routed around the blocked rail crossing in advance. The comments also pointed out that longer, slower trains are to be expected with the addition of storage track to Malabar Yard, making the emergency access impacts greater. D-7

INCREASED TRAIN CROSSING SAFETY IMPACTS

The increase in the number and length of trains will have safety impact. This will be greatly impacted by the greater number and length of trains. Longer delays will also have an impact on pedestrian and motorist behavior. D-8

TRAIN LENGTH AND SPEED

The FSEIR does not have consistent train length and speed assumptions for each crossing but rather has a number of lengths and speeds listed for trains at all crossings. The analysis does not consistently evaluate a maximum train length as responded to in AGE 3-11. The general discussion is that trains can be 2,000' to 4,000'. A 3,000' maximum length is used for the delay and queuing analysis, with no speed specified (although a speed of 20-25 MPH can be back engineered from the crossing time assumption of 1.7 minutes). The driveway blockage time calculations assume a 10 MPH speed and D-9

4,000-foot-long train. Other lower speeds of 5 MPH or less are also discussed in the comments and responses.

D-9 cont'd

APPROPRIATENESS OF 2020 DATA IN A 2025 DOCUMENT

Traffic volume adjustments to the 2020 count data were needed in 2020 due to temporary changes in vehicle driver, pedestrian and bicycle activities. Conditions had returned much closer to normal by the time the comments were made by the City in 2024. They requested that actual data be recollected, rather than older data and generalized adjustment factors being used.

D-10

THE MALABAR YARD CONSISTENCY WITH THE VERNON GENERAL PLAN

There are a number of land-use issues concerning the consistency of the Malabar Yard Improvement Plan and the City of Vernon General Plan. A large transportation issue is the lack of consistency of the Malabar Yard Improvement Mitigation with the Circulation and Infrastructure Element. The Circulation and Infrastructure Element is supportive of and consistent with the Land Use Element. The Circulation and infrastructure Element contains the paragraph Section 2.1 under Railroads:

> *Many at-grade rail crossings remain in the City. These should gradually decrease as the City encourages rail lines to merge facilities, to abandon spur lines, and to participate in separating streets from remaining railways.*

The General Plan also includes specific policies intended to limit rail yard areas, promote grade separations, and ensure rail service does not impact traffic. The General Plan is internally consistent, and to be consistent with the General Plan, the project, if pursued at all, needs to provide grade-separations to replace the at-grade crossings.

D-11

APPROPRIATENESS OF FSEIR RESPONSES

For each issue, we have reviewed the Response in the FSEIR. That included reviewing the Key Issues Responses and added Malabar Yard Mitigation as well as the responses to the individual City comments.

D-12

TRAIN CROSSING VEHICULAR AND PEDESTRIAN BLOCKAGE

The FSEIR did not address the central issue of what operations are to be relocated from BNSF West Bank Yard to the Vernon area. The response looked at the delay and queues at crossings assuming all trains were the same – even those at different crossings such as the Pacific Boulevard crossing at 46th Street. The response used "Train Movements" that only included train trips between yards -- not additional trains to and from the expanded track being relocated from BNSF West Bank Yard. The analysis did not include factors such as inclusion of "train building" trips at individual yards using crossings. Malabar Yard including the 49th Street crossing is 2,700' long while the trains are to be 2,000' to 4,000' long, and thus crossings are required to "train build" at Malabar Yard. Further discussions of the train length and speed, and impact of train consolidation on train length and crossing time are below.

D-13

TRAIN CROSSING EMERGENCY ACCESS BLOCKAGE

The emergency access analysis was based on the assumptions that the number of train crossings would decrease, the train length would not be affected by the project, and that train speed would remain the same with the additional storage track. Those are invalid assumptions. Additionally, a train crossing time of 1.7 minutes was assumed for all crossings at all times. However, a 4,000' long train with a 10 MPH speed was assumed at the crossing on Pacific Boulevard at 46th Street for the driveway blockage analysis. At that speed and length, just the train crossing the centerline of the roadway would require 4.55 minutes. When advance warning signal are considered, the gates closing in advance of the train and the gates not reopening until the train is well cleared from the centerline, the train crossing traffic disruption time is much longer. Added closures of up to 5 minutes each will make emergency response times greater. Therefore, not including the added "train building" activities result in the analysis reaching a false conclusion for the emergency access issue.

D-14

INCREASED TRAIN CROSSING SAFETY IMPACTS

D-15

The response did not address that the project will result in major revisions to the infrastructure and operations at Malabar Yard. Therefore, past operational experiences cannot be relied upon to predict substantially changed with project operational conditions.

TRAIN LENGTH AND SPEED

D-16

The delay and queuing analysis in the response had unreasonable assumptions. The response ignored the part of comment regarding the inconsistent train length assumptions elsewhere. It repeated the delay and crossing assumptions, were based on existing Malabar Yard area data – ignoring the earlier statements that the purpose of the project is to move operations from the BNSF West Bank Yard to Malabar Yard. Thus, data from the BNSF West Bank Yard should have been collected on train length and speed. Utilizing the 1.7 minutes for a 3,000 long train assumption, the train needs to be traveling at 20 MPH. When advance warning, gate closing, train roadway crossing and gate opening times are subtracted from the 1.7 minutes, a speed of 25 MPH is calculated for 1.31 minutes. Those speeds are unreasonable for a "train building" area, especially within a city. Further, it should be noted that the response also ignored that the Malabar Yard Improvements is assumed to result in a consolidation of trains, and that will length those trains. Thus, the analysis assumptions fail to properly reflect the proposed Malabar Yard Improvements.

APPROPRIATENESS OF 2020 DATA IN A 2025 DOCUMENT

D-17

It was necessary to adjust 2020 data, if that was the best information available. The response to the City only repeats the procedures used in 2020. The responses do not address whether better data is now available and should now be used. As the queueing analysis shows demand near, and in one case exceeding, the supply (even with the train crossing time heavily understated), using the best available data is crucial to being able to make an informed decision.

THE MALABAR YARD CONSISTENCY WITH THE VERNON GENERAL PLAN

D-18

The FSEIR is required to make a finding regarding consistency with the City of Vernon General Plan. It was pointed out in City comments that the Malabar Yard Improvement Mitigation is not compliant with numerous non-transportation elements. The Malabar Yard Improvements Mitigation is also not consistent with the City's Circulation and Infrastructure Element. That General Plan element calls for a reduction in the number of at-grade crossings. Closing the roadway and leaving the railroad tracks was not one of the methods specified in the General Plan. Further, increasing access to and use of sidetracks (such as those along Seville Avenue) is contrary to the General Plan measures. However, implementation of grade separations is called for in the General Plan Circulation and Infrastructure Element but not addressed in the FSEIR. Thus, setting aside other inconsistencies with the General Plan for a moment, the Malabar Yard Improvements are not consistent with the Circulation and Infrastructure Element of the General Plan.

CONCLUSIONS

D-19

The FSEIR responses do not address the comments, and the added analysis has poor assumptions. The largest initial assumption is that despite the opening statement about the Malabar Yard Improvements being a necessary mitigation to replace the removed track in the BNSF West Bank Yard, no activities are analyzed as being shifted to the Vernon area in the FSEIR. That alone results in the FSEIR not containing an analysis of the actual transportation impacts on Vernon. Using what is referred to as Train Movements is a poor variable for determining the train crossing delays and queuing impacts. Rather, "train building" being transferred from BNSF West Bank to the Vernon area has major implications, and train length and speed need to be accounted for in the analysis.

D-20

The inconsistency in the assumed train length and speed with no limit mechanism exacerbates the shortcomings of the FSEIR. The approximately 5-minute delay assumed in the driveway blockage calculation is more realistic and would have

D-20 cont'd

severe emergency response and delay/queuing implications. Thus, the internal inconsistencies regarding worst case train length and speed in the FSEIR analysis need to be rectified without reducing the train building crossing times.

D-21

The inconsistency with the General Plan Circulation and Infrastructure Element also cannot be ignored as it currently is in the FSEIR. The General Plan does contain measures to reduce the railroad crossing impacts. Use of grade separation to eliminate grade crossings is an important measure in the Circulation and Infrastructure Element that is used throughout Southern California but not addressed in the FSEIR. This measure is especially important for emergency access given the long potential time for grade crossings being blocked.

D-22

Given the above discussion, the FSEIR fails to address important impacts pointed out in the City of Vernon comments, contains new analyses based on poor assumptions, and does not consider the mitigation measures that are listed in the General Plan.

EXHIBIT "E"

Environmental Evaluation For Malabar Yard Railroad Improvements -
Noise Section 3rd Party Review

TECHNICAL MEMORANDUM

DATE: October 20, 2025
TO: Travis M. Kaya, RWG Law
FROM: Bill Maddux, Urban Crossroads, Inc.
JOB NO: 16830-03

SUBJECT: ENVIRONMENTAL EVALUATION FOR MALABAR YARD RAILROAD IMPROVEMENTS - NOISE SECTION 3RD PARTY REVIEW

Urban Crossroads, Inc. is pleased to provide the third-party review of the Environmental Evaluation for Malabar Yard Railroad Improvements - Noise Section, prepared by the Los Angeles County Metropolitan Transportation Authority, June 2024. The Project Malabar Yard railroad improvements are located in the vicinity of Malabar Yard, primarily on 46th Street and 49th Street, between Santa Fe Avenue and Soto Street, City of Vernon, CA. E-1

The Project involves the closure of the at-grade railroad crossing at 49th Street to increase storage capacity at the Burlington Northern Santa Fe (BNSF) Malabar Yard by approximately 3,350 track feet. Closure of 49th Street facilitates storage of empty intermodal train car sets that are no longer able to be stored at the BNSF West Bank Yard. Additionally, an approximate 1,000-foot segment of new track between two existing track segments would provide a dedicated connection for freight trains serving local customers to travel between BNSF's Malabar Yard and BNSF's Los Angeles Junction. The purpose of this 3rd Part Review is to establish technical adequacy and identify any relevant revisions. E-2

FINDINGS

E-3

- The noise section analyzes noise and vibration impacts related to both temporary construction activity and long-term operation of the project.
- The noise analysis states the nearest residences are located over 1,000 feet from the Project boundary.
- Construction phases would include demolition, site preparation, grading, building construction, paving, and architectural coatings.
- The dominant source of noise in the Project site vicinity is vehicular traffic from local roadways.
- The noise and vibration analysis relies on the FHWA Roadway Construction Noise Model (RCNM) inputs and the Federal Transit Authority (FTA) methodologies.
- Due to the absence of noise-sensitive receivers within 1,000 feet of the Project boundaries, a detailed analysis of noise impacts was not required based on FTA methodologies.
- The analysis provided a qualitative assessment of operational noise and vibration impacts and a partially quantitative analysis of construction noise and vibration impacts.

SPECIFIC COMMENTS

1. **Project limits –** It appears the Project boundaries are based only on the construction activity and ignores the operational changes within the Malabar Yard. This appears to be to limit the identification of noise sensitive receivers within the City of Vernon. Since the Project would affect the operations within the Malabar Yard the yard should be included as part of the Project area. If the Malabar Yard were included in the Project area, all identified receivers would be within the 1,000-foot buffer distance used to limit the analysis of noise impacts. Urban Crossroads recommends that the analysis be revised to include the Malabar Yard within the Project boundary and the analysis revised to evaluate noise impacts at all receivers within the 1,000-foot buffer. E-4

2. **Construction Scenario Assumptions** – It appears the construction scenarios are based on air quality model inputs, which have a different focus and purpose than noise impact analysis. Air quality models are focused on emissions from engines, not the noise generated by the operation of the equipment; thus, the model does not include some of the louder and more impactful noise sources associated with demolition and construction activities, such as handheld jackhammers, backhoe-mounted impact-hammers, and pile drivers. This may indicate construction noise levels were under-estimated. Urban Crossroads recommends that the analysis be revised to include these sources during building and roadway demolition phases at a minimum. E-5

3. **Long-Term Malabar Yard Operational Impacts** – The operational noise analysis of the Malabar Yard improvements does not evaluate the operational impacts of the Project; rather, it states that either alternative would result in the same impact. The analysis states the Project, "would create additional storage capacity and operational efficiency but would not result in a change to the track alignment or in how the yard or trains using the yard operate." However, wouldn't the additional track that allows the additional storage be a "change to the track alignment" or at least the usable track area? Also, how are the additional activities in the yard during the delivery and removal of stored train cars not a change in "how the yard or trains using the yard operate"? This analysis seems to lack an evaluation of the impacts from the change from the existing condition as required by the California Environmental Quality Act (CEQA). The analysis should be revised to include an analysis disclosing the changes in noise levels compared to the existing condition, not just the differences between the alternatives. E-6

4. **Long-Term 46th Street Connector Operational Impacts** – The operational noise analysis of the 46th Street connector improvements does not evaluate the operational impacts of the Project; rather, it states that either alternative would result in the same impact. The analysis states "the 46th Street connector would be located between two active rail lines. Therefore, there would be no perceptible change in operational noise under either design option." However, as with the analysis of the Malabar Yard improvements, what is the effect on the existing condition of adding the new track connecting the two existing tracks? Again, this analysis seems to lack an evaluation of the impacts from the change from the existing condition as required by CEQA. The analysis should be revised to include an analysis disclosing the changes in noise levels compared to the existing condition, not just the differences between the alternatives. E-7

EXHIBIT "F"

Email between Kevin Wilson and BNSF Project Engineer Greg Rousseau,
dated September 27, 2006

Wilson, Kevin

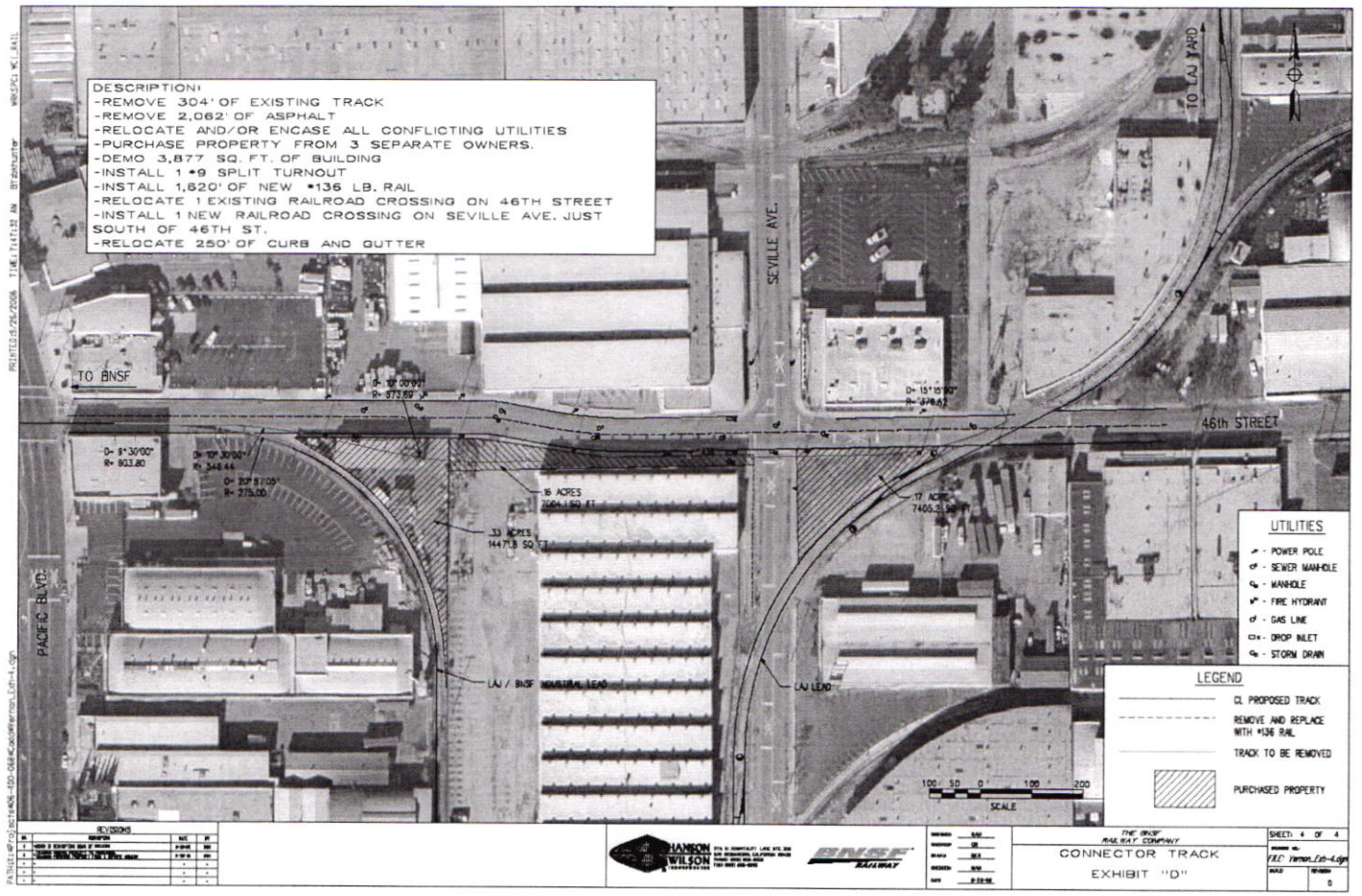
From: Montoya, Garrett A. [Garrett.Montoya@wilsonco.com]
Sent: Wednesday, September 27, 2006 8:22 AM
To: Jardine, Laurie M
Cc: Rousseau, Greg J; Hunter, Brenna K.; Brendza, Bob E
Subject: Jpg
Attachments: alternate.jpg; Vernon_Exh-1.jpg; Vernon_Exh-2.jpg; Vernon_Exh-3.jpg; Vernon_Exh-4.jpg

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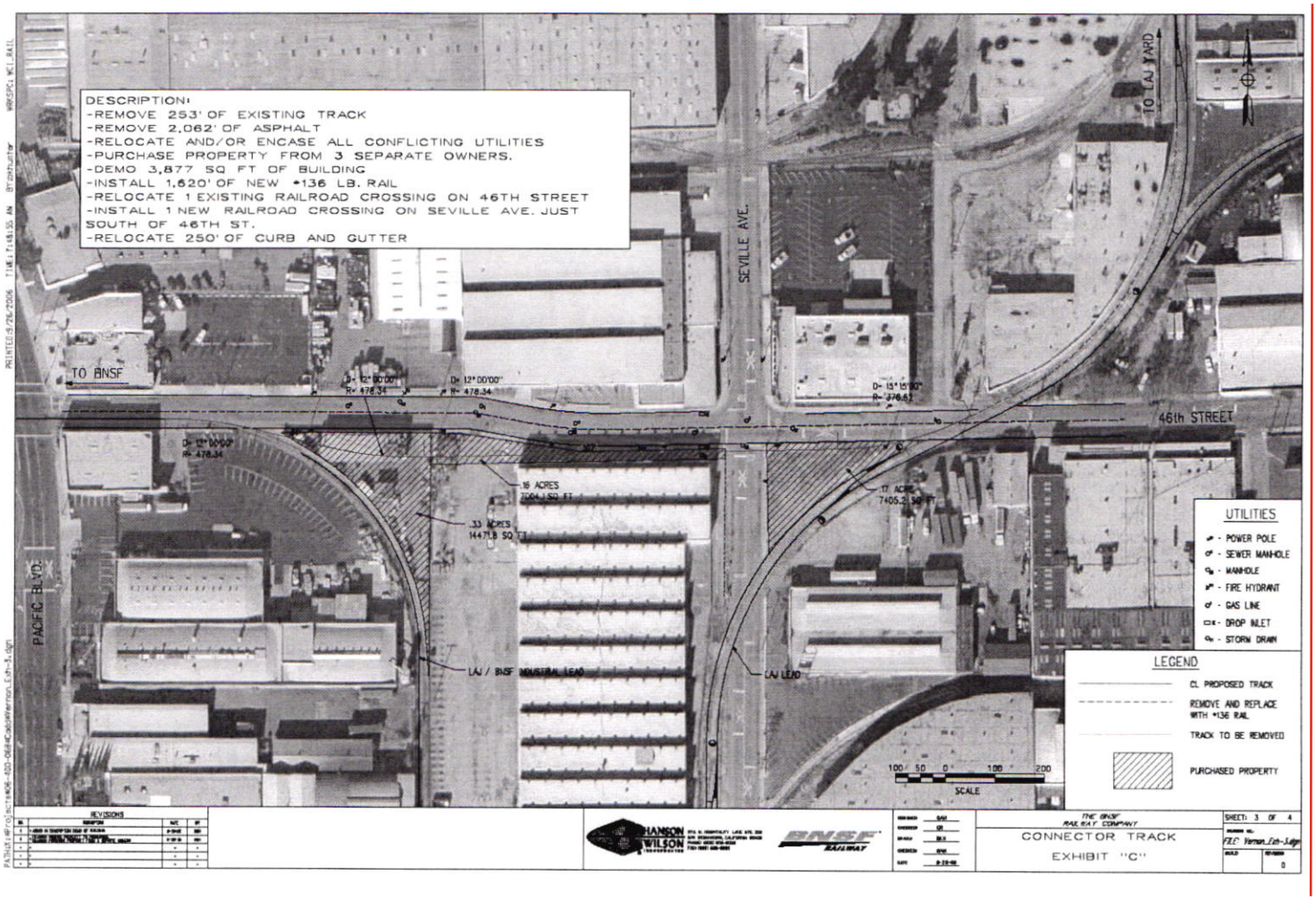
Laurie,

Attached are clearer jpg's for your use. Please call if you have any other questions.

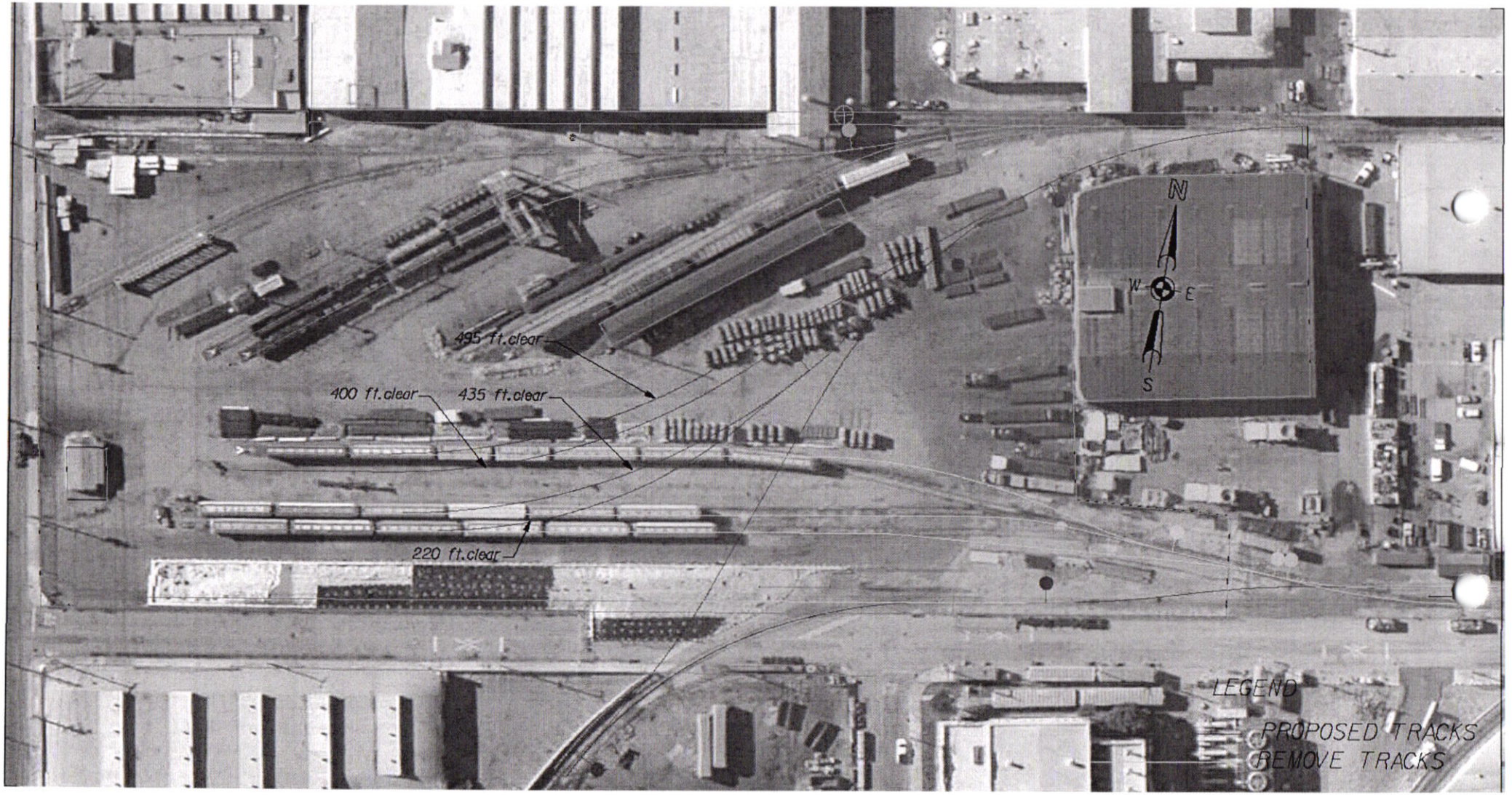
Garrett Montoya
Project Manager
WILSON
&COMPANY
Tel: (909) 806-8007 \ (866) 270-6283
Fax: (909) 806-8099
www.wilsonco.com

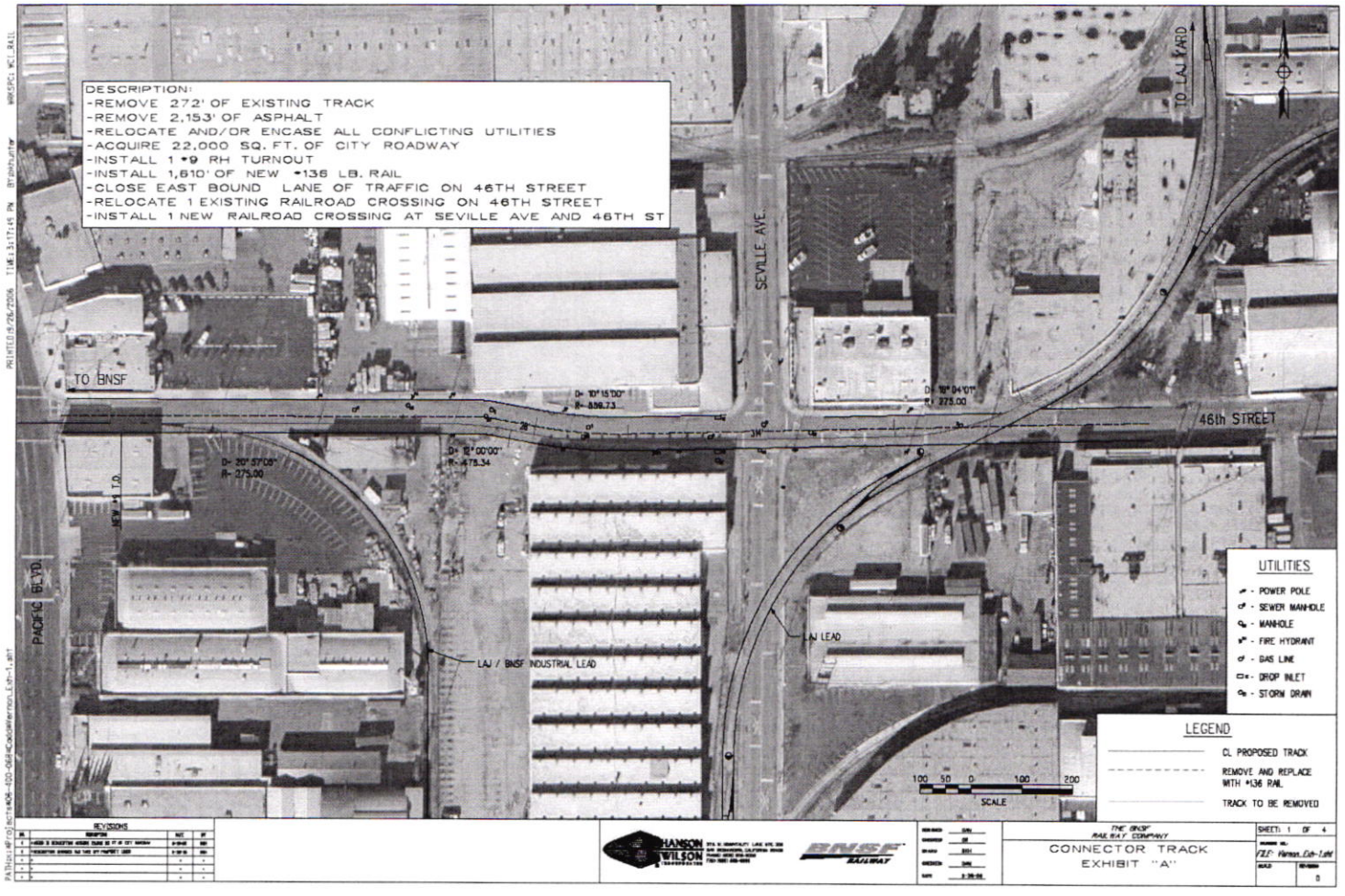

DESCRIPTION:
-REMOVE 304' OF EXISTING TRACK
-REMOVE 2,062' OF ASPHALT
-RELOCATE AND/OR ENCASE ALL CONFLICTING UTILITIES
-PURCHASE PROPERTY FROM 3 SEPARATE OWNERS.
-DEMO 3,877 SQ. FT. OF BUILDING
-INSTALL 1 #9 SPLIT TURNOUT
-INSTALL 1,620' OF NEW #136 LB. RAIL
-RELOCATE 1 EXISTING RAILROAD CROSSING ON 46TH STREET
-INSTALL 1 NEW RAILROAD CROSSING ON SEVILLE AVE. JUST SOUTH OF 46TH ST.
-RELOCATE 250' OF CURB AND GUTTER
TO LAJ YARD
SEVILLE AVE.
TO BNSF
46th STREET
PACIFIC BLVD.
.16 ACRES
7004.1 SQ. FT.
.33 ACRES
14471.8 SQ. FT.
.17 ACRES
7405.2 SQ. FT.
LAJ / BNSF INDUSTRIAL LEAD
LAJ LEAD
UTILITIES
POWER POLE
SEWER MANHOLE
MANHOLE
FIRE HYDRANT
GAS LINE
DROP INLET
STORM DRAIN
LEGEND
CL PROPOSED TRACK
REMOVE AND REPLACE WITH #136 RAIL
TRACK TO BE REMOVED
PURCHASED PROPERTY
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SCALE
REVISIONS
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BNSF RAILWAY
THE BNSF RAILWAY COMPANY
CONNECTOR TRACK
EXHIBIT "D"
SHEET: 4 OF 4

F-1

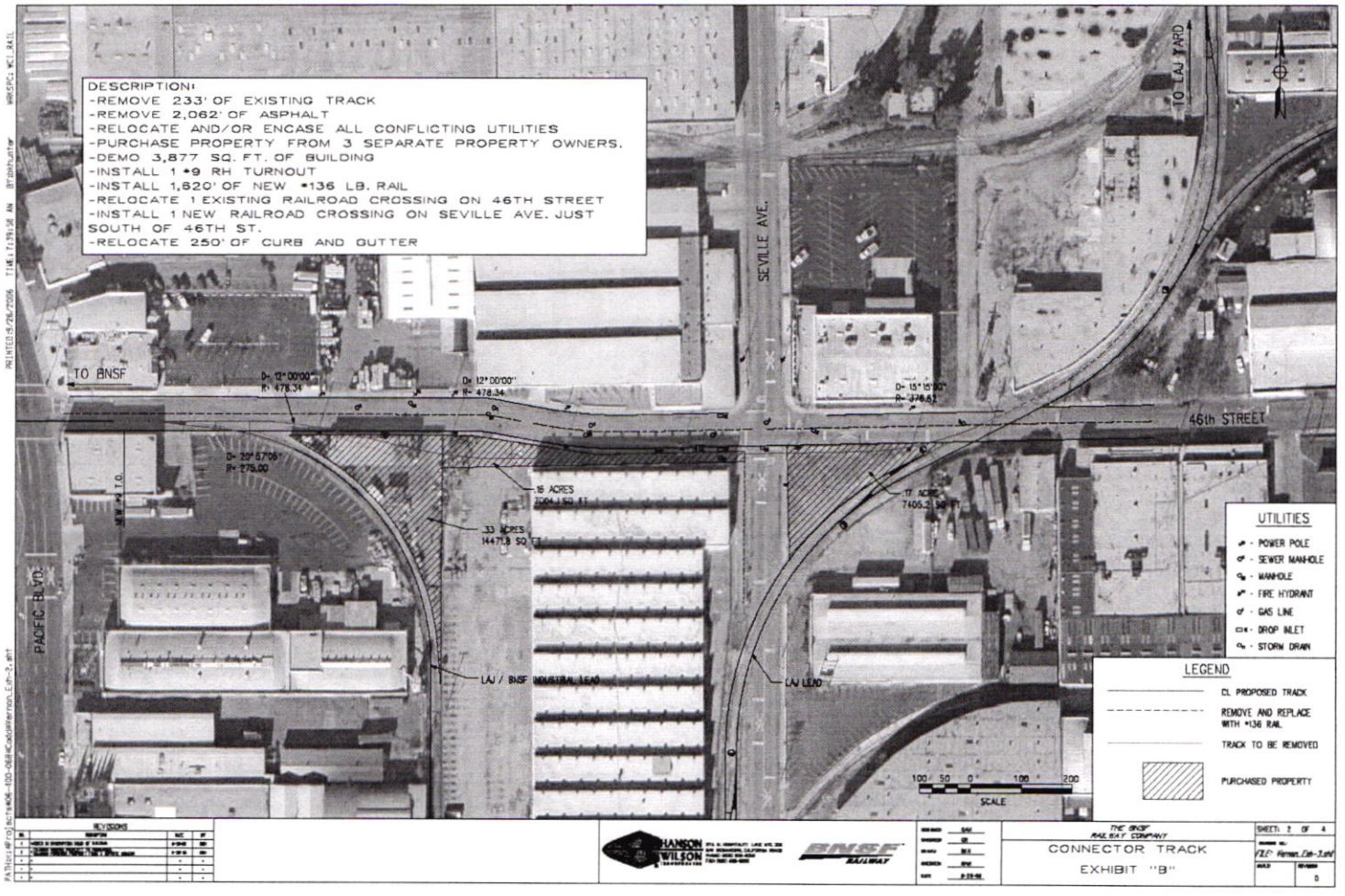

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TO BNSF
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SEVILLE AVE.
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D= 12°00'00"
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EXHIBIT "C"
SHEET: 3 OF 4

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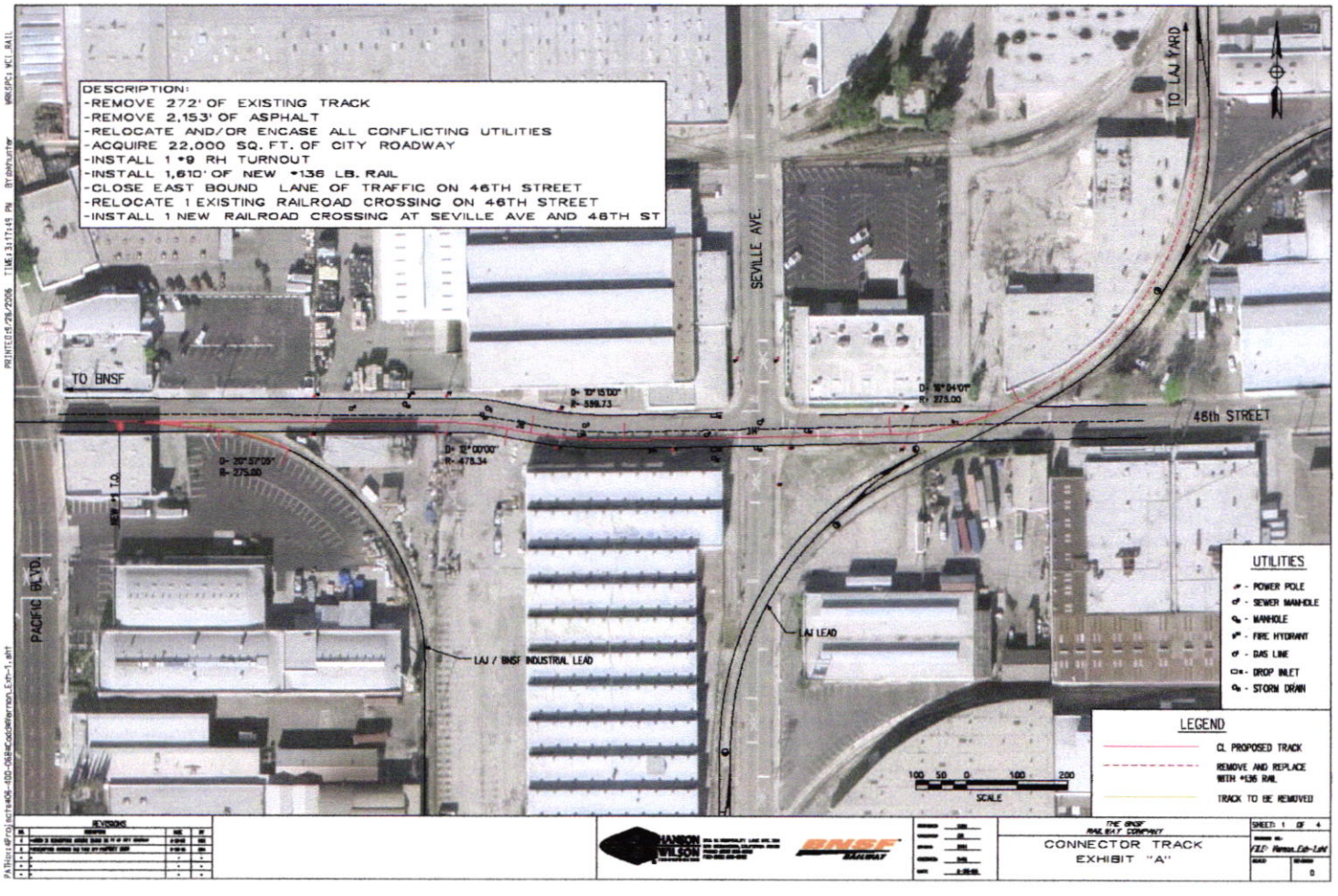

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PROPOSED TRACKS
REMOVE TRACKS


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-REMOVE 2,153' OF ASPHALT
-RELOCATE AND/OR ENCASE ALL CONFLICTING UTILITIES
-ACQUIRE 22,000 SQ. FT. OF CITY ROADWAY
-INSTALL 1 #9 RH TURNOUT
-INSTALL 1,610' OF NEW #136 LB. RAIL
-CLOSE EAST BOUND LANE OF TRAFFIC ON 46TH STREET
-RELOCATE 1 EXISTING RAILROAD CROSSING ON 46TH STREET
-INSTALL 1 NEW RAILROAD CROSSING AT SEVILLE AVE AND 46TH ST
TO BNSF
TO LAJ YARD
SEVILLE AVE.
46th STREET
PACIFIC BLVD.
LAJ / BNSF INDUSTRIAL LEAD
LAJ LEAD
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SHEET: 1 OF 4

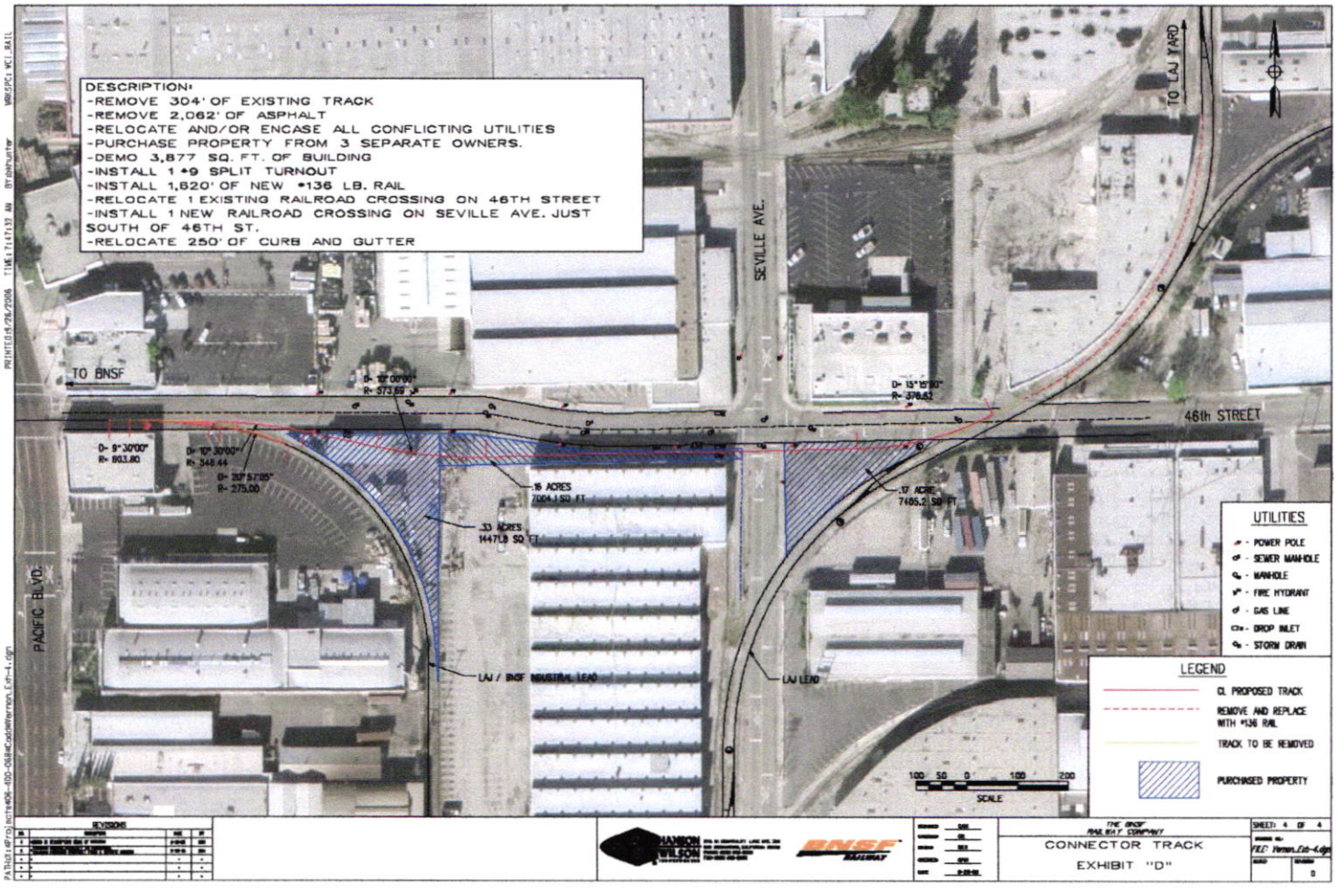
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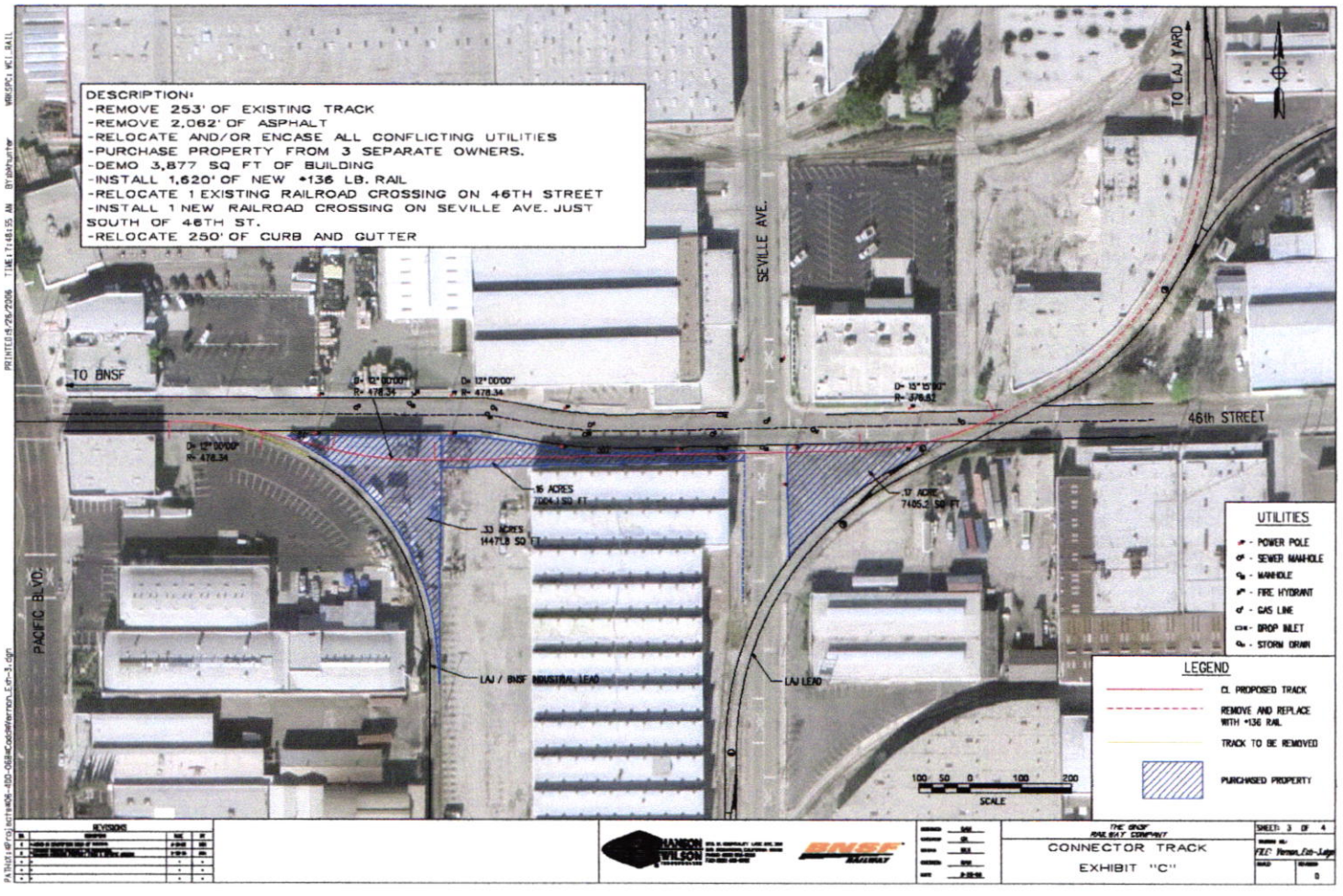

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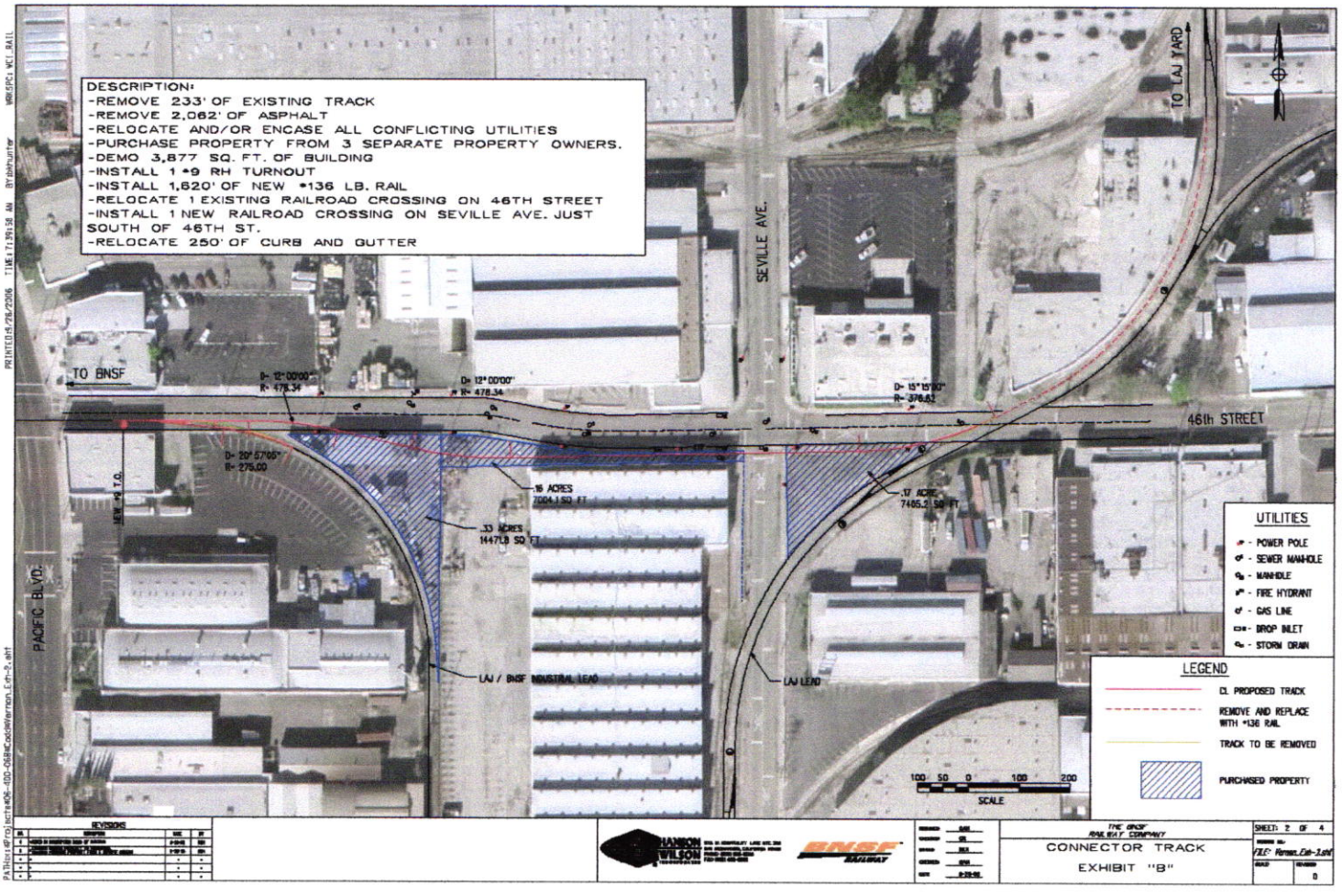

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THE BNSF RAILWAY COMPANY
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EXHIBIT "D"
SHEET: 4 OF 4

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-DEMO 3,877 SQ FT OF BUILDING
-INSTALL 1,620' OF NEW +136 LB. RAIL
-RELOCATE 1 EXISTING RAILROAD CROSSING ON 46TH STREET
-INSTALL 1 NEW RAILROAD CROSSING ON SEVILLE AVE. JUST SOUTH OF 46TH ST.
-RELOCATE 250' OF CURB AND GUTTER
TO BNSF
TO LAJ YARD
SEVILLE AVE.
46th STREET
PACIFIC BLVD
.16 ACRES
7164.1 SQ FT
.33 ACRES
14471.8 SQ FT
.17 ACRE
7405.2 SQ FT
LAJ / BNSF INDUSTRIAL LEAD
LAJ LEAD
UTILITIES
POWER POLE
SEWER MANHOLE
MANHOLE
FIRE HYDRANT
GAS LINE
DROP INLET
STORM DRAIN
LEGEND
CL PROPOSED TRACK
REMOVE AND REPLACE WITH +136 RAIL
TRACK TO BE REMOVED
PURCHASED PROPERTY
100 50 0 100 200
SCALE
CONNECTOR TRACK
EXHIBIT "C"

F-1


DESCRIPTION:
-REMOVE 233' OF EXISTING TRACK
-REMOVE 2,062' OF ASPHALT
-RELOCATE AND/OR ENCASE ALL CONFLICTING UTILITIES
-PURCHASE PROPERTY FROM 3 SEPARATE PROPERTY OWNERS.
-DEMO 3,877 SQ. FT. OF BUILDING
-INSTALL 1 #9 RH TURNOUT
-INSTALL 1,620' OF NEW #136 LB. RAIL
-RELOCATE 1 EXISTING RAILROAD CROSSING ON 46TH STREET
-INSTALL 1 NEW RAILROAD CROSSING ON SEVILLE AVE. JUST SOUTH OF 46TH ST.
-RELOCATE 250' OF CURB AND GUTTER
TO BNSF
TO LAJ YARD
SEVILLE AVE.
46th STREET
PACIFIC BLVD.
D= 12°00'00"
R= 478.34
D= 12°00'00"
R= 478.34
D= 15°15'00"
R= 376.62
D= 20°57'00"
R= 275.00
.16 ACRES
7004.1 SQ FT
.33 ACRES
14471.3 SQ FT
.17 ACRES
7405.2 SQ FT
LAJ / BNSF INDUSTRIAL LEAD
LAJ LEAD
UTILITIES
- POWER POLE
- SEWER MANHOLE
- MANHOLE
- FIRE HYDRANT
- GAS LINE
- DROP INLET
- STORM DRAIN
LEGEND
CL PROPOSED TRACK
REMOVE AND REPLACE WITH #136 RAIL
TRACK TO BE REMOVED
PURCHASED PROPERTY
100 50 0 100 200
SCALE
REVISIONS
HANSON WILSON
BNSF RAILWAY
THE BNSF RAILWAY COMPANY
CONNECTOR TRACK
EXHIBIT "B"
SHEET: 2 OF 4

F-1

BNSF File 2

Wilson, Kevin

From: Rousseau, Greg J [Greg.Rousseau@bnsf.com]
Sent: Thursday, October 19, 2006 11:17 PM
To: Wilson, Kevin
Cc: Palomino, Miguel
Subject: RE: THREE TRACK CONCEPTS FOR LAJ -49TH ST.
Attachments: Jpg

<<Jpg>>
Mr. Wilson,

At the request of Miguel Palomino I am forwarding our various concepts for track alignments for the connections from BNSF to the L.A.J. railway.

F-1

A couple them are fairly similar so feel free to call me if you have any questions.

Greg Rousseau

Greg Rousseau

Project Engineer
BNSF Railway CO.
740 E. Carnegie Dr.
San Bernardino, CA
92408

909.386.4079 Ph.
909.386.4479 Fx.
mailto:greg.rousseau@bnsf.com

-----Original Message-----
From: Palomino, Miguel
Sent: Wednesday, October 11, 2006 4:14 PM
To: Rousseau, Greg J
Subject: THREE TRACK CONCEPTS FOR LAJ -49TH ST.

Greg,

Please send via email the three concepts to

Kevin wilson -city of vernon, kwilson@ci.vernon.ca.us

THANKS,

MIGUEL PALOMINO
BNSF-Manager of Engineering
Off. 909-386-4250
Cell. 909-841-0040

Response to Comments

Responses to RWG Letter and Exhibits to CHSRA Board Dated 11/11/25

Main Letter

1 California High-Speed Rail Authority (CHSRA) and Los Angeles County Metropolitan Transportation Authority (Metro) reviewed the comments provided by RWG Law on behalf of the City of Vernon. The CHSRA Board of Directors does not certify the EIS; however, the CHSRA (as NEPA lead agency) and Metro (as NEPA co-lead agency), will consider whether to sign a Combined Final Environmental Impact Statement (EIS)/Record of Decision (ROD).

2 The commenter's support for the larger Link US Project is noted. The commenter's concern for the Project's impacts on local businesses and the community as a result of implementation of the Malabar Yard railroad improvements is also noted. The commenter claims that the Malabar Yard railroad improvements would result in unmitigated impacts to businesses and a vulnerable community. However, as discussed in the Final EIS, and multiple times in the responses to the *City of Vernon's Comments on Link Union Station Project's Environmental Impact Statement/Supplemental Environmental Impact Report, and Objection to Certification of EIS and Project Approval* dated November 11, 2025 (herein referred to as Main Letter) and associated exhibits, 29 mitigation measures are required to be implemented by Metro in the City of Vernon. The mitigation measures outlined in **Final EIS Appendix Q** and summarized in **Final EIS Volume I, Executive Summary, Tables ES-1 and ES-2,** and the Link US Project Mitigation Monitoring and Reporting Plan (MMRP) would avoid, minimize, and mitigate the identified impacts in the City of Vernon. After mitigation, unavoidable adverse effects under NEPA remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

During preparation of the Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final EIS as Offsetting Mitigation Measures (OMMs). Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City of Vernon's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas

where future mixed-use residential land uses are planned. These OMMs are further discussed in **Final EIS Appendix Q, Section 3.16 (Community Analysis)** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

Further discussion on the mitigation measures and OMMs would be implemented to reduce business and community related impacts in the City of Vernon is provided throughout the responses to this main letter and associated exhibits.

3 The alternative sites suggested by the City of Vernon were considered upon receipt of this letter and a good faith effort was performed to address the comments related to alternatives (Please refer to **Exhibit "A" Response to Comments A-79 through A-97**). It should be noted that during the Revised NOI scoping period no formal comments, especially those related to alternatives considered or any overall concerns of the proposed Malabar Yard railroad improvements, were received from the City of Vernon. During the 45-day comment period for the Draft EIS/SEIR, the City of Vernon did not propose any of these alternatives, either. Only immediately prior to the agency's decisions did the City of Vernon propose additional alternatives. The City of Vernon was also invited to be a NEPA participating agency and no response to the invitation was received.

As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process)**, a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) for the loss of storage tracks that would result at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the following identified screening criteria:

- *Initial Screening Criterion:* The freight rail storage track replacement site shall be located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards.
- *Secondary Screening Criterion:* The freight rail storage track replacement site shall replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations.

Based on the screening and evaluation process in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process)**, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard.

During preparation of the Final EIS, after the close of the 45-day public comment period in mid-2024, at the request of the City of Vernon, Vernon Chamber of Commerce, and Los Angeles County Supervisor Hahn's office, additional analysis was conducted to determine if replacement of BNSF storage tracks could be implemented at BNSF's Hobart Yard facility or BNSF's Los Angeles Junction facility; thereby no longer necessitating the 49th Street Closure as part of the Link US Project (please refer to **Final EIS Appendix Q, Section 1.1.1**). As concluded, these two sites are not feasible to accommodate storage to offset the loss of storage track capacity that results from the Link US Project.

The commenter provides multiple reconfiguration suggestions for Hobart Yard, Commerce Yard, Los Angeles Junction, Pico Rivera, and Malabar Yard as part of Exhibit "A". Please refer to the following responses for additional discussion on the feasibility of these alternative options.

- **Response to Comments A-82 through A-84** (Malabar Yard Configuration Options),
- **Response to Comments A-85 through A-89** (Los Angeles Junction Configuration Options),
- **Response to Comments A-91 through A-94** (Commerce Yard Configuration Options),
- **Response to Comment A-95** (Hobart Yard Configuration Option), and
- **Response to Comment A-96** (Pico Rivera Configuration Option)

As summarized in the table below, all of the reconfiguration suggestions fail to meet the initial or secondary criteria.

Replacement Site	**Criteria 1: Located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards**	**Criteria 2: Replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations**	**Key Issues**
BNSF Commerce Yard Configuration Options			
South Industry Lead (Comment A-93)	**No.** While the tracks identified as the South Industry Lead are located "in proximity to" Commerce Yard, the location would require trains to first travel east on the San Bernardino Subdivision to reposition on the southern-most track to then access the South Industry Lead.	**No.** This proposed configuration would not offset the loss of storage track capacity at BNSF West Bank Yard (5,500 feet) because it would only provide an estimated 4,700 track feet. In addition, this proposed configuration would not preserve current levels of freight operations and not meet criteria two because trains would have to travel in the opposite direction of the current travel path, causing delays in both passenger and freight rail operations on the main line tracks along the BNSF San Bernardino Subdivision. See Exhibit 1 in Response to Comment A-93 for a depiction of the intermodal storage routing for the South Industry Lead.	Although the South Industry Lead and the Relocated Truck Entrance proposed locations are in proximity to Commerce Yard, trains traveling to these locations would be required to move back and forth on the already-congested San Bernardino Subdivision. This is because the proposed locations are on the south side of the San Bernadino Subdivision while the Hobart and Commerce Yard tracks are located on the north side of the San Bernardino Subdivision.
Relocation of Truck Entrance (Comment A-94)	**No.** While **t**racks identified in the 26th Street Area would be located "in proximity to" Commerce Yard, trains would need to travel east first to access storage tracks, then back west toward the ultimate destination.	**No.** This proposed configuration would not preserve current levels of freight operations and not meet criteria two because trains would have to travel in the opposite direction of the current travel path, causing delays in both passenger and freight rail operations on the main line tracks along the BNSF San Bernardino Subdivision. In addition, this proposed configuration would also impact and	

Replacement Site	Criteria 1: Located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards	Criteria 2: Replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations	Key Issues
		potentially require closure of Metrolink's Commerce Station platforms and the supporting 135 space parking lot. See Exhibit 2 in Response to Comment A-94 for a depiction of the intermodal storage routing for the South Industry Lead.	
BNSF Malabar Yard Configuration Options			
Use of Existing Tracks Only (no 49th Street Closure or 46th Street Connector) (Comment A-82)	**Yes.** BNSF Malabar Yard meets this criterion.	**No.** Existing tracks without 49th Street closure and 46th Street connector do not meet secondary criterion as existing yard operations would not be able to accommodate additional storage.	Malabar yard lacks available capacity given current operations.
Build an additional track (Comment A-83)	**Yes.** BNSF Malabar Yard meets this criterion.	**No.** introduces CPUC approval issues due to adding a new track at an already large at-grade crossing and conflicts with Vernon's General Plan Policy CI 1.5. The additional track would also not be sufficient to replace 5,500 feet of track storage or preserve current levels of freight rail operations.	Adds freight rail operational complexity; does not preserve freight operations.
Rehabilitate existing siding (Comment A-84)	**Yes.** BNSF Malabar Yard meets this criterion.	**No.** Claim speculative; even if used, provides approximately 2,900 feet less than required; AAR GCOR clearance reduces usable length.	Adds freight rail operational complexity; does not preserve freight operations.
Los Angeles Junction Configuration Options			
A Yard (Comment A-86)	**Yes.** Los Angeles Junction meets this criterion.	**No.** The combination of 2,200 feet of capacity with 1,300 feet would not equate to the loss of 5,500 square feet that are lost on the BNSF West Bank yard.	Property acquisitions, business relocations, and insufficient available land area
B Yard (Comment A-87)	**Yes.** Los Angeles Junction meets this criterion.	**No.** Los Angeles Junction B Yard does not have capacity to replace lost storage capacity in kind or preserve the current levels of freight rail operations.	LAJ lacks available land; all space occupied by existing operations serving local customers.
C Yard (Comment A-88)	**Yes.** Los Angeles Junction meets this criterion.	**No.** Los Angeles Junction C Yard does not have capacity to replace lost storage capacity in kind or preserve the current levels of freight rail operations.	LAJ lacks available capacity.
Los Angeles Junction Unused Right of Way	**Partial.** Los Angeles Junction has tracks running through the Cities of Vernon, Bell,	**No.** Storage on various spur tracks at multiple locations throughout multiple cities would introduce new operational inefficiencies thus compromising their	New freight rail operational inefficiencies, greater potential for

Replacement Site	Criteria 1: Located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards	Criteria 2: Replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations	Key Issues
(Comment A-89)	Maywood, and Commerce.	support of the BNSF Hobart/Commerce Intermodal yards.	environmental impacts in multiple jurisdictions.
BNSF Pico Rivera Yard Configuration Option			
Distance to Hobart and Commerce (Comment A-96)	**No.** BNSF Pico Rivera Yard is located east of BNSF Hobart/ Commerce Intermodal Yards.	**No.** Moving cuts between Hobart/Commerce and Pico Rivera requires additional movements over the San Bernardino Sub mainline (and/or working leads), increasing conflict windows, dispatch complexity, and risk of blocking higher-priority movements. The mileage separation verified in timetables makes these conflicts routine, not incidental.	New freight rail operational inefficiencies.

4 Please refer to **Main Letter Response to Comment 3** regarding the evaluation of other alternative site options for BNSF additional rail storage. As concluded, the elimination of Malabar Yard railroad improvements from the Link US Project is not feasible and a range of alternative storage options has been analyzed in-depth.

CHSRA respectfully disagrees with the commenter's opinion that Metro certified the Final SEIR and ignored the objections of the City of Vernon and Vernon community. Metro and CHSRA understand the roles, responsibilities, and actions that need to be taken to implement the Malabar Yard railroad improvements. For this reason and as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 1**, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City of Vernon requirements, and viewpoints and perspectives so they can be addressed head on. Metro is committed to making meaningful progress in an attempt for a mutual agreement to fulfill the mitigation requirements of the Link US Project.

NEPA regulations detail requirements for public involvement during preparation of an EIS to ensure meaningful engagement during the planning process and ensure decision makers are informed by the views of the public (40 CFR 1506.6). CHSRA as the NEPA lead agency has exceeded the public involvement and outreach requirements of NEPA.

In addition to Metro holding a series on community enhancement workshops with the City of Vernon staff, Metro proposed a $25 million dollar package of additional Offsetting Mitigation Measures (OMMs) that provide benefits to the City of Vernon. Please refer to **Exhibit "A" Response to Comment A-82** for a breakdown of the each OMM.

5 CHSRA and Metro understand the roles and responsibilities and actions that need to be taken to implement the Malabar Yard railroad improvements. For this reason, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City requirements, and viewpoints and perspectives so they can be addressed.

CHSRA respectfully disagrees with the commenter's opinion that Malabar Yard Mitigation Measure TR-6 is not feasible, enforceable, or practicable under 14 CCR §15126.4(a)(2) and 40 CFR §1508.20 (2016).

14 CCR §15126.4(a)(2) states the following:

> *Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design.*

The Council on Environmental Quality recognized mitigation measures adopted in a ROD are enforceable:

> "[T]he terms of a Record of Decision are enforceable by agencies and private parties" and a "Record of Decision can be used to compel compliance with or execution of the mitigation measures identified therein."

Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, 46 Fed. Reg. 18026, 18037 (Mar. 23, 1981).Malabar Yard Mitigation Measure TR-6 meets both 14 CCR § 15126.4(a)(2) and 40 CFR §1508.20 requirements. As identified in the Final EIS's MMRP, the City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and the California Public Utilities Commission (CPUC) on roadway design, railroad safety devices, and accessibility.

For the Project itself, CHSRA and Metro do not require any permissions from the City of Vernon. The City of Vernon has no approval authority over the core Project elements. However, for certain improvements (such as roadway modifications, traffic signal adjustments, or safety enhancements at local crossings) that would be implemented as part of identified mitigation measures, CHSRA and Metro may conceivably require some level of coordination or permission from the City of Vernon. This could include permits for work within city-owned streets, temporary traffic control during construction, or integration with local infrastructure and potential land use entitlements (e.g., Circulation Element update). While these permissions are not guaranteed to be necessary for every mitigation measure, they may be required to implement specific improvements that extend beyond railroad property and into municipal rights-of-way.

This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. It is reasonable to anticipate that the City of Vernon will fully cooperate in the NEPA process, as such collaboration is mandated and reinforced by applicable federal regulatory frameworks. Under NEPA (42 U.S.C. § 4321–4336), federal agencies are required to use "all practicable means" to coordinate with state and local governments to foster mutually beneficial environmental planning. For transportation projects, 49 U.S.C. § 310 mandates coordinated and concurrent environmental reviews across federal agencies and agencies of jurisdiction, ensuring coherent alignment of purpose, need, alternatives, and permit decisions. This interagency cooperation enhances procedural efficiency, maximizes resource utilization, and ensures that the resulting transportation infrastructure network is sustainable, legally compliant, and responsive to community goals, thereby fulfilling both federal mandates as well as Metro's and the City of Vernon's planning priorities. Although the invitation to become participating agency was not accepted by the City of Vernon, Metro and CHSRA remain committed to a cooperative process with the City of Vernon.

Under California law, the CPUC has exclusive jurisdiction over the approval of new railroad crossings. The CPUC process is governed by Public Utilities Code Sections 1201 through 1205, 7537, 99152 and CPUC General Orders 75 and 88, as amended. The CPUC process generally proceeds as follows:

1. *Application by Metro*: Metro would submit an application to the CPUC for approval of a new crossing. This application must demonstrate compliance with safety standards and include proposed mitigation measures consistent with applicable requirements, such as Malabar Yard Mitigation Measure TR-6.
2. *Coordination with City of Vernon:* Metro would seek the City of Vernon's assistance in designing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6 to address local concerns and enhance safety. This collaborative approach is encouraged but not legally required for CPUC approval.
3. *CPUC Authority to Approve:* Even if the City of Vernon does not participate in designing mitigation measures, the CPUC retains authority to approve the new crossing if it meets safety and regulatory requirements.
4. *Opportunity for Objections:* The City of Vernon may file formal objections during the CPUC proceeding. These objections would be considered as part of the CPUC's decision-making process.
5. *Post-Decision Participation:* If the CPUC denies the City of Vernon's objection and approves the crossing, the City of Vernon may still assist in implementing reasonable mitigation measures under Malabar Yard Mitigation Measure TR-6. This ensures that local input can influence the final design and safety features, even after CPUC approval.

It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain required approvals from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications. The Final EIS acknowledges that the

effectiveness of Malabar Yard Mitigation Measures TR-6 will depend on ongoing coordination with the City of Vernon and CPUC. CHSRA and Metro are committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

To further demonstrate a good-faith effort in ongoing coordination with the City of Vernon, two Board Motions were passed by the Metro Board that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF during the October 23, 2025 Metro Board Meeting. In addition, on December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions passed in October 2025. Within that correspondence, Metro requested BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Despite the concerns expressed by the City of Vernon, CHSRA and Metro reasonably expect to obtain the necessary approvals to implement the goals of Malabar Yard Mitigation Measure TR-6, which focuses on ensuring safety and operational efficiency at affected crossings. This expectation is based on the CHSRA's and Metro's authority under applicable state and federal regulations, and CPUC's jurisdiction over rail crossing approvals and the collaborative framework established under NEPA and CEQA. The CPUC process allows for consideration of local input while prioritizing public safety and transportation needs. Even if the City of Vernon does not actively participate in designing mitigation measures, CHSRA and Metro retain the ability to propose and implement reasonable, enforceable mitigations that meet regulatory standards. Therefore, CHSRA and Metro anticipate that the required approvals will be secured to achieve Malabar Yard Mitigation Measure TR-6 objectives and maintain compliance with environmental commitments.

6 The commenter states that the City of Vernon would not agree to changes to its traffic system based on a flawed traffic study taken during the height of the COVID-19 shutdown. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, which includes a detailed explanation of the COVID-19 Factor Methodology – Normalizing Traffic Counts to Pre-COVID Conditions.

As disclosed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, traffic counts were conducted in August 2020 for the intersections and roadway segments used in the traffic analysis to characterize the existing conditions. However, due to the timing of when the Revised NOI was released (September 2020) and impact of the COVID-19 pandemic, the amount of traffic on the streets and intersections was lower than the normal (non-COVID-19) conditions due to "new quasi-normal" day to day activities and businesses operating under various restrictions, including shelter-in-place and complete business shutdowns. To ensure the credibility of baseline traffic conditions, on which future year conditions (post COVID-19) are based, the raw traffic count data that was collected in August 2020 was 'normalized' to the traffic levels which existed pre-COVID-19, before it was applied to the traffic analysis. This "COVID Factor" approach was used to estimate traffic conditions in 2020 without COVID-19.

The approach to normalize the traffic count data collected in August 2020 during the COVID-19 pandemic to the traffic levels that existed pre-COVID-19 is presented in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-4** and summarized in **Key Issue Response 2**. This methodology utilized is an industry standard approach taken during the COVID-19 pandemic and was coordinated with the City of Vernon to obtain feedback on the approach before using the adjusted volumes in the traffic analysis. The traffic volumes presented in **Final EIS Appendix Q** represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the traffic conditions to use for environmental documentation purposes.

The commenter requests that Malabar Yard railroad improvements be removed and an alternative storage option for BNSF be identified. Please refer to **Main Letter Response to Comment 3** regarding the evaluation of other alternative site options to offset the loss of freight rail storage tracks that would occur at the BNSF West Bank Yard.

7 CHSRA respectfully disagrees with the commenter's opinion that the analysis contained in the EIS is flawed and Malabar Yard railroad improvements need to be removed from the Project. The comment also states that the City of Vernon has already provided comments as part of the CEQA process. Please refer to responses to each technical item in the subsequent comments.

8 The commenter states that freight rail is not an adverse environmental effect (NEPA)/environmental impact (CEQA) requiring mitigation, Malabar Yard is not part of the Link US Project description, and treating it as mitigation is inappropriate under NEPA or CEQA for several reasons.

To the contrary, *FRA's Procedures for Considering Environmental Impacts* (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably*

foreseeable indirect physical changes in the environment which may be caused by the project."

- As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
- In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs and *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system.

- As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the *California Transportation Plan 2040* that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA

similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project.

The commenter's statement that Metro prefers to "compensate BNSF for the taking of its property at the BNSF West Bank Yard, rather than pursue the Malabar Yard Mitigation" mischaracterizes the purpose and effect of just compensation.

Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of freight rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

Just compensation references a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. Any financial payment would not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service.

CHSRA or Metro were not made aware of any pre-Link US proposals or negotiations between BNSF and Vernon on the 49th Street Closure or the 46th Street Connector. It should be noted that Los Angeles County has a long legacy of extensive railway branch lines, many abandoned over decades. Abandonments accelerated in mid-20th century as passenger streetcar and secondary freight declined. Existing freight rail operates on a network diminished both in capacity and redundancy. The following resources highlight abandoned, out-of-service, or railbanked tracks in Los Angeles County and broader California, illustrating historic pressures on freight rail infrastructure:

- *Abandoned Rails of Los Angeles.* An interactive map showing abandoned sidings and spurs, particularly near Union Pacific Avenue east of downtown Los Angeles. Includes user observations on disused industrial rail features in Los Angeles County. https://www.abandonedrails.com/los-angeles-california

- *Surface Transportation Board: Railroad Map Depot.* This official STB map features "Abandoned and Railbanked Rail Lines" throughout California, including Los Angeles County. It provides geocoded data on tracks formally abandoned or preserved for railbanking (rail-trail conversion). https://stb.maps.arcgis.com/home/index.html
- *ArcGIS: Abandoned & Railbanked Rail Lines.* Esri-hosted GIS resource showing rail abandonments in North America, including California and Los Angeles County. Tracks are mapped as "abandoned" or "railbanked." https://www.arcgis.com/home/item.html?id=59c5662600854756a7e6f18bca1a0f44

These mapping databases demonstrate that the footprint and connectivity of freight rail in Los Angeles County were significantly reduced long before the Link US Project.

Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The commenter suggests Metro "admitted … that the Malabar Yard is not necessary to mitigate any adverse environmental effects," and asserts that BNSF "rejected monetary compensation" in favor of Malabar Yard railroad improvements. A thorough review of the record indicates both claims are inaccurate. During the October 16, 2025 Metro Executive Management Committee Meeting, in responses to Metro Board Chair Hahn's inquiry if Malabar Yard has to be part of the decision, Metro staff responded that a Mitigation Monitoring and Reporting Program has to be approved and the Final EIS Mitigation Monitoring and Reporting Program identifies Malabar Yard as mitigation, so not involving Malabar Yard in the decision would leave the project unresolved, which would in turn create problems when pursuing funding as Metro would not have a project that is ready. No statements of BNSF rejecting monetary compensation were made. Metro staff also stated that Metro would have liked to purchase the portion of the West Bank Yard needed for the Link US Project, but BNSF would not agree that that.

Final EIS Appendix Q, Section 1.0 (Introduction) states, "this technical memorandum provides a detailed description of the Malabar Yard railroad improvements in the City of Vernon and a full environmental evaluation of potential effects of the Malabar Yard mitigation for freight and displacement impacts at BNSF West Bank Yard." This passage explicitly affirms that Malabar Yard railroad improvements are required as mitigation tied to the Link US run-through tracks, not optional or irrelevant.

Metro staff have acknowledged that property acquisition or negotiated compensation could be a possible implementation route. However, this is presented as part of a range of feasible strategies, not as a determination that Malabar Yard railroad improvements are unnecessary. The October 23, 2025 Metro Board Motion (2025-0931) clearly directed Metro to, "Collaborate with BNSF to explore any other alternative solutions for rail storage

that may have fewer impacts, while still addressing project needs." This demonstrates an exploratory approach, not an admission that Malabar Yard is unwarranted.

Contrary to the comment, the Board Motion does not record that BNSF rejected monetary compensation or demanded Malabar Yard railroad improvements. Instead, the motion emphasizes continued collaboration with BNSF and City of Vernon to seek written agreements on operational and mitigation strategies. This ongoing negotiation does not constitute a refusal of compensation.

9 For clarification, the purpose for implementing Malabar Yard railroad improvements is to comply with NEPA and CEQA's requirement to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity (40 CFR 1502.14(f), 40 CFR 1502.16(h); *CEQA Guidelines* §15126.4(a)). A project's impact on freight is an environmental topic required for consideration in an EIS using FRAs Environmental Procedures. Please refer to **Main Letter Response to Comment 8** above.

FTA's NEPA checklist was not used for the NEPA EIS evaluation because this is not an FTA-sponsored or funded transit project, Link US is a regional rail project therefore, FRA's Environmental Procedures apply. The loss of freight storage tracks at BNSF West Bank Yard not only results in a conflict with said policies and programs, it results in both direct and indirect effects across the entire shared passenger/freight corridor. As discussed in **Main Letter Response to Comment 8** above, loss of freight storage tracks at BNSF West Bank Yard potentially creates increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. These indirect effects also require mitigation.

The inclusion of Malabar Yard railroad improvements in the Project is not solely driven by compliance with the *Los Angeles Mobility Plan 2035* or the *California Transportation Plan 2040*. While these plans provide important regional and statewide policy frameworks that encourage efficient, multimodal transportation systems, the primary purpose of the Malabar Yard railroad improvements is to preserve current levels of freight operations. As clearly stated in **Final EIS Volume I, Chapter 1.0 (Purpose and Need), Section 1.3 (Project Purpose)**, "…[t]he purpose of the proposed action is to increase the regional and intercity rail service capacity of LAUS and to improve schedule reliability at LAUS through the implementation of a run through tracks configuration and elimination of the current stub end tracks configuration while preserving current levels of freight rail operations, accommodating the planned HSR system in Southern California, increasing the passenger/pedestrian capacity and enhancing the safety of LAUS through the implementation of a new passenger concourse meeting the multi modal transportation demands at LAUS" *emphasis added*. The improvements are designed to mitigate the loss of critical freight rail infrastructure and ensure continuity of goods movement, which is essential for economic vitality and environmental sustainability.

10 The commenter states that the *City of Los Angeles Mobility Plan* and *California Transportation Plan* are not relevant plans and that the *City of Vernon General Plan* was not analyzed in the EIS. The comment is incorrect. For the main portion of the Link US Project in Los Angeles, the *City of Los Angeles Mobility Plan 2035* is in fact the most

applicable document because the BNSF West Bank Yard and the Build Alternative are located in the City of Los Angeles. The California Transportation Plan is a guiding document for all transportation infrastructure in the state, including regional rail and freight rail in Los Angeles County.

Final EIS Appendix Q, Section 3.2 (Land Use and Planning), **Table 3.2-2** provides an evaluation of the railroad improvement's consistency with applicable plans, policies, and programs, which is required under 40 CFR 1502.16(c). Specifically, consistency of the *City of Vernon General Plan* (Amended 2015) with the Malabar Yard railroad improvements is analyzed within **Table 3.2-2**, including Policies CI-1.2, CI-1.3, and CI-1.5 that the commenter references. A summary of consistency with Policies CI-1.2, CI-1.3, and CI-1.5 is included below:

a) Policy CI-1.2 – Consolidated train movements results in a citywide circulation improvement.

- In March 2025, Metro facilitated a Community Meeting/Open House in the City of Vernon. Multiple comments were raised by the community regarding the duration of time that intersections could be blocked by freight trains. In response to these comments, in April 2025 Metro installed cameras at multiple locations throughout the City of Vernon to record continuous train activity over the course of a week (April 19–25, 2025), 24-hours per day.

  Applying the video footage collected, Metro performed an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing condition and with implementation of the Malabar Yard railroad improvements. Metro presented the results of the intersection delay/blockage analysis on June 17, 2025, to the Vernon City Council and on June 23, 2025, to the Vernon Chamber of Commerce. Multiple property owners and business representatives attended both meetings.

  Based on the video data collected, results were summarized for two conditions (Actual Condition [based on observed train activity] and Worst-Case Condition) to determine how the Malabar Yard railroad improvements would change intersection delay/blockage at eight locations and effects to citywide vehicular circulation. Results are summarized below:

  - Actual Condition (based on observed train activity)
    - Length of Observed Trains: 350 feet to 1,500 feet
    - Daily Intersection Blockage Results: With Malabar yard railroad improvements, daily intersection delay/blockage would be reduced by 30 minutes.
  - Worst Case Condition (consistent with NEPA EIS and CEQA SEIR evaluation)
    - Length of Longest Potential Trains: 3,000 feet

- Daily Intersection Blockage Results: If longer trains are needed due to customer demand in the City of Vernon, the corresponding reduction in daily intersection blockage with the Malabar Yard railroad improvements would also increase as compared to the existing condition. Assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. This reduction is based on the assumption that in the existing condition trains would operate with the same length (3,000 feet) without the Malabar Yard railroad improvements.

Based on the train observations conducted in April 2025, the data supports the conclusion that with implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur. This is primarily because:

- 3.15 fewer trains would operate in the City of Vernon, and
- In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction rail yard on the east side of the City of Vernon.

The Malabar Yard railroad improvements do not interfere with any coordination the City of Vernon would seek to undertake with BNSF directly, so the Malabar Yard railroad improvements are not inconsistent with Policy CI-1.2.

b) Policy CI-1.3 – Consolidated train movements is proposed. The proposed Malabar Yard railroad improvements do not involve any physical expansion of the yard's footprint or increase in its operational boundaries, meaning the Malabar Yard railroad improvements would not conflict with Policy CI-1.3, which seeks to limit expansion of rail facilities. The improvements are intended to maintain freight efficiency and safety, rather than enlarge the yard or introduce new land uses.

   Furthermore, nothing in the Malabar Yard railroad improvements design or implementation precludes the consolidation of rail spurs in any feasible manner. Future consolidation efforts remain possible and can be pursued independently or in coordination with stakeholders, ensuring flexibility for long-term rail infrastructure planning. Therefore, the Malabar Yard railroad improvements preserves current levels of freight rail operations without expanding the yard and does not prohibit future opportunities for spur consolidation.

c) Policy CI-1.5 – Based on the *City of Vernon General Plan* and associated *City of Vernon Master Plan of Streets* street classification map, 46th and 49th Street are not identified as a designated arterial or collector street. Policy CI-1.5 applies specifically to designated streets within the city's circulation network, which excludes local streets such as 46th and 49th Street. This classification is further

supported by the street's low traffic volumes and its absence from the City of Vernon's designated roadway hierarchy. Therefore, improvements at 46th and 49th Street are not subject to the requirements of Policy CI-1.5, and the Malabar Yard railroad improvements remain consistent with the City of Vernon General Plan.

In addition, during a July 2020 presentation to the City of Vernon, Metro staff discussed the feasibility of grade-separating the 49th Street rail crossing in accordance with Metro's Grade Separation Policy, which specifies that grade separations are typically warranted at crossings with:

- High vehicle traffic volumes
- High train frequencies
- Frequent accidents

For context at this crossing:

- 49th Street Average Daily Traffic (ADT) is approximately 100 vehicles per day, which is well below typical thresholds.
- Train movements amount to just two per day (one during the day and one at night).
- There have been no reported accidents at this crossing since 1985.

Under Metro's initial screening criteria, such crossings are categorized as "At-Grade Should be Feasible", meaning grade separation is not required based on current conditions. These findings directly support the conclusion that maintaining the crossing at-grade aligns with Policy CI-1.5 and Metro's own design standards.

In addition, the proposed Malabar Yard railroad improvements do not preclude or prohibit the City of Vernon from pursuing future grade separation projects at railroad crossings. The Malabar Yard railroad improvements do not alter the City of Vernon's jurisdiction or authority to plan and implement grade separation measures on local streets. Any grade separation initiatives would remain subject to separate planning, environmental review, and funding processes, allowing the City of Vernon to advance such projects independently or in coordination with BNSF and/or regional transportation agencies. Therefore, the Malabar Yard railroad improvements and potential grade separation efforts are complementary rather than conflicting actions.

Final EIS Volume III, Response to Comments, Key Issue Response 6, Table 5, states the Malabar Yard railroad improvements were determined to be consistent with the goals and policies within the *2023 Vernon Westside Zone Change and General Plan Amendment*, and no inconsistencies were found. Therefore, no conflict would occur with implementation of the Malabar Yard railroad improvements.

The comment letter notes the City of Vernon encourages rail lines to merge facilities – this is exactly what consolidation of freight service from Los Angeles Junction does. It

consolidates or "merges" all freight movements for customers out of Los Angeles Junction thereby reducing train movements along the Harbor Subdivision in the City of Vernon. The 49th Street Closure also separates streets from railways, albeit at-grade, vehicular traffic and rail traffic would no longer be able to interface.

The commenter also asserts that the EIS focuses on the cherry-picked policies that would drive a decision to adopt the Malabar Yard railroad improvements. The *City of Vernon General Plan* has six General Plan elements consisting of Land Use, Circulation and Infrastructure, Housing, Safety, Natural Resources, and Noise. **Final EIS Appendix Q, Table 3.2-2 (Consistency with Applicable Plans, Policies, and Local Land Use Controls)** included a review of applicable *City of Vernon General Plan* policies within the six elements. The majority of the policies contained within these General Plan elements do not apply to the Project. As stated in **Final EIS Appendix Q, Section 3.2 (Land Use and Planning)**, "Table 3.2-2 provides an evaluation of the railroad improvement's consistency with **applicable plans, policies, and programs,** which is required under 40 CFR 1502.16(c)" *emphasis added*.

Where applicable *City of Vernon General Plan* policies were identified for specific environmental topics (e.g., air quality, safety, noise), additional identification and analysis of those specific policies were included in the respective environmental chapters. These include the following **Final EIS Appendix Q** references:

- **Table 3.3-1 (Applicable Laws, Regulations, and Plans for Transportation)**
- **Table 3.4-1 (Applicable Laws, Regulations, and Plans for Aesthetics and Visual Quality)**
- **Table 3.5-1 (Applicable Laws, Regulations, and Plans for Air Quality and Global Climate Change)**
- **Table 3.6-1 (Applicable Laws, Regulations, and Plans for Noise and Vibration)**
- **Table 3.8-1 (Applicable Laws, Regulations, and Plans for Floodplains, Hydrology, and Water Quality)**
- **Table 3.9-1 (Applicable Laws, Regulations, and Plans for Geology, Soils, and Seismicity)**
- **Table 3.10-1 (Applicable Laws, Regulations, and Plans for Hazardous Waste and Materials)**
- **Table 3.12-1 (Applicable Laws, Regulations, and Plans for Cultural and Paleontological Resources)**
- **Table 3.14-1 (Applicable Laws, Regulations, and Plans for Safety and Security)**

The Project was determined to be consistent with those applicable General Plan policies.

11 CHSRA respectfully disagrees with the commenter's opinion that BNSF is now using Metro to improperly obtain operational benefits through NEPA that it could not otherwise obtain from the City of Vernon. As clearly stated in **Final EIS Volume I, Chapter 1.0 (Purpose and Need), Section 1.3 (Project Purpose)**, "…[t]he purpose of the proposed action is to increase the regional and intercity rail service capacity of LAUS and to improve schedule reliability at LAUS through the implementation of a run through tracks configuration and elimination of the current stub end tracks configuration while preserving current levels of freight rail operations, accommodating the planned HSR system in Southern California, increasing the passenger/pedestrian capacity and enhancing the safety of LAUS through the implementation of a new passenger concourse meeting the multi modal transportation demands at LAUS" *emphasis added*.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and continues coordination with BNSF to appropriately mitigate those impacts for the Link US Project as a whole. Please refer to **Main Letter Response to Comment 7** for additional information on why Malabar Yard railroad improvements are required under NEPA.

The assertion that, "BNSF is doing so in a way that is fully intended to increase train traffic into and out of Vernon without any assurance to the contrary" is not supported by the Project's purpose, scope, or environmental analysis of the Malabar Yard railroad improvements. The Malabar Yard railroad improvements are designed to maintain existing freight rail efficiency and mitigate operational impacts resulting from property acquisition elsewhere in the network.

Under NEPA and CEQA, the environmental review included an evaluation of potential changes in train traffic and found no evidence that the Malabar Yard railroad improvements would induce additional rail movements beyond what is necessary to maintain existing service.

Substantial evidence and analysis has been presented to City of Vernon demonstrating that Malabar Yard railroad improvements would result in 3.15 fewer train movements in the City of Vernon per day (fewer train movements along the Harbor Subdivision per day). Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Volume I, Chapter 2.0 (Alternatives and Design Options Considered), Section 2.2.2, Table 2-4**.

12 CHSRA respectfully disagrees with the commenter's opinion that Malabar Yard does not fully mitigate the loss of freight rail storage from the BNSF West Bank Yard. Criteria 2 in **Final EIS Appendix Q, Section 1.1.1** states, "…[t]he freight rail storage track replacement site shall replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations" *emphasis added*. It is correct that the 49th Street Closure would accommodate up to 3,350 feet of freight rail track storage capacity for BNSF to store empty bare tables at BNSF Malabar Yard. As stated in the **Final SEIR (Page 7-215)**,

"…[u]pon implementation of the Malabar Yard railroad improvements (primarily the 46th Street Connector), BNSF would have a direct path from Los Angeles Junction to Malabar Yard; thereby reducing train movements and associated increased traffic queuing on the San Bernardino Subdivision."

As stated in **Final EIS Appendix Q, Page 1-16**, "the track capacity gained by the 49th Street closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards and nearby ports while maintaining current levels of freight rail operations and regional goods movement."

13 Both 49th Street Closure and 46th Street Connector combined would reduce the identified significant impact (CEQA)/adverse effect (NEPA) where no residual adverse impacts would remain after mitigation.

- **Final EIS Volume I, Section 3.3 (Transportation)** states, "…[w]ith the implementation of Mitigation Measure TR-3 (summarized above and described in Section 3.3.6), the net loss of freight storage track capacity resulting from the Build Alternative would be limited to 2,150 track feet[1] and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon."
- **Final EIS Appendix Q, Page 1-16** states, "…the track capacity gained by the 49th Street closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards and nearby ports while maintaining current levels of freight rail operations and regional goods movement."

As addressed in **Main Letter Response to Comment 8 and 9** above, the purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations.

Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR §1508.1(s), and when it is practicable and supports the Purpose and Need. Neither CEQA nor NEPA require that mitigation be a 1:1 replacement of the affected resource, only that it avoid or substantially lessen the severity of the significant impact where feasible. In the **Final EIS Appendix Q, Section 1.1.1,** the word "or" was

[1] 5,500 track feet removed - 3,350 track feet gained at Malabar yard = net loss of 2,150 track feet. The new 1,000-foot track connection on 46th Street in the City of Vernon provides additional storage at LAJ.

added on **Page 1-1** to make clear that either solution was pursued during the alternatives analysis process.

The Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,500 feet of storage track is not a 1:1 replacement of the 5,500 feet of storage track removed, it would provide functionally equivalent storage, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS, Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of CEQA and NEPA because they would avoid adverse effects on freight and passenger operations and replace storage capacity in a manner that preserves existing levels of freight rail operations, consistent with the Project's Purpose and Need.

A project's impact on freight is an environmental topic required for consideration in an EIS using FRAs Environmental Procedures. Metro and CHSRA respectfully disagree with the claim that Metro and CHSRA are improperly converting a real estate transaction into a mitigation measure under CEQA and NEPA, pushing the impacts of its project onto the residents, workers, and businesses of the City of Vernon.

The Malabar Yard railroad improvements are not a real estate transaction repackaged as mitigation. Rather, it is a construction and operational mitigation measure developed through coordination with BNSF to address the operational effects associated with the Link US Project's rail infrastructure improvements and the associated changes in the BNSF West Bank Yard configuration that causes loss of storage tracks. The mitigation was identified to preserve current levels of freight rail operations while avoiding or minimizing construction and operational direct and indirect effects that could otherwise result from the Project.

Under CEQA and NEPA, mitigation measures are not limited to physical land acquisition and may include operational, logistical, or programmatic measures where appropriate. The Final SEIR and Final EIS include an appropriate level of derailed and thorough evaluation of these measures based on their environmental outcomes, not on the underlying contractual or property arrangements required to implement them.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Responses** for a thorough and comprehensive analysis on the following topics concerning the Malabar Yard railroad improvements and the City of Vernon:

- **Key Issue Response 1** – Stakeholder Engagement Activities in City of Vernon
- **Key Issue Response 2** – Traffic Impact Analysis for Malabar Yard Railroad Improvements
- **Key Issue Response 3** – Sensitive Receptors Considered and Localized Air Quality Analysis for Vehicle Idling

- **Key Issue Response 4** – Public Safety Response Times and Emergency Vehicle Access
- **Key Issue Response 5** – Operational and Physical Impacts to Business
- **Key Issue Response 6** – Land Use and Planning Analysis Related to *2023 Vernon Westside Zone Change and General Plan Amendment*

14 The commenter summarizes the site screening criteria identified in the Final EIS used to evaluate potential sites to offset the loss in storage track capacity. The following is the correct and verbatim siting screening criteria language from the Final EIS:

- "The freight rail storage track replacement site shall be located in proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards." (**Final EIS Appendix Q, Page 1-9**).
- "The freight rail storage track replacement site shall replace lost storage capacity in kind (5,500 track feet) or preserve the current levels of freight rail operations." (**Final EIS Appendix Q, Page 1-10**).

CHSRA respectfully disagrees with the commenter's opinion that the selection of Malabar Yard does not satisfy the first criteria as it is the furthest away from the desired location. As identified in **Final EIS Appendix Q, Section 1.1.1 (Freight Rail Storage Tracks Replacement Sites Considered)**, "…like the existing BNSF West Bank Yard, the freight rail storage track replacement site must be located in close proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards to facilitate storage of excess empty bare tables as trains pass Redondo Junction along the route between BNSF Hobart/Commerce Intermodal Yards and nearby ports. The replacement site must be located west of BNSF Hobart/Commerce Intermodal Yards to avoid trains having to travel east first, then back west toward the ultimate destination." Malabar yard meets that criteria as it is in proximity to and west of the BNSF Hobart/Commerce Intermodal Yard. The screening criteria does not dictate that the site furthest away should be screened out.

CHSRA respectfully disagrees with the commenter's opinion that the selection of Malabar Yard does not satisfy the second criteria as Malabar Yard only provides 3,350 feet of storage capacity and does not provide full replacement of 5,500 track feet of lost storage track capacity. Although the approximately 3,350 feet of storage track is not a 1:1 replacement for the 5,500 feet of storage track removed, it would provide functionally equivalent storage, and when combined with the 46th Street Connector, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2**). Malabar Yard satisfies the second screening criteria and is considered adequate mitigation under the requirements of NEPA because it would avoid adverse effects on freight and passenger operations and replace storage capacity in a manner that preserves existing levels of freight rail operations, consistent with the Project's Purpose and Need (**Final EIS, Chapter 1.0 (Purpose and Need), Section 1.3 (Project Purpose)**).

15 Comment responses to the report authored by Railroad Industries Incorporated (RII) are herein referred to as Exhibit "A". The commenter states that numerous options are available to BNSF to offset the loss of freight rail storage at the BNSF West Bank Yard, including modifications to the existing Malabar Yard configuration that do not require the closure of 49th Street or additional crossings on 46th Street. The commenter asserts that the EIS does not analyze other feasible mitigations and that NEPA requires agencies to take a hard look at each alternative and discuss the extent that adverse effects can be avoided. Please refer to **Main Letter Response to Comment 3** regarding the evaluation of other alternative site options for BNSF additional rail storage. As concluded, the elimination of Malabar Yard railroad improvements from the Link US Project is not feasible and a range of alternative storage options has been analyzed in-depth.

16 CHRSA respectfully disagrees with the commenter's opinion that the Malabar Yard railroad improvements improperly causes significant adverse environmental effects. As detailed in **Main Letter Response to Comment 8**, the need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The Malabar Yard railroad improvements substantially lessen the Project's significant impacts/adverse effects and can be feasibly implemented for the reasons stated in the responses to this main letter and exhibits. As discussed in **Main Letter Response to Comment 4**, during the Metro Board Meeting on October 23, 2025, two Board Motions were passed that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF Railway to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. The continued collaboration between the City of Vernon, Metro, CHSRA, and BNSF as memorialized with the two Board Motions passed on October 23, 2025 contribute to the feasibility of the mitigation.

Malabar Yard is the only site that meets both criteria and BNSF's operational requirements so that the current levels of freight operations are preserved.

CHRSA respectfully disagrees with the commenter's opinion that the EIS manufactures significant adverse effects, such as freight rail impacts. Malabar Yard railroad improvements are part of Mitigation Measure TR-3 to reduce impacts on the freight transportation system and the identified direct and indirect effects under NEPA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is provided in **Main Letter Response to Comment 8**. Additional adverse effects that would occur as a result of the Malabar Yard railroad improvements are mitigated via the 29 mitigation measures identified in **Final EIS Appendix Q**.

Under NEPA, federal agencies are required to conduct a reasonable analysis of possible mitigation measures to avoid, minimize, or compensate for adverse environmental impacts (40 CFR §1502.14(f) and §1502.16(h)). This analysis ensures that decision-makers and the public understand how environmental effects can be addressed and whether mitigation can make an alternative environmentally preferable.

In the Record of Decision (ROD), CHSRA will evaluate the costs and benefits of the Malabar Yard railroad improvements in relation to the overall Project objectives, benefits, and environmental considerations. This evaluation will include weighing the effectiveness of mitigation measures, economic implications, and environmental and community wide benefits. Based on this comprehensive assessment, CHSRA will determine whether to proceed with the Build Alternative (including Malabar Yard railroad improvements) or select the No Action Alternative, consistent with NEPA's requirement for informed and transparent decision-making.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Responses 2 and 4** for responses specific to traffic and emergency response.

17 It is acknowledged in the Final EIS that Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard; however, to establish the level of effectiveness of this mitigation measure, further coordination with CPUC and the City of Vernon is required. The Final EIS acknowledges that the effectiveness of Malabar Yard Mitigation Measure TR-6 will depend on ongoing coordination with the City of Vernon and CPUC. Metro is committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

The City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and CPUC on roadway design, railroad safety devices, and accessibility. It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain approval from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications.

For further discussion on why CHSRA and Metro believe it is reasonable to anticipate the City of Vernon will fully cooperate in the NEPA process, see **Main Letter Response to Comment 5.**

18 A detailed discussion of mitigation measures is outlined in the Final EIS and the Final MMRP that is an appendix to the ROD. The MMRP for the Project outlines the enforceable, legal mitigation measures, including designees for the responsible party and enforcement agency, as well as the implementation phase and monitoring/compliance schedule for each mitigation measure. The ROD prepared for the Project incorporates the mitigation as well as the analysis of the reasonably foreseeable effects of the proposed action that is based on implementation of that mitigation. Therefore, the Final EIS meets the requirements of 40 CFR §1505.2(c).

19 As discussed in **Main Letter Response to Comment 13**, both 49th Street Closure and 46th Street Connector combined would reduce the identified adverse effect under NEPA where no residual adverse impacts would remain after mitigation.

- **Final EIS Volume I, Section 3.3 (Transportation)** states, "…[w]ith the implementation of Mitigation Measure TR-3 (summarized above and described in Section 3.3.6), the net loss of freight storage track capacity resulting from the Build Alternative would be limited to 2,150 track feet[2] and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon."
- **Final EIS Appendix Q, Page 1-16** states, "…the track capacity gained by the 49th Street closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards and nearby ports while maintaining current levels of freight rail operations and regional goods movement."

As described in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, two initial screening criteria were used to evaluate potential sites to offset the loss of storage track capacity. The first criteria being location, which requires sites to be located in proximity to and west of the BNSF Hobart/Commerce Intermodal Yards to avoid adverse effects on freight and passenger operations along the BNSF San Bernardino main line. The second criteria is the ability of a site to maintain or replace storage capacity in a manner that preserve the current levels of freight rail operations, consistent with the Project's Purpose and Need.

Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR §1508.1(s), and when it is practicable and supports the Purpose and Need. NEPA does not require that mitigation be a 1:1 replacement of the affected resource, only that it avoid or substantially lessen the severity of the significant impact where feasible.

The Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,500 feet of storage track is not a 1:1 replacement of the 5,500 feet of storage track removed, it would provide functionally equivalent storage, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0, Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of NEPA because they would avoid adverse effects on freight and passenger operations and replace storage capacity in a manner that preserves existing levels of freight rail operations, consistent with the Project's Purpose and Need.

[2] 5,500 track feet removed - 3,350 track feet gained at Malabar yard = net loss of 2,150 track feet. The new 1,000-foot track connection on 46th Street in the City of Vernon does not add freight storage capacity.

In addition, NEPA does not require a lead agency to demonstrate that every component of a mitigation measure has already received final discretionary approvals from a local jurisdiction. Courts, including *Robertson*, have consistently held that mitigation measures may properly rely on future actions by other governmental entities so long as the mitigation is adequately described, feasible, and reasonably foreseeable. Here, the EIS identifies the specific mitigation components, the approvals that would be required, and the entities responsible for those approvals. The fact that the Malabar Yard railroad improvements would occur within a single jurisdiction does not alter the applicable legal standard. Nor does the City of Vernon's current stated opposition render the mitigation infeasible as a matter of law. Local agency positions may evolve over time, particularly through continued coordination, negotiation, and refinement during final design and implementation.

It is reasonable to expect that the City of Vernon will respond appropriately to reasonable requests for permit approvals because such cooperation is consistent with both statutory obligations and practical governance objectives. NEPA (42 U.S.C. § 4321 et seq.) emphasize intergovernmental coordination to ensure efficient environmental review and decision-making. Local jurisdictions, such as the City of Vernon, have a vested interest in facilitating federally compliant projects that support economic development, infrastructure improvements, and community benefits. Metro and CHSRA are committed to ongoing collaboration with BNSF and the City of Vernon to implement the provisions of Mitigation Measure TR-3 while promoting regional transportation and local land-use planning goals.

20 Eminent domain proceedings are not anticipated for implementation of the Malabar Yard railroad improvements. The Link US Project significantly enhances regional transit by transforming Los Angeles Union Station from a stub-end track configuration into a run-through track station, enabling seamless one-seat rides across Southern California. The proposed improvements eliminate the need for time-consuming train reversals, reducing travel times and increasing operational efficiency for both commuter rail (Metrolink) and intercity rail (Amtrak) services. By allowing trains to pass through Union Station without terminating, the Project expands capacity, supports higher service frequencies, and improves connectivity between regional destinations. These benefits contribute to the public use of the regional transportation system.

The proposed run-through tracks will require removal and displacement of a portion of the storage tracks in the BNSF West Bank Yard, which is necessary to accommodate the new passenger rail infrastructure. This change prioritizes passenger mobility while maintaining freight operations through mitigation measures such as the Malabar Yard railroad improvements, ensuring that goods movement and transit growth coexist.

Freight rail infrastructure serves a critical public purpose by facilitating the movement of goods essential to commerce, economic development, and regional supply chains. Ensuring efficient freight train operations in Southern California supports national transportation objectives, reduces highway congestion, and promotes environmental benefits through lower emissions compared to truck transport. Courts have consistently recognized railroads as serving a public use because they provide transportation services that benefit the public at large, even when operated by private entities.

Ultimately, the Project advances regional transportation goals by creating a more integrated, efficient, and sustainable rail network that supports economic development and promotes environmental benefits. Metro is committed to ongoing coordination with the City of Vernon to effectively implement the Malabar Yard railroad improvements and will abide by all applicable laws throughout implementation of the Malabar Yard railroad improvements.

21 CHRSA respectfully disagrees with the commenter's opinion that the EIS fails to satisfy NEPA's "hard look" requirement. As identified in Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 333 (1989), the EIS required under NEPA does not, "impose a substantive duty on agencies to mitigate adverse environmental effects or to include in each environmental impact statement a fully developed mitigation plan," but it does ensure that agencies "will take a 'hard look' at environmental consequences" and guarantee "broad public dissemination of relevant information."

The EIS and associated environmental review process meets key aspects of the "Hard Look" and public dissemination of the Robertson v. Methow Valley Citizens Council case that the commenter references:

- **Thorough Analysis:** Agencies must study potential environmental consequences, including social and economic effects, and identify reasonable alternatives to their proposed actions. CHRSA and Metro have studied the potential environmental consequences of the Malabar Yard railroad improvements. **Final EIS Appendix Q, Section 3.0 (Affected Environmental and Environmental Consequences)** contains a thorough analysis of the potential direct and indirect effects of the Malabar Yard railroad improvements. The analysis includes an evaluation of all environmental topic areas. **Final EIS Volume I, Section 1.1 (Alternatives Evaluation Process)** identifies reasonable alternatives to the proposed action along with the criteria used to determine what is considered feasible. Please refer to **Main Letter Comment Response 3** for additional details on the alternative evaluation process.
- **Public Involvement:** The public gets opportunities to review these documents, provide comments, and influence agency decisions before projects proceed. As summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 1**, Metro has engaged the City of Vernon staff in multiple coordination meetings in 2020, 2021, 2024, and 2025 to identify key concerns, City of Vernon requirements, and viewpoints and perspectives so they can be addressed head on. Metro and CHRSA is committed to making meaningful progress in an attempt for a mutual agreement to fulfill the mitigation requirements of the Link US Project.
- **Transparency:** Information is shared through channels like the *Federal Register*, agency websites, and public meetings. As summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 1**, information on the environmental process for the Malabar Yard railroad improvements was shared through multiple communication methods. These included:

- Publication in the Federal Register, State Clearinghouse, and agency websites
- Virtual Public Scoping Meeting
- In-person visits to engage with representatives of potentially affected properties
- Distribution of flyers and e-blasts to contacts on the stakeholder distribution list
- Certified mail to property owners
- Facebook posts announcing information related to NOI and virtual scoping meeting
- NextDoor posts announcing information to public comment period and open house/public hearing
- Legal advertisements in LA Times, LA Downtown News, La Opinion (Spanish), Rafu Shimpo (Japanese), and Chinese LA Daily News (Chinese)
- Metro news blog postings on The Source (English) and El Pasajero (Spanish)
- Emails/phone calls to representatives of potentially affected property owners and business stakeholders

Accordingly, the EIS takes the requisite "hard look" at the Malabar Yard railroad improvements and provides adequate information to fulfill NEPA's core purposes of informed decision-making and public disclosure. The disagreement expressed reflects a difference of opinion regarding the merits or ultimate feasibility of the mitigation, not a failure to comply with NEPA's procedural requirements.

22 The following comments concerning the claim of fundamental issues with the descriptions of current and projected train operations as presented in the Final EIS are addressed below. Additional comment responses for Exhibit "A" are attached.

23 Data presented in the Final EIS represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the conditions to use for environmental documentation purposes. Existing and future train operations information were obtained from BNSF in 2020 and 2021 to support the analysis presented in the Draft EIS/SEIR and in 2024 to support the Final EIS and responses to comments from the public and agencies after the close of the 45-day public comment period. Train operations information obtained from BNSF includes the number of existing and future trains per day on each of the affected train routes, the time of day trains move along each route, and length of trains to determine the duration a train takes to cross each at-grade crossing. **Final EIS Appendix Q, Chapter 2.0, Tables 2-1 through 2-4** reflect the most recent information received from BNSF in 2024.

24 CHRSA respectfully disagrees with the commenter's opinion that the EIS does not provide a clear factual basis for its estimates of future train movements. **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2** does provide a clear factual basis for its estimates of future train movements. Existing and future train

operations information were obtained from BNSF in 2020 and 2021 to support the analysis presented in the Draft EIS/SEIR and in 2024 to support the Final EIS and responses to comments from the public and agencies after the close of the 45-day public comment period. Train operations information obtained from BNSF includes the number of existing and future trains per day on each of the affected train routes, the time of day trains move along each route, and length of trains to determine the duration a train takes to cross each at-grade crossing. **Final EIS Appendix Q Chapter 2.0, Tables 2-1 through 2-4** reflect the most recent information received from BNSF in 2024.

25 Accurate information regarding existing and future train movements is provided in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements)**. The EIS has accurately accounted for existing and future train traffic. Additional comment responses for Exhibit “B” are attached.

Metro has undertaken extensive coordination with the City of Vernon throughout the environmental review process, including more than 50 distinct engagement sessions since 2020—comprising 27 property-owner meetings, 21 City of Vernon coordination meetings and workshops, 3 Business & Industry Commission meetings, and additional stakeholder meetings. These efforts were supplemented by targeted outreach, such as the Community Meeting and Open House for City of Vernon stakeholders on March 26, 2025, which provided opportunities for City staff, residents, businesses, and property owners to review Project materials and engage directly with the Link US Project team. Information about BNSF railroad operations and changes to train traffic volume resulting from the consolidation of freight service was discussed during these meetings.

In addition, the Metro Board’s October 23, 2025 motion explicitly directed staff to continue working toward resolution of priority issues with the City of Vernon and BNSF, including securing written commitments on measures such as limiting train operations, capping train lengths, and coordinating activity thresholds. The motion also emphasized ongoing collaboration with City of Vernon officials and its Chamber of Commerce.

Consistent with revisions to Mitigation Measure TR-3 and the Metro Board’s directives, Metro is committed to continued interagency coordination and stakeholder engagement to evaluate whether additional measures (such as train-capping or schedule adjustments) are warranted. This adaptive management approach ensures flexibility to respond to changing conditions and community feedback, reinforcing Metro’s commitment to transparency and proactive mitigation throughout Project implementation.

Collectively, these actions demonstrate Metro’s comprehensive and sustained engagement with the City of Vernon through voluminous discussions, formal outreach, and Metro Board-endorsed commitments to continued collaboration and mitigation planning.

26 **Final EIS Appendix Q, Chapter 2.0, Tables 2-1 and 2-2** display the existing and future train movements correctly. As identified in the Board’s adopted motions and reflected in the revisions to Mitigation Measure TR-3, CHSRA and Metro are committed to maintaining ongoing collaboration to address transportation and operational concerns of the Malabar

Yard railroad improvements throughout implementation. This includes continued evaluation of potential strategies to minimize community and environmental impacts. Among the measures under consideration is a train-capping approach, which could limit the number of train movements within a specified timeframe. The revisions to Mitigation Measure TR-3 emphasize interagency coordination and an adaptive management approach, ensuring that such options remain viable and can be implemented if warranted by future conditions or stakeholder input. These commitments demonstrate a proactive and transparent process aligned with the Metro Board direction and the intent of the Final EIS and Final SEIR.

27 CHRSA respectfully disagrees with the commenter's opinion that the EIS understates future train traffic volumes or lacks a factual basis.

The future train movement estimates presented in **Final EIS Appendix Q** and the information in **Final EIS Volume III, Response to Comments**, were developed using available operational data provided by BNSF, combined with reasonable planning-level assumptions regarding yard operations, switching patterns, and anticipated operational efficiencies following implementation of the Malabar Yard railroad improvements.

The commenter's conclusion that **Final EIS Appendix Q, Chapter 2.0, Tables 2-1 and 2-2** must show a one-to-one redistribution of train movements between the north and east entrances reflects a misunderstanding of how rail yard operations function. The stated increase in operational efficiency does not assume a simple transfer of movements from one entrance to another. Rather, the mitigation is intended to reduce redundant switching, streamline access routes, and consolidate movements in a manner that reduces train building activities on City of Vernon streets and results in a citywide circulation improvement because total train movements would be reduced, not merely shift location.

Final EIS Appendix Q, Chapter 2.0, Tables 2-1 and 2-2 were updated and new **Tables 2-3 and 2-4** were added to account for the most recent information received from BNSF in 2024. The consolidated operations and reduction in daily train movements along affected routes is clearly shown on **Final EIS Appendix Q, Figure 2-4.** There is not an omission or error in the analysis.

NEPA does not require agencies to predict rail operations with absolute precision or to disclose proprietary operational details. Instead, it requires reasonable forecasting based on the best available information at the time of analysis. The Final EIS satisfies this standard by presenting quantitative estimates, identifying the operational assumptions underlying those estimates, and using those projections to assess environmental impacts.

Existing and future train operations information were obtained from BNSF in 2020 and 2021 to support the analysis presented in the Draft EIS/SEIR and in 2024 to support the Final EIS and responses to comments from the public and agencies after the close of the 45-day public comment period. Train operations information obtained from BNSF includes the number of existing and future trains per day on each of the affected train routes, the time-of-day trains move along each route, and length of trains to determine the duration a train takes to cross each at-grade crossing.

Final EIS Appendix Q, Chapter 2.0, Tables 2-1 and 2-2 were updated to display the existing and future train movements more precisely and to avoid rounding and to ensure a more detailed picture for the reader. Total weekly train movements were removed because the analysis is based on daily train movements. The consolidated train movements result in an overall reduction in train movements.

28 Train movements could occur across any day of the week (7 days) for the Malabar Yard to Hobart Yard connection. To simplify the operational characteristics to the general public, 0.5 daily train movements between Malabar Yard and Hobart Yard was reported instead of 0.85 daily train movements (6 movements/7 days). The Final EIS was revised to reflect 3 round trips would occur over a 7-day window, not 5-day workweek. The revisions avoided rounding to ensure it provided the most precise information to the public.

Final EIS Appendix Q, Chapter 2.0, Page 2-5 was revised to clarify the total train movements per 7-day week to read as follows:

- Upon implementation of the 46th Street Connector, it is estimated ~~that less than 1 round trip per weekday (~~approximately 3 round trips per ~~5-day work~~ week or 6 total train movements per ~~5-day work~~ week~~)~~ would occur along the Hobart Yard/Malabar Yard Connection to move empty intermodal train car sets into/out of Malabar Yard ~~using the northern entrance across Pacific Boulevard on the Harbor Subdivision~~. Train movements along the Hobart Yard/Malabar Yard Connection would occur on any of the 7 days of the week, including weekends. This equates to an average of less than 1 train movement per day and is depicted as 0.85 total daily train movements in Table 2-1.

All data and information collected from BNSF in 2024 that was incorporated in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies is summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2**.

29 Please refer to **Exhibit "D" Response to Comments D-11 and D-20**. The available data is inconsistent with the comment's statement that "existing typical train lengths are up to 1,250 feet." The Final EIS includes clarifications that trains would be 3,000 feet long in the existing and proposed condition – this is based on most recent information received from BNSF in 2024.In addition, as summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS, Section 2.2.2, Table 2-4**, the Malabar Yard railroad improvements would result in 3.15 fewer train movements in the City of Vernon per day (fewer train movements along the Harbor Subdivision per day).

The 1,250-foot figure cited in the comment was based on the information previously provided by BNSF. The Final EIS relies on verified information from the BNSF as the rail operator to ensure accuracy and transparency.

The analysis contained in the Final EIS conducted for train lengths represents a conservative approach designed to capture the likely maximum effects on operations and environmental conditions. By evaluating the longest anticipated train configurations, the analysis ensures that potential impacts (such as crossing closure times, noise, and traffic

delays) are assessed at their highest reasonable levels. This method provides a protective margin for decision-making and mitigation planning.

Because this approach focuses on the worst-case scenario, it was not necessary to analyze every possible train length or operational variation. Doing so would not materially change the conclusions, as shorter trains would result in proportionally lesser impacts than those already disclosed. Therefore, the conservative analysis satisfies NEPA and CEQA requirements for a reasonable range of conditions while avoiding unnecessary complexity.

30 Please refer to **Exhibit "D" Response to Comments D-11 and D-20**. Both the existing and proposed conditions assume trains approximately 3,000 feet in length. This is based on most recent information received from BNSF in 2024 for reasonably foreseeable operational conditions. This assumption reflects current planning data and industry practices for freight movements in Southern California. Any potential increases in train length or frequency driven by future commercial demand would be too speculative to support a reasonable analysis under NEPA and CEQA. Environmental review requires consideration of reasonably foreseeable conditions, not hypothetical scenarios lacking sufficient data or certainty. Attempting to analyze unknown future demand would introduce assumptions beyond the scope of reliable forecasting from BNSF as the railroad operator and could misrepresent actual impacts. Therefore, the analysis appropriately focuses on the best available information and conservative assumptions to ensure accuracy and compliance with regulatory standards. The Final EIS conservatively assumes that the increases in demand would be able to be accommodated by adding rail cars to the existing train movements without needing to increase the number of train movements.

31 The Urban Crossroads, Inc.'s review of the Malabar Yard Railroad Improvements Air Quality Analysis (herein referred to as Exhibit "C"), has been reviewed and is responded to under **Response to Comments C-1 through C-13**.

32 This response includes a discussion on the following topics:

1) Localized Air Quality Analysis using Localized Significance Thresholds (LSTs)
2) Quarter-mile Radius for Sensitive Receptors
3) Clean Air Act Regulatory Requirements
4) Transportation Conformity Regulatory Requirements

As stated in **Final EIS Volume III, Response to Comments, Key Issue Response 3** and **Exhibit "C" Response to Comment C-4**, a localized air quality analysis was conducted to determine whether the Malabar Yard railroad improvements would result in adverse air quality impacts to nearby sensitive receptors.

1) <u>Localized Air Quality Analysis using Localized Significance Thresholds (LSTs)</u>

SCAQMD Localized Significance Thresholds (LSTs) Methodology

As stated in **Final EIS Appendix Q, Section 3.5, Pages 3.5-20**, "…[i]n addition to a regional analysis, a localized analysis was completed for the construction of the Malabar

Yard railroad improvements (see **Appendix F of Final EIS Appendix Q**). The localized analysis showed that onsite emissions would be below the SCAQMD's localized significance thresholds during construction."

The SCAQMD uses the *Localized Significance Thresholds (LSTs) Methodology* to determine localized air quality impacts to sensitive receptors. The *SCAQMD LST Methodology* screens projects from more intensive air quality modeling, such as a hot spot analysis, through the use of mass rate look up tables that have been pre-determined to meet the ambient air quality standards for that location. Localized air quality impacts for the Malabar Yard railroad improvements were evaluated using SCAQMD's *LST Methodology*. Because on-site emissions from the Malabar Yard railroad improvements are below the applicable SCAQMD LSTs, the Malabar Yard railroad improvements would not result in adverse localized air quality impacts. Further, because the Malabar Yard railroad improvements localized emissions during construction and operation are below the applicable SCAQMD LSTs, SCAQMD guidance did not require a separate, hot-spot dispersion modeling analysis. A detailed PM_{10} and $PM_{2.5}$ hot-spot analysis was not completed because the Clean Air Act and 40 CFR 93.116 requirements would be met without an explicit hot-spot analysis.

The commenter's assertion that additional localized emissions modeling should be prepared for the Malabar Yard railroad improvements conflicts with SCAQMD's adopted LST methodology. SCAQMD guidance explicitly states that if calculated emissions for construction activities are below the applicable LST values for NO_x, CO, PM_{10}, and $PM_{2.5}$, no further localized dispersion modeling or health risk assessment is required. The thresholds themselves represent conservative screening levels that ensure compliance with ambient air quality standards.

LSTs are pollutant and location specific thresholds developed by SCAQMD based on allowable on-site project emissions and the size of the project site. They represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards. If emissions are below LSTs, then the impact to the localized air quality would not be significant. The *SCAQMD LST Methodology Guidelines*[3] state:

> *If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality.*

The mass rate LSTs and associated look up tables provide a practical screening approach, allowing agencies to determine whether a project may generate significant localized air quality impacts without the need for dispersion modeling.

[3] https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=8c641d61_2

Localized Air Quality Project-Specific Inputs

The analysis in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change)** estimates air pollutant emissions compared to the LSTs set by the distance to the nearest sensitive receptor, Project footprint, and location of the Project. It analyzed whether the emissions exceeded the SCAQMD LSTs established for the Malabar Yard railroad improvements, and it concluded the emissions did not. Therefore, the Malabar Yard railroad improvements would not cause an adverse effect to localized air quality. As shown in **Appendix F of Final EIS Appendix Q**, the localized air quality analysis uses the mass rate look up tables from SCAQMD to determine the appropriate LST for NO_x, CO, PM_{10}, and $PM_{2.5}$ based on the source receptor area, distance to nearest receptor, and Project footprint (Source: Localized Significance Thresholds). The source receptor area used for the analysis is SRA 1 Central LA for the City of Vernon (Source: Source Receptor Areas within South Coast AQMD Jurisdiction | SCAQMD). As specified in **Appendix F of Final EIS Appendix Q**, the nearest receptor (2415-2427 E 53rd St residences) is 403.8 meters away from the Project footprint, which is measured from the outermost boundary of the Project footprint for both design options considered to the receptor location. Since thresholds are provided in the mass rate look up tables[4] for a distance to receptor of 200 meters and 500 meters, the threshold for the Malabar Yard railroad improvements was scaled using a linear interpolation between the two values to account for the nearest receptor location of 403.8 meters.

The Project footprint is approximately 4 acres, however the SCAQMD mass rate look up tables assume emissions for a 1-acre site, a 2-acre site, and a 5-acre site. Inspection of the mass rate LST look-up table shows that for the same source receptor area and distance to receptor, a smaller project site would have a lower LST. Analysis was prepared assuming a 2 acre site to yield a lower and more conservative pollutant threshold. Using these parameters, while maintaining consistency with the Localized Significance Threshold methodologies,

- the NO_x threshold is set at 162 lb/day;
- the CO threshold is set at 6,834.5 lb/day;
- the PM_{10} threshold is set at 154.7 lb/day and
- the $PM_{2.5}$ threshold is set at 83.7 lb/day.

Localized Air Quality Results

As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Per SCAQMD guidance, since the pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below SCAQMD's LSTs, these pollutants

[4] SCAQMD. Appendix C – Mass Rate LST Look-up Table. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf?sfvrsn=8e641d61_2

are not considered to be significant air quality impacts and no additional localized analysis is required.

Construction

On-site construction emissions were calculated using CalEEMod and compared to the LSTs above. As localized emissions were below the LSTs for the nearest sensitive receptor identified in the air quality analysis, impacts to localized air quality would not be significant and no further analysis is required. See **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**. Localized emissions at any additional sensitive receptors that are further in distance from the nearest receptor would be lower.

Operations

For operations, on-site operational emissions would decrease from existing conditions due to the reduction in train movements (3.15 fewer daily train movements). Therefore, the Malabar Yard railroad improvements would have a net negative contribution to localized operational emissions in the City of Vernon and the Malabar Yard railroad improvements would not result in an increase in localized emissions nor an exceedance of LSTs. Impacts on localized air quality during operations would not be significant and no further analysis is required. (Please refer to **Appendix F of Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19 and Page 3.5-20**).

Implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

Air Quality Calculation Methodology for Overlapping Activities

The commenter states that if the schedule includes overlapping activities (e.g., track removal and grading), the worst-case day should be modeled to verify that concurrent operation of multiple pieces of equipment would not result in a significant localized impact for nearby receptors. Project emissions for the maximum daily on-site emissions of NO_x, CO, $PM_{2.5}$, and PM_{10} were calculated, which included overlapping activities.

As stated in **Final EIS Appendix Q, Chapter 2.0, Section 2.4 (Construction Summary)**, "Table 2-5 provides a summary of the construction duration for each component, the number of construction workers anticipated to perform work on each component, anticipated quantities of materials, and the type of construction equipment that is anticipated to be used throughout construction of the Malabar Yard railroad improvements. As identified in Table 2-5, construction of the Malabar Yard railroad improvements would take up to 18 months *with various overlapping construction activities for each improvement*." *emphasis added.* Construction phasing assumptions are further detailed in **Final EIS Appendix Q (Appendix D – Section 3.0 (Construction Detail) Page 10 of 57)**:

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	46th St Building Demo	Demolition	8/1/2028	10/30/2028	5	65	
2	49th St Utility Relocations	Trenching	10/31/2028	5/2/2030	5	393	
3	46th St Utility Relocations	Trenching	10/31/2028	5/2/2030	5	393	
4	46th St Connector Track	Building Construction	5/3/2030	9/2/2030	5	87	
5	46th St Realigned Spur Track	Building Construction	7/6/2030	8/7/2030	5	23	
6	49th St Track Replacement	Building Construction	9/3/2030	9/30/2030	5	20	
7	49th St Road modifications	Paving	5/3/2030	11/4/2030	5	132	
8	46th St At Grade Crossing Enhancements	Paving	5/3/2030	7/3/2030	5	44	
9	46th St New At Grade Crossing	Paving	9/3/2030	11/4/2030	5	45	
10	49th St Bollard	Paving	11/5/2030	12/2/2030	5	20	
11	49th St Final Paving	Paving	12/3/2030	12/30/2030	5	20	
12	46th St Final Paving	Paving	12/3/2030	12/30/2030	5	20	

SCAQMD's LST Methodology Approach to Off-Site Emission Sources

The commenter states that the localized emissions analysis should account for haul truck emissions particularly along 46th Street, 49th Street and Soto Street and other local roads, as construction activities include significant hauling activities which may result in significant localized pollutant concentrations.

As previously stated, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. The emissions of concern from both construction and operational activities under SCAQMD's *LST Methodology* are for on-site sources only since a localized analysis examines impacts to

nearby sensitive receptors near the Project footprint for the Malabar Yard railroad improvements. Off-site mobile sources (such as haul truck emissions) are addressed in the regional analysis. Additionally, SCAQMD's *LST Methodology* specifically state that, "Off-site mobile emissions from the project should ***NOT*** be included in the emissions compared to the LSTs."[5] *emphasis added.* Therefore, consistent with SCAQMD's *LST Methodology*, emissions associated with off-site haul trucks were not included.

2) Quarter-mile Radius for Sensitive Receptors

Applying a quarter-mile buffer to a project location is a typical industry standard approach to identify potentially sensitive receptors for projects subject to CEQA. The quarter-mile buffer is a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur. The map with the quarter mile buffer was not used to determine air quality impacts on sensitive receptors; it was used to depict the location of where the nearest sensitive receptors are located relative to the Project footprint. LSTs were determined independent of the buffer shown in the figure. It is a coincidence that the nearest receptor is also .2509 miles away. Pollutant concentrations decline with increasing distance as demonstrated in multiple studies and guidance referenced in the section below. These studies demonstrate that the highest pollutant concentrations are typically seen within distances less than a quarter mile, which is why the map depicts a quarter mile buffer to capture where the highest pollutant concentrations may occur.

- The EPA states, "*Research findings indicate that roadways generally influence air quality within a few hundred meters – about 500-600 feet downwind from the vicinity of heavily traveled roadways or along corridors with significant trucking traffic or rail activities.*"[6]
- The CARB Air Quality and Land Use Handbook states that, "*the distance between roadway and truck densities were key factors affecting the strength of the association with adverse health effects. Adverse health effects were seen within 1,000 feet and was strongest within 300 feet.*"[7]

This demonstrates that the adverse air quality effects diminished with distance. Similarly, the Bay Area Air Quality District CEQA Air Quality Guidelines uses an overlay zone of at least 500 feet from all freeways and high volume roadways as a threshold of significance for local risks and hazards. Further academic research shows that pollutant concentrations level out to background levels after approximately 400 meters (1/4 mile) away from the

[5] South Coast Air Quality Management District. July 2008. Final Localized Significance Threshold Methodology. page 1-4

[6] EPA, 2014. Near Roadway Air Pollution and Health: Frequently Asked Questions. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi/P100NFFD.PDF?Dockey=P100NFFD.pdf

[7] CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

source.[8] As shown in an academic study of ultrafine particles near a freeway by Yifang Zhu, et al. in Atmospheric Environment, both CO and black carbon concentrations as a function of the distance from freeway follow a decay curve. This curve levels out 300 meters away from the emission source.[9]

The Project's quantitative localized air quality analysis uses the nearest sensitive receptor (2415-2427 E 53rd St residences), consistent with SCAQMD's LST methodology, which lies outside the quarter-mile radius. For a definition of what is considered a sensitive receptor under SCAQMD guidance, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** and **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-16**.

3) <u>Clean Air Act Regulatory Requirements</u>

As stated in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, there are two sets of regulations to implement Clean Air Act (CAA) Section 176(c). The first set promulgated the Transportation Conformity regulations (40 CFR Part 51 and 93), which applies to highway and mass transit projects. The second set of regulations promulgated the General Conformity regulations (40 CFR Parts 6, 51, and 93), which applies to all other federal actions not covered under Transportation Conformity. Because the Project would receive federal funding and is in federal nonattainment for ozone and $PM_{2.5}$ and attainment/maintenance for PM_{10} and CO, a conformity analysis applies.

General Conformity Definition

General Conformity is the pollution prevention and control program that requires a federal agency to assure any proposed activity the agency proposes will conform to the purpose of applicable implementation plans and will not interfere with a State or Tribe's ability to attain and maintain the National Ambient Air Quality Standards (NAAQS) for air quality, as required under Clean Air Act (CAA) section 176(c).

Established under the CAA section 176(c)(4)), the General Conformity regulations at 40 CFR part 93 subpart B play an important role in helping States and Tribes to protect air quality within their jurisdiction and authority that do not meet the NAAQS (nonattainment areas) and areas of vulnerable air quality (maintenance areas).[10]

Applicability of General Conformity

[8] Mishra, S. & Shah, S. (2025). "Analytical Study of Atmospheric Pollution Dispersion with Distance Dependent Wind and Constant Removal Dynamics." International Journal of Scientific Research in Science and Technology, volume 12, issue 3. https://www.researchgate.net/publication/391457827_Analytical_Study_of_Atmospheric_Pollution_Dispersion_with_Distance_Dependent_Wind_and_Constant_Removal_Dynamics

[9] Zhu, Yifang et al. (2002). "Study of ultrafine particles near a major highway with heavy-duty diesel traffic." Atmospheric Environment 36. 4323-4335. https://www.sciencedirect.com/science/article/pii/S1352231002003540

[10] EPA, 2025. *What is General Conformity?* Available at: https://www.epa.gov/general-conformity/what-general-conformity

40 CFR Part 93.153(b) Applicability states "a conformity determination is required for each criteria pollutant or precursor where the total of direct and indirect emissions of the criteria pollutant or precursor in a nonattainment or maintenance area caused by a Federal action would equal or exceed any of the rates in paragraphs (b)(1) or (2) of this section."

The Clean Air Act does not require a hot spot (or localized) analysis for the Malabar Yard railroad improvements. As detailed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the Malabar Yard railroad improvements are subject the General Conformity Rule under the Clean Air Act because the Link US Project (and Malabar Yard railroad improvements) would receive federal funding and the improvements are in federal nonattainment for ozone and $PM_{2.5}$ and attainment/maintenance for PM_{10} and CO.

General Conformity Analysis and Comparison to de minimis Levels

As explained in **Final EIS Volume II, Appendix G (Air Quality and Global Climate Change Assessment)**, the Link US Project's emissions (Build Alternative and Malabar Yard railroad improvements combined) are compared to the *de minimis* emissions levels. **Final EIS Volume II, Appendix G,** includes calculations for both construction and operational emissions at a regional level for the whole Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively). The *de minimis* levels serve as a threshold to determine if a project would cause adverse air quality impacts. Because the Project's emissions are below the *de minimis* levels with implementation of mitigation, no further analysis is required. Therefore, the Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively) satisfies general conformity requirements, and neither NEPA nor the CAA requires a localized air quality analysis.

4) <u>Transportation Conformity Regulatory Requirements</u>

Transportation Conformity Definition

Transportation conformity is required under Clean Air Act (CAA) section 176(c) (42 U.S.C. 7506(c)) to ensure that federally supported highway and transit project activities are consistent with (conform to) the purpose of a state air quality implementation plan (SIP). The U.S. Environmental Protection Agency's (EPA) transportation conformity rule (40 CFR 51.390 and Part 93) establishes the criteria and procedures for determining whether transportation activities conform to the SIP. Under the transportation conformity rule, a quantitative PM hot-spot analysis only applies to highway and transit projects that are identified in 40 CFR 93.123(b)(1).[11]

In the NRDC vs. EPA case in 2014, the D.C. Circuit court found that the EPA could not extend the timeline to attain ozone standards and that transportation conformity requirements could not be revoked and still applied to older 1997 Ozone Standards.[12]

[11] EPA, 2024. Hot-spot Analyses and Project-Level Conformity Determinations. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P101BLJT.pdf

[12] U.S. Court of Appeals for the District of Columbia Circuit. (2014). Natural Resources Defense Council vs. Environmental Protection Agency. On Petition for Review of Final Administrative Action of the United States Environmental Protection Agency.

Applicability of Transportation Conformity

Transportation conformity does not apply to the Project because the Project does not require Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding or approvals. Furthermore, as described in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, even if transportation conformity applied, "Per the EPA's PM Hot-Spot Guidance and FHWA's Guidance on Mobile Source Air Toxic (MSAT) Analysis, this type of project would not qualify for quantitative dispersion modeling and therefore would not have the potential to result in significant localized emissions." The Malabar Yard railroad improvements would not cause high traffic volumes (140,000 AADT to 150,000 AADT or greater for any local roadway in the City of Vernon), would not be a new or expanded highway project with a significant number of diesel vehicles, and would not worsen traffic-related levels of service (LOS) with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5. Therefore, the Malabar Yard railroad improvements would not fit any of the criteria necessary to require quantitative dispersion modeling, if transportation conformity applied.

The commenter's reference to *Natural Resources Defense Council, Inc. v. U.S. Department of Transportation*, 770 F.3d 1260 (9th Cir. 2014), pertains to Transportation Conformity requirements, which do not apply to the Link US Project or the Malabar Yard railroad improvements. Please refer to **Exhibit "C" Response to Comments C-6.** The whole Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively) is subject to General Conformity. Per 40 CFR 93.153(b), a conformity determination (which potentially could include a hot spot analysis) would be required for each pollutant above applicable *de minimis* thresholds.

33 The commenter is incorrect in asserting that the Final EIS did not consider localized impacts on sensitive receptors. Please refer to **Main Letter Response to Comment 32** and **Exhibit "C" Response to Comments C-4 and C-6**.

34 The methodology for the Community Analysis (Environmental Justice) evaluation included in **Final EIS Appendix Q, Section 3.16 (Community Analysis), Page 3.16-8** provides for a comparative analysis of adverse effects after identifying if adverse effects would result from the Malabar Yard railroad improvements and remain after implementation of mitigation measures. The air quality analysis determined that localized emissions did not exceed LSTs established for the Malabar Yard railroad improvements (**Exhibit "C" Response to Comment C-4**), a reduction in daily trains would provide a net benefit in regional emissions (**Exhibit "C" Response to Comment C-8**), and no adverse effects to localized or regional air quality would remain after implementation of mitigation. With no adverse effects to localized or regional air quality, there would not be a disproportionate and adverse effect on a community with environmental justice concerns. Please see **Main Letter Response to Comment 32** below regarding the commenter's concern for the quarter-mile radius used for localized air quality impacts. Please also see **Response to Comment C-4** and **Final EIS Volume III, Response to Comments, Key Issue Response 3**, for a discussion of the methodology used to identify sensitive receptors for the localized air quality analysis.

35 Construction of the Malabar Yard railroad improvements would involve removing existing concrete/asphalt streets, laying tracks, and other ancillary infrastructure. These are standard, routine construction activities for which air quality impacts are well understood. Based on these activities and consistent with SCAQMD guidance, a localized air quality analysis was conducted. Applying a quarter-mile buffer to a project location is a typical industry standard approach to identify potentially sensitive receptors for project subject to CEQA. The quarter-mile radius shown on **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change)** aligns with industry standard best practice. The map with the quarter mile buffer was not used to determine air quality impacts on sensitive receptors; rather, it was used to depict the location of where the nearest sensitive receptors are located relative to the Project footprint. LSTs were determined independent of the radius shown in the figure. Pollutant concentrations decline with increasing distance as demonstrated in the studies and guidance referenced in the section below. These studies demonstrate that the highest pollutant concentrations are typically seen within distances less than a quarter mile, which is why the map depicts a quarter mile buffer to capture where the highest pollutant concentrations may occur.

Quarter-mile radius for sensitive receptors

The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur.

- The EPA states, "*Research findings indicate that roadways generally influence air quality within a few hundred meters – about 500-600 feet downwind from the vicinity of heavily traveled roadways or along corridors with significant trucking traffic or rail activities.*"[13]
- The CARB Air Quality and Land Use Handbook states that, "*the distance between roadway and truck densities were key factors affecting the strength of the association with adverse health effects. Adverse health effects were seen within 1,000 feet and was strongest within 300 feet.*"[14]

This demonstrates that the adverse effects diminished with distance. This is consistent with the Bay Area Air Quality District CEQA Air Quality Guidelines which uses an overlay zone of at least 500 feet from all freeways and high volume roadways as a threshold of significance for local risks and hazards. Further academic research shows that pollutant concentrations level out to background levels after approximately 400 meters (1/4 mile)

[13] EPA, 2014. Near Roadway Air Pollution and Health: Frequently Asked Questions. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi/P100NFFD.PDF?Dockey=P100NFFD.pdf

[14] CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

away from the source.[15] As shown in an academic study of ultrafine particles near a freeway by Yifang Zhu, et al. in Atmospheric Environment, both CO and black carbon concentrations as a function of the distance from freeway follow a decay curve. This curve levels out 300 meters away from the emission source.[16]

The Project's quantitative localized air quality analysis uses the nearest sensitive receptor (2415-2427 E 53rd St residences), consistent with SCAQMD's LST methodology, which lies outside the quarter-mile radius. For a definition of what is considered a sensitive receptor under SCAQMD guidance, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** and **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-16**.

Please refer to Exhibit "C" Response to Comments C-4, C-6, and C-8 for further explanation.

36 As stated in **Main Letter Response to Comment 32**, the quarter-mile buffer shown on **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-17** was not used to determine air quality impacts on sensitive receptors, it was used to depict the location of where the nearest sensitive receptors are located relative to the Project footprint. The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur. **Final EIS Appendix Q, Section 3.5** accurately measured the distance between sensitive receptors and the expected emission sources. The distances identified in **Final EIS Appendix Q, Section 3.5, Page 3.5-15** were measured from the outermost extent of the Project footprint to the nearest receptor, not from the center point of 49th Street or 46th Street, as the comment states. **Final EIS Appendix Q Section 3.5, Figure 3.5-1**, was revised to include the distance of each receptor from the outermost extent of the Project footprint. The quarter-mile buffer shown in **Final EIS Appendix Q, Section 3.5, Figure 3.5-1** was measured from the outermost extent of the Project footprint.

Please refer to **Exhibit "C" Response to Comment C-6**. While rail operations at Malabar Yard would extend beyond the Project boundary, there would be an overall decrease in freight train movements (3.15 fewer daily rains) and resulting locomotive emissions in the City of Vernon. Furthermore, rail operations would shift further away from Vernon City School and the residences on Furlong Place, which would decrease their exposure to air pollutants. The Vernon City School and residences were evaluated in the Final EIS Appendix Q air quality analysis (Please refer to **Appendix F of Final EIS Appendix Q**).

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[15] Mishra, S. & Shah, S. (2025). "Analytical Study of Atmospheric Pollution Dispersion with Distance Dependent Wind and Constant Removal Dynamics." International Journal of Scientific Research in Science and Technology, volume 12, issue 3. https://www.researchgate.net/publication/391457827_Analytical_Study_of_Atmospheric_Pollution_Dispersion_with_Distance_Dependent_Wind_and_Constant_Removal_Dynamics

[16] Zhu, Yifang et al. (2002). "Study of ultrafine particles near a major highway with heavy-duty diesel traffic." Atmospheric Environment 36. 4323-4335. https://www.sciencedirect.com/science/article/pii/S1352231002003540

As concluded in **Final EIS Appendix Q, Section 3.5**, impacts related to localized air quality during construction and operations would not be adverse; therefore, no further analysis is required under SCAQMD's guidance to support a comprehensive analysis of emission impacts under CEQA. Under NEPA, emissions below *de minimis* thresholds are adequate to establish no adverse effect to air quality.

37 As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the identification of sensitive receptors is based on SCAQMD's definition. See **Exhibit "C" Response to Comment C-7**.

38 The commenter is incorrect in expecting increases in train idling times at Malabar Yard. Please refer to **Exhibit "C" Response to Comment C-9**. The air quality analysis does not need to be updated or recirculated.

39 Malabar Yard construction emissions were calculated using CalEEMod version 2020.4.0 on September 2023. CalEEMod version 2022.1 was released on August 1, 2023. As the analysis was already well underway at the time of the release for CalEEMod version 2022.1, the latest available model was used at the time the analysis was initiated, which was CalEEMod version 2020.4.0. NEPA does not require changing model versions midway through the analysis as NEPA practitioners need only use the best available data and models available when the NEPA process begins during a project's scoping period (Revised NOI issued in 2020).

CalEEMOD version 2020.4.0 incorporates EMFAC2017; whereas CalEEMOD 2022.1 incorporates EMFAC2021, which uses an updated fleet mix that incorporates the use of cleaner more efficient vehicles. Emissions using CalEEMod 2022.1 would show similar emissions, and impacts would likely not change.

40 The Lochner Company Technical Adequacy review of the Link US Final EIS Responses to the City of Vernon Transportation Comments (herein referred to as Exhibit "D") has been reviewed and is responded to under **Exhibit "D" Response to Comments D-1 through D-22**.

41 For noise and vibration analysis, the screening distances (Section 4.3 of the FTA Transit Noise and Vibration Impact Assessment Manual, FTA 2018) were calculated from the Project footprint (maximum extent of design options considered where changes to infrastructure would occur). This was disclosed in the Draft EIS/SEIR as part of the noise and vibration methodology which identified a 1,000 foot buffer from the proposed 46th Street Connector new rail line and 49th Street intersection with Malabar Yard (without obstructions) or within 650 feet from the proposed 46th Street Connector rail line and 49th Street intersection with Malabar Yard (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6-1**). This screening assessment was performed and, per the FTA and FRA guidelines, no noise sensitive land uses (including the residences at 2415-2427 E 53rd St, Vernon City School, Holy Angels Church of the Deaf, and the residences on Furlong Place) are located within 1,000 feet of the Project footprint (without obstructions) or within 650 feet of the Project footprint (with obstructions) (refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Figure 3.6 1**).

The FTA Transit Noise and Vibration Impact Assessment Manual provides the methodology for the identification of noise sensitive land uses, screening procedures, and criteria for determining when a detailed analysis is required (FTA Report No. 0123). Noise sensitive land use categories are intentionally tiered based on duration of exposure and human sensitivity.

As discussed in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration)**, Noise Category 3 land uses are defined as institutional land uses (schools, places of worship, libraries) with use typically during the daytime and evening. Other uses in this category include some medical offices (when vibration-sensitive testing equipment such as Magnetic Resonance Imaging [MRI] systems are present), conference rooms, recording studios, concert halls, cemeteries, monuments, museums, historical sites, parks, and recreational facilities. Category 3 land uses are evaluated using less stringent criteria than Category 1 or 2 land uses because they do not involve nighttime occupancy or sleep disturbance. Stacy Medical Center is located within the screening distance; however, this type of facility (similar to an urgent care) is not sensitive to noise because nighttime occupancy does not typically occur at an urgent care facility and is not sensitive to vibration because this facility does not utilize sensitive testing equipment such as MRI systems. On December 17, 2025, HMMH contacted Stacy Medical Center to confirm the types of medical equipment in use at the facility, and it was confirmed via phone that this facility does not utilize sensitive testing equipment such as MRI systems; therefore, the facility is not categorized as a FTA Category 3 land use.

The Urban Crossroads, "Environmental Evaluation for Malabar Yard Railroad Improvements – Noise Section 3rd Party Review" (herein referred to as Exhibit "E") has been reviewed and is responded to under **Exhibit "E" Response to Comments E-1 through E-7**.

42 *CEQA Guidelines* §15126.4(a)(1)) states:

> *The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will considered, analyzed, and potentially incorporated in the mitigation measure.*

The City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and CPUC on roadway design, railroad safety devices, and accessibility. It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain approval from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications. This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. Malabar Yard Mitigation Measure TR-6 meets the *CEQA Guidelines* §15370 criteria (b, c, and d), acknowledging that its effectiveness will depend

on ongoing coordination with the City of Vernon and CPUC. Metro is committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

Neither CEQA or NEPA require that all permitting agencies reach a final agreement on specific mitigation prior to a project's approval. Consistent with U.S. Supreme Court in *Robertson v. Methow Valley Citizens Council*, federal agencies may proceed with decision making even when subsequent coordination and approvals are required to refine and implement mitigation measures. Malabar Yard Mitigation Measure TR-6 identifies the mitigation framework and responsible agencies while allowing for subsequent agency review and approval.

43 CHRSA respectfully disagrees with the commenter's statement that Metro did not coordinate with Vernon Police Department to identify impacts on emergency response.

After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received from the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received.

Through these meetings, the Police Chief provided valuable insight into emergency response operations, including dispatch routes from the police station and interactions with existing train movements. This coordination directly informed the development of the OMMs that include Emergency Response Upgrades, pan-tilt-zoom (PTZ) smart cameras, AI-based traffic control systems, new traffic signal controllers, radio and communications upgrades, and a mobile Emergency Operations Center. These OMMs are above and beyond the mitigation measures to reduce environmental impacts under CEQA and NEPA, some of which were proposed by Metro solely based on the requests by the Police Chief.

In addition, the Project includes Safety and Mobility Improvements such as establishment of a quiet zone, train-detection systems, intersection upgrades, traffic optimization measures, and new pedestrian infrastructure.

Based on the comprehensive quantitative analysis performed, the total daily delay that could potentially occur to an emergency response destination would be 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in **Table 4** of the **Final EIS Volume III, Response to Comments, Section 1.1 (Introduction)**, the total daily delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction of total daily delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

44 **Final EIS Appendix Q, Section 3.15 (Socioeconomics and Communities Affected)** contains an evaluation of whether the Malabar Yard railroad improvements would divide an established community in a way that limits circulation, social interaction, and access to businesses and community facilities or causes a change that affects the cohesion or social or cultural character of the established community. The area surrounding the 49th Street closure is accurately described on **Final EIS Appendix Q, Section 3.2 (Land Use and Planning), Page 3.2-34** as a primarily industrial area adjacent to the Malabar Yard with no residential uses in the immediate vicinity. With no established neighborhood or residential uses in the vicinity of 49th Street, there are no indicators of community cohesion that would be interrupted by the closure. The Vernon City School, Holy Angels Church of the Deaf, and established residential area are all located along Santa Fe Boulevard, west of Malabar Yard, and pedestrian access to these resources from Santa Fe Boulevard would be enhanced by high visibility crosswalks provided as an OMM. Vehicular access to these civic resources on Santa Fe Boulevard would be maintained on Fruitland Avenue and Pacific Boulevard, and via those routes, citizens could easily reach the Stacy Medical Center and the Vernon City Hall from residences on the west side of the Harbor Subdivision and vice versa.

As identified in **Final EIS Appendix Q, Section 3.3 (Transportation), page 3.3-41**, although the Project would result in the closure at 49th Street, "…[t]his proposed closure occurs only at the existing at-grade railroad crossing location and not the entire segment between Pacific Boulevard and South Santa Fe Avenue. Although some through traffic at the railroad crossing would need to be diverted to adjacent local roads, the relatively low traffic demand along 49th Street (less than 200 vehicles during the peak hours under all conditions) is not anticipated to contribute to traffic congestion that would cause adverse impacts on traffic. Properties located on the east or west side of the railroad crossing would still be accessible from outside destinations." This shows that vehicles would be able to easily navigate this closure.

As discussed in **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-11**, the BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided

service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening on the Alameda Corridor in 2002 the Subdivision also provided connectivity between the local ports and national railroad networks. Please refer to **Final EIS Appendix Q, Section 1.0 (Introduction), Figure 1-2** for the location of the Harbor Subdivision. The Harbor Subdivision is also shown in **Final EIS Volume III, Response to Comments, Section 1.1 (Introduction), Figure 7 and 8**. In the 1920s the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.

The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision would be reduced from 4 existing daily train movements to 0.85 daily train movements (Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2, Table 2, Figures 7 and 8**). Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision. The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer train movements on the Harbor Subdivision would increase opportunities for enhanced community connectivity.

As discussed above, in response to inquiries related to queuing and traffic congestion at the railroad crossings from Soto Street to Los Angeles Junction, a calculation was performed that demonstrates trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am). Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, and the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, no adverse effect related to division of communities or reduced community connectivity would occur.

45 The goal of the 46th Street Connector is not to facilitate increased train traffic. While the Malabar Yard railroad improvements may inhibit some access, that does not qualify as adverse because driveway modifications and other site design elements are proposed to maintain access so affected businesses can remain open throughout operations.

During the Draft EIS/SEIR public comment period, comments were received expressing a perception that the Malabar Yard railroad improvements would result in more trains traveling through the City of Vernon and that the closure of 49th Street and addition of the 1,000-foot connector track would physically divide the community. In response to public and agency comments related to physical division of the community, additional analysis was completed to demonstrate no adverse effect related to division of communities or reduced community connectivity would occur, consistent with the conclusions presented in the Draft EIS/SEIR, and Final EIS. Clarifications were made in the Final EIS to demonstrate that:

- The BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening of the Alameda Corridor in 2002, the BNSF Harbor Subdivision also provided connectivity between the local ports and national railroad networks.
- In the 1920s, the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.
- The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned, would be reduced from 4 existing daily train movements to 0.85 daily train movements. Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned.
- In the current condition, BNSF's "train building" activities occur on City streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City and off of City roadways on the westside of the City.
- The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer daily train movements would reduce existing gate down time that temporarily restricts vehicular, bicycle, and pedestrian circulation in the community.
- In response to inquiries related to queuing and traffic congestion, a calculation was performed that demonstrates trains using the 46th Street Connector track (from Malabar Yard to Los Angeles Junction) would block a driveway (or an intersection) approximately 2 percent of the day, half of which would occur during the night (7pm-2am).

Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, and that access to all properties throughout the community would be maintained or replaced, no direct adverse effect would occur during operation.

46 As disclosed in the Final EIS and Final SEIR, the Malabar Yard railroad improvements could require future amendments to the *City of Vernon General Plan* and zoning

designations. The Final EIR and Final SEIR do not assume that such actions are guaranteed or automatic. Rather, the analysis acknowledges that these actions would be subject to the City of Vernon's independent legislative and discretionary processes.

The Project's consistency with the *City of Vernon General Plan* and zoning framework has been thoroughly analyzed in **Final EIS Volume III, Key Issue Response 6 (Pages 47–48)** and further addressed in the **Final EIS Volume III, Response to Comments AGE 3-7, 3-8, 3-16, 3-24, 3-29, 3-30, 3-31, 3-34; ORG 12-4; and IND 35-4**. As documented in these analyses and responses, the Malabar yard railroad improvements are consistent with the overarching goals and policies of the *City of Vernon General Plan*, including those promoting economic development, efficient land use, and environmental stewardship. While certain zoning classifications may require amendments, these changes are anticipated and necessary to implement the *City of Vernon General Plan*'s vision for the area and to accommodate planned growth and proposed infrastructure improvements. The Final EIS concludes that these amendments do not constitute a fundamental conflict with adopted plans; rather, they represent a logical evolution of land use patterns that align with regional planning objectives. Furthermore, the proposed changes include measures to ensure compatibility with adjacent uses and compliance with applicable state and local planning requirements. Collectively, these findings demonstrate that the Project's land use and zoning adjustments are consistent with established policy frameworks and support long-term community development goals.

The commenter provides a summary of the impact analysis and provides a broad unsupported statement of traffic impacts and negative impacts on business operations. Comments related to traffic impacts are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and impacts related to operational and physical impacts to businesses in Vernon are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 5**. No further response is warranted due to lack of specific details provided in the comment. The design options considered in the **Final EIS Appendix Q** are at a 10% conceptual design. Metro fully anticipates the proposed general plan and zoning reclassifications would be a collaborative process that may require further studies when final design is completed.

47 Please refer to **Main Letter Response to Comment 3** above. As discussed in that response, the alternative sites suggested by the City of Vernon were considered upon receipt of this letter and a good faith effort was performed to address the comments related to alternatives (Please refer to **Response to Comments A-79 through A-97**). It should be noted that during the Revised NOI scoping period no formal comments, especially those related to alternatives considered or any overall concerns of the proposed railroad improvements, were received from the City of Vernon. During the 45-day comment period for the Draft EIS/SEIR, the City of Vernon did not propose any of these alternatives, either. Only immediately prior to the agency's decisions did the City of Vernon propose additional alternatives.

NEPA (40 CFR §1502.14) requires agencies to rigorously explore and objectively evaluate reasonable range of feasible alternatives to avoid or reduce significant impacts and adverse effects. For the alternatives eliminated from a detailed analysis, the agency must

explain why they were eliminated. As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1 (Alternatives Evaluation Process)**, a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) for the loss of storage tracks that would result at the BNSF West Bank Yard. The screening and evaluation process in Section 1.1 describes why alternative locations did not meet the screening criteria and therefore why they were eliminated from detailed analysis. Based on the screening and evaluation process, Malabar Yard is the only freight rail storage track replacement site that meets the criteria to offset the loss of storage track capacity at BNSF West Bank Yard. Please also refer to **Main Letter Response to Comment 3** above. The Final EIS meets the requirements for NEPA for analyzing a reasonable range of alternatives.

48 As discussed in **Main Letter Response to Comment 13**, both 49th Street Closure and 46th Street Connector combined would reduce the identified adverse effect under NEPA where no residual impacts would remain after mitigation for the Build Alternative, related to Transportation.

- **Final EIS Volume I, Section 3.3 (Transportation)** states, "…[w]ith the implementation of Mitigation Measure TR-3 (summarized above and described in Section 3.6.6), the net loss of freight storage track capacity resulting from the Build Alternative would be limited to 2,150 track feet[17] and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon."
- **Final EIS Appendix Q, Page 1-16** states, "…the track capacity gained by the 49th Street closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards and nearby ports while maintaining current levels of freight rail operations and regional goods movement."

As described in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, two initial screening criteria were used to evaluate potential sites to offset the loss of storage track capacity. The first criteria being location, which requires sites to be located in proximity to and west of the BNSF Hobart/Commerce Intermodal Yards to avoid adverse effects on freight and passenger operations along the BNSF San Bernardino main line. The second criteria is the ability of a site to maintain or replace storage capacity in a manner that preserve the current levels of freight rail operations, consistent with the Project's Purpose and Need.

Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR §1508.1(s), and when it is practicable and supports the Purpose and Need. NEPA does require that mitigation be a 1:1

[17] 5,500 track feet removed - 3,350 track feet gained at Malabar yard = net loss of 2,150 track feet. The new 1,000-foot track connection on 46th Street in the City of Vernon does not add freight storage capacity.

replacement of the affected resource, only that it avoid or substantially lessen the severity of the significant impact where feasible.

The Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,500 feet of storage track is not a 1:1 replacement of the 5,500 feet of storage track removed, it would provide functionally equivalent storage, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0, Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of NEPA because they would avoid adverse effects on freight and passenger operations and replace storage capacity in a manner that preserves existing levels of freight rail operations, consistent with the Project's Purpose and Need.

49 Metro respectfully disagrees with this characterization. The Final EIS considers a Build Alternative and a No Action Alternative. Please refer to **Final EIS Chapter 2.0 (Alternatives and Design Options Considered), Page 2-38** for a description of the No Action Alternative. **Final EIS Volume I, Chapter 3.0 (Affected Environment and Environmental Consequences)**, provides an analysis of the potential direct and indirect effects of the Build Alternative and the No Action Alternative as described in Chapter 2.0 of this EIS. **Final EIS Appendix Q, Chapter 3.0 (Affected Environment and Environmental Consequences)**, provides an analysis of the potential effects if the Malabar Yard railroad improvements in the City of Vernon were not implemented in conjunction with the Build Alternative.

For comments pertaining to alternatives considered, please refer to **Main Letter Response to Comment 3**. As stated in that response, the alternative sites suggested by the City of Vernon were considered upon receipt of this letter and a good faith effort was performed to address the comments related to alternatives (Please refer to **Response to Comments A-79 through A-97**). It should be noted that during the Revised NOI scoping period the City of Vernon did not provide any formal comments, especially those related to alternatives considered or any overall concerns of the proposed Malabar Yard railroad improvements – no formal comments were received. During the 45-day comment period for the Draft EIS/SEIR, the City of Vernon did not propose any of these alternatives, either. Only immediately prior to the agency's decisions did the City of Vernon propose additional alternatives.

The commenter provides multiple reconfiguration suggestions for Hobart Yard, Commerce Yard, Los Angeles Junction, Pico Rivera, and Malabar Yard as part of Exhibit "A". Please refer to the following responses for additional discussion on the feasibility of these alternative options.

- **Response to Comments A-82 through A-84** (Malabar Yard Configuration Options),
- **Response to Comments A-85 through A-89** (Los Angeles Junction Configuration Options),

- **Response to Comments A-91 through A-94** (Commerce Yard Configuration Options),
- **Response to Comment A-95** (Hobart Yard Configuration Option), and
- **Response to Comment A-96** (Pico Rivera Configuration Option)

It should be noted alternative concepts that were investigated and considered prior to the scoping period do not fulfill the Link US Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need**) not be thoroughly analyzed for environmental impacts. FRA Environmental Procedures require a description (and analysis) of reasonable alternatives that could satisfy the purpose and need. Other mitigation sites considered would not satisfy the Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need)**.

50 The CHSRA Board received this request to continue its consideration of the Final EIS. At the November 2025 meeting, CHSRA did not require any further CHSRA Board consideration of Vernon's comments – the Link US Project was an informational item. The Final EIS includes clarifications and minor corrections to the analysis presented in the Draft EIS/SEIR. No changes to the conclusions of the analysis were made in the Final EIS; however additional technical information and analysis was provided in response to comments to provide additional evidence to support the conclusions.

Regarding concerns about substantive changes between the Draft and Final EIS, federal agencies must request, receive, and consider public comments on the Draft EIS and respond to those comments in the Final EIS. Supplemental or reevaluation of the EIS is not triggered unless the agency makes substantial changes to the proposed action that are relevant to environmental concerns or there are substantial new circumstances or information about the significance of adverse effects that change the analysis (40 CFR §1502.9(d)(1)). The Final EIS includes responses to all comments received during the Draft EIS/SEIR comment period in **Final EIS Volume III, Response to Comments**. The Response to Comments includes revisions, clarifications, and responses; however, the revisions, neither individually nor collectively, do not identify or raise any significant, new circumstances or information. Therefore, the Final EIS is not subject to recirculation and preparation of a supplemental EIS under NEPA is not warranted. The City of Vernon was provided with a copy of Volume III Responses to Comments in accordance with *CEQA Guidelines* §15088(b) on October 10, 2025. This documentation summarizes and identifies the technical information that was prepared to support the Final SEIR and the Final EIS.

Taking this letter into consideration and accounting for all comments received since publishing the Draft EIS/SEIR, no comment or set of comments received have identified or raised any significant, new circumstances or information for which NEPA would require a supplemental EIS. In addition, the CHSRA may publish a combined Final EIS/ROD under 23 USC § 139(n), and if it does, that statute removes any 30-day review period under 1506.10(b)(2).

CHSRA and Metro are committed to continue coordinating with the City of Vernon to implement the Malabar Yard railroad improvements in a manner consistent with stakeholder objectives and the Project's Purpose and Need.

51 The CHSRA Board of Directors does not certify the EIS; however, the CEO will consider whether to sign a Combined Final EIS/Record of Decision (ROD), and the CEO will also consider the City of Vernon's request to remove the Malabar Yard railroad improvements as a mitigation measure to the Link US Project. CHRSA respectfully disagrees with the commenter's opinion that the potential loss of freight storage space at the BNSF West Bank Yard is not a significant adverse effect that requires mitigation under NEPA. Please refer to **Main Letter Response to Comment 8**.

Under CEQA and NEPA, Mitigation Measure TR-3 addresses the significant (for CEQA) and adverse (for NEPA) freight-rail transportation impact via implementation of the Malabar Yard railroad improvements to offset the effects on freight-rail transportation from the loss in storage capacity at West Bank Yard, which is consistent with CEQA (§15126.4(a)) and NEPA (40 CFR § 1502.14(f) and 40 CFR § 1505.2(c)) to require feasible mitigation for significant effects.

52 The commenter requests that Mitigation Measure TR-3 be removed and that no feasible mitigation exists to offset a significant adverse effect. Please refer to **Main Letter Response to Comment 8** for the reasons why Mitigation Measure TR-3 is feasible and required to mitigate both direct and indirect effects.

Please refer to **Main Letter Response to Comment 3** regarding the evaluation of other alternative site options for BNSF additional rail storage. CHSRA and Metro have identified railroad improvements to the BNSF Malabar Yard in the City of Vernon to offset the loss of storage track capacity at the BNSF West Bank Yard.

Regarding the claim that the City of Vernon will not grant approvals necessary to implement the Malabar Yard railroad improvements, Metro is committed to ongoing coordination with the City of Vernon to effectively implement the improvements, and it reasonably expects the City of Vernon to cooperate in mitigating any effects if CHSRA chooses to implement the Malabar Yard railroad improvements.

53 CHSRA and Metro will consider the comment's suggested revisions to Mitigation Measure TR-3 as the CHSRA CEO makes a decision. The Final SEIR was certified by the Metro Board at the board meeting held October 23, 2025, with two Boards motion for continued collaboration between Metro, CHSRA, BNSF, and the City of Vernon. CHSRA and Metro are dedicated to continuing working with the City of Vernon to implement Malabar Yard railroad improvements in a mutually beneficial manner.

54 CHSRA and Metro appreciate the comments provided by the City of Vernon and for actively participating in the review of the Draft EIS/SEIR and the Final EIS. CHSRA has concluded that the EIS fully satisfies NEPA, and that it discloses and analyzes the Project's potential effects. CHSRA and Metro will continue ongoing coordination with the City of Vernon regarding planning and mitigation efforts. CHSRA and Metro value the City

of Vernon's input and take the comments and concerns regarding potential negative impacts on the City of Vernon seriously.

Exhibit "A": Railroad Industries Incorporated Report

A-1 The comment provides a summary of the Project background. The commenter is correct in their assertion that Malabar Yard is under-utilized. However, the statement that LAUS is expanding to a "new location" is incorrect. The Project involves reconfiguration and expansion of rail infrastructure at and within the vicinity of LAUS and does not relocate LAUS to a new site. Proposed improvements are intended to accommodate expanded passenger rail operations while maintaining existing freight operations. It should also be noted that this is Metro's mitigation, not what BNSF "would like to build".

A-2 The comment provides a summary of Railroad Industries Incorporated (RII) review of the documents associated with the Final EIS. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-3 Metro has not "forgotten" the City of Vernon is evolving. Metro is very aware of the City of Vernon's plan and reasoning for introducing more mixed-use residential land uses in the City of Vernon, especially on the west side.

CHSRA and Metro acknowledge the commenter's summary of the City of Vernon's history with BNSF, as well as the commenter's concerns regarding Metro's authority and obligation to implement the Malabar Yard railroad improvements. As described in **Final EIS Appendix Q, Chapter 1.0, Introduction**, the Malabar Yard railroad improvements were developed not only to offset the loss of storage capacity at the BNSF West Bank Yard, rather, they are designed to mitigate the Project's adverse effects on freight and preserve current level of freight operations consistent with the Project's Purpose and Need.

Agencies must adopt feasible mitigation to reduce significant impacts under CEQA (*CEQA Guidelines* §15126.4(a)(1)), and NEPA requires that mitigation for adverse effects be identified implemented (40 CFR §1508.1). Therefore, Metro has both the obligation and the authority to implement mitigation measures that address the Project's operational impacts on freight service. Metro is not proposing to mitigate impacts beyond the scope of project-related impacts. BNSF has facilities in multiple jurisdictions in the area. The identified Malabar Yard railroad improvements are proposed in the City of Vernon because Malabar Yard meets the specified criteria.

Furthermore, the commenter's statement that, "Metro's obligation to BNSF is to provide just compensation for what it is taking, not to provide infrastructure investment to a private freight railroad" mischaracterizes the purpose and effect of just compensation. Just compensation satisfies a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. This financial payment does not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard railroad improvements remains necessary to address the impacts on freight rail service. Please refer to **Main Letter Response to Comment 8.**

A-4 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 1**, for a discussion of the history of stakeholder engagement activities with the City of Vernon.

After FRA published the 2016 NOI, completed Project scoping, and executed the MOU with the State of California to delegate NEPA authority to CHSRA as the federal lead agency (July 2019), CHSRA and Metro, in coordination with the CalSTA and BNSF, identified railroad improvements to the BNSF Malabar Yard in the City of Vernon that would offset the loss of storage track capacity at the BNSF West Bank Yard.

Contrary to the comment's assertions, Metro has involved the City of Vernon from the early stages of consideration of the Malabar Yard railroad improvements. On September 17, 2020, FRA, on behalf of CHSRA, issued a Revised NOI to solicit additional public and agency input into the development of the scope of the Link US Project EIS with respect to the railroad improvements to the BNSF Malabar Yard in the City of Vernon. Prior to the release of the Revised Notice of Intent (NOI) in 2020, Metro worked closely with City of Vernon staff to coordinate all public involvement and stakeholder engagement activities as part of the environmental review process for the Malabar Yard railroad improvements. Metro engaged a wide variety of stakeholders including property owners and tenants of potentially affected parcels, the Vernon Chamber of Commerce, the Vernon Business and Industry Commission, City of Vernon representatives, and property owners within a one-mile buffer of the Malabar Yard railroad improvements.

During the Revised NOI scoping comment period, CHSRA and Metro held a virtual scoping meeting on October 8, 2020. The meeting was held virtually due to COVID-19 pandemic and stay-at-home orders within Los Angeles County. The meeting included a live presentation and public scoping comments accepted digitally and verbally. In total, 81 comment submissions were received, most of which were made during the virtual scoping meeting. Three comment submissions were from public agencies, two comment submissions were from community organizations, and 76 individual comment submissions were from individual stakeholders. Two of the 76 individual comments were received after the close of the 30-day public comment period. The primary concerns expressed by the public in comments received during Revised NOI scoping comment period were related to transportation-related effects on property owners and businesses near Malabar Yard, loss of BNSF tracks, and local traffic circulation in the City of Vernon. The City of Vernon had multiple opportunities to provide formal comments at the onset of the Project and did not. The Revised NOI scoping period would have opened an early opportunity for the City of Vernon to provide comments related to alternatives considered and overall concerns of the proposed railroad improvements, but no comments were received to consider.

With the public comments received during the public scoping period, Metro took careful consideration of the primary concerns when conducting the environmental evaluation. The primary goals for the public scoping meeting were to educate the public about the Malabar Yard railroad improvements, share the Project history, how the Project has evolved, outline the Project benefits, highlight the Project elements and alternatives considered, present the Project timeline, explain the next steps, and satisfy statutory requirements for scoping and collecting public comment in accordance with NEPA.

CHSRA respectfully disagrees with the commenter's opinion that Malabar Yard and the 46th Street Connection was pushed through as the "only option" that would allow for Metro to move the Project forward. As disclosed in **Final EIS Appendix Q, Chapter 1.0**

(Introduction), Section 1.1 (Alternatives Evaluation Process), a two-step evaluation process was used to identify potential alternative replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) to offset the loss of storage tracks that would occur at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the identified screening criteria and to preserve the current levels of freight rail operations.

The City of Vernon has been involved in not only the outreach approach, but also the technical inputs to the traffic impact analysis, including the methodology to be used and the COVID factor applied to the analysis. The City of Vernon was invited to be a participating agency under NEPA, but no response was received accepting the invitation. As a result of the scoping process and stakeholder feedback and coordination with the City of Vernon and affected stakeholders, the design of the initial improvements was revised to reduce impacts. These modified concepts are considered as Design Option 2 at 49th Street and 46th Street.

A-5 The Malabar Yard railroad improvements are not proposed as a "grand proposal to burden Vernon." The Final EIS identifies multiple alternative replacement sites that were evaluated for feasibility. Please refer to **Main Letter Response to Comment 47** for a discussion of Metro's consistency with both CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the Malabar Yard railroad improvements. The Final EIS meets the requirements for analyzing a reasonable range of alternatives to the Malabar Yard railroad improvements.

The term "engineering detail" is ambiguous and does not identify the level of information necessary for the agencies to conduct an analysis. The agencies obtained sufficient information to reach a conclusion on the reasonably foreseeable impacts of removing tracks at West Bank Yard and implementing the Malabar Yard railroad improvements. This included information from BNSF operations and video monitoring of existing BNSF freight rail activities, together which provides a reliable basis for assessing Project impacts. Responses to the estimated alternatives raised by the commenter are provided later in this document.

A-6 Streamlining BNSF freight operations is not the reason for the Malabar Yard railroad improvements. For clarification, the purpose for implementing Malabar Yard railroad improvements is to comply with NEPA and CEQA's requirement to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity (40 CFR 1502.14(f), 40 CFR 1502.16(h); *CEQA Guidelines* §15126.4(a)). A project's impact on freight rail transportation is an environmental topic required for consideration in an EIS using FRAs Environmental Procedures.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the

Link US Project. Because the Project is burdening freight rail operations broadly, a local mitigation measure to preserve the broad, current levels of freight rail operations would have a local effect of improving freight rail operations.

A-7 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2**, for a discussion of the traffic impact methodology, anticipated traffic redistribution and localized impact analysis performed, and the potential queuing associated with implementation of Malabar Yard railroad improvements. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, traffic counts were conducted in August 2020 for the intersections and roadway segments used in the traffic analysis to characterize the existing conditions. However, due to the timing of when the Revised NOI was released (September 2020) and impact of the COVID-19 pandemic, the amount of traffic on the streets and intersections was lower than the normal (non-COVID-19) conditions due to "new quasi-normal" day to day activities and businesses operating under various restrictions, including shelter-in-place and complete business shutdowns. To ensure the credibility of baseline traffic conditions, on which future year conditions (post COVID-19) are based, the raw traffic count data that was collected in August 2020 was 'normalized' to the traffic levels which existed pre-COVID-19, before it was applied to the traffic analysis. This "COVID Factor" approach was used to estimate traffic conditions in 2020 without COVID-19.

The approach to normalize the traffic count data collected in August 2020 during the COVID-19 pandemic to the traffic levels that existed pre-COVID-19 is presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** and summarized in **Key Issue Response 2**. This methodology is consistent with industry standards and was coordinated with the City of Vernon to obtain feedback on the approach before using the adjusted volumes in the traffic analysis. The traffic volumes presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the traffic conditions to use for environmental documentation purposes.

A-8 Please refer to **Exhibit "D" Response to Comments D-4 through D-22** for a discussion on train operations, including the commenter's claims of omitted topics related to train movements. All data and information collected from BNSF in 2020, 2021, and the latest information received in 2024 was incorporated in the analysis and discussed in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies (see **Final EIS Volume III, Response to Comments, Key Issue Response 2** and **Final EIS Appendix Q, Section 2**). The impacts of moving trains was considered in the environmental analysis, particularly for traffic impacts, the queuing analysis performed, and the emergency response analysis conducted (see results in **Final EIS Volume III, Response to Comments, Key Issue Response 4**).

As discussed in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-3**, the geographic area considered to determine potential traffic-related effects is the traffic study area. The traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips once the Project is operational;

however, it would result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-8**). Due to the Project-related redistribution of existing traffic, a localized traffic analysis was conducted for intersections and roadway segments within the proximity to the Malabar Yard railroad improvements where traffic redistribution is expected to occur.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, the traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips and would only result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-9**). Trains currently operate across Pacific Boulevard/Vernon Avenue, Pacific Avenue and 46th Street, Seville Avenue, Soto Street, 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road. No operational changes along the East Seville Connection and Hobart Yard/Los Angeles Junction Connection routes would be attributable to the proposed Malabar Yard railroad improvements; therefore, traffic analysis was not conducted at those corresponding intersections.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While Metro recognizes BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

As presented in the **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-10** and **Final EIS Volume III, Response to Comments, Key Issue Response 2**, a queuing analysis was prepared at six locations in response to stakeholder engagement activities to determine whether the existing travel lane storage capacity is adequate to accommodate the queue formations generated from redistributed traffic. The results of the queuing analysis demonstrate for the Opening Year (2024), no increase to the queue formation would be attributable to the Malabar Yard railroad improvements with exception of northbound through movements at Railroad Crossing #4 where there is 20 feet of incremental addition to the existing queuing that already occurs. The increase in queue formation is not considered a substantial change for two main reasons:

1. The additional 20 feet of queue formation translates into less than a vehicle of queue since one vehicle queue is 25 feet; and
2. Because the added queue can be adequately accommodated with the current configuration of the roadway and it would take only one cycle of phasing to clear out the additional 20 feet of incremental addition to the existing queuing that already occurs without the need for any further improvements in lane configuration.

During coordination meetings with the City of Vernon staff after the close of the public comment period, queuing Downey Road was raised as a topic of concern. At Railroad Crossing #6 (Downey Road south of Vernon Avenue), the queue formation already exceeds the storage capacity in the existing condition (**Final EIS Appendix Q, Table 3.3-10**) and would continue to exceed the storage capacity during the 2024 No-Build scenario. The queue formation on Downey Road south of Vernon Avenue in the northbound through and southbound through direction remains the same during AM and PM peak hours.

With the Malabar Yard railroad improvements, fewer trains would operate in the City of Vernon and half of the train movements would occur at night, which have very little to no impact on traffic. For trains operating during the day, if a train movement occurs during the AM and PM peak periods, there could be some effect, but trains are not anticipated to operate at the same time every day and are not all occurring during the AM or PM peak periods. The hourly schedule to service Vernon customers fluctuates and is variable throughout the week based on customer demand.

In March 2025, Metro facilitated a Community Meeting/Open House in the City of Vernon. Multiple comments were raised by the community regarding the duration of time that intersections could be blocked by freight trains. In response to these comments, in April 2025 Metro installed cameras at multiple locations throughout the City of Vernon to record continuous train activity over the course of a week (April 19–25, 2025), 24-hours per day.

Applying the video footage collected, Metro performed an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing condition and with implementation of the Malabar Yard railroad improvements. Metro presented the results of the intersection delay/blockage analysis on June 17, 2025, to the Vernon City Council and on June 23, 2025, to the Vernon Chamber of Commerce. Multiple property owners and business representatives attended both meetings.

Based on the video data collected, results were summarized for two conditions (Actual Condition [based on observed train activity] and Worst-Case Condition) to determine how the Malabar Yard railroad improvements would change intersection delay/blockage at eight locations and effects to citywide vehicular circulation. Results are summarized below:

1. Actual Condition (based on observed train activity)
    a. Length of Observed Trains: 350 feet to 1,500 feet
    b. Daily Intersection Blockage Results: With Malabar yard railroad improvements, daily intersection delay/blockage would be reduced by 30 minutes.
2. Worst Case Condition (consistent with NEPA/CEQA EIS/SEIR evaluation)
    a. Length of Longest Potential Trains: 3,000 feet
    b. Daily Intersection Blockage Results: If longer trains are needed due to customer demand in the City of Vernon, the corresponding reduction in daily intersection blockage with the Malabar Yard railroad improvements would also increase as compared to the existing condition. Assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. This reduction is based on the assumption that in the existing condition trains would operate with the same length (3,000 feet) without the Malabar Yard railroad improvements.

Based on the train observations conducted in April 2025, the data supports the conclusion that with implementation of the Malabar yard railroad improvements, a citywide circulation improvement would occur. This is primarily because:

1. 3.15 fewer trains would operate in the City of Vernon, and
2. In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction rail yard on the east side of the City of Vernon.

A-9 Please refer to **Exhibit "C" Response to Comment C-6** for a discussion on idling vehicle emissions. As discussed in that response, fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical

criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Project would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

A-10 The transportation analysis was performed to determine if the Malabar Yard railroad improvements would result in traffic congestion, roadway hazards, impacts to emergency access, impacts to public transit, bicycle or pedestrian facilities, and/or impacts on freight. Indirect impacts related to economic and fiscal impacts resulting from increased traffic delays and congestion would not occur because all traffic impacts associated with traffic delay would be mitigated with implementation of Mitigation Measures TR-1 through TR-5.

A-11 This comment provides several general statements regarding mitigation that the commenter deems as unsupported, inadequate or absent in the Final EIS. Please refer to **Response to Comments A-39, A-45, A-50, A-52, A-53, A-72, A-75, and A-108** which address the commenter's specific concerns regarding mitigation in the Final EIS. In short, 29 mitigation measures are required to be implemented by Metro in the City of Vernon. The mitigation measures outlined in **Final EIS Appendix Q** and summarized in **Executive Summary Tables ES-1 and ES-2** would avoid, minimize, and mitigate the identified impacts in the City of Vernon. After mitigation, unavoidable adverse effects remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Further discussion on the mitigation measures that would be implemented to reduce business and community related impacts in the City of Vernon is provided throughout this document. These measures demonstrate there was a substantial attempt (not minimal) to mitigate project-related effects.

The commenter notes several mitigation strategies means there is no mitigation, which does not make sense. The City of Vernon is not required to mitigate impacts, Metro is responsible. As the Project is implemented, Metro reasonably expects that the City of Vernon will cooperate in implementing mitigation measures to reduce the effects of the Project through applicable permitting, approvals, and the interagency coordination processes. Metro is committed to ongoing coordination with the City of Vernon to effectively implement mitigation measures.

To further demonstrate a good-faith effort in ongoing coordination with the City of Vernon, two Board Motions were passed by the Metro Board that require further collaboration between the City of Vernon, Metro, CHSRA, and BNSF during the October 23, 2025 Metro Board Meeting. In addition, on December 8, 2025, Metro sent a letter to BNSF to initiate

coordination pursuant to the Board Motions passed in October 2025. Within that correspondence, Metro requested BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Despite the concerns expressed by the City of Vernon, CHSRA and Metro reasonably expect to obtain the necessary approvals to implement the goals of Malabar Yard Mitigation Measure TR-6, which focuses on ensuring safety and operational efficiency at affected crossings. This expectation is based on the CHSRA's and Metro's authority under applicable state and federal regulations, and CPUC's jurisdiction over rail crossing approvals and the collaborative framework established under NEPA and CEQA. The CPUC process allows for consideration of local input while prioritizing public safety and transportation needs. Even if the City of Vernon does not actively participate in designing mitigation measures, CHSRA and Metro retain the ability to propose and implement reasonable, enforceable mitigations that meet regulatory standards. Therefore, CHSRA and Metro anticipate that the required approvals will be secured to achieve Malabar Yard Mitigation Measure TR-6 objectives and maintain compliance with environmental commitments.

A-12 Ongoing coordination efforts would be conducted between Metro and each outside agency. Please refer to the list of agency approvals required for Project implementation in **Final EIS Volume I, Chapter 2.0 (Alternatives and Design Options Considered), Section 2.12 (Anticipated Agency Involvement)**. The agencies listed therein are and have been involved during Project development and will be coordinated with during final design and construction. The commenter raises general claims of "several aspects" and "such issues" with no specificity to provide further response.

A-13 This comment is a generalization of the environmental document. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. The Final EIS includes sufficient information for the decisionmaker to reasonably reach these conclusions.

A-14 CHSRA and Metro respectfully disagree with the commenter's opinion that the EIS language was misleading or intentionally skewed. The assertion that the EIS language was misleading or intentionally skewed is not supported by the regulatory process or the document's development history. The EIS was prepared in strict compliance with the National Environmental Policy Act (NEPA) and Council on Environmental Quality (CEQ) regulations, which require transparency, disclosure of potential impacts, and public review. Each section of the EIS underwent agency oversight, technical peer review, and public comment periods, ensuring accuracy and accountability.

- **No Evidence of Intentional Misrepresentation:** NEPA mandates that federal agencies exercise independent judgment in environmental analysis. The CHSRA and Metro reviewed and approved the scope, methodology, and conclusions, confirming that the document reflects their independent evaluation.
- **Comprehensive Impact Analysis:** The EIS included detailed technical studies (air quality, biological resources, noise, water quality, socioeconomics) and applied

conservative assumptions to avoid underestimating impacts. Where uncertainties existed, they were disclosed, and mitigation measures were identified.

- **Public and Agency Input:** Multiple opportunities for public comment and interagency coordination were provided. Concerns raised during these processes were addressed in the Final EIS, demonstrating responsiveness rather than omission.
- **Benefits and Impacts Presented Transparently:** The EIS balanced disclosure of project benefits with potential adverse impacts, consistent with NEPA's purpose of informed decision-making—not advocacy.

Corrections to the documentation were made as necessary in the Final EIS, consistent with how all final environmental documents are prepared. Please refer to **Response to Comments A-46, A-60, and A-105** which address concerns related to information the commenter believes was omitted from the EIS. **Response to Comments A-27 and A-105** address concerns that certain wording may skew the discussion of impacts, and **Response to Comments A-46 and A-105** address concerns that specific language may deflect or distract from discussion impacts on the City of Vernon.

A-15 This comment provides a general statement about the City of Vernon's involvement in the EIS, including its input on alternatives development and data considerations. Contrary to the comment, the City of Vernon has assisted in providing parameters for the EIS, had many opportunities to suggest alternatives, and have had many opportunities to provide additional data. The comment does not contain specific questions associated with the environmental analysis or conclusions contained within the Final EIS. Please refer to the **Response to Comment A-4** for a discussion of the history of stakeholder engagement activities since the release of the Revised NOI in 2020 and please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 1** for a discussion of stakeholder engagement activities conducted in the City of Vernon to support the environmental review process for the Malabar Yard railroad improvements. City of Vernon was engaged since 2020 and provided feedback on the analysis, and the design options considered. As discussed in **Response to Comment A-4**, the City of Vernon provided no comments on the Revised NOI, had an opportunity to provide input on alternatives considered and elected not to do so, and also provided no response to the invitation to be a participating agency.

During preparation of the Final EIS, Metro's coordination activities with the City of Vernon led to the identification of multiple community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final EIS as Offsetting Mitigation Measures (OMMs). Metro proposed an initial package of 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. As an example, Metro initially proposed the City of Vernon 5 bus shelters, then Vernon requested 20 additional bus shelters – the 25 total bus shelters are grouped together as one OMM MY TR-9: Bus Shelters in the Final EIS. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures

to reduce environmental impacts. The OMMs further support the City of Vernon's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16 (Community Analysis)** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

A-16 The claim that "old environmental standards were used" is incorrect. Both CEQA and NEPA require that environmental analyses apply the standards and baseline conditions in effect at the time the environmental review is initiated, not hypothetical future standards.

CEQA Guidelines §15125(1) explicitly states that the baseline should reflect the physical environmental conditions as they exist at the time the Notice of Preparation (NOP) is published, or if no notice of preparation is published, at the time environmental analysis is commenced. Furthermore, *CEQA Guidelines* §15125(3) states:

> *An existing conditions baseline shall not include hypothetical conditions, such as those that might be allowed, but have never actually occurred, under existing permits or plans, as the baseline.*

Per *CEQA Guidelines* §15125, for the Malabar Yard railroad improvements, the baseline was set in September 2020, when the Revised NOI was issued and the environmental analysis commenced. Therefore, the analysis correctly relied on existing conditions at the time of review, consistent with the *CEQA Guidelines*.

For NEPA, all current applicable environmental standards are used in the analysis and presented in the Final EIS. Current NEPA regulations were cited as appropriate. CHSRA is relying on the regulations as they existed on the date of the initial Notice of Intent (NOI), May 31, 2016. Therefore, all citations to CEQ regulations in the Final EIS refer to the 1978 regulations and the 1986 amendment, 51 Federal Register (FR) 15618 (Apr. 25, 1986).

The commenter does not identify specific standards allegedly omitted or explain how applying 2018 standards would materially change the analysis. Both CEQA and NEPA frameworks were followed as written, and the analysis reflects the correct baseline and regulatory context.

A-17 The commenter provides a summary of the Link US Project timeline from the 2016 NOI and highlights changes in September 2020 from the release of the Revised NOI. The claim that the September 2020 revisions were "abrupt" and introduced major changes without proper process is inaccurate. The project followed all required NEPA and CEQA procedures, including public notices, stakeholder engagement, and disclosure of alternatives.

- **Procedural Transparency.** The September 2020 refinements were issued through a Revised Notice of Intent (NOI) and accompanied by updated environmental documentation. This process is consistent with NEPA (40 CFR Parts 1500–1508) and CEQA Guidelines §15125, which require disclosure and

analysis when refinements occur. The revised plan was not hidden; it was publicly noticed and subject to review.

- **Nature of Changes.** The refinements (e.g., closing the 49th Street Closure and adding a 46th Street Connector) were evaluated as design-level adjustments necessary for rail safety and operational efficiency. They did not alter the Project's fundamental purpose. Under CEQA Guidelines §§15162–15164, such refinements are analyzed to determine if they cause new or more severe impacts, which was done.

  As discussed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Page 1-9**, a two-step evaluation process was used to identify potential replacement sites for the loss of storage tracks that would result at the BNSF West Bank Yard. The alternatives analysis process was completed prior to release of the Revised NOI to eliminate sites that do not meet the identified screening criteria and to preserve the current levels of freight rail operations in accordance with the provisions of the purpose and need. This is the reason one location was identified as the replacement site to offset the loss of storage tracks on the BNSF West Bank Yard.

- **Public and Agency Engagement.** Stakeholder discussions continued throughout the process, and the revised plan was subject to the same transparency and comment opportunities as the original proposal. The administrative record includes responses to comments from the City of Vernon and other stakeholders.

  As discussed in **Response to Comment A-4**, the City of Vernon provided no comments on the Revised NOI, had an opportunity to provide input on alternatives considered and elected not to do so.

  During preparation of the Final EIS, after the close of the Draft EIS/SEIR 45-day public comment period, at the request of the City of Vernon, Vernon Chamber of Commerce, and Los Angeles County Supervisor Hahn's office, additional analysis was conducted to determine if replacement of BNSF storage tracks could be implemented at BNSF's Hobart Yard facility or BNSF's Los Angeles Junction facility; thereby no longer necessitating the 49th Street Closure as part of the Link US Project. Please refer to **Response to Comment AGE 3-7** in **Final EIS, Volume III, Response to Comments** for a summary of the determination with regard to the alternative sites considered in the Final EIS (BNSF Hobart Yard and BNSF Los Angeles Junction Facility).

- **Impact Analysis.** Potential effects on traffic, safety, air quality, and economic development were fully analyzed in the Draft EIS/SEIR, Final EIR, and Final EIS. Mitigation measures were identified where impacts could occur, including traffic management plans, safety protocols, and air quality controls. These measures were disclosed and incorporated into the MMRP. Detailed responses to address comments related to traffic, safety, air quality, and economic development are provided elsewhere in this document.

The September 2020 revisions were neither abrupt nor concealed. They were processed under established environmental review protocols, disclosed publicly, and analyzed for potential impacts consistent with CEQA and NEPA requirements. The assertion that these changes were unexamined or will cause unmitigated major impacts is not supported by the record.

A-18 The comment provides background information, figures of the City of Vernon boundary, an overview of the City of Vernon's past and current development, as well as details associated with the City of Vernon's Housing Element and Westside planning initiatives but does not provide any comment pertinent to the environmental evaluation for the Malabar Yard railroad improvements. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. A review of the Final EIR prepared by the City of Vernon was conducted, and it does omit any mention of the Malabar Yard railroad improvements as a cumulative project. The City of Vernon also provided no details of the aforementioned EIR, planning initiatives, or development applications to take into account when Metro requested this information in early coordination meetings during 2020 and 2021 and in coordination meetings after the close of the 45-day public comment period for the Draft EIS/SEIR.

A-19 Please refer to **Response to Comment A-4** above for the background on why the Revised NOI was issued. Sub point 1 does not require a response because the comment simply acknowledges the proposed 49th Street closure. Regarding sub point 2, CHSRA and Metro respectfully disagree with the commenter's opinion that adding a new at-grade crossing at 46th street is dangerous. The commenter provides no basis for how they determined the location of 46th Street and Seville is dangerous. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2,** a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue.

The two design options considered would require acquisition of portions of property. In response to sub-point 3, Metro has coordinated with Vernon stakeholder on 46th Street and Seville Avenue and revised the design from what was presented in the Revised NOI. Design Option 2 results in two fewer buildings being impacted and less impacts to private property. The commenter makes claims of harming Vernon industries but provides no details of how this may occur. Any property impacts would be negotiated at fair market value and if active businesses are present, a relocation plan would be implemented in accordance with applicable regulations.

For sub point 4, train traffic is not only for Exxon. The consolidated train movements would facilitate BNSF serving all customers from LAJ, on 3 routes (Exxon Connection, West Seville Connection, and East Seville Connection). Consolidated train movements also reduce daily train movements in Vernon.

A-20 The commenter notes changes to a plan, but no details of what plan are included to provide further response. The EIS was prepared with technical information and analysis that satisfies NEPA requirements.

A-21 Please refer to **Response to Comment A-7** above.

A-22 The Malabar Yard railroad improvements would consolidate existing train movements, not add new trains. In fact, 3.15 fewer trains per day would operate in Vernon after the 46th Street Connector is in place. The commenter claims trains have not operated through the area in years however, currently trains operate on the Harbor Subdivision, West Seville Connection, and the East Seville Connection each day (see **Key Issue Response 2** and **Final EIS Appendix Q, Section 2** for an overview of existing train movements).

- Traffic – Please refer to **Response to Comment A-8**.
- Air Quality – Please refer to **Response to Comment A-9.**
- Economic Impacts – Please refer to **Response to Comment A-10**.
- Safety – Please refer to Main Letter Response to Comments 42, 43, and 45.
- Noise – Please refer to **Final EIS Appendix Q, Section 3.6 (Noise and Vibration)** for a full analysis of potential noise impacts related to the Malabar Yard railroad improvements. Additionally, please refer to **Exhibit "E" Response to Comments E-1 through E-7** for responses to the Noise Peer Review dated October 20, 2025.
- Aesthetics – Please refer to **Final EIS Appendix Q, Section 3.4 (Visual Quality and Aesthetics)** for a full analysis of potential effects related to visual quality and aesthetics that was performed. There are no visual resources, scenic highways, or other protected views in the study area that would be affected.

Existing freight railroad operations at Malabar Yard and the LA Junction have the potential to affect water quality at Los Angeles River located approximately 0.5-mile northeast of the Malabar Yard study area. Please refer to **Final EIS Appendix Q, Section 3.8 (Floodplains, Hydrology, and Water Quality)** for a detail of existing water quality at the Los Angeles River and analysis under Topic 3.8-D related to Project effects on water quality standards. Operational impacts could discharge oil, grease, and other chemical pollutants into existing drainage systems that originate from train cars. However, this is an existing condition that already exists from industrial operations that would not be compounded by the proposed Malabar Yard railroad improvement, primarily due to fewer train movements in the City of Vernon. Implementation of Malabar Yard Mitigation Measures HWQ-1 through HWQ-5 and HAZ-1 would minimize potential effects resulting from the discharge of pollutants to stormwater facilities during construction and operation by requiring an industrial Stormwater Pollution Prevention Plan (SWPPP), construction

Hazardous Materials Management Plan (HMMP), and by complying with National Pollutant Discharge Elimination System (NPDES) permits.

A-23 Please refer to **Main Letter Response to Comment 47** in this document for a discussion of Metro's consistency with both CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the Malabar Yard railroad improvements. The Final EIS meets the requirements for analyzing a reasonable range of alternatives to the Malabar Yard railroad improvements. See also responses to comments later in this letter regarding the alternative sites identified by the commenter (**Response to Comments A-79 through A-96**). Traffic growth and diversions were not a specified criterion, and the commenter provides no basis why this would be important more than any other environmental topic to be considered. Analysis of space is addressed in Criteria 1.

A-24 The claim that implementation of the Malabar Yard railroad improvements does not fully mitigate the loss of freight rail storage from BNSF West Bank Yard is inaccurate. The 46th Street Connector would facilitate consolidated freight service from the Los Angeles Junction and would provide a 1,000-foot connection to facilitate freight movements between two existing track sections that are currently active and operational. These improvement are needed to preserve current level of freight operations in accordance with Criteria 2 and the Link US Project's Purpose and Need as identified in **Final EIS, Chapter 1.0 (Purpose and Need)**.

The commenter's opinion that Malabar Yard does not solve the train length issue for BNSF anymore than any other option is unclear and vague because it does not note what train length issue they are referring to in order for a response to be specifically generated. The Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,500 feet of storage track is not a 1:1 replacement the 5,500 feet of storage track removed, it would provide functionally equivalent storage, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0, Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of CEQA and NEPA because they would minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need as identified in **Final EIS, Chapter 1.0 (Purpose and Need)**.

A-25 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 6** for land use and planning analysis related to the *2023 Vernon Westside Zone Change and General Plan Amendment* (adopted July 2023). The *Vernon Westside Zone Change and General Plan Amendment* (adopted July 2023) was not considered in the Draft EIS/SEIR because the zone change and amendment was not formally adopted at the time the Revised NOI was issued in September 2020. Regardless, a full evaluation of the City of Vernon's latest Zoning Code Amendment and General Plan was performed and no conflicts were identified.

In fact, many of the OMMs complement the City of Vernon's planning initiatives and were formulated in a manner to support the City of Vernon's future mixed use residential land uses that are planned on the west side of the City of Vernon.

A-26 The comment provides a summary of the 2020 changes to the Project that involve the City of Vernon. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-27 **Final EIS Appendix Q, Section 1 (Introduction), Page 1.1-10** is accurate – BNSF West Bank Yard can accommodate up to an 8,000-foot-long trainset in any of the four storage tracks.

Page 3.3-27 of the Final EIS was revised for consistency to read as follows:

> BNSF West Bank Yard can accommodate up to an ~~a continuous~~ ~~9,000~~8,000-foot-long trainset in any of the four storage tracks.

A-28 Document speaks to total capacity and length of train in the existing and proposed conditions as they represent the capacity of storage available for railroad operations

The claim that the EIS approach to track length is "misleading" and that storage track length is irrelevant to intermodal train-building is inaccurate. While car capacity and switching flexibility are important, track length remains a critical operational factor for efficiency, safety, and throughput in modern intermodal rail operations.

Track Length Is Operationally Significant

- Longer tracks reduce the need for multiple cuts and switches when assembling trains, which minimizes dwell time, reduces congestion, and improves safety.
- The EIS correctly emphasizes the importance of 8,000–9,000-foot tracks because Class I railroads, including BNSF, increasingly operate longer unit trains to meet freight demand and use less fuel. This is consistent with industry standards and operational best practices.

Switching Adds Time and Safety Risks

- While it is technically possible to build trains from multiple shorter tracks, this requires additional switching moves, increasing operational complexity, time, and exposure to safety hazards.
- The EIS analysis accounts for these inefficiencies and identifies that longer tracks provide measurable benefits in reducing switching operations and improving fluidity.

Capacity Calculations Are Transparent

- The EIS does not misrepresent capacity. It uses track length as a proxy for operational efficiency, not as the sole determinant of yard capacity.

- The added 3,350 feet of storage at Malabar Yard is not presented as a single continuous track but as cumulative added capacity that preserves current levels of freight operations when combined with the 46th Street Connector for improved flexibility.

Alternatives Were Considered

- The conclusion that longer tracks are preferable reflects operational realities, not bias. Track length is not "less relevant"; it is a key factor in reducing switching, improving safety, and meeting modern intermodal service requirements. The EIS appropriately analyzed track length and capacity in the context of operational efficiency and environmental impacts. The assertion that the EIS misled readers or ignored alternatives is not supported by the record.

A-29 BNSF will continue to use West Bank Yard once Link Union Station is constructed with Malabar Yard being used to supplement the reduced storage capacity at the West Bank.

A-30 The comment provides a summary of the track configurations proposed for the West Bank Yard. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. The commenter is correct in that intermodal volumes fluctuate year over year, so the yard moves between empty and full depending on intermodal traffic.

A-31 The commenter states that Metro proposes to use BNSF's Malabar Yard to replace lost storage capacity, noting that the yard currently serves only local traffic for four customers, is rarely full, and includes seven tracks (with one through track owned by Metro). The comment suggests Metro would allow use of its track as part of a trade-off and mentions two industry tracks not included in the yard's storage capacity.

The environmental review acknowledges Malabar Yard's current operational role and physical configuration. However, the Final EIS and Final SEIR analysis evaluated the feasibility of using Malabar Yard to offset storage lost due to the Link US Project development and considered the yard's existing tracks, ownership constraints, and operational limitations.

- **Current Use and Capacity.** Malabar Yard today is primarily used for storage of local merchandise trains and staging customer service; but its track capacity provides an opportunity to improve operational flexibility. The analysis accounted for the yard's seven tracks, including the Metro-owned right-of-way, and evaluated how these could be integrated into the proposed configuration.
- **Ownership and Access.** Any use of Metro-owned track would require formal agreements between Metro and BNSF. The environmental analysis does not assume unrestricted access but identifies this as a potential coordination point for implementation.
- **Industry Tracks and Storage Calculations.** The analysis included all relevant tracks in determining yard capacity and operational feasibility. While some tracks

serve industry customers, their potential use for storage was considered in the alternatives evaluation.

- **Operational Efficiency.** The proposed improvements aim to enhance yard functionality and connectivity to Los Angeles Junction Yard, reducing congestion and improving train-building efficiency. These changes were analyzed for environmental impacts, including traffic, air quality, and land use compatibility.

The Final SEIR and Final EIS did not misrepresent Malabar Yard's current use or capacity. It evaluated the yard's physical and operational characteristics, ownership constraints, and potential role in meeting project objectives. The assertion that the analysis overlooked key factors is not supported by the record.

The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-32 BNSF follows the Association of American Railroad's (AAR) General Code of Operating Rules (GCOR) of which, Section 6.32.4 states, "When practical, avoid leaving cars, engines, or equipment standing closer than 250 feet from the road crossing when there is an adjacent track."

Page 2-3 of the Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements) was revised to read as follows:

> The General Code of Operating Rules (GCOR) ~~CPUC regulations~~ limit ~~restrict~~ storage of standing trains within ~~150~~ 250 feet of the 49th Street at-grade crossing.

A-33 Eliminating the 49th Street crossing will result in the addition of 3,350 feet of track storage and not solely 715 feet. The gained storage of 3,350 feet of track storage was calculated utilizing the 250-foot clearance on either side of the roadway from GCOR, plus the 60-foot roadway width, and then by multiplied by the 6 storage tracks, resulting in a total of 3,360 feet. This was rounded down to 3,350 feet. The commenter provides a photo with trains appearing closer to 49th Street. BNSF, as an operating railroad, may have exceptional circumstances during operations when a train is closer to the street. The reason for this photo is unknown. The rules as noted call for a space of 250 ft.

A-34 To replace West Bank lost storage, new storage is added at Malabar Yard. The current operations at Malabar Yard must be moved out of Malabar Yard which is accomplished by the 46th Street Connector. Exxon tracks are not proposed to be moved. Exxon would be served from LAJ. The commenter makes claims of BNSF preferences but provided no proof or correspondence from BNSF with these types of preferences stated. Operational cost savings for BNSF is not the reason why Malabar Yard railroad improvements are required, nor are Exxon operations or LAJ operations as the commenter states. The purpose is to mitigate for Link US Project impacts to BNSF West Bank Yard.

A-35 FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). FRA's Environmental Procedures require an analysis of impacts which

are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives." Evaluation of consistency with applicable plans, policies, and programs, is required under 40 CFR 1502.16(c). *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system. As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)**, and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified.

A-36 The comment provides a summary of unavoidable adverse effects identified in the **Final EIS Executive Summary**. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-37 CHRSA and Metro respectfully disagree with the commenter's opinion that the Project only benefits Metro and BNSF. **Final EIS Executive Summary, Section ES.14** includes a summary of Project benefits under the Build Alternative, with a Malabar Yard railroad improvements specific list. Of the ten benefits listed, all ten would benefit the City of Vernon, not just Metro and/or BNSF. These benefits include the following:

- Fewer daily train movements, decreased local emissions, minimized traffic delays.
- Optimized emergency response times with less congestion on local roadways.
- Train detection cameras that provide real-time local emergency dispatch to identify trains approaching at-grade rail crossings.
- Upgraded communications and radio systems and a mobile Emergency Operations Center to provide rapid deployment to disaster areas or large-scale events while contributing to faster, more effective emergency response efforts.
- Enhanced community features with crosswalk improvements to improve visibility and enhance pedestrian and driver safety, bus shelters to improve accessibility, convenience, comfort and provide weather protection for passengers.
- Quiet zone infrastructure to reduce train horn noise, promote safety, enhance pedestrian connectivity, and improve quality of life for existing and future residents and businesses.
- Improved traffic control with road restriping to maintain traffic flow, AI-based traffic control system, and pan-tilt-zoom smart cameras to monitor traffic, roads, intersections, and enable first responders to quickly identify incidents.

- Reduced fuel consumption by rail and associated rail emissions.
- Redistribution of train movements would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place.
- Up to 143 and 151 temporary jobs are anticipated to be generated, along with $9.4 to $9.7 million in labor income, and $3.3 to $3.5 million in total federal, state, and local tax revenues generated.

Contrary to the commenter's opinion, the approximately $25 million OMM package benefits Vernon directly, not Metro and not BNSF.

A-38 CHSRA and Metro respectfully disagree with the commenter's opinion that the Final EIS did not include an analysis of impacts of running new trains through the City of Vernon. Impacts associated with new train movements were sufficiently analyzed in the Final EIS, including impacts associated with traffic delays, air quality, economic growth, safety hazards, noise, and aesthetic issues. Please refer to **Response to Comment A-8** for traffic impacts, **Response to Comment A-9** for air quality impacts, **Final EIS Volume III, Response to Comments, Key Issue Response 4** for emergency response, and **Key Issue Response 6** for future growth plans. Please refer to **Final EIS Appendix Q, Section 3.8 (Floodplains, Hydrology, and Water Quality)** for a discussion of impacts from Malabar Yard railroad improvements, including new train movements, on water quality.

The Link US Project would include multiple regional benefits to enhance regional mobility. Metro's proposed OMMs also enhance safety, reduce traffic delays, increase safety and emergency response near train crossings, and enhance mobility (please refer to **Final EIS Appendix Q, Section 3.16 and Appendix G**).

A-39 Please refer to **Response to Comment A-38**. An equal level of evaluation is provided in the Final EIS for Malabar Yard operations. Each environmental topic area has an "Operations" header that addresses the two components at 49th Street and 46th Street. Where impacts are identified, 29 mitigation measures are identified to reduce impacts. The Final EIS adopted all feasible mitigation

A-40 The comment provides a summary of history of rail within the City of Vernon. The commenter states that most businesses west of the river no longer use rail, leaving unused tracks and rights-of-way in poor condition. The commenter also notes that some tracks have been removed or paved over, and that BNSF owns a patchwork of rights-of-way with varying widths, some granted as easements decades ago.

CHSRA and Metro acknowledge the changes in industrial land use and historical rail utilization patterns in the Project area. However, the characterization that these conditions render the rail network obsolete or irrelevant to Project planning is not accurate.

- **Current Rail Use.** While some businesses have shifted to truck-based logistics, rail remains a critical component of regional goods movement, particularly for bulk commodities and intermodal freight. The Project's Purpose and Need reflect long-

term demand for efficient rail operations to reduce truck congestion, emissions, and improve supply chain reliability.

- **Track Conditions and Right-of-Way Ownership.** The analysis considered existing track conditions, ownership patterns, and operational constraints. Rights-of-way owned by BNSF and Metro were evaluated for feasibility of improvements, and any inactive or abandoned segments were documented. The presence of underutilized or deteriorated tracks does not preclude their strategic reuse or reconfiguration to meet future freight needs.
- **Alternatives Analysis.** The analysis examined multiple alternatives, including options that minimize property impacts and optimize existing corridors. The analysis did not assume that all existing tracks are functional but rather assessed which segments could be upgraded or repurposed to achieve Project objectives.

The commenter accurately describes some localized conditions but does not reflect the broader operational and strategic context addressed in the Final EIS and Final SEIR. Rail infrastructure in the area remains essential for regional freight mobility, and the Project's improvements are designed to modernize and optimize these assets in compliance with environmental and safety standards.

The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-41 The comment provides a summary of existing and proposed operational train information included in the Draft EIS. This information was updated in the Final EIS based on more recent information received from BNSF in 2024 (see **Final EIS Appendix Q, Section 2**). The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-42 Slides from the City of Vernon Coordination Meeting on March 6, 2025, present how the train traffic is anticipated to change due to the Project. Project elements would redistribute some current north-south traffic to being east west. Additionally, in the existing condition merchandise goods are handled multiple times on multiple trains as they travel between Hobart and Malabar Yard and then between Malabar Yard and their final customer destination. With the Malabar Yard railroad improvements, goods can travel directly from LAJ to the customer resulting in a more efficient movement of goods. In the existing condition, the purple, blue, and green lines all terminate at Malabar Yard. Lines are shown staggered for visual clarity. Train lengths do not change from existing condition to future condition – trains would continue to be 3,000 feet long. Again, fewer train movements would occur with the consolidated train movements from Los Angeles Junction.

The comment is not accurate by characterizing the 2 trains daily as being attached to larger trains. Upon implementation of the Malabar Yard railroad improvements, 3.85 trains per day would operate on the Hobart Yard to Malabar Yard connection.

A-43 Trains which will be traveling east-west will represent the existing customer trains or customer trains being redistributed from traveling North-South. This redistribution would

move within the City of Vernon where the existing trains are already traveling. The same customers will be serviced, just from LAJ. Additionally, in the existing condition merchandise goods are handled multiple times as they travel between Hobart and Malabar Yard and then between Malabar Yard and their final customer destination. With implementation of the Project improvements, goods can travel directly from Los Angeles Junction to the customer. Train lengths do not change from existing condition to future condition – trains would continue to be 3,000 feet long. Again, fewer train movements would occur with the consolidated train movements from Los Angeles Junction. The commenter's assertion of an increase in train volumes associated with Exxon's lube oil demand is speculative and not substantiated with any evidence. Any potential increases in train length or frequency driven by future commercial demand would be too speculative to support a reasonable analysis under NEPA and CEQA. Environmental review requires consideration of reasonably foreseeable conditions, not hypothetical scenarios lacking sufficient data or certainty. Attempting to analyze unknown future demand would introduce assumptions beyond the scope of reliable forecasting from BNSF as the railroad operator and could misrepresent actual impacts. Therefore, the analysis appropriately focuses on the best available information and conservative assumptions to ensure accuracy and compliance with regulatory standards.

A-44 The comment provides a summary of the history of BNSF's past attempts to connect its yard through City of Vernon. As described in **Final EIS Appendix Q, Chapter 1.0 (Introduction)**, the potential loss of freight storage space at the BNSF West Bank Yard is an adverse effect that requires mitigation under NEPA. Mitigation Measure TR-3 addresses adverse (for NEPA) freight-rail transportation impact via implementation of the Malabar Yard railroad improvements to offset the effects on freight-rail transportation from the loss in storage capacity at West Bank Yard, which is consistent with NEPA (40 CFR § 1502.14(f) and 40 CFR § 1505.2(c)) to require feasible mitigation for significant effects.

A-45 As discussed in **Response to Comment A-8**, traffic counts from 2015 were not used to measure impacts to the City of Vernon. The volumes used from the counts collected in 2020 were adjusted to reflect the typical traffic volumes during non-COVID years. A localized traffic analysis was prepared because the Malabar Yard railroad improvements do not generate traffic, they redistribute traffic.

A-46 The Final EIS does not state Vernon has undergone very little change – this claim is false. Vernon's growth in businesses, changes in industries, employment and traffic flows is considered in the Final EIS.

Metro recognizes the City of Vernon's growth from 2018 to today. However, the vehicular traffic volumes presented in **Final EIS Appendix Q, Section 3.3 (Transportation)** represent the baseline condition at the time the environmental evaluation commenced upon release of the Revised NOI and reflect an accurate estimate of the traffic conditions to use for environmental documentation purposes. See **Response to Comment A-8**.

Additionally, as discussed in the **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-11**, Metro facilitated a Community Meeting/Open House in the City of Vernon in March 2025. Multiple comments were raised by the community regarding the duration of time that intersections could be blocked by freight trains. In

response to these comments, in April 2025 Metro installed cameras at multiple locations throughout the City of Vernon to record continuous train activity over the course of a week (April 19–25, 2025), 24-hours per day. Applying the video footage collected, Metro performed an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing condition and with implementation of the Malabar Yard railroad improvements. Metro presented the results of the intersection delay/blockage analysis on June 17, 2025, to the Vernon City Council and on June 23, 2025, to the Vernon Chamber of Commerce. Multiple property owners and business representatives attended both meetings.

Train observations conducted from April 2025 video footage supports the conclusion that with implementation of the Malabar yard railroad improvements, a citywide circulation improvement would occur. This is primarily because:

1. 3.15 fewer trains would operate in the City of Vernon, and
2. In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction rail yard on the east side of the City of Vernon.

A-47 The City of Vernon Public Works Director provided input and feedback into the traffic analysis prior to conducting the analysis – no objections were received on the study area and feedback was incorporated into the COVID factor prior to conducting the analysis. See **Response to Comment A-8** that discusses why a localized vehicular traffic analysis was conducted.

Traffic counts were conducted not in 2015 but in August 2020. Since the analysis commenced during COVID, the counts collected were lower than the typical traffic volumes. Therefore, these counts were adjusted to reflect the typical traffic volumes without COVID impacts. As part of the adjustment process, these counts were compared with historical traffic volumes from 2015 which were obtained from the City of Vernon (not conducted I 2015 – the Link US Project was not even the Link US Project in 2015). The 2015 volumes were adjusted by adding a 1% annual growth rate. These adjusted 2020 numbers were then compared to the 2020 raw counts that were collected. It was found that the average reduction in traffic volumes in the raw counts collected in 2020 was 40% in AM and 35% in PM peaks when compared to the adjusted 2020 numbers. Therefore, these raw counts were increased accordingly to be used in the traffic analysis for the traffic volumes in the Existing (2020) traffic analysis and were eventually used as baseline volumes for developing the Opening Year (2024), Future Horizon Year (2040), and No-Build traffic analysis (**Final EIS Appendix Q, Section 3.3 (Transportation)**).

The commenter states that counts are mainly from 2015, which is false for the reasons describe above and in **Response to Comment A-8**. They suggested that claims of roadways being at or beyond capacity is speculative without any proof or traffic counts provided to verify the claims.

A-48 Please refer to **Response to Comment A-8** on why a localized analysis was conducted. The Project does not generate new vehicular traffic, it redistributes existing traffic. The determination of study intersections and roadway segments for LOS analysis was based on the change in traffic patterns due to the Project and not based on where the trains would operate. The traffic impacts are based on existing and proposed train operations, as was the queuing analysis that was performed separate to the CEQA/NEPA traffic analysis. The LOS analysis reflects the change in v/c ratio to determine whether the change in traffic patterns due to the Project improvements would result in any traffic impact under CEQA or NEPA. In addition to the LOS analysis, a queuing analysis was also conducted at six at-grade crossings to determine the change in queuing from the redistribution of vehicular traffic due to the change in train operations of the Project. The queuing analysis was done primarily to ensure that queuing at any of the at-grade crossings does not exceed the available lane storage capacity – this is not an LOS traffic impact requirement. Queuing analysis exceeds the requirements of CEQA and NEPA and conducted solely based on stakeholder coordination, including requests by the City of Vernon.

Intersection capacities in the traffic study area were documented in the **Final EIS Appendix Q, Section 3.3.3**. The commenter states the heavily impacted streets are Vernon, 46th, 44th, and Leonis. The portions of Vernon, 46th, and Leonis that would be potentially impacted by traffic redistribution were included in the analysis. Traffic analysis on “all” of Vernon’s streets would be an overextension of Metro’s obligation to provide a reasonable level of analysis.

A-49 The counts from 2015 were not used for the LOS analysis. The volumes used were from the counts collected in 2020 that were adjusted to reflect the typical traffic volumes during non-COVID as per **Response to Comment A-8**. The analysis does not hide behind the ‘>1’ results. The ‘>1’ represents the volume to capacity (v/c) ratio. Typically, any v/c ratio that is more than 1 is an LOS F irrespective of how high that ratio is because the vehicular traffic volume is exceeding the vehicular traffic capacity there. This is consistent with standard industry practice for traffic impact analyses conducted using the Intersection Capacity Utilization (ICU) methodology, where any v/c ratio greater than 1.0 is reported as LOS F. This methodology was coordinated with the City of Vernon, and no objection to use this methodology was received prior to or during preparation of the analysis. The typical traffic volumes (raw counts) were increased accordingly to be used in the traffic analysis for the traffic volumes in the Existing (2020) traffic analysis and were eventually used as baseline volumes for developing the Opening Year (2024), Future Horizon Year (2040), and No-Build traffic analysis (**Final EIS Appendix Q, Section 3.3 (Transportation)**).

Case law has held that the Lead Agency is not obligated to undertake every suggestion given, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. *CEQA Guidelines* §15204.5(a) clarifies this as follows:

> *In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on*

> *the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a Lead Agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

As stated in **Main Letter Response to Comment 48**, the portion of Leonis that would be potentially impacted by traffic redistribution (Leonis Boulevard between Pacific Boulevard and Soto Street) was included in the analysis (**Final EIS Appendix Q, Section 3.3**). Traffic analysis on all segments of all of Vernon's streets would be an overextension of Metro's obligation to provide a reasonable level of analysis.

A-50 The queuing analysis presented in the EIS based on exactly what stakeholders verbally requested – to state otherwise is a false assumption. Please refer to **Response to Comment A-8** and **Final EIS Volume III, Response to Comments, Key Issue Response 2, Pages 25 through 27** for a summary of intersection blockage analysis and results that were conducted after the 45-day public comment period. Based on the train observations conducted in April 2025, assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. The data supports the conclusion that with implementation of the Malabar Yard railroad improvements, a citywide circulation improvement would occur.

Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay. The proposed mitigation measures were able to fully mitigate all the Project related adverse effects. Below is the summary of the adverse effects and the proposed mitigation measures to mitigate those effects at Intersection No. 4, No. 6 and Roadway Segment No.4.

- **Intersection No. 4 (Pacific Boulevard/Fruitland Avenue).** Adverse effect in Future Horizon Year (2040). Mitigation measure TR-4 which proposes adding a NBR turn lane will mitigate these adverse effects.
- **Intersection No. 6 (Santa Fe Avenue/Pacific Boulevard).** Adverse effects in Opening Year (2024) Build conditions. Mitigation measure TR-3 which proposes

restriping the existing EBT lane to EBL and change the left turn phasing sequence in east-west direction to lead-lag. This will mitigate all adverse effects.

- **Roadway Segment No. 4 (Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard).** Adverse effects in Future Horizon year (2040). Mitigation measure TR-5 which proposes adding an additional WBT lane in the existing ROW will mitigate these adverse effects.

The City of Vernon would act as the enforcement agency in the implementation of Malabar Yard Mitigation Measure TR-6 (Obtain Required Approvals for At-Grade Railroad Crossings), a measure that minimizes the potential roadway hazard at Seville Avenue and 46th Street as effectively as possible through required coordination with the City of Vernon and CPUC on roadway design, railroad safety devices, and accessibility. It is correct that Malabar Yard Mitigation Measure TR-6 requires Metro and BNSF to coordinate with and obtain approval from the City of Vernon and the CPUC for all new and existing at-grade crossing modifications. This is standard practice in any local jurisdiction, and this is not precedent setting mitigation. Malabar Yard Mitigation Measure TR-6 meets the *CEQA Guidelines* §15370 criteria (b, c, and d), acknowledging that its effectiveness will depend on ongoing coordination with the City of Vernon and CPUC. Metro is committed to ongoing coordination with the City of Vernon to effectively implement Malabar Yard Mitigation Measure TR-6.

A-51 The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. They have only listed the Mitigation Measures TR-3 to TR-6 from the EIS. The response regarding how these proposed mitigation measures would mitigate all Project-related adverse effects is presented in **Response to Comment A-50**. The comments do however appear to contradict the earlier comments stating no mitigation is proposed. Mitigation Measures are clearly presented in the Final EIS consistently across all sections.

A-52 The commenter mischaracterizes both the intent and effectiveness of the EIS mitigation strategies. Mitigation measures are proposed to substantially lessen the adverse effects that would result from Project implementation. The purpose of implementing CPUC or FRA required protections is not limited to safety alone; these measures are part of a comprehensive approach that balances safety, mobility, and environmental compliance. While some mitigations, such as lane adjustments, may appear restrictive, they are based on traffic engineering principles designed to optimize overall flow and reduce congestion over time, not merely to “make the measurement look good.”

The claim that “most traffic is trying to go straight” is speculative and unsupported by empirical traffic data. Intersection design changes, including right-turn-only lanes, are typically informed by traffic studies that evaluate volumes, turning movements, and delay reduction strategies. These adjustments often improve throughput and reduce queuing, even if they temporarily alter driver patterns.

Furthermore, the statement overlooks the broader objectives of CEQA and NEPA compliance, which include minimizing environmental impacts such as air quality

degradation and greenhouse gas emissions. Reducing idling and improving air quality are not superficial benefits—they directly contribute to public health and sustainability goals.

The commenter's suggestion that mitigations "are not sufficient" because they prioritize compliance over convenience disregards the legal and operational framework governing transportation projects. Compliance ensures that solutions are evidence-based, equitable, and aligned with state and federal standards. The City of Vernon's concerns about quality of life are valid, but they must be addressed through collaborative planning, not by dismissing proven mitigation strategies as inadequate without supporting data.

The commenters claims about how traffic tries to go straight is unsupported with factual evidence to provide further response to. Its unclear this type of hypothetical claim can provide a comprehensive understanding of what traffic "is trying" to do.

A right turn lane is a common traffic configuration in southern California and was not proposed to confuse drivers. Making a proper right turn is part of the CA drivers license test and is common practice, along with making left turns.

Malabar yard Mitigation Measures TR-1 through TR-5 are intended solely to reduce impacts related to traffic delay, they are not intended to, or claimed to, reduce idling or improve air quality. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. Again, the modeling predicts how drivers would respond to different traffic configurations, like the proposed right turn only lanes.

Please refer to **Response to Comment A-8** and **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of how impacts related to traffic delays are fully mitigated. The v/c ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue - operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 are required to avoid or minimize potential adverse effects on transportation through the preparation of a construction traffic management plan, intersection restriping, and the addition of new lanes. These measures would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. Upon implementation of Malabar Yard Mitigation Measures TR-1 through TR-5, the Malabar Yard railroad improvements would not cause any intersection delays that could exceed the v/c ratio significance threshold. In other words, because LOS reflects traffic congestion, the lack of any LOS adverse impact shows that the Malabar Yard railroad improvements, after implementing the mitigation measures, would not worsen traffic congestion in the City of Vernon.

A-53 Malabar Yard Mitigation Measures TR-1 through TR-6 are proposed to reduce LOS-related traffic delay impacts. While enhancing safety may be perceived as a secondary benefit, the impacts are "level of service" based and traffic mitigation reduces impacts related to traffic congestion.

The purpose of the traffic-related mitigation measures, and all mitigation measures in the Final EIS, is very clear in the documentation.

One example of this is on **Page 3.3-45** of the Final EIS:

> For the Future Horizon Year (2040) Build condition, implementation of Malabar Yard Mitigation Measure TR-4 (described in **Final EIS Appendix Q, Section 3.3.5**) is proposed to minimize the potential increase in V/C ratio at Intersection #4: Pacific Boulevard/Fruitland Avenue.

Another example to highlight is on **Page 3.3-54** of the Final EIS:

> Implementation of Malabar Yard Mitigation Measures TR-3 and TR-4 (described in **Final EIS Appendix Q, Section 3.3.5**) are proposed to improve the V/C ratio at Intersection #6: Santa Fe Avenue/Pacific Boulevard and Intersection #4: Pacific Boulevard/Fruitland Avenue, respectively. Implementation of Malabar Yard Mitigation Measure TR-5 (described in **Final EIS Appendix Q, Section 3.3.5**) is proposed to maintain the LOS along Roadway Segment #4: Fruitland Avenue between Santa Fe Avenue and Pacific Boulevard. Implementation of Malabar Yard Mitigation Measure TR-3 through TR-5 would minimize operations-related effects related to emergency response and access and evacuation along designated disaster routes.

Please refer to **Response to Comment A-52** above.

A-54 Please refer to **Response to Comment A-8** on why a localized analysis was conducted. The Project does not generate new traffic, it redistributes existing traffic. The determination of study intersections and roadway segments for LOS analysis was based on the change in traffic patterns due to the Project and not based on where the trains would operate. The traffic impacts are based on existing and proposed train operations, as was the queuing analysis that was performed in addition to the NEPA LOS traffic analysis. The City of Vernon had an opportunity to provide feedback on the traffic study area and methodology and no objection to the study area was raised at the time analysis commenced. Metro took into account City of Vernon Public Works Director feedback prior to performing the analysis.

As discussed in prior responses, the queuing analysis was done primarily to ensure that queuing at any of the at-grade crossings does not exceed the available lane storage capacity – this is not an LOS traffic impact requirement. Queuing analysis exceeds the requirements of CEQA and NEPA and conducted solely based on stakeholder coordination, including requests by the City of Vernon.

Any safety concerns of vehicles getting stuck on tracks during train crossings are typically addressed during the design phase where extensive coordination is required with CPUC that has a mandate to ensure that all infrastructure improvements as part of the proposed Project would not jeopardize the safety of vehicles and pedestrians at railroad crossings.

A-55 The comment asserts that the proposal will "take property" and "negatively impact property." In response to concerns about the impacts on property, Design Option 2 was developed to minimize impacts on businesses and property in Vernon as much as possible while still accomplishing the objectives of the Malabar Yard railroad improvements. The transportation delays are mitigated via implementation of Malabar Yard Mitigation Measures TR-1 through TR-6 and therefore would not directly or indirectly affect worker productivity. Worker and customer access to affected properties has been addressed via the design of the improvements. Malabar Yard railroad improvements Design Option 2 improvement plans at both locations (46th Street and 49th Street) were developed based on the substantial feedback received from affected property owners. Malabar Yard railroad improvements Design Option 2 configurations reduce potential adverse effects related to ingress/egress and truck circulation, building impacts, and changes to parking and access.

Not all inconveniences qualify as adverse effects, and the environmental analysis aimed to identify adverse effects.

Potential increased worker and customer health and safety risks are addressed in the analysis, and mitigation measures are proposed to reduce identified impacts (i.e., Mitigation Measure TR-6).

A-56 CHSRA and Metro respectfully disagree with the commenter's opinion that the City of Vernon would not receive any benefits from the Project. Please refer to **Response to Comment A-37** for a list of benefits that would occur for the City of Vernon and not just Metro and BNSF. Please refer to **Response to Comment A-66** for benefits related to air quality.

As discussed in **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-12** response and multiple responses to RII comments above, Malabar Yard railroad improvements are necessary to preserve current level of freight rail operations to address the permanent impact on freight caused by the Link US Project. Property acquisitions and any required building demolition (if any) would be managed in accordance with legal requirements, and all affected parties will be compensated fairly. Metro understands the concern regarding equitable treatment of businesses affected by the Link US Project. Metro compensates impacted businesses and property owners in accordance with Uniform Relocation Assistance and Real Property Acquisition regulations, ensuring fair treatment. For businesses impacted by the Malabar Yard railroad improvements, Metro is:

- Offering compensation for property acquisition based on fair market value.
- Providing relocation assistance where applicable to support business continuity.

These measures align with Metro's policies and legal obligations, ensuring fairness while addressing the unique requirements of freight rail infrastructure.

The commenter is correct that the Malabar Yard railroad improvements does not facilitate new rail business in Vernon, it serves the same businesses in a more efficient route. Exxon

is not the only route in Vernon. There are customers on the West Seville Connection and East Seville Connection that would also be served, similar to the existing condition.

While future residential land uses are planned in the vicinity of proposed Malabar Yard railroad improvements, it should be acknowledged that the proposed Malabar Yard railroad improvements and future residential land uses can coexist, and the City of Vernon has the discretion to approve new development in areas that are adjacent to or in close proximity to existing freight rail corridors. In addition to the consolidated freight train movements that would reduce trains on the harbor subdivision where mixed-use residential land uses are proposed (part of the Project), Metro also proposed to the City of Vernon multiple community enhancements as OMMs to further offset perceived impacts. These OMMs combined with the Project would complement the City of Vernon's planning initiatives to reduce freight train activity on the west side.

A-57 The map that was included in the comment letter consists of intersections and railroad crossings in yellow and orange circles that were included in the traffic analysis and is suggesting that the intersections circled in red need to analyzed. CHSRA and Metro respectfully disagree with this. The determination of study intersections and roadway segments for LOS analysis was based on the redistribution of vehicular traffic that would occur as a result of the Project and because the project does not generate new traffic. The traffic study area and intersections/roadway segments evaluated was approved by the City of Vernon Public Works Director prior to conducting the analysis (refer to **Final EIS Volume III, Introduction Key Issue Response 2** that discusses the localized traffic analysis. Please refer to **Response to Comment A-8** for further discussion on why a localized analysis was conducted.

The LOS analysis reflects the change in v/c ratio to determine whether the change in traffic patterns due to the Project improvements which includes 1) new cul-de-sac at 49th Street and 2) New track along 46th Street would result in any adverse vehicular traffic effects under NEPA. This analysis is separate from the queuing analysis which was conducted to determine the change in queuing due to the change in train operations of the Project. The queuing analysis was conducted at selected at-grade crossing only and not at every intersection – per the request of stakeholders and the City of Vernon. New trains are not proposed. A consolidation of existing freight train moves would result from the Project. The same customers would be served, and the train lengths would be 3,000 feet in the existing and proposed condition.

A-58 The commenter oversimplifies both railroad operational authority and the rationale for infrastructure investment. While railroads do have federal preemption under the Interstate Commerce Commission Termination Act (ICCTA) for operations on their rights-of-way, this does not mean they arbitrarily run trains without regard for safety, environmental compliance, or economic feasibility.

The assertion that BNSF “has no benefit” to maintain tracks ignores the fact that railroads operate based on demand-driven logistics. Infrastructure is maintained and upgraded when there is sufficient freight volume to justify investment, which is standard industry practice. The proposed service reflects anticipated economic activity and regional freight needs, not arbitrary expansion.

The commenter's statement that "impacts can be ignored under railroad preemption" misinterprets federal law. Preemption limits local authority to block rail operations, but it does not exempt projects from environmental review under NEPA or CEQA, nor does it negate the requirement to analyze traffic, safety, and community impacts. The EIS and EIR process exists precisely to address these concerns.

The commenter's characterization of four daily trains as an unprecedented hazard fails to consider mitigation measures, modern signaling technology, and grade-crossing protections that significantly reduce risk. The EIS includes traffic and safety analysis consistent with regulatory requirements, ensuring that impacts are neither ignored nor minimized.

BNSF uses the crossings it needs to serve customers in Vernon. Trains operate on the Harbor Subdivision, West Seville Connection, and East Seville Connection daily. This was demonstrated in 2025 with the live cameras that Metro placed in the field to determine the citywide circulation improvements. There would be 3.15 fewer train movements per day in the City of Vernon. Again, the EIS was prepared based on the input received from the City of Vernon. If a larger study was desirable, that was not communicated to Metro until release of the Draft EIS/SEIR with the public comments received.

A-59 CHSRA and Metro respectfully disagree with the commenter's opinion that traffic data was incomplete. As extensively detailed in **Main Letter Response to Comment 6**, there were limitations to the traffic counts that were collected during peak COVID, so they had to be adjusted to reflect non-COVID traffic conditions using a methodology that was presented to the City of Vernon in advance of commencing the analysis. The intersections and roadway segments that were identified for traffic analysis were also presented to the City of Vernon and only after their approval they were included in the traffic analysis. Under CEQA and NEPA, the intersections and roadway segments which were identified for traffic impact analysis were based on the change in traffic pattern due to the physical improvements of the Project along 49th Street and 46th Street. In other words, the experts identified the intersections where they, in their expert judgment, anticipated the highest likelihood of adverse traffic impacts, and proposed those to the City of Vernon before completing the analysis of those intersections.

While additional localized studies can always provide more granularity, the suggestion that the current analysis is insufficient ignores the purpose and scope of an EIS: to identify potentially adverse effects and propose feasible mitigations, not to produce a citywide traffic master plan. The commenter's recommendation for a "new thorough traffic analysis on all of Vernon's streets" is disproportionate to the scale of the proposed rail operations. Targeted analysis of affected corridors, as performed in the EIS, is appropriate and consistent with NEPA requirements.

Intersection capacities in the traffic study area were documented in the **Final EIS Appendix Q, Section 3.3.3**. The commenter states the heavily impacted streets are Vernon, 46th, 44th, and Leonis. The portions of Vernon, 46th, and Leonis that would be potentially impacted by traffic redistribution were included in the analysis. The existing analysis meets regulatory requirements and provides a sound basis for decision-making.

A-60 The methodology described by the commenter is fundamentally flawed and does not provide a reliable basis for assessing traffic impacts. Extrapolating volumes by simply applying a growth factor and subtracting estimated diversions between intersections ignores critical variables such as turning movements, mid-block entries and exits, driveway access, and local circulation patterns. These factors significantly influence actual traffic conditions and cannot be captured through such a simplistic approach.

In addition, Level of Service (LOS) ratings cannot be accurately assigned to intersections without detailed operational data, including signal timing, lane geometry, and observed traffic counts. Using LOS from adjacent intersections as a proxy assumes uniform conditions that rarely exist in urban networks, especially in industrial areas like the City of Vernon where traffic patterns vary by time of day and land use.

The commenter themselves acknowledge that this method "is not as accurate as physical counts," which underscores its inadequacy for meaningful impact analysis. Regulatory standards under CEQA and NEPA require data-driven methodologies supported by empirical observations or validated modeling (consistent with the analysis in **Final EIS Appendix Q, Section 3.3**), not speculative estimates based on incomplete information.

In contrast, the Final EIS relies on established traffic engineering practices, calibrated regional models, and documented growth projections to ensure accuracy and compliance. These methods provide a far more reliable foundation for evaluating impacts and identifying appropriate mitigations than the ad hoc extrapolation described by the commenter.

Metro is not obligated to analyze every intersection within the City of Vernon when there is a new project proposed.

A city has hundreds of intersections, but that doesn't mean that all those intersections would need to be analyzed for traffic impacts. The intersections where there is addition of new Project trips that are more than 50 trips, are the ones that are analyzed. In this case, the Project does not add any new trips. The existing local traffic patterns get altered due to the Project (traffic redistribution). Due to the 49th Street closure, traffic which currently travels west along 49th Street to access the local businesses would now have to change direction and use Fruitland Avenue, Santa Fe Avenue and Pacific Avenue. Similarly, the traffic which uses 46th Street would use alternate routes due to a new Los Angeles Junction connector. These changes in traffic patterns are local that would happen in the immediate vicinity of these two roadways. They are not regional changes and don't extend to Downey Road. Therefore, the argument that each and every intersection within the City of Vernon needs to be analyzed even if the actual Project location is far from those intersections is invalid.

A-61 The trains which will operate on the connector between Los Angeles Junction and Malabar Yard are the redistributed trains operating today from Hobart Yard to Malabar Yard and then to its customers which due to train building regularly exceed 5 minutes of intersection blockage. Current customer trains do not reach 4,000 feet because customer demand does not exist for them. As has been documented in the presentations and analysis which

was given to the City of Vernon, if the demand from existing customers at some point in the future increase and require 3,000-foot-long trains, the impact of those trains on the City of Vernon would be much worse if traveling on the existing track configuration versus the proposed track alignment. Train lengths were also reverified in 2024 and based on the information from BNSF, trains would be up to 3,000 feet long in the existing and proposed condition. The analysis has shown that overall, the City of Vernon will see a reduction in overall intersection blockage because the reduction in blockage near Santa Fe Avenue greatly exceeds the increases anticipated along the connector. As noted in the comment, the Malabar Yard railroad improvements redistributes existing trains within the city which will improve circulation and reduce delay.

A-62 The claim that BNSF "will not be required to follow any schedule" once authority is granted is inaccurate and misrepresents railroad operations. Freight railroads operate under structured timetables coordinated with dispatching systems to ensure safety, efficiency, and compliance with federal regulations. Train movements are subject to FRA safety standards and operational protocols, which include scheduling to prevent conflicts and maintain network fluidity. Suggesting that trains would run arbitrarily disregards these regulatory and operational constraints.

The commenter's opinion that the Draft EIS "neglected" the scale of impacts ignores the fact that the EIS process is designed to evaluate reasonably foreseeable conditions using accepted methodologies. While no analysis can predict every operational scenario, the Final EIS incorporates conservative assumptions to capture potential impacts and identify mitigations from the freight train traffic that is reasonably foreseeable using data collected from BNSF in 2024. These assumptions are consistent with CEQA and NEPA guidelines and industry best practices. It would be speculative to assume freight traffic would be greater or less than what BNSF predicts as the railroad operator along the affected routes in Vernon.

Specifically, Metro performed an impact analysis in line with the estimated level of traffic redistribution and sought feedback and approval from the City of Vernon prior to commencing the analysis. In April 2025, Metro installed cameras at multiple locations throughout the City of Vernon to record continuous train activity over the course of a week (April 19–25, 2025), 24-hours per day. Applying the video footage collected, Metro performed an intersection delay/blockage analysis to document intersection delay/blockage which would occur in the existing condition and with implementation of the Malabar Yard railroad improvements.

The commenter's recommendation for a "thorough traffic analysis of all traffic, during all parts of the day, for all affected roadways" is disproportionate to the scope of the Project. As detailed in **Response to Comment A-59**, the EIS appropriately focuses on intersections and corridors most likely to experience measurable changes.

The suggestion that the City should not bear costs for additional studies overlooks standard interagency coordination practices. Supplemental studies, if deemed necessary, are typically funded through project proponents or negotiated agreements—not

unilaterally imposed on municipalities. The EIS already provides a defensible, regulatory-compliant analysis that meets its intended purpose.

A-63 The commenter's claim that implementing the Malabar Yard railroad improvements will introduce a "dangerous at-grade crossing" misrepresents both the safety standards and mitigation measures required for such projects. Modern at-grade crossings are designed and regulated under stringent Federal Railroad Administration (FRA) and California Public Utilities Commission (CPUC) safety requirements, which include advanced warning systems, gates, signals, and roadway geometry improvements to minimize risk. These measures have proven effective in reducing collision rates and ensuring safe interaction between rail and vehicular traffic.

Final EIS Appendix Q, Section 3.16 (Community Analysis) discloses the beneficial effect of new safety enhancements, including arms, flashers, raised medians, and driveway gates at at-grade rail crossings, as well as the closure of one at grade rail crossing as part of implementation of the Malabar Yard railroad improvements. CPUC's General Order 75 D (Regulations Governing Standards for Warning Devices for At Grade Highway Rail Crossings in the State of California) states, "The purpose of these rules is to reduce hazards associated with at grade crossings by establishing uniform standards for warning devices for at grade crossings in the State of California, the application of which may afford safety for all persons traversing at grade crossings."

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2** notes that a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue.

The concern about the crossing's proximity to other crossings does not inherently translate to increased danger. Railroad corridors in industrial areas often feature multiple crossings in close succession, and safety is maintained through coordinated signalization, traffic control devices, and operational protocols. The proposed design will undergo rigorous review to ensure compliance with all applicable safety standards, including sight distance, approach angles, and traffic flow considerations.

Furthermore, the assertion that the crossing is at an "odd angle" ignores the engineering flexibility available to optimize alignment and minimize conflicts. Design refinements can and will address geometric challenges to ensure safe and efficient operation.

Finally, the commenter overlooks the broader benefits of the Project, including improved freight efficiency, reduced truck traffic, and associated environmental gains. While safety is paramount, the EIS process ensures that any potential hazards are identified and mitigated through proven, enforceable measures.

A-64 The commenter's opinion that CPUC approval for a new railroad crossing is "unlikely" mischaracterizes both the regulatory process and the nature of the Project. While CPUC does require applicants to demonstrate necessity and impracticability of grade separations, these criteria are routinely met for projects that serve regional transportation needs and public benefit, not just private interests. The proposed crossing is not a "private improvement for BNSF"; it is part of a broader freight mobility initiative that supports regional economic activity, reduces truck traffic, and improves air quality, aligning with state and metropolitan transportation goals.

The claim that CPUC has not been receptive is anecdotal and does not reflect the formal CPUC review process as outlined in **Main Letter Response to Comment 5**. CPUC evaluates applications based on documented evidence, safety design standards, and demonstrated public convenience, not informal perceptions. Projects sponsored or coordinated with public agencies such as Metro are common and appropriate, as they ensure compliance with planning frameworks and environmental regulations.

The suggestion by the commenter that BNSF is "circumventing" the City of Vernon is inaccurate. Under California law, the CPUC has exclusive jurisdiction over the approval of new railroad crossings. The CPUC process is governed by Public Utilities Code Sections 1201 through 1205, 7537, 99152 and CPUC General Orders 75 and 88, as amended. CPUC coordination with regional agencies is standard practice for projects of this scale. The EIS process and CPUC review provide multiple opportunities for local input, ensuring transparency and accountability.

The commenter's argument that the new at-grade crossing required at Seville Avenue is not a great need, and ignores the documented benefits of the 46th Street Connector, including fewer train movements in City of Vernon, improved freight efficiency, reduced roadway congestion, and environmental gains. These outcomes serve public convenience and necessity, which satisfies CPUC's criteria when supported by engineering and safety analyses.

The proposed at-grade crossing improvements would maximize safety for both motorized and non-motorized forms of transportation. The City of Vernon has been included in the crossing diagnostic process since 2021. Yet since 2021, the City of Vernon never mentioned during any meeting that it would oppose any CPUC application that Metro would make. Metro would certainly host another diagnostic meeting and would include the City of Vernon. Metro remains committed to continued collaboration with BNSF, the City of Vernon, local businesses, property owners, the Vernon Police Department, schools, and other key community stakeholders as our goal is to work toward a balanced agreement that supports regional mobility.

A-65 Per FRA Highway-Rail incident records there have been no accidents within the City of Vernon on Los Angeles Junction or BNSF railroad lines in the past five years (2020-2024).

As discussed above in **Response to Comment A-64**, the proposed at-grade crossing improvements would maximize safety for both motorized and non-motorized forms of transportation.

The image on Page 43 of the RII letter shows multiple crossings that are used daily by BNSF to serve the East Seville Connection from LAJ today. The claims are not backed by survey data to prove what "most drivers" remember or do not remember. The four existing at-grade crossings (marked as red X's on the image on Page 43 of the RII letter) are used today, and will be used in the future to serve East Seville customers (similar to existing condition) plus Exxon customer and West Seville customers. These 4 locations should not considered new at-grade crossings because trains already cross at each of the locations today.

As presented in multiple responses to comments in the Final EIS, in response to inquiries related to queuing and traffic congestion at the railroad crossings from Soto Street to Los Angeles Junction, a calculation was performed that demonstrates trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am). Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, and the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, no adverse effect related to division of communities or reduced community connectivity would occur.

The last sentence of the comment is a suggestion for the City of Vernon and does not require a response.

A-66 CHSRA and Metro respectfully disagree with the commenter's opinion that the Project is using outdated environmental regulations and standards. The Air Quality guidelines from the most recent 1978 and 1986 NEPA guidelines were provided for background context. A list of applicable laws, regulations, and plans for the Project can be found in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Section 3.5.1**. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** for a discussion of the NEPA analysis requirements and a discussion on the analyses regarding health and safety.

The commenter states that the air quality benefits claimed in the EIS are a general indirect regional benefit and in no way benefit the City of Vernon. However, this Project would reduce overall train movements along the Harbor Subdivisions that runs through the west side in the City of Vernon, which would reduce air toxics in the City of Vernon and be beneficial to any sensitive receptors (existing and future). Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion on the reduced train frequencies in Malabar Yard and **Key Issue Response 3** for a discussion of sensitive receptors analyzed for air quality. As stated in **Key Issue Response 3**, fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place are currently located and where additional sensitive receptors are planned in the future.

Additionally, the Project, as a whole, would make public transit more efficient and reduce regional traffic so it would help the region attain its air quality standards. Please refer to **Exhibit "C" Response to Comment C-6** for further explanation.

A-67 Idling emissions from vehicles occur when vehicles are on but not moving, such as when there is traffic delay or queuing on the roadway or at intersections. Idling presents a localized air quality issue, in the immediate vicinity of the idling vehicles. The Malabar Yard railroad improvements will decrease rail operation emissions, which offsets some vehicle idling emissions. Ultimately, the traffic analysis shows traffic delay impacts would be mitigated with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5 and therefore, minimal additional idling from implementation of the Malabar Yard railroad improvements would occur. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the Malabar Yard railroad improvements would not generate new traffic trips or add any additional diesel vehicles that could add idling emissions but would rather redistribute existing traffic. Vehicle idling emissions would be so minimal that it would not cause a violation of any air quality standard. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** and **Exhibit "C" Response to Comments C-6 and C-9** for further explanation.

A-68 Please refer to **Main Letter Response to Comment 32** for a discussion regarding the quarter-mile radius shown on **Final EIS Appendix Q, Section 3.5, (Air Quality and Global Climate Change), Page 3.5-17** and how it relates to the localized analysis prepared for the Project. The closest sensitive receptors to the Malabar Yard railroad improvements that were considered and evaluated for potential impacts are shown in **Figure 3.5-1** and summarized below:

- Residences at 2415-2427 E 53rd St. (located approximately 1,325 feet [0.25 mile] south from the Malabar Yard railroad improvements).
- Vernon City School at 2360 East Vernon Avenue (located approximately 1,350 feet [0.25 mile] northwest from the Malabar Yard railroad improvements).
- Residences on Furlong Place (located approximately 1,650 feet [0.31 mile] northwest from the Malabar Yard railroad improvements).

As stated in **Main Letter Response to Comment 32**, the quarter-mile radius shown on **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-17** is an industry standard best practice. The map with the quarter mile buffer was not used to determine air quality impacts on sensitive receptors. LSTs were determined independent of the radius shown in the figure. It is a coincidence that the nearest receptor is also .2509 miles away. Pollutant concentrations decline with increasing distance as demonstrated in the studies and guidance referenced in the section below. These studies demonstrate that the highest concentrations are typically seen within distances less than a quarter mile, which is why the map uses a quarter mile buffer to capture the highest pollutant concentrations.

Quarter-mile radius for sensitive receptors

The quarter-mile buffer for the figure is a typical industry standard best practice for showing sensitive receptors on projects subject to CEQA. The quarter-mile buffer is understood to be a conservative estimate to determine where the highest pollutant concentrations are typically seen and where corresponding impacts could occur. The EPA states, *"Research findings indicate that roadways generally influence air quality within a few hundred meters – about 500-600 feet downwind from the vicinity of heavily traveled roadways or along corridors with significant trucking traffic or rail activities."*[18] The CARB Air Quality and Land Use Handbook states that, "*the distance between roadway and truck densities were key factors affecting the strength of the association with adverse health effects. Adverse health effects were seen within 1,000 feet and was strongest within 300 feet.*"[19] This demonstrates that the adverse effects diminished with distance. This is consistent with the Bay Area Air Quality District CEQA Air Quality Guidelines which uses an overlay zone of at least 500 feet from all freeways and high volume roadways as a threshold of significance for local risks and hazards. Further academic research shows that pollutant concentrations level out to background levels after approximately 400 meters (1/4 mile) away from the source.[20] As shown in an academic study of ultrafine particles near a freeway by Yifang Zhu, et al. in Atmospheric Environment, both CO and black carbon concentrations as a function of the distance from freeway follow a decay curve. This curve levels out 300 meters away from the emission source.[21]

Final EIS Appendix Q, Section 3.5 accurately measured the distance between sensitive receptors and the expected emission sources. The distances identified in **Final EIS Appendix Q, Section 3.5, Page 3.5-15** were measured from the outermost extent of the Project footprint to the nearest receptor, not from the center point of 49th Street or 46th Street, as the comment states. **Final EIS Appendix Q, Section 3.5, Figure 3.5-1**, was revised to include the distance of each receptor from the outermost extent of the Project footprint. The quarter-mile radius shown in **Final EIS Appendix Q, Section 3.5, Figure 3.5-1** was measured from the outermost extent of the Project footprint.

Please refer to **Exhibit "C" Response to Comment C-7** for a discussion on how SCAQMD defines sensitive receptors and why Stacy Medical Center is not considered a sensitive receptor.

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[18] EPA, 2014. Near Roadway Air Pollution and Health: Frequently Asked Questions. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi/P100NFFD.PDF?Dockey=P100NFFD.pdf

[19] CARB. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

[20] Mishra, S. & Shah, S. (2025). "Analytical Study of Atmospheric Pollution Dispersion with Distance Dependent Wind and Constant Removal Dynamics." International Journal of Scientific Research in Science and Technology, volume 12, issue 3. ttps://www.researchgate.net/publication/391457827_Analytical_Study_of_Atmospheric_Pollution_Dispersion_with_Distance_Dependent_Wind_and_Constant_Removal_Dynamics

[21] Zhu, Yifang et al. (2002). "Study of ultrafine particles near a major highway with heavy-duty diesel traffic." Atmospheric Environment 36. 4323-4335. https://www.sciencedirect.com/science/article/pii/S1352231002003540

A-69 As discussed in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-21**, on-site operational emissions would decrease due to the reduction in train movements at Malabar Yard which would have local benefits. Implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard.

Regional benefits from operation of Malabar Yard railroad improvements include reduced intermodal railcar miles of travel, resulting in reduced fuel consumption by rail and associated rail emissions. In addition, the Malabar Yard railroad improvements would improve mainline rail network capacity to support regional freight rail growth, thereby avoiding the diversion of rail served demand to long-haul trucking. The reduction in truck VMT results in reduced fuel consumption by truck and reduced truck emissions. Metro calculated these beneficial effects as part of a 2020 TCEP grant application. Operational direct effects are quantified for the first, 20th, and 30th years of operation and the total net benefit over a 30-year period. The avoided emissions account for both the reduction in train miles and reduction in truck VMT (Metro 2020 TCEP grant application). Please refer to **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Section 3.5.2 (Methods for Evaluating Environmental Effects)** for a discussion on the parameters used to show the operational benefits of the Project.

The analysis does not suggest that railcars would be stored in Barstow but rather they would be stored on mainline tracks that head towards Barstow. This placement would further degrade on-time performance levels for passenger trains already traveling on congested freight/passenger rail mainline tracks. Use of Malabar Yard and particularly the 46th Street Connector would offset the loss of the storage tracks and provide a short direct route for BNSF to connect Malabar Yard and the Los Angeles Junction, through the City of Vernon.

A-70 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation close coordination with the City of Vernon to determine the worst potential daily delay trains could cause to emergency response in the existing and proposed condition. Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). **Table 4** shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the

proposed condition. As shown in **Table 4**, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future).

The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

A-71 A conservative level of impact analysis is identified in the **Final EIS Appendix Q**, and it can be assumed fewer daily train movements equates to less hazardous materials being transported that could cause an impact.

To clarify, the commenter is referring to two different impact discussions. The first reference (**Final EIS Appendix Q, Section 3.10 (Hazardous Waste and Materials), Page 3.10-18**) relates to Topic 3.10-A**,** which analyzes whether the Malabar Yard railroad improvements would result in improper transport, storage, use, or disposal of hazardous materials in a way that could create a new health hazard to the public or the environment (**Final EIS Appendix Q, Section 3.10 (Hazardous Waste and Materials), Page 3.10-9**). The proposed improvements would not introduce new types or quantities of hazardous materials, would not change the nature of the materials already transported, and would not require new or expanded hazardous materials storage or handling facilities. Therefore, the Malabar Yard railroad improvements would not create new conditions that would increase the likelihood of a spill or release during transport, use, or disposal that could pose a health hazard when compared to the no-build alternative.

The commenter then refers to **Final EIS Appendix Q, Section 3.10 (Hazardous Waste and Materials), Page 3.10-21** which analyzes Topic 3.10 B. Under this topic, an adverse effect would occur under this topic if the Malabar Yard railroad improvements would result in an accidental release of hazardous materials including contaminated soil, groundwater, soil vapors, asbestos, and lead based paint which would result in the public and the environment to be exposed to health hazards (**Final EIS Appendix Q, Section 3.10 (Hazardous Waste and Materials), Page 3.10-9**). Again, the improvements would not introduce new hazardous materials, increase quantities handled, or alter existing transport and storage practice, and would occur within an area already characterized by similar freight rail operations. Therefore, when compared to the no-build alternative, it would not increase the risk of a hazardous materials or waste release into the environment, and no adverse effect would occur.

The analysis for Topics 3.10-A and 3.10-B do not just rely on “compliance with regulations” to avoid impacts to the City of Vernon, as the commenter claims. Under both CEQA and NEPA, the threshold for identifying a significant impact or adverse effect is whether the project would create or increase a hazard compared to existing conditions (CEQA §15126.2(a), and 40 C.F.R. §1502.16(a)(3)). Because the Malabar Yard railroad improvements would not change quantities of or ways in which hazardous materials are handled, introduce new hazardous materials or wastes, or increase the potential for public or environmental exposure, the Malabar Yard railroad improvements would not increase

the risk of a release under either topic. The conclusion of no adverse effect is not simply a reliance on regulatory compliance.

A-72 The commenter's claim that the BMPs for water quality that are required as part Mitigation Measure HWQ-5 are "false" mitigation and that adverse effects are not mitigated is incorrect. No new pollutants are introduced and fewer train movements equates to reduced risks for contamination when compared to the no-build alternative.

As discussed in **Final EIS Appendix Q, Section 3.8 (Floodplains, Hydrology, and Water Quality)**, Mitigation Measure HWQ-5, Final Water Quality BMP Selection (City of Vernon and Railroad ROW) for the Malabar Yard railroad improvements, specifically requires Metro or BNSF to comply with the NPDES Waste Discharge Requirements for MS4 discharges within the Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2021-0105, NPDES No. CAS004004). Compliance with these permits is not voluntary, but rather a legally enforceable obligation under the federal Clean Water Act. These permits require implementation of approved BMPs.

HWQ-5 also requires the preparation of a Final Low Impact Development (LID) Report that is consistent with the City of Vernon's LID Guidance Manual. The Final LID Report must identify the specific BMPs that must be installed prior to the start of and throughout the life cycle of Project operations. Both NPDES compliance and LID implementation are enforceable requirements of the Los Angeles Regional Water Quality Control Board and the City of Vernon. Again, these measures are mandatory, enforceable, legal obligations, and BNSF is not "free to operate any way they wish," as the commenter claims.

A-73 The commenter's claim that the Final EIS is referencing outdated City of Vernon plans from 2007 and 2015 to deem effects of Malabar Yard as "consistent" is incorrect. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 6** for land use and planning analysis related to the 2023 Vernon Westside Zone Change and General Plan Amendment (adopted July 2023).

As discussed in **Key Issue Response 6**, the Draft EIS/SEIR was prepared in accordance with the applicable CEQA provisions and the Final EIS was updated to include a consistency analysis of the *2023 Vernon Westside Zone Change and General Plan Amendment*. While future residential land uses are planned in the vicinity of proposed Malabar Yard railroad improvements, The Malabar Yard railroad improvements itself do not include residential development that would directly generate population growth. As no residential units are proposed, there would not be an increase in the number of school-age children in the area, and thus, no new demand for schools or libraries would be generated in the City of Vernon (**Final EIS Appendix Q, Section 3.1 (Introduction)**.

Additionally, it should be acknowledged that the proposed railroad improvements and future residential land uses can coexist, and the City of Vernon has the discretion to approve new development in areas that are adjacent to or in close proximity to existing freight rail corridors. The proposed Malabar Yard railroad improvements would not preclude implementation of the City of Vernon's future development goals. As analyzed in **Final EIS Volume III, Response to Comments, Key Issue Response 6, Table 5**, the Malabar Yard railroad improvements were determined to be consistent with the goals and

policies within the *2023 Vernon Westside Zone Change and General Plan Amendment*, and no inconsistencies were found. Therefore, no conflict would occur with implementation of the Malabar Yard railroad improvements.

During preparation of the Final EIS, Metro's coordination activities with the City of Vernon led to the identification of community improvement measures that would further offset perceived impacts. These measures are incorporated in the Final EIS as Offsetting Mitigation Measures (OMMs). Metro proposed 22 OMMs and Vernon requested 82 additional OMMs, which Metro agreed to implement. After negotiating with the City of Vernon, Metro consolidated the individual OMMs into 11 final OMMs that are grouped by category. The OMMs equate to approximately $25 million and would complement the 29 required mitigation measures to reduce environmental impacts. The OMMs further support the City of Vernon's planning initiatives and development goals by enhancing safety, promoting transit use, and reducing railroad-related noise and vibration impacts in areas where future mixed-use residential land uses are planned. These OMMs are further discussed in the **Final EIS Appendix Q, Section 3.16 (Community Analysis)** and **Appendix G (Offsetting Mitigation Measures) of Appendix Q**.

A-74 CHSRA and Metro respectfully disagree with the commenter's opinion that the City of Vernon would not receive any benefits from implementation of the Malabar Yard railroad improvements and the Project only benefits Metro and BNSF. Please refer to **Response to Comment A-37** for a list of benefits that would occur for the City of Vernon and not just Metro and BNSF.

The topic of the Malabar Yard railroad improvements consistency with the City of Vernon General Plan was addressed in **Main Letter Response to Comment 10**, as well as in **Final EIS Volume III, Response to Comments**. As stated in **Main Letter Response to Comment 10**, **Final EIS Appendix Q, Section 3.2 (Land Use and Planning), Table 3.2-2 (Consistency with Applicable Plans, Policies, and Local Land Use Controls)** provides an evaluation of the railroad improvement's consistency with applicable plans, policies, and programs, which is required under 40 CFR 1502.16(c). Consistency of the *City of Vernon General Plan* (Amended 2015) with the Malabar Yard railroad improvements is analyzed within this table, including Policies CI-1.2, CI-1.3, and CI-1.5, and was overall found to be consistent with applicable general plan policies.

As required by 40 C.F.R. 1502.16(c), Metro performed a consistency analysis of the *2023 Vernon Westside Zone Change and General Plan Amendment* (July 2023) for inclusion in the Final EIS (**Final EIS Volume III, Response to Comments, Table 5**). As discussed under **Key Issue Response 6**, while future residential land uses are planned in the vicinity of proposed Malabar Yard railroad improvements, it should be acknowledged that the proposed railroad improvements and future residential land uses can coexist, and the City of Vernon has the discretion to approve new development in areas that are adjacent to or in close proximity to existing freight rail corridors. The proposed Malabar Yard railroad improvements would not preclude implementation of the City of Vernon's future development goals. As analyzed in **Final EIS Volume III, Response to Comments, Table 5**, the Malabar Yard railroad improvements were determined to be consistent with the goals and policies within the *2023 Vernon Westside Zone Change and General Plan*

Amendment, and no inconsistencies were found. The commenter does not identify a specific City of Vernon policy the Project is inconsistent with. Therefore, no conflict would occur with implementation of the Malabar Yard railroad improvements. Based on the comments received during public review, the analysis provided in the Draft EIS/SEIR, and the clarification information provided in **Key Issue Response 6**, there is no change warranted to the land use and planning impacts or conclusions that were presented in the Draft EIS/SEIR.

A-75 The commenter's claim that Mitigation Measures TR-3 through TR-6 consists only of coordination with the City of Vernon and the CPUC, and is not real mitigation, is incorrect. Mitigation Measures TR-3, TR-4, and TR-5 require the implementation of physical roadway improvements to reduce impacts related to Topic 3.3-A, Traffic congestion that limit the effectiveness of the traffic circulation (**Final EIS Appendix Q, Section 3.3 (Transportation), Section 3.3.4**). The "coordination" the commenter is referring to is the provisions of Mitigation Measure TR-6 that must be met by Metro.

Mitigation Measure MY TR-6 addresses CPUC approval requirements for at-grade rail crossings. TR-6 would reduce impacts related to Topic 3.3-B Design of existing roadways and intersections causing increased hazards, Topic 3.3-C, Emergency Access, and Topic 3.3-D, Public Transit, Bicycle, or Pedestrian Facilities (**Final EIS Appendix Q, Section 3.3 (Transportation), Section 3.3.4**). While the measure includes the requirement to obtain CPUC authorization, this is not "regulatory compliance" presented as mitigation. CPUC approval is a legally required step for implementing the physical and operational crossing modifications under this mitigation measure. Mitigation Measure TR-6 ensures that the Project will complete the CPUC process, provide all required documentation, and receive the formal authorization necessary before changes to the crossings can occur.

These mitigation measures are not simply administrative coordination to shift the burden of implementation to the City of Vernon, but rather they are mitigation measures that commit Metro and BNSF to implement physical improvements through the approvals required by the City of Vernon and CPUC.

A-76 The commenter states that the City of Vernon examined traffic in 2016 to show which traffic lanes could support addition of a bike lane without putting intersections into the "F" LOS category. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A-77 As discussed in **Response to Comment 10** and the **Final EIS Appendix Q, Section 3.13 (Economic and Fiscal Impacts)**, a thorough analysis of potential impacts to businesses was conducted, including a discussion of both short term construction effects and long term operational effects, such as potential job displacement and reductions in property tax revenues associated with the required right-of-way acquisitions. The analysis within the Final EIS provides a balanced analysis of local and regional economic effects in accordance with CEQA (§15126.2(a)) and NEPA's requirements for consideration of indirect and cumulative impacts (40 C.F.R. §1502.16 and§1508.8). The commenter's claims regarding negative impacts to businesses in the City of Vernon are speculative, and based on traffic delays congestion throughout operation. As discussed in multiple responses above, Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain

or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

A-78 Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 5** for a discussion on operational and physical impacts to businesses in the City of Vernon. Metro acknowledges that the City of Vernon would result in some job loss from potential building demolitions, however, as part of Metro's Relocation Assistance Program and the Uniform Relocation Act benefits processes, any businesses subject to building demolition or displacement would be compensated or referred to potential and/or suitable replacement sites. Please also refer to **Response to Comment A-77** above.

A-79 The commenter's opinion that BNSF provided a "wish list" and that alternatives were dismissed due to "confirmation bias" is speculative and unsupported. Alternatives were screened using objective criteria such as available acreage, connectivity to existing rail infrastructure, ability to accommodate projected volumes, and compliance with safety and environmental standards. Locations that fail to meet these criteria are eliminated for valid, documented reasons—not arbitrary preference.

During preparation of the Draft EIS/SEIR, CHSRA and Metro prepared a thorough and comprehensive evaluation of alternative sites that could offset the Project-related impacts at BNSF Wet Bank Yard. Increased traffic and potential indirect effects of not implementing mitigation for BNSF West Bank Yard impacts were considered and disclosed in **Final EIS Appendix Q, Section 3.3 (Transportation)** under Topic 3.3-E, Freight Indirect Effects. Yard capacity was addressed and is part of Criteria 2 for the replacement site. Criteria 1 addresses the need for a replacement site in proximity to and west of Hobart Yard, which addresses "distance" as noted in the comment.

In fact, CalSTA, CHSRA, Metro, Metrolink, and BNSF all coordinated on the regional impacts to BNSF and through the interagency coordination, and consideration of an integrated freight/passenger rail operating plan combined with the impacts of Link US, the Malabar Yard railroad improvements were determined to be the location to offset impacts on freight resulting from the Link US Project.

After the close of the 45-day public comment period, at the request of the City of Vernon, Vernon Chamber of Commerce, and Los Angeles County Supervisor Hahn's office, additional analysis was conducted to determine if replacement of BNSF storage tracks could be implemented at BNSF's Hobart Yard facility or BNSF's Los Angeles Junction facility; thereby no longer necessitating the 49th Street Closure as part of the Link US Project. CHSRA and Metro met the requirements under NEPA and CEQA to explore a reasonable range of alternatives, including reasons for eliminating alternatives from further analysis in the Final EIS.

A-80 The comment indicating tracks are rarely full is a speculative statement that is not backed with any evidence. All tracks owned by BNSF have intended purpose and are designated as such for those purposes, regardless of how they are currently used. As noted on Page

15 of the RII letter, intermodal volumes fluctuate year over year, so the yard moves between empty and full depending on intermodal traffic.

As disclosed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, a two-step evaluation process was used to identify potential replacement sites (which included Hobart Yard, Commerce Yard, Malabar Yard, Los Angeles Junction, Pico Rivera Yard, and locations further east on the San Bernardino Subdivision) to offset the loss of storage tracks that would occur at the BNSF West Bank Yard. The alternatives analysis process was completed to eliminate sites that do not meet the identified screening criteria and to preserve the current levels of freight rail operations in accordance with the provisions of the Link US Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need)**.

Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1, discloses the justification as to why each of these sites meet or do not meet screening criteria.

- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-1 (Freight Rail Storage Track Replacement Sites Initial Screening Criterion Analysis)**, Hobart Yard, Commerce Yard, Malabar Yard, and Los Angeles Junction met initial screening criteria while Pico Rivera Yard and locations further east on the San Bernardino Subdivision were rejected from further consideration because they are located east of BNSF Hobart/Commerce Intermodal Yards.
- As summarized in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Table 1-2 (Freight Rail Storage Track Replacement Sites Secondary Screening Criterion Analysis)**, Hobart Yard, Commerce Yard, and Los Angeles Junction were determined to not meet secondary criteria of replacing storage capacity in-kind or preserving the current levels of freight rail operations, primarily for the following reasons (summarized from **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1.1**:
    - Hobart Yard – The existing footprint of BNSF Hobart Yard is at full capacity. Any change to the existing intermodal facilities at BNSF Hobart Yard (production tracks, storage tracks, lead tracks, main line tracks, receiving tracks, departure tracks, tie up tracks, and/or maintenance tracks) would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Several dozen parcel acquisitions would be required and there may also be a potential requirement for new intermodal facilities to offset any modifications to BNSF Hobart Yard facilities (ripple effect). In addition, mitigating the Link US Project permanent impacts to BNSF storage tracks at BNSF's Hobart Yard is not feasible because the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.

- Commerce Yard – Similar to Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. Any change to the existing intermodal facilities at BNSF Commerce Yard would impact the shared passenger/freight rail network in the region and BNSF's ability to maintain current levels of freight rail operations and regional goods movement. Full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses would be required.
- Los Angeles Junction – All space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. As shown in **Figure 1-3** of the **Final EIS Appendix Q**, expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of seven private properties with active businesses/buildings.

The analysis presented in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1** demonstrates CHSRA and Metro performed a thorough alternatives evaluation of potential replacement sites, and provided measured evidence with reasons why these sites do not meet specified criteria. The conclusions are not based on broad generalized claims. Rather, they are based on optimal operational parameters and the potential for increased impacts to property owners and the environment.

A-81 Malabar Yard is proposed to compensate for lost storage capacity. Malabar Yard can accommodate trains in a similar way to how the West Bank Yard does. Proximity is a key factor to preserving the current levels of freight operations. Please refer to **Response to Comment A-80** for a summary of how alternative sites were considered. The conclusions are factual and not an exaggeration of unrealistic outcomes.

Based on the screening and evaluation process, BNSF Malabar Yard is the only freight rail storage track replacement site that meets the specified criteria. The track capacity gained by the 49th Street Closure, combined with a new direct track connection between BNSF Malabar Yard and Los Angeles Junction, would allow for storage of empty bare tables from long intermodal trainsets traveling to and/or from BNSF Hobart/Commerce Intermodal Yards and nearby ports while maintaining current levels of freight rail operations and regional goods movement.

A-82 The comment indicating Malabar Yard is rarely full is a speculative statement that is not backed with any evidence. Similar to how RII asserts on Page 15 of the RII letter that intermodal volumes fluctuate year over year, so do yards used for merchant traffic.

Page 14 of the RII letter provides an overview of the impacts and proposed track configuration within the Project footprint at BNSF West Bank Yard and does not cite

substantial space available at Malabar Yard. The existing tracks at Malabar Yard without the 49th Street Closure and 46th Street Connector would not meet the secondary screening criterion as existing yard operations would not be able to accommodate additional storage.

The 3,350 feet of track storage does not include any use of the Metro-owned track at Malabar Yard because that westernmost track provides run-through capability for BNSF trains through Malabar Yard. The Metro-owned track is fully operative by BNSF in the existing condition, and is required to remain a run-through track in the future similar to the current condition.

To respond to the comment that Vernon is receiving no benefits, Metro proposed a $25 million dollar package of additional OMMs that provide benefits to the City of Vernon.

- OMM MY TR-7 High Visibility Crosswalk, Mid-Block Location (1 location) - $368,000
- OMM MY TR-8 Intersection Crosswalk Improvements with Cool Street Paving (7 locations) - $1,400,000
- OMM MY TR-9 Bus Shelters (25 locations) - $5,700,000
- OMM MY TR-10 PTZ Smart Cameras, Software, and Screens for Monitoring (3 locations) - $135,000
- OMM MY TR-11 AI-Based Traffic Control System (47 locations) - $281,000
- OMM MY TR-12 Metro Transit Oriented Communities Program Support - $6,500,000
- OMM MY NV-1: Quiet Zone Design and Physical Infrastructure (5 locations) and OMM MY NV-2: Quiet Zone Technical Support - $9,500,000
- OMM MY SS-1 Train Detection Cameras (4 locations) - $80,000
- OMM MY SS-2 Mobile Emergency Operations Center - $300,000
- OMM MY SS-3 Communications and Radio Systems Upgrade - $300, 000

A-83 Building one more track in Malabar Yard in the area that is marked with a red line on Page 58 of the RII letter would not introduce operational efficiencies or offset the 5,500 feet of storage tracks that would be lost at BNSF West Bank Yard. It would also not preserve the existing levels of freight rail operations, consistent with the Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need)**. Furthermore, the red line crosses 49th Street, which would introduce another track crossing at an already dangerous at-grade crossing and may not be approved by the CPUC. During a site visit at Consolidated Fabricators, visual observations were made of large semi-trucks using BNSF ROW north of 49th Street as a turnaround (where red line is drawn north of 49th Street on page 59 of RII letter).

If a track were placed in that location, it is not clear BNSF could safely use that track. Trucks currently maneuver into and out of the Consolidated Fabricators property on active freight tracks and within oncoming traffic using 49th Street. Adding another track would not stop that maneuvering and safety risk. The Malabar Yard Railroad Improvements, in contrast, would stop that maneuvering and would increase safety for delivery truck drivers entering and existing the property and for motorists traveling on 49th Street. In addition, additional tracks over 49th Street would create a new at-grade crossing that would conflict with Vernon's General Plan Policy CI 1.5, which states, "Continue to pursue grade separation for railroad crossings on designated streets." Construction of an additional track within Malabar Yard would not provide the same benefits as the proposed Malabar Yard railroad improvements, including reduced localized emissions or improved emergency response times, because it would not reduce overall train movements within the City of Vernon.

A-84 The commenter's claim that Malabar Yard has two existing tracks that have not been used in a long time is speculative with no evidence supporting this claim. The comment references property records but they have not been provided. These existing tracks already have intended uses and simply changing the uses would not offset the loss of storage track capacity at BNSF West Bank Yard (5,500 feet) because it would only provide an estimated 2,900 track feet. As discussed above, BNSF follows the AAR GCOR of which, Section 6.32.4 states, "When practical, avoid leaving cars, engines, or equipment standing closer than 250 feet from the road crossing when there is an adjacent track." Assuming this distance would need to be maintained, less than the claimed track footage would actually be realized.

A-85 Please refer to **Response to Comment A-80**. Los Angeles Junction meets the initial criterion because it is located in close proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards. However, for the reasons discussed above, Los Angeles Junction does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers.

The comment provides an introductory statement for additional proposed configurations to follow. No further response is warranted.

A-86 As with the alternate track configurations at Los Angeles Junction A-Yard raised by the commenter for Malabar Yard, the proposal made on Page 60 of the RII letter to combine 2,200 feet of capacity with 1,300 feet would not equate to the loss of 5,500 square feet that are lost on the BNSF West Bank yard. The proposal would not meet Secondary Screening Criteria 2.

The claim that tracks across the river are usually empty are not substantiated with any evidence except claims of reviewed historical images. This is a speculative statement. As noted on Page 15 of the RII letter, intermodal volumes fluctuate year over year, so the yard moves between empty and full depending on intermodal traffic. The tracks located on the east side of the Los Angeles River also have an intended use.

An aerial from 2025 shows these tracks are full to prove this point.



Construction of new tracks across the Los Angeles River, if that is what the commenter is suggesting, would also result in greater environmental impacts from construction activities over the river.

For the purposes of the alternatives analysis conducted for the Malabar Yard railroad improvements, Yard A and B combined were considered as one facility. Any physical improvements and/or modifications to existing operations at Los Angeles Junction are not feasible because reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. As shown in **Figure 1-3** of **Final EIS Appendix Q**, expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of the following private properties with active businesses/buildings:

- 4921 District Blvd (APN 6304-010-005)
- 4825 District Blvd (APN 6304-010-006)
- 4717 District Blvd (APN 6304-020-004)
- 4725 District Blvd (APN 6304-020-005)

- 4729 District Blvd (APN 6304-020-006)
- 4737 District Blvd (APN 6304-020-007)
- 4713 District Blvd (APN 6304-020-029)

Due to property acquisitions, business relocations, and insufficient available land area, expansion of Los Angeles Junction as a storage facility in conjunction with current merchandise operations for local customers would be infeasible.

A-87 The commenter notes that the Los Angeles Junction 'B' Yard is busy and has no land available for additional tracks as described in the EIS. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS. See **Response to Comment A-86** above that notes A Yard and B Yard were both considered as one facility.

A-88 The analysis in the Final EIS for the Los Angeles Junction site pertains to the A-Yard and B-Yard components which met the initial screening criteria. The LAJ C-Yard is isolated from the A-Yard and B-Yard, and was not part of the "Los Angeles Junction" in the Final EIS.

The commenter provides no basis or proof that 5,500 feet of storage capacity can be accommodated at the C Yard. The C Yard is already used for intermodal storage and there is no evidence it has 5,500 feet of surplus capacity. See responses above that discuss the beneficial effects that would be realized with consolidated freight train movements out of Los Angeles Junction A Yard and B Yard (both considered as one facility) (fewer train movements, less air emission, citywide circulation improvements, etc.) and the $25 million package of OMMs Metro proposed to the City of Vernon to further offset perceived impacts.

A-89 This comment acknowledges BNSF has unused right of way and spur tracks at numerous locations and the condition of the right of way, but does not provide an indication of an alternative site or specific location to be considered for a replacement site. Storage on various spur tracks at multiple locations throughout the cities provided would introduce new operational inefficiencies thus compromising their support of the BNSF Hobart/Commerce Intermodal yards and greater potential for environmental impacts in multiple jurisdictions.

A-90 RII identified the same alternative locations Metro considered in the EIS (Hobart, Commerce, Los Angeles Junction, Pico Rivera, and BNSF facilities and corridors further east of Pico Rivera Yard, including siding tracks on existing freight corridors). The existing tracks at these locations already have intended uses. If trains are stored east of BNSF Hobart/Commerce Intermodal Yards, delays in both passenger and freight rail operations would occur because trains moving to and from the BNSF facilities would require use of main line tracks along the BNSF San Bernardino Subdivision. These locations would not fulfill provisions of the Link US Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need)** that require preserving the current level of freight operations.

BNSF Malabar Yard and Los Angeles Junction are BNSF-owned facilities that are proposed for use.

A-91 Based on the alternatives screening and evaluation process described in **Response to Comment A-81** above, BNSF Commerce Yard meets the initial criterion because it is located in close proximity to, and west of, BNSF Hobart/Commerce Intermodal Yards. However, BNSF Commerce Yard does not meet the secondary screening criterion.

BNSF Commerce Yard does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at BNSF Commerce Yard is occupied by site-specific facilities associated with intermodal operations (i.e., intermodal tracks, drive aisles, facility buildings, truck parking, crane and chassis parking, and maintenance or other support facilities). Like BNSF Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity.

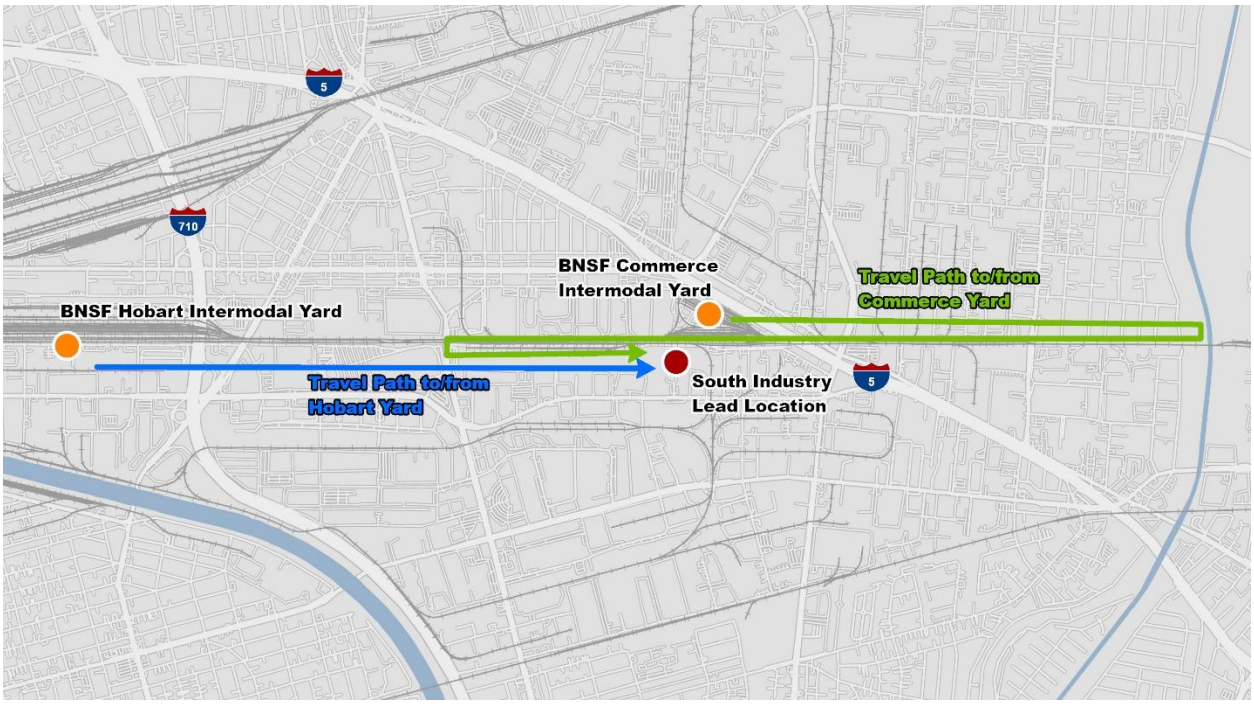
The addition of a storage track was considered at BNSF Commerce Yard, but the additional track would require full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses. Additionally, there are operational restrictions at BNSF Commerce Yard associated with the current passenger train movements that occur at the Commerce Metrolink Station platform, which impede BNSF's ability to enter and/or store a long train into the facility. Due to the substantial property acquisitions, business relocations, and operational restrictions from passenger train movements near BNSF Commerce Yard, use of BNSF Commerce Yard as a storage facility in conjunction with current intermodal operations would be infeasible.

The commenter provides no basis for why the reasoning is untrue. Again, the existing tracks at these locations already have intended uses.

A-92 Multiple robust analyses have been performed to demonstrate how the Malabar Yard railroad improvements result in a citywide circulation improvement, and how all traffic delay impacts related to LOS would be mitigated via Malabar Yard Mitigation Measures TR-1 through TR-5. The consolidation of freight train movements is the definition of reconfiguring BNSF operations.

A-93 The commenter claims 4,700 feet of storage capacity could be added, which would not fully offset the loss of 5,500 track feet at BNSF West Bank Yard. Additionally, the location of the South Industry Lead shown on Page 64 of the RII letter would require trains to first travel east on the San Bernardino Subdivision to reposition on the southern-most track to then access the South Industry Lead. If trains are stored at this location, trains would have to travel in the opposite direction of the current travel path, causing delays in both passenger and freight rail operations on the main line tracks along the BNSF San Bernardino Subdivision. This is because the proposed location is on the south side of the San Bernadino Subdivision while the Hobart and Commerce Yard tracks are located on the north side of the San Bernardino Subdivision. See Exhibit 1 for a depiction of the intermodal storage routing for the South Industry Lead.

Exhibit 1 – Intermodal Storage Routing to South Industry Lead



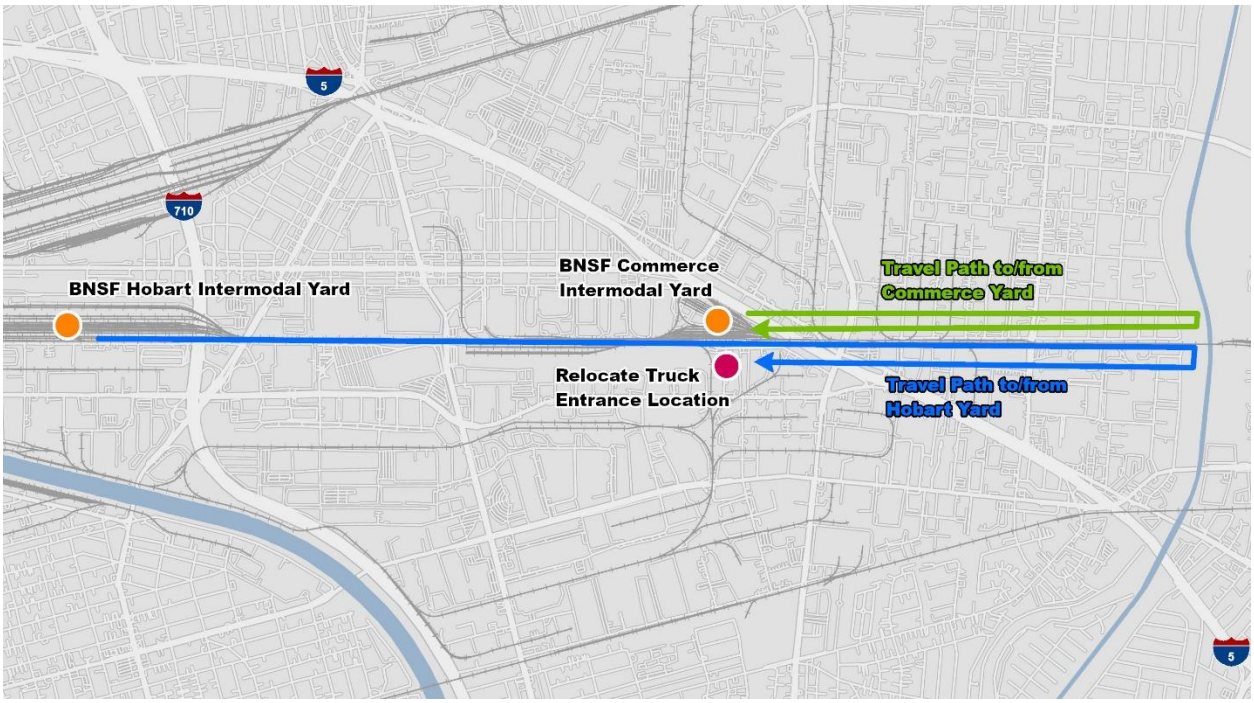
A-94 The portion of 26th Street that the commenter is suggesting to close serves as both an entrance to Commerce Yard for trucks (as indicated) and also serves Metrolink's Commerce Station, not just a BNSF facility as claimed. 26th Street is not a waste of space, it has a purpose. The reconfiguration of on-site operations and moving an entrance to the other side is not a "simple" rearrangement. The commenter provides no indication of how the entrance can be relocated, just notes that its simple. The commenter is also proposing to impact 26th Street which serves as an entrance to Metrolink's Commerce Station platforms and the 135-space parking lot. The proposal would impact and potentially require closure of Metrolink's Commerce Station platforms and the supporting 135 space parking lot.

The City of Vernon was consulted in 2020 when the Malabar Yard railroad improvements were added as required mitigation to the Link US Project. The commenter appears to make claims as if Metro never consulted Vernon, but through multiple meetings on the record, this is not the case. Metro had multiple meetings with the City of Vernon to seek feedback and understand concerns and has worked diligently to address those concerns, revised the Project layout, prepared multiple emergency response scenarios and even proposed a $25 million package of OMMs to further offset perceived impacts.

In addition, this location would require trains to travel east first to access storage tracks, then back west toward the ultimate destination. This proposed configuration would not preserve current levels of freight operations and not meet criteria two because trains would have to travel in the opposite direction of the current travel path, causing delays in both passenger and freight rail operations on the main line tracks along the BNSF San Bernardino Subdivision. This is because the proposed location is on the south side of the

San Bernadino Subdivision while the Hobart and Commerce Yard tracks are located on the north side of the San Bernardino Subdivision. See Exhibit 2 for a depiction of the intermodal storage routing for the South Industry Lead.

Exhibit 2 – Intermodal Storage Routing to Relocate Truck Entrance Location



A-95 The commenter is making no claims that differ from the results presented in the Final EIS. No further response is warranted.

A-96 The measurement of Pico Rivera yard was measured from the westernmost extent of Hobart Yard at the entrance to the westernmost extent of the entrance to Pico Rivera yard which is “approximately” 5 miles. The assertion that Pico Rivera is “3,500 feet” from Commerce/Hobart and therefore one of the best intermodal options is incorrect on railroad milepost distance and misleading in operational terms. Adopting that claim would add switching moves, increase drayage miles, consume scarce crew/locomotive resources, and erode schedule reliability—directly impairing freight rail operations at the Hobart/Commerce intermodal hub. The claim that the Final EIS “misrepresented distance by measuring farthest points” overlooks that railroad planners use mileposts, interlocking limits, and working-lead connectivity to define operational proximity, not arbitrary edge-to-edge parcel lines. Timetables and network maps are the authoritative references for such measurements.

Based on the alternatives screening and evaluation process described in **Response to Comment A-81** above, BNSF Pico Rivera Yard does not meet the initial criterion because it is located east of BNSF Hobart/Commerce Intermodal Yards. This is the most important reason why it was dismissed, not due to the perceived distance. BNSF Pico Rivera Yard and locations further east on the San Bernardino Subdivision main line tracks were

rejected for further consideration because they are located east of BNSF Hobart/Commerce Intermodal Yards and would therefore require use of the San Bernardino Subdivision main line tracks. BNSF Pico Rivera Yard is currently used to store local merchandise rail cars and other mixed freight rail cars for local customers on existing spur lines in the southern portions of the City of Pico Rivera and the eastern portion of Los Angeles County. Therefore, the BNSF Pico Rivera Yard fails to meet the screening criteria.

A-97 As discussed in **Response to Comments A-85 through A-96** above, all feasible alternatives have been explored, and all relevant studies are included in the certified Final EIS. Metro has been coordinating with City of Vernon to address comments, and these meetings and the outcome of these meetings are memorialized in the Final EIS. Data presented in the Final EIS represent the baseline condition at the time the environmental evaluation commenced and reflect an accurate estimate of the conditions to use for environmental documentation purposes. Vernon staff did provide input on the traffic input methodology and COVID factor that was applied to the traffic counts.

A-98 The comment provides a summary of the history of BNSF's past attempts to connect its yard through City of Vernon. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

A few points of clarification – Vernon customers depend on rail. Rail served industry in Vernon has been occurring for quite some time, in fact one of the City of Vernon's main streets is named after a railroad "Santa Fe Avenue". The commenter provides no basis for how dangerous the location of 46th Street and Seville is, where a new at-grade crossing is proposed. Metro and HDR have observed very dangerous conditions at 49th Street where the closure is proposed, especially when large trucks are present and staging on active tracks while vehicular traffic attempts to cross the tracks at the same time.

A-99 CHSRA and Metro respectfully disagree with the commenter's opinion that the City of Vernon would not receive any benefits from implementation of the Malabar Yard railroad improvements and the Project only benefits Metro and BNSF. Please refer to **Response to Comment A-37** for a list of benefits that would occur for the City of Vernon and not just Metro and BNSF. **Final EIS Volume I, Executive Summary, Section ES.14** includes a summary of Project benefits under the Build Alternative, with a Malabar Yard railroad improvements specific list.

The citywide circulation improvements are a major benefit to all travelers in Vernon, with reduced gate down times in the City of Vernon. The commenter provides no basis or evidence to the contrary for how BNSF markets or does not market to industries in Vernon or elsewhere.

Reduced train movements on the Harbor Subdivision would result in fewer train movements in Vernon and Metro has presented multiple benefits in the Final EIS that prove this point. Offsetting the loss of storage track capacity at the BNSF West Bank Yard is not a blatant gross misrepresentation, its mitigating for an impact on the freight rail transportation system. It's common practice to replace what has been impacted from an agency or private entity with replacement or mitigation.

A-100 CHSRA and Metro respectfully disagree with the commenter's opinion that Metro and BNSF are attempting to trade something at the expense of the City of Vernon. Consolidated train moves from Los Angeles Junction results in fere train movements in Vernon. The intent of the mitigation is not to reduce BNSF operational costs. Service to Exxon will be provided with or without the Project, however when served from Los Angeles Junction, fewer moves on the Harbor Subdivision would occur.

As stated in the **Response to Comment 11**, the need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts to a private entity (in this case a Class I railroad operator) and Metro has been working with BNSF to identify a site to appropriately mitigate impacts for Link US Project as a whole (40 CFR 1502.14(f), 40 CFR 1502.16(h); *CEQA Guidelines* §15126.4(a)). Additionally, the commenter's claim that the City of Vernon would receive no benefits is addressed in the **Response to Comment A-99** response and other responses above.

A-101 The claims of what BNSF need or doesn't need are speculative, especially the claim about what BNSF may never even do. Vernon is not being held responsible, the Malabar Yard railroad improvements reduce impacts for a Metro project, and Metro and BNSF are responsible for implementing them.

As discussed in **Main Letter Response to Comment 48**, the Malabar Yard railroad improvements would provide approximately 3,350 feet of freight rail storage capacity for BNSF to store empty intermodal train car sets at BNSF Malabar Yard. Although the approximately 3,350 feet of storage track is not a 1:1 replacement for the 5,500 feet of storage track removed, it would provide functionally equivalent storage, and when combined with the 46th Street Connector, would maintain current freight operational levels to the extent feasible, and would achieve the intended operational performance requirements (**Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2**). Therefore, the Malabar Yard railroad improvements are adequate mitigation under the requirements of CEQA and NEPA because they would minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need as identified in **Final EIS Volume I, Chapter 1.0 (Purpose and Need)**.

A-102 The impact of trains operating through Vernon resulting from Malabar Yard railroad improvements are studies thoroughly in Appendix Q of the Final EIS. The commenter provides no indication of what the "original study" examines.

The Final EIS does not imply that resident population is low, so traffic is low. This is a false assertion. The traffic counts collected in 2020 were adjusted appropriately to reflect the change in traffic patterns due to COVID. Also, a 1% annual growth rate added to these adjusted counts adequately caters for future growth in traffic due to new businesses and population. The City of Vernon Director of Public Works was consulted on the approach

for traffic analysis, the methodology to be used, and the application of the COVID factor prior to conducting the analysis.

A-103 All data and information collected from BNSF in 2024 is incorporated in the Final EIS, as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies and is summarized in **Final EIS Volume III, Response to Comments, Key Issue Response 2** and presented in **Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements)**.

Please refer to the **Exhibit "B" Response to Comment B-4** for a detailed overview of existing and proposed train frequency and schedule.

The commenter raises concern about negligible traffic impact and the need for enhancements; however, these are two separate unrelated topics. In the same context of proposing alternative sites that "appear" empty, the commenter admits that rail traffic ebbs and flows, therefore all claims that tracks are unused or empty, can be challenged on this claim itself.

Both CEQA (*CEQA Guidelines* §15126.6) and NEPA (40 CFR §1502.14) require agencies to rigorously explore and objectively evaluate reasonable range of feasible alternatives to avoid or reduce significant impacts and adverse effects. For the alternatives eliminated from a detailed analysis, the agency must explain why they were eliminated. As discussed in **Final EIS Appendix Q, Chapter 1.0 (Introduction), Section 1.1**, Metro considered multiple alternative locations the Final EIS to offset the permanent loss of freight rail storage track capacity at BNSF West Bank Yard. BNSF Hobart, BNSF Commerce, BNSF Pico Rivera, and Los Angeles Junction, were considered along with other locations further east on BNSF San Bernardino Subdivision Main Line Tracks. The screening and evaluation process in **Section 1.1** describes why each of these alternative locations did not meet the screening criterion and therefore why they were eliminated from detailed analysis. Therefore, the Final EIS meets the requirements for NEPA and CEQA for analyzing a reasonable range of alternatives to the Build Alternative.

A-104 All current applicable environmental standards are used in the analysis presented in the Final EIS. Current NEPA regulations were cited as appropriate. The commenter does not describe specific standards for desired further analysis.

CHSRA is relying on the regulations as they existed on the date of the initial Notice of Intent (NOI), May 31, 2016. Therefore, all citations to CEQ regulations in the Final EIS refer to the 1978 regulations and the 1986 amendment, 51 *Federal Register* (FR) 15618 (Apr. 25, 1986).

A-105 The Final SEIR was certified by the Metro Board at the board meeting held October 23, 2025, under the motion for continued collaboration between Metro, CHSRA, BNSF, and the City of Vernon as outlined in modified Mitigation Measure TR-3. Please refer to **Main Letter Response to Comment 4** for a full description of the revisions to Mitigation Measure TR-3. CHRSA and Metro respectfully disagree with the commenter's opinion that the Final EIS is incomplete and inaccurate.

The commenter provides no details of the desired updated studies, just a blanket claim that further study is required. Metro and CHSRA as the lead agencies hire the technical specialists to perform the analysis. It should be noted City of Vernon was provided an invitation to become a NEPA participating agency and no response on the invitation was received.

The analysis presented in **Final EIS Appendix Q** is fact based, balanced and well-supported, honest and thorough. Minor corrections to the analysis have been made where appropriate to correct information that was mis-stated or that could be perceived as inaccurate. One example of this is the edit to revise the reduced train movements from 3.5 fewer trains to 3.15 fewer trains per day.

Train speeds, train lengths, and schedules were all considered in the analysis and results presented in the **Final EIS Appendix Q**. These factors were considered especially to account for queuing related delays, emergency response time analysis, and to demonstrate how an improvement to citywide circulation could occur. The only way to derive quantitative results that are presented in the Final EIS is to model the train movements using this information, and that is what was done.

A-106 To address the commenter's point "A," please refer to **Main Letter Response to Comment 48** for a discussion on car storage capacity. To address the commenter's point "B," please also refer to **Main Letter Response to Comment 3** for an in-depth discussion on the alternatives analysis. To address the commenter's point "C," please refer to **Response to Comment A-37** response for a discussion of Vernon-specific benefits associated with implementation of the Malabar Yard railroad improvements. To address the commenter's points "D" and "E," all adverse effects are disclosed within the Final EIS and appropriate mitigation has been provided applicable under both NEPA and CEQA. To address the commenter's point "F," please refer to **Response to Comment A-37** for a discussion of Vernon-specific benefits associated with implementation of the Malabar Yard railroad improvements. Additionally, further coordination will occur between Metro, BNSF, and the City of Vernon, as committed under Mitigation Measure TR-3.

A-107 Prior to release of the Revised NOI in 2020, the Link US Project included reconstruction of tracks at BNSF West Bank Yard and did not fully accommodate the planned HSR system to First Street. Through interagency coordination efforts, Metro elected to revise the Project at the BNSF West Bank Yard to permanently remove the storage tracks (instead of replacing them as previously proposed). This was not an abrupt change, but a project change coordinated with multiple agencies to fully accommodate the planned HSR system as part of the Link US Project to First Street. Metro certified the Final EIR in 2019; however since CHSRA is the NEPA lead agency, the permanent removal of storage tracks at BNSF West Bank Yard was required to be a Project component to complete the NEPA EIS process. Metro also addressed the Project change in the Supplemental EIR.

To address the commenter's point "1," please refer to **Exhibit "B" Response to Comments B-2 through B-4** for a discussion on train operations through the City of Vernon. As discussed in **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-3**, the geographic area considered to determine potential traffic-related effects is the traffic study area. The traffic study area does not include intersections or roadway segments

between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips once the Project is operational; however, it would result in localized redistribution of existing traffic (**Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-8**).

Due to the Project-related redistribution of existing traffic, a localized traffic analysis was conducted for intersections and roadway segments within the proximity to the Malabar Yard railroad improvements where traffic redistribution is expected to occur. This redistribution of traffic is expected during the Project Opening Year 2024, Construction Year 2024 and Future Horizon Year 2040. The anticipated traffic redistribution and change in traffic along with the list of study intersections and roadway segments patterns was coordinated with the City of Vernon to obtain feedback on the approach before the traffic analysis was performed.

The length of trains in the existing condition would remain the same in the proposed condition (3,000-foot-long trains). Consolidated freight train movements results in fewer train movements in the City of Vernon, but the train lengths remain the same.

To address the commenter's point "2," please refer to the **Response to Comments A-8 and A-47** for a discussion on the appropriateness of the EIS and associated studies. Studies were conducted at the time the Revised NOI was released which is appropriate for the analysis. The traffic analysis approach was coordinated with City of Vernon Public Works Director prior to conducting the analysis. Metro made repeated attempts to obtain development applications to account for this Project, but none were provided. At the corner of Seville and 46th Street, Metro did make project changes to account for the recent development at Mr. John Rhee's property. Future mixed-use development is accounted for in the Project-related and cumulative impact analysis.

To address the commenter's points "3" and "4a and 4b," please refer to the **Main Letter Response to Comment 3** for a discussion on the alternatives analysis conducted for the Malabar Yard railroad improvements. The City of Vernon is not being asked to reconfigure tracks. Please refer to **Response to Comment A-96** regarding the distances for Pico Rivera Yard. Malabar Yard is not misrepresented as an equal trade. The closure of 49th Street and the 46th Street Connector together are required to preserve current level of freight rail operations.

A-108 To address commenters points 4c and 4d, **Final EIS Appendix Q, Chapter 1.0 (Introduction), Page 1.1-10** is accurate – BNSF West Bank Yard can accommodate up to an 8,000-foot-long trainset in any of the four storage tracks. **Page 3.3-27** of the Final EIS was revised for consistency to read as follows:

> BNSF West Bank Yard can accommodate up to an ~~a continuous~~ ~~9,000~~8,000-foot-long trainset in any of the four storage tracks.

The combined track footage of storage tracks at Malabar yard would be needed to facilitate the required storage needed to offset impacts. See responses to comments above regarding the Los Angeles Junction alternative concepts (**Response to Comments A-85, A-86, and A-88**).

To address the commenter's points "5," please refer to **Main Letter Response to Comments 2, 5, 18**, and **Response to Comment A-52** above for a discussion on the applicability of mitigation measures, as well as **Response to Comment A-37** for Vernon-specific benefits associated with implementation of the Malabar Yard railroad improvements.

A-109 CHSRA and Metro appreciate the comments provided by the City of Vernon and for actively participating in the review of the Draft EIS/SEIR and the Final EIS. The commenter effectively admits that many of the proposed alternatives they identified as mere brainstorming and do not contain sufficient factual and technical evidence to qualify as a specific, detailed alternative that has a likelihood of being carried forward. CHSRA and Metro will continue to coordinate with the City of Vernon regarding planning and mitigation efforts. CHSRA and Metro value the City of Vernon's input and take the comments and concerns regarding potential negative impacts on the City of Vernon seriously. Metro looks forward to implementing the two Metro Board Motions that were part of the SEIR certification.

Exhibit "B": City Letter to BNSF Railway

B-1 The comment requests BNSF to provide additional information regarding the proposed Malabar Yard railroad improvements. Although the City of Vernon sent this comment letter to BNSF, responses to this letter were prepared because it was provided as an exhibit to the Main Letter from RWG. Responses were prepared by CHSRA and Metro based on information obtained from BNSF or obtained from other sources.

B-2 The following provides current train schedules serving Vernon, including service times, train lengths, crew sizes, and the number of locomotives used:

- Service times - BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am
- Train Lengths – Trains operating in Vernon extend up to 3,000 feet
- Crew Size – It is not clear how crew size relates to the environmental analysis of the Malabar Yard railroad improvements. This information does not bear on any analysis for any environmental conclusions.
- Typical Number of Engines: One locomotive (East Seville and West Seville Routes)

B-3 The following provides corresponding information for the proposed post-expansion operations:

- Service times – BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am
- Train Lengths – Trains operating in Vernon extend up to 3,000 feet
- Crew Size – It is not clear how crew size relates to the environmental analysis of the Malabar Yard railroad improvements. This information does not bear on any analysis for any environmental conclusions.
- Typical Number of Engines: Two locomotives (46th Street Connector)

B-4 Train lengths are identified in **Response to Comment B-3** above. Malabar Yard is currently used to stage and store general merchandise cars for local customers. Proposed use of Malabar Yard (after closure of 49th Street) is to store empty bare tables (chassis only) for intermodal trains.

- ***Existing Frequency and Schedule:***
  - Hobart Yard to/from Malabar Yard
    - Total daily train movements – 4
    - Time of Travel:
      - 2x Day: 6:30am – 2:00pm
      - 2x Day: 7:30pm – 2:00am
  - Malabar Yard to/from West Seville

- Total daily train movements – 2
- Time of Travel:
  - 1x Day: 6:30am – 2:00pm
  - 1x Day: 7:30pm – 2:00am

- Malabar Yard to/from Exxon
  - Total daily train movements – 2
  - Time of Travel:
    - 1x Day: 6:30am – 2:00pm
    - 1x Day: 7:30pm – 2:00am

- ***Proposed Frequency and Schedule:***
  - Hobart Yard to/from Malabar Yard
    - Total daily train movements – 0.85
    - Time of Travel:
      - 3x Week: 7:30pm – 2:00am
  - LAJ to West Seville (via 46th Street Connector)
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am
  - LAJ to Exxon (via 46th Street Connector)
    - Total daily train movements – 2
    - Time of Travel:
      - 1x Day: 6:30am – 2:00pm
      - 1x Day: 7:30pm – 2:00am

B-5 Metro reached out to BNSF for this information; however, BNSF did not respond in time for inclusion in the Final SEIR or Final EIS and ROD. Additionally, the environmental analysis does not require this specified information to support any conclusions.

B-6 BNSF customer base is proprietary/trade secret information. CHSRA and Metro do not have authority to release BNSF customer base. BNSF may voluntarily respond to the City of Vernon's request for this information. Switching and customer service activity information is not required or necessary to complete the environmental analysis or reach any environmental conclusions.

B-7 Yes, as a result of the Malabar Yard railroad improvements, the consolidated freight movements from Los Angeles Junction results in 3.15 fewer trains operating in Vernon

per day. In addition, BNSF would conduct train building activities (requiring switching) within the Los Angeles Junction yard itself, thereby reducing intersection blockage on local city streets.

B-8 Malabar Yard is currently used to stage and store general merchandise cars for local customers; however, the General Code of Operating Rules (GCOR) limit storage of standing trains within 250 feet of the 49th Street at-grade crossing. This prohibits BNSF's ability to store longer intermodal train cars that are currently stored at BNSF West Bank Yard.

B-9 Expansion of Malabar Yard is not proposed. With the 49th Street Closure, BNSF would use Malabar Yard to store longer train car sets of empty bare tables for intermodal trains. Local merchandise trains would be relocated to Los Angeles Junction.

B-10 The 46th Street Connector enables BNSF consolidates train movements to serve Vernon customers out of Los Angeles Junction, thereby reducing overall train movements in the City of Vernon and allowing freight trains to bypass the heavily congested San Bernardino Subdivision main line tracks.

B-11 The consolidated train movements facilitated by the 46th Street Connector would result in 3.15 fewer trains operating per day along the Harbor Subdivision in Vernon.

B-12 BNSF customer base is proprietary/trade secret information. CHSRA and Metro do not have authority to release BNSF customer base. BNSF may voluntarily respond to the City of Vernon's request for this information.

B-13 Please refer to **Final EIS Appendix Q, Chapter 2.0 (Description of Malabar Yard Railroad Improvements), Section 2.2.1** for a description of Malabar Yard's existing operations. In the existing condition, Malabar Yard contains seven rail yard tracks running north and south where merchant trains are currently staged and stored to service local customers in one single location.

B-14 No alternative sites are available that would accommodate intermodal storage without resulting in greater property impacts or decreased operational efficiency for BNSF freight movements. Multiple locations in the region were considered to offset the permanent loss of freight rail storage track capacity at BNSF West Bank Yard that would result from the Link US Project. The BNSF facilities that were considered as potential replacement sites are described below, along with reasons why these sites are infeasible to accommodate new storage tracks:

- **BNSF Hobart Yard:** The existing footprint of BNSF Hobart Yard is at full capacity. Additional tracks would require full parcel acquisition of several dozen commercial properties south of Washington Boulevard, closure of 26th Street, and potentially new intermodal facilities to offset the loss of storage track capacity in kind. In addition, the land area proposed for acquisition as part of CHSRA's Los Angeles to Anaheim Project Section of the planned HSR system (approx. 40 acres) adjacent to the existing BNSF Hobart Yard is planned for CHSRA and BNSF improvements separate from the Link US Project mitigation requirements.

- **BNSF Commerce Yard:** Similar to BNSF Hobart Yard, the existing footprint of BNSF Commerce Yard is at full capacity. The addition of a storage track at BNSF Commerce Yard, would require full parcel acquisition of approximately 12 properties between BNSF Commerce Yard and Bandini Boulevard (or a portion thereof) and relocation of multiple large commercial businesses. Additionally, there are operational restrictions at BNSF Commerce Yard associated with the current passenger train movements that occur at the Commerce Metrolink Station platform, which impede BNSF's ability to enter and/or store a long train into the facility.
- **Los Angeles Junction:** Los Angeles Junction does not have enough available land area to accommodate additional storage track capacity for empty bare tables in its current configuration because all space available at Los Angeles Junction is occupied by existing merchant trains that currently operate from this location to serve local customers. Any physical improvements and/or modifications to existing operations at Los Angeles Junction are not feasible because reconfiguration of local merchandise facilities on site would be required to add storage capacity in conjunction with other local operations. The Los Angeles River functions as a physical barrier to the east, and there are also multiple private properties with active businesses adjacent to the facility. Expansion of the Los Angeles Junction to accommodate additional storage tracks would require full parcel acquisition of seven private properties with active businesses/buildings.
- **BNSF Pico Rivera Yard and Locations further east on BNSF San Bernardino Subdivision Main Line Tracks:** BNSF Pico Rivera Yard and locations further east on the San Bernardino Subdivision main line tracks are located east of BNSF Hobart/Commerce Intermodal Yards and would therefore require use of the San Bernardino Subdivision main line tracks. This would result in decreased efficiencies for BNSF freight operations.

B-15 Comment acknowledged.

Exhibit "C": Malabar Yard Railroad Improvement Air Quality Impact Analysis Peer Review

C-1 The comment provides a summary of Urban Crossroads, Inc.'s review of the Link Union Station Draft Environmental Evaluation of Malabar Yard Mitigation (DEIS/SEIR), dated June 2024, and the respective Air Quality and Global Climate Change sections. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

C-2 The comment accurately summarizes that the Malabar Yard railroad improvements includes the closure of the at-grade railroad crossing at 49th Street, which would accommodate storage at the BNSF Malabar Yard. The Malabar Yard railroad improvements includes construction of an approximately 1,000-foot segment of new track between two existing track segments in order to provide a dedicated connection between the BNSF Malabar Yard and BNSF's Los Angeles Junction. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

C-3 CHSRA respectfully disagrees with the commenter's opinion that the analysis does not include a comparison of the Project's maximum daily construction or operational emissions against the South Coast Air Quality Management District (SCAQMD) regional significance thresholds and does not identify potentially significant impacts or mitigation measures. Contrary to the comment, the air quality analysis did not omit a "potentially significant impact", and the analysis did not omit a "potential mitigation measure" to reduce potential impacts.

Comparison to SCAQMD Air Quality Regional Significance Thresholds

As identified in **Final SEIR, Table 7-5**, the combined total emissions from construction activities of the Modified Proposed Project and Malabar Yard railroad improvements would exceed SCAQMD's daily criteria pollutant thresholds for NOx, PM_{10}, and $PM_{2.5}$. As shown in **Final SEIR, Table 7-6,** Mitigation Measure AQ-1 was identified to address the exceedances of SCAQMD's daily criteria pollutant thresholds. However, even after implementation of Mitigation Measure AQ-1, a significant and unavoidable impact would remain for the Combined Modified Proposed Project and Malabar Yard railroad improvements.

Malabar Yard Air Quality Mitigation Measures

Final SEIR, Pages 7-66 to 7-70 and Table 7-31 address the commenter's questions. Malabar Yard Mitigation Measures AQ-1, AQ-2, and Mitigation Measure AQ-3 would be implemented to reduce criteria air pollutant emissions during Project construction and operation. Malabar Yard Mitigation Measure AQ-1 would reduce fugitive dust and criteria pollutant emissions during Project construction in compliance with SCAQMD rules and would require best management practices beyond SCAQMD rules (i.e. comprehensive inventory of all heavy-duty off-road (50 horsepower or greater). Implementation of Malabar Yard Mitigation Measure AQ-2 would further reduce NO_x emissions during Project construction by requiring all equipment using engines with more than 50 horsepower to

be equipped with engines certified under U.S. EPA's Tier 4 Exhaust Emission Standards and Renewable Diesel Fuel for Off-Road Equipment. Implementation of Mitigation Measure AQ-3 requires preparation of an air quality mitigation plan and implementation of emerging technologies to reduce emissions during Project operations. As such, the DEIS/SEIR did not fail to identify potential mitigation measures to reduce potential impacts.

C-4 CHSRA respectfully disagrees with the commenter's opinion that the DEIS/SEIR fails to evaluate the potential significance of the Project's localized construction emissions.

Localized Air Quality Analysis using Localized Significance Thresholds (LSTs)

SCAQMD Localized Significance Thresholds (LSTs) Methodology

As stated in **Final EIS Appendix Q, Section 3.5, Pages 3.5-20**, "…[i]n addition to a regional analysis, a localized analysis was completed for the construction of the Malabar Yard railroad improvements (see **Appendix F of Final EIS Appendix Q**). The localized analysis showed that onsite emissions would be below the SCAQMD's localized significance thresholds during construction."

The SCAQMD uses the *Localized Significance Thresholds (LSTs) Methodology* to determine localized air quality impacts to sensitive receptors. The *SCAQMD LST Methodology* screens projects from more intensive air quality modeling, such as a hot spot analysis, through the use of mass rate look up tables that have been pre-determined to meet the ambient air quality standards for that location. Localized air quality impacts for the Malabar Yard railroad improvements were evaluated using SCAQMD's *LST Methodology*. Because on-site emissions from the Malabar Yard railroad improvements are below the applicable SCAQMD LSTs, the Malabar Yard railroad improvements would not result in adverse localized air quality impacts. Further, because the Malabar Yard railroad improvements localized emissions during construction and operation are below the applicable SCAQMD LSTs, SCAQMD guidance did not require a separate, hot-spot dispersion modeling analysis. A detailed PM_{10} and $PM_{2.5}$ hot-spot analysis was not completed because the Clean Air Act and 40 CFR 93.116 requirements would be met without an explicit hot-spot analysis.

The commenter's assertion that additional localized emissions modeling should be prepared for the Malabar Yard railroad improvements conflicts with SCAQMD's adopted LST methodology. SCAQMD guidance explicitly states that if calculated emissions for construction activities are below the applicable LST values for NO_x, CO, PM_{10}, and $PM_{2.5}$, no further localized dispersion modeling or health risk assessment is required. The thresholds themselves represent conservative screening levels that ensure compliance with ambient air quality standards.

LSTs are pollutant and location specific thresholds developed by SCAQMD based on allowable on-site project emissions and the size of the project site. They represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards.

If emissions are below LSTs, then the impact to the localized air quality would not be significant. The *SCAQMD LST Methodology Guidelines*[22] state:

> *If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality.*

The mass rate LSTs and associated look up tables provide a practical screening approach, allowing agencies to determine whether a project may generate significant localized air quality impacts without the need for dispersion modeling.

Localized Air Quality Project-Specific Inputs

The analysis in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change)** estimates air pollutant emissions compared to the LSTs set by the distance to the nearest sensitive receptor, Project footprint, and location of the Project. It analyzed whether the emissions exceeded the SCAQMD LSTs established for the Malabar Yard railroad improvements, and it concluded the emissions did not. Therefore, the Malabar Yard railroad improvements would not cause an adverse effect to localized air quality. As shown in **Appendix F of Final EIS Appendix Q**, the localized air quality analysis uses the mass rate look up tables from SCAQMD to determine the appropriate LST for NO_x, CO, PM_{10}, and $PM_{2.5}$ based on the source receptor area, distance to nearest receptor, and Project footprint (Source: Localized Significance Thresholds). The source receptor area used for the analysis is SRA 1 Central LA for the City of Vernon (Source: Source Receptor Areas within South Coast AQMD Jurisdiction | SCAQMD). As specified in **Appendix F of Final EIS Appendix Q**, the nearest receptor (2415-2427 E 53rd St residences) is 403.8 meters away from the Project footprint, which is measured from the outermost boundary of the Project footprint for both design options considered to the receptor location. Since thresholds are provided in the mass rate look up tables[23] for a distance to receptor of 200 meters and 500 meters, the threshold for the Malabar Yard railroad improvements was scaled using a linear interpolation between the two values to account for the nearest receptor location of 403.8 meters.

The Project footprint is approximately 4 acres, however the SCAQMD mass rate look up tables assume emissions for a 1-acre site, a 2-acre site, and a 5-acre site. Inspection of the mass rate LST look-up table shows that for the same source receptor area and distance to receptor, a smaller project site would have a lower LST. Analysis was prepared assuming a 2 acre site to yield a lower and more conservative pollutant threshold. Using

[22] https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=8c641d61_2

[23] SCAQMD. Appendix C – Mass Rate LST Look-up Table. Available at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf?sfvrsn=8e641d61_2

these parameters, while maintaining consistency with the Localized Significance Threshold methodologies,

- the NO_x threshold is set at 162 lb/day;
- the CO threshold is set at 6,834.5 lb/day;
- the PM_{10} threshold is set at 154.7 lb/day and
- the $PM_{2.5}$ threshold is set at 83.7 lb/day.

Localized Air Quality Results

As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Per SCAQMD guidance, since the pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below SCAQMD's LSTs, these pollutants are not considered to be significant air quality impacts and no additional localized analysis is required.

Construction

On-site construction emissions were then calculated using CalEEMod and compared to these LSTs above. As localized emissions were below the LSTs for the nearest sensitive receptor identified in the air quality analysis, impacts to localized air quality would not be significant and no further analysis is required. See **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of the Final EIS Appendix Q**. Localized emissions at any additional sensitive receptors that are further in distance from the nearest receptor would be lower.

Operations

For operations, on-site operational emissions would decrease due to the reduction in train movements (3.15 fewer daily train movements). Therefore, the Malabar Yard railroad improvements would have a net negative contribution to localized operational emissions in the City of Vernon and the Malabar Yard railroad improvements would not result in an increase in localized emissions nor an exceedance of LSTs. Impacts on localized air quality during operations would not be significant and no further analysis is required. (Please refer to **Appendix F of Final EIS Appendix Q , Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19 and Page 3.5-20**).

Implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

Air Quality Calculation Methodology for Overlapping Activities

The commenter states that if the schedule includes overlapping activities (e.g., track removal and grading), the worst-case day should be modeled to verify that concurrent operation of multiple pieces of equipment would not result in a significant localized impact for nearby receptors. Project emissions for the maximum daily on-site emissions of NO_x, CO, $PM_{2.5}$, and PM_{10} were calculated, which included overlapping activities.

As stated in **Final EIS Appendix Q, Chapter 2.0, Section 2.4 (Construction Summary)**, "Table 2-5 provides a summary of the construction duration for each component, the number of construction workers anticipated to perform work on each component, anticipated quantities of materials, and the type of construction equipment that is anticipated to be used throughout construction of the Malabar Yard railroad improvements. As identified in Table 2-5, construction of the Malabar Yard railroad improvements would take up to 18 months ***with various overlapping construction activities for each improvement***." *emphasis added.* Construction phasing assumptions are further detailed in **Final EIS Appendix Q (Appendix D – Section 3.0 (Construction Detail) Page 10 of 57)**:

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	46th St Building Demo	Demolition	8/1/2028	10/30/2028	5	65	
2	49th St Utility Relocations	Trenching	10/31/2028	5/2/2030	5	393	
3	46th St Utility Relocations	Trenching	10/31/2028	5/2/2030	5	393	
4	46th St Connector Track	Building Construction	5/3/2030	9/2/2030	5	87	
5	46th St Realigned Spur Track	Building Construction	7/6/2030	8/7/2030	5	23	
6	49th St Track Replacement	Building Construction	9/3/2030	9/30/2030	5	20	
7	49th St Road modifications	Paving	5/3/2030	11/4/2030	5	132	
8	46th St At Grade Crossing Enhancements	Paving	5/3/2030	7/3/2030	5	44	
9	46th St New At Grade Crossing	Paving	9/3/2030	11/4/2030	5	45	
10	49th St Bollard	Paving	11/5/2030	12/2/2030	5	20	
11	49th St Final Paving	Paving	12/3/2030	12/30/2030	5	20	
12	46th St Final Paving	Paving	12/3/2030	12/30/2030	5	20	

SCAQMD's LST Methodology Approach to Off-Site Emission Sources

The commenter states that the localized emissions analysis should account for haul truck emissions particularly along 46th Street, 49th Street and Soto Street and other local roads, as construction activities include significant hauling activities which may result in significant localized pollutant concentrations.

As previously stated, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. The emissions of concern from both construction and operational activities under SCAQMD's *LST Methodology* are for on-site sources only since a localized analysis examines impacts to nearby sensitive receptors near the Project footprint for the Malabar Yard railroad improvements. Off-site mobile sources (such as haul truck emissions) are addressed in the regional analysis. Additionally, SCAQMD's *LST Methodology* specifically state that, "Off-site mobile emissions from the project should ***NOT*** be included in the emissions compared to the LSTs."[24] *emphasis added.* Therefore, consistent with SCAQMD's *LST Methodology*, emissions associated with off-site haul trucks were not included.

C-5 CHSRA respectfully disagrees with the commenter's opinion that the DEIS/SEIR does not include a localized and regional air quality analysis where emissions are compared to appropriate thresholds established by the SCAQMD. As stated in **Final EIS Appendix Q, Section 3.5, Pages 3.5-20**, "…[i]n addition to a regional analysis, a localized analysis was completed for the construction of the Malabar Yard railroad improvements (see Appendix F). Please refer to **Response to Comments C-3 and C-4** for additional information regarding the regional and localized air quality analyses completed for the Project.

[24] South Coast Air Quality Management District. July 2008. Final Localized Significance Threshold Methodology. page 1-4

CHSRA respectfully disagrees with the commenter's opinion that the DEIS/SEIR only includes the quantification and disclosure of annual emissions. The commenter's assertion that the DEIS/SEIR does not disclose regional and localized air quality emissions and associated impacts is not accurate. Please refer to **Response to Comments C-3 and C-4** for additional information regarding the regional and localized air quality analyses completed for the Project.

The commenter states that if the analysis determines mitigation is required to reduce regional or localized impacts, the DEIS/SEIR should evaluate the feasibility of advanced technologies to reduce emissions, including the use of advanced engine tiers during construction and zero-emission operational rail yard equipment. Please refer to **Response to Comments C-3** for additional information regarding mitigation to reduce air quality emissions.

C-6 Clean Air Act Regulatory Requirements

As stated in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, there are two sets of regulations to implement Clean Air Act (CAA) Section 176(c). The first set promulgated the Transportation Conformity regulations (40 CFR Part 51 and 93), which applies to highway and mass transit projects. The second set of regulations promulgated the General Conformity regulations (40 CFR Parts 6, 51, and 93), which applies to all other federal actions not covered under Transportation Conformity. Because the Project would receive federal funding and is in federal nonattainment for ozone and $PM_{2.5}$ and attainment/maintenance for PM_{10} and CO, a conformity analysis applies.

General Conformity Definition

General Conformity is the pollution prevention and control program that requires a federal agency to assure any proposed activity the agency proposes will conform to the purpose of applicable implementation plans and will not interfere with a State or Tribe's ability to attain and maintain the National Ambient Air Quality Standards (NAAQS) for air quality, as required under Clean Air Act (CAA) section 176(c).

Established under the CAA section 176(c)(4)), the General Conformity regulations at 40 CFR part 93 subpart B play an important role in helping States and Tribes to protect air quality within their jurisdiction and authority that do not meet the NAAQS (nonattainment areas) and areas of vulnerable air quality (maintenance areas).[25]

Applicability of General Conformity

40 CFR Part 93.153(b) Applicability states "a conformity determination is required for each criteria pollutant or precursor where the total of direct and indirect emissions of the criteria pollutant or precursor in a nonattainment or maintenance area caused by a Federal action would equal or exceed any of the rates in paragraphs (b)(1) or (2) of this section."

[25] EPA, 2025. *What is General Conformity?* Available at: https://www.epa.gov/general-conformity/what-general-conformity

The Clean Air Act does not require a hot spot (or localized) analysis for the Malabar Yard railroad improvements. As detailed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the Malabar Yard railroad improvements are subject the General Conformity Rule under the Clean Air Act because the Link US Project (and Malabar Yard railroad improvements) would receive federal funding and the improvements are in federal nonattainment for ozone and $PM_{2.5}$ and attainment/maintenance for PM_{10} and CO.

General Conformity Analysis and Comparison to de minimis Levels

As explained in **Final EIS Volume II, Appendix G (Air Quality and Global Climate Change Assessment)**, the Link US Project's emissions (Build Alternative and Malabar Yard railroad improvements combined) are compared to the *de minimis* emissions levels. **Final EIS Volume II, Appendix G,** includes calculations for both construction and operational emissions at a regional level for the whole Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively). The *de minimis* levels serve as a threshold to determine if a project would cause adverse air quality impacts. Because the Project's emissions are below the *de minimis* levels with implementation of mitigation, no further analysis is required. Therefore, the Link US Project (Build Alternative and Malabar Yard railroad improvements cumulatively) satisfies general conformity requirements, and neither NEPA nor the CAA requires a localized air quality analysis.

Transportation Conformity Regulatory Requirements

Transportation Conformity Definition

Transportation conformity is required under Clean Air Act (CAA) section 176(c) (42 U.S.C. 7506(c)) to ensure that federally supported highway and transit project activities are consistent with (conform to) the purpose of a state air quality implementation plan (SIP). The U.S. Environmental Protection Agency's (EPA) transportation conformity rule (40 CFR 51.390 and Part 93) establishes the criteria and procedures for determining whether transportation activities conform to the SIP. Under the transportation conformity rule, a quantitative PM hot-spot analysis only applies to highway and transit projects that are identified in 40 CFR 93.123(b)(1).[26]

In the NRDC vs. EPA case in 2014, the D.C. Circuit court found that the EPA could not extend the timeline to attain ozone standards and that transportation conformity requirements could not be revoked and still applied to older 1997 Ozone Standards.[27]

Applicability of Transportation Conformity

Transportation conformity does not apply to the Project because the Project does not require Federal Highway Administration (FHWA) and Federal Transit Administration (FTA)

[26] EPA, 2024. Hot-spot Analyses and Project-Level Conformity Determinations. Available at: https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P101BLJT.pdf

[27] U.S. Court of Appeals for the District of Columbia Circuit. (2014). Natural Resources Defense Council vs. Environmental Protection Agency. On Petition for Review of Final Administrative Action of the United States Environmental Protection Agency.

funding or approvals. Furthermore, as described in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, even if transportation conformity applied, "Per the EPA's PM Hot-Spot Guidance and FHWA's Guidance on Mobile Source Air Toxic (MSAT) Analysis, this type of project would not qualify for quantitative dispersion modeling and therefore would not have the potential to result in significant localized emissions." The Malabar Yard railroad improvements would not cause high traffic volumes (140,000 AADT to 150,000 AADT or greater for any local roadway in the City of Vernon), would not be a new or expanded highway project with a significant number of diesel vehicles, and would not worsen traffic-related levels of service (LOS) with implementation of Malabar Yard Mitigation Measures TR-1 through TR-5. Therefore, the Malabar Yard railroad improvements would not fit any of the criteria necessary to require quantitative dispersion modeling, if transportation conformity applied.

Comparison to SCAQMD Air Quality Localized Significance Thresholds (see Response to Comment C-4)

A localized air quality analysis was conducted for CEQA purposes.

As previously described in **Response to Comment C-4** and on **Final EIS Volume III, Response to Comments, Key Issue Response 3, Page 30**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out, and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

Localized impacts during construction

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of the Final EIS Appendix Q**. The commenter mentions DPM emissions during construction as a reason to conduct a construction health risk assessment. DPM emissions are included as part of the PM_{10} emissions (which serve as a subset of DPM)

analyzed in the LST analyses therefore localized air quality is already analyzed and was determined to not be significant.

Localized impacts during operations

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. Therefore, as the Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors, an operational health risk assessment is not needed.

C-7 **Sensitive Receptors Definition**

The South Coast Air Quality Management District's definition of a sensitive receptor is not defined as a location where an individual could remain for one to eight hours. SCAQMD defines sensitive receptors as residences, schools, playgrounds and athletic facilities on school property, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. These are land uses where people stay for extended periods of time, such as 24-hours or more, or land uses where more vulnerable populations (children or people recreating that have higher breathing rates) congregate.

Although the Stacy Medical Center is a healthcare facility, it is not a long-term facility where patients or workers stay onsite overnight, therefore Stacy Medical Center is not considered a sensitive receptor.

The Holy Angels Church of the Deaf is not a sensitive receptor for air quality because churches are not classified as sensitive receptors under SCAQMD's definition. Additionally, the church is located at a greater distance from the Project than the nearest sensitive receptor, which was determined to have no adverse emission impacts. Therefore, the Project would not result in adverse air quality impacts at the Holy Angels Church of the Deaf.

Factories do not qualify as sensitive receptors. Workers at commercial and industrial facilities are not included because these individuals do not remain onsite for 24 hours and because these individuals are not young children or chronically ill with a long exposure time.

Based on the response above, the SEIR or EIS does not need to be recirculated because impacts on sensitive receptors were fully evaluated in the Draft EIS/SEIR and Final SEIR and Final EIS.

Air Quality Impacts on Sensitive Receptors

Additionally, as stated in **Response to Comment C-4**, pollutant emissions for NO_x, CO, PM_{10}, and $PM_{2.5}$ were below the appropriate LST for that pollutant in the screening process. Therefore, based on the SCAQMD LSTs methodology, a dispersion analysis was not warranted. A Health Risk Assessment would analyze the impacts from diesel particulate matter (DPM) through an air dispersion analysis, using PM_{10} as a surrogate for DPM. The LSTs include a threshold for PM_{10} so this pollutant is already covered in the LST analysis. As stated in **Response to Comment C-6**, if calculated emissions are below LSTs, then the proposed activity is not significant for air quality. No additional analysis in the form of dispersion modeling as part of a health risk assessment is required. The purpose of a health risk assessment is to determine the pollutant concentrations and risk to sensitive receptors. Because the Project has already made the determination that the Project is not significant for air quality through SCAQMD's *LST Methodology*, a health risk assessment is not required in order to determine the impact to air quality.

C-8 **Freight Rail Operations in Proximity to Sensitive Receptors**

As previously described on **Final EIS Volume III, Response to Comments, Page 30**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street. The number of train movements along the Harbor Subdivision would reduce from 4 daily train movements to 0.85 daily train movements in the future condition would have corresponding benefits within the entire City of Vernon. As such, the Project would not result in increased emissions occurring in close proximity to the Vernon City School.

C-9 As stated in **Response to Comment C-8**, the Malabar Yard railroad improvements will decrease overall rail operations in the City of Vernon, which would more than offset any increase in emissions from locomotive idling. As presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

It can be assumed locomotive idling would be reduced on the west side of the City of Vernon because train building would occur within a designated rail yard at Los Angeles Junction. Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**.

Please refer to **Response to Comment C-4** regarding a localized analysis and a health risk assessment.

C-10 As stated in **Response to Comments C-6 and C-8**, freight rail activity would shift away from sensitive receptors, which would result in a decrease of DPM exposure at those sensitive receptor locations. While the Project is located in an industrial area, the analysis uses conservative assumptions for locomotive and truck activity for the regional analysis and falls below SCAQMD's recommended screening-level thresholds in the localized air quality analysis. These thresholds are designed to ensure compliance with ambient air quality standards even in areas with existing industrial activity. In addition, the Project would reduce overall train movements in the City of Vernon, which would reduce air toxins in the City of Vernon and be beneficial to any sensitive receptors.

Cumulative Air Quality Impacts

When considering cumulative effects, the cumulative projects are shown in **Final EIS Volume I, Section 3.16 (Cumulative Effects), Table 3.16-2**. The Project, as a whole, would provide an alternative mode of transportation and reduce regional traffic so it would help the region attain its air quality standards. Furthermore, SCAQMD does not require cumulative health risk assessments for CEQA projects unless the Project itself exceeds localized significance thresholds or triggers specific toxic air contaminant thresholds and has the potential to exceed risk thresholds in combination with past, present and probable future projects. Because the Project would reduce overall train movements in the City of Vernon, the cumulative health risk in the City of Vernon would be less with the Project compared to the No Build Alternative.

C-11 Malabar Yard construction emissions were re-calculated using CalEEMod version 2020.4.0., as noted on **Final EIS Volume II, Appendix G (Air Quality and Global Climate Change Assessment), Page 45, footnote 7**.

C-12 As the commenter stated, the use of the updated CalEEMod is not required due to the NOP date of May 2016. As such, emissions will not be recalculated using the updated version. Additionally, emissions using CalEEMod 2022.1 would show similar emissions and impact conclusions would not change.

C-13 The DEIS/SEIR fully complies with CEQA and NEPA requirements. **Response to Comments C-3 and C-4** discuss regional and localized air quality analyses completed for the Project and proposed mitigation measures to reduce potential impacts to less than significant levels. **Response to Comment C-6** addresses the reduced health risks at

identified sensitive receptor locations. As discussed in **Response to Comment C-7**, Stacy Medical Center is not considered a sensitive receptor because it is not a long-term healthcare facility. **Response to Comments C-8, C-9, and C-10** further address the reduction in rail operation emissions due to freight activity shifted away from sensitive receptors. Therefore, a construction or operational health risk assessment is not required.

Exhibit "D": Memo re: Technical Adequacy of Link US FSEIR Responses to City of Vernon Transportation Comments

D-1 Comment responses to the report authored by Lochner are herein referred to and included in Exhibit "D".

D-2 The Project understanding summary presented in this report is confirmed.

D-3 The passage provided from the Final EIS is confirmed.

D-4 As discussed in the **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-A**, Mitigation Measure TR-3 would minimize the adverse effect by offsetting the loss of storage tracks at the BNSF West Bank Yard. Impacts to the BNSF West Bank Yard are different than a typical brick and mortar commercial/industrial business because the BNSF West Bank Yard is along the National Good Movement corridor and provides space for critical freight operations that support local, state, and national commerce. Project related effects on freight would result in loss of storage track capacity that would create operational inefficiencies or increased congestion on the shared passenger/freight rail network in the region. The removal of storage tracks at the BNSF West Bank Yard is considered an adverse effect that requires mitigation, whereas impacts to brick and mortar commercial/industrial businesses are addressed via Metro's Relocation Assistance Program and the Uniform Relocation Act.

The claim that the main purpose of Mitigation Measure TR-3 is to move "train building" from the BNSF West Bank Yard to the Vernon area is inaccurate. As discussed in the **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-11**, the total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer train movements and relocated "train building" improves citywide circulation.

The main purpose of Mitigation Measure TR-3 is not to move train building from BNSF West Bank yard to Vernon. A key secondary benefit of the Malabar Yard railroad improvements is that fewer train building activities would occur over City streets and within the Los Angles Junction rail yard thereby contributing to a citywide circulation improvement.

D-5 Comment noted and does not require further response.

D-6 The **Final EIS Volume III, Response to Comments, Key Issue Response 2** includes clarifications to the information presented in the **Final EIS Appendix Q, Chapter 2.0,** regarding freight railroad operations. All of the information and analysis of typical freight railroad operational patterns, and the conclusions in the Final EIS are based on a combination of historical data, stakeholder input, and expert analysis. The information collected from BNSF as it relates to the affected train routes, train lengths, consolidated freight operations, and reduced train frequencies is summarized in **Key Issue Response 2**.

As shown in **Final EIS Volume III, Response to Comments, Key Issue Response 2, Table 2**, 8 daily train movements occur on the affected routes considered (**Final EIS**

Volume III, Figure 7), and in the future condition, a total of 4.85 daily train movements would occur on these same affected routes (**Final EIS Volume III, Figure 8**). As shown in **Final EIS Volume III, Table 2**, the total daily frequency of train movements in the City of Vernon (Net Change) is reduced by 3.15 train movements per day and half of the train movements would occur at night. **Final EIS Volume III**, **Figures 7 and 8,** depict the existing and future daily train movements on the affected routes. Fewer train movements and relocated "train building" improves citywide circulation. Please refer to **Response to Comment AGE 3-11** for a discussion of city connectivity.

Trains would be 3,000 feet in the existing and proposed condition. Speeds would also remain the same for existing and proposed condition.

Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

As presented in the **Final EIS Appendix Q, Section 3.3 (Transportation), Page 3.3-10** and **Key Issue Response 2**, a queuing analysis was prepared at six locations in response to stakeholder engagement activities to determine whether the existing travel lane storage capacity is adequate to accommodate the queue formations generated from redistributed traffic. The results of the queuing analysis demonstrate for the Opening Year (2024), no increase to the queue formation would be attributable to the Malabar Yard railroad improvements with exception of northbound through movements at Railroad Crossing #4 where there is 20 feet of incremental addition to the existing queuing that already occurs. The increase in queue formation is not considered a substantial change for two main reasons:

- The additional 20 feet of queue formation translates into less than a vehicle of queue since one vehicle queue is 25 feet; and
- Because the added queue can be adequately accommodated with the current configuration of the roadway and it would take only one cycle of phasing to clear out the additional 20 feet of incremental addition to the existing queuing that already occurs without the need for any further improvements in lane configuration.

During coordination meetings with the City of Vernon staff after the close of the public comment period, queuing Downey Road was raised as a topic of concern. At Railroad Crossing #6 (Downey Road south of Vernon Avenue), the queue formation already exceeds the storage capacity in the existing condition (see **Final EIS Appendix Q, Section 3.3 (Transportation), Table 3.3-10**) and would continue to exceed the storage capacity during the 2024 No-Build scenario. The queue formation on Downey Road south of Vernon Avenue in the northbound through and southbound through direction remains the same during AM and PM peak hours.

With the Malabar Yard railroad improvements, fewer trains would operate in the City and half of the train movements would occur at night, which have very little to no impact on traffic. For trains operating during the day, if a train movement occurs during the AM and PM peak periods, there could be some effect, but trains are not anticipated to operate at the same time every day and are not all occurring during the AM or PM peak periods. The hourly schedule to service Vernon customers fluctuates and is variable throughout the week based on customer demand.

The improvements would not inhibit access because driveway modifications and other site design elements are proposed to maintain access so affected businesses can remain open throughout operations.

D-7 The topic of train crossing emergency access blockage has been addressed in the **Main Letter Response to Comment 43**, as well as in **Final EIS Volume III, Response to Comments, Key Issue Response 4**.

As discussed in the **Main Letter Response to Comment 43**, after the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon. Comments pertaining to emergency response times are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**. Metro performed an extensive emergency response analysis in coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Revised scenarios were conducted based on the feedback received form the Vernon Executive Leadership Team and Police Chief Sousa. No objections or dissatisfaction with the analysis results were received.

Based on the comprehensive quantitative analysis performed, the total daily delay that could potentially occur to an emergency response destination would be 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in **Final EIS Volume III, Response to Comments, Table 4**, the total daily delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction of total daily delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain

a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

D-8 Fewer trains would operate in the City of Vernon and all trains would be 3,000 feet consistent with the existing condition. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the v/c ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, the Malabar Yard railroad improvements would not exacerbate congestion on streets in Vernon, including Vernon Avenue and Downey Avenue or contribute to delays in product shipments. Malabar Yard Mitigation Measures TR-2 through TR-5 were modeled to verify that the proposed mitigation measures would fully mitigate the adverse effect related to traffic delay.

D-9 The topic of train length and speed is addressed in the Main Letter Response to Comment 30, as well as in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. As discussed in the **Main Letter Response to Comment 30**, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of length of trains which are 3,000 feet in the existing and proposed condition.

Assuming 3,000-foot trains would operate on any given day, daily intersection delay/blockage would be reduced by over 1 hour and 20 minutes. This reduction is based on the assumption that in the existing condition trains would operate with the same length (3,000 feet) without the Malabar Yard railroad improvements.

D-10 The comment provided is merely a repeat of a City request with no technical details to provide further response. Please refer to **Response to Comment D-6**.

D-11 CHSRA respectfully disagrees with the commenter's opinion that the Project is not consistent with the City of Vernon's General Plan, specifically the Circulation and Infrastructure Element. The commenter states that the Project needs to provide grade separations to replace the at-grade crossings. Please refer to Main Letter Response to Comment 10 for additional information related to the Project's consistency with the City of Vernon's General Plan and the provision of grade separations.

D-12 Comment acknowledged. Additional comments are addressed herein and included in Exhibit "D".

D-13 The Final EIS and Final SEIR appropriately address operational changes associated with the relocation of storage capacity from BNSF's West Bank Yard to the Vernon area. In the existing condition, BNSF trains carrying empty bare tables leave BNSF Hobart and Commerce yards to drop off and store those empty bare tables at the BNSF West Bank Yard. When needed BNSF then runs trains to bring empty bare tables from BNSF West Bank Yard to BNSF Hobart and Commerce yards.

In the future condition, BNSF will continue to operate trains between BNSF West Bank Yard and the BNSF Hobart and Commerce Yards as they do in the existing condition after implementation of the Link US Project; but due to the reduction in BNSF West Bank Yard storage capacity a portion of those bare tables stored at West Bank Yard will no longer be able to be stored at the BNSF West Bank Yard. Upon implementation of the Link US

Project, some empty bare tables, which today are stored at the BNSF West Bank Yard, will need to be stored at the BNSF Malabar Yard instead. Those empty bare tables being stored at Malabar Yard would be carried by BNSF trains from BNSF Hobart and Commerce Yards and dropped off and stored at Malabar Yard. Then when needed BNSF would run trains to bring those empty bare tables from Malabar Yard to BNSF Hobart and Commerce Yard. This operation between Malabar Yard and Hobart or Commerce Yards would be in addition to and would complement the operations between the West Bank Yard and Hobart and Commerce Yard, given the reduction in capacity at the West Bank Yard. This does **not** necessarily result in increased train traffic along the Harbor Subdivision for the following reasons:

- **Purpose of Malabar Yard Railroad Improvements.** The improvements are intended to preserve existing levels of freight service, not to increase overall train volumes. The Project provides alternative storage for some of the trains that previously used the BNSF West Bank Yard, ensuring continuity of current operations rather than introducing new train movements.
- **No Change in Routing Patterns.** Train traffic along the Harbor Subdivision would be reduced as the amount of relocated storage from BNSF West Bank Yard to Malabar Yard is less than the amount of local customer service moving from Malabar Yard to Los Angeles Junction.
- **Train Building Activities.** While train building at Malabar Yard may temporarily occupy local roadways, these activities are not counted as additional train trips beyond those included in the analysis. The Malabar Yard railroad improvements would substantially reduce the train building activities that currently occur on local roadways north of Malabar Yard.
- **Train Length and Crossing Time.** The analysis applied standard train length and speed assumptions consistent with BNSF operational data. Consolidation of freight service does not inherently increase train length beyond what is already typical for existing operations because some cars are handled multiple times today. Crossing delay estimates therefore remain valid and conservative.

Existing and future train movements on affected routes, train lengths, and speeds were obtained from BNSF for the Project. This information was used in the queuing analysis for each of the at-grade grade crossings included in the analysis. BNSF's operational data reflect actual train volumes and routing under both existing and projected conditions. If the data do not show additional movements along the Harbor Subdivision, it is reasonable to conclude that the Malabar Yard railroad improvements do not create new demand for that corridor. Railroads operate under strict efficiency and cost constraints, and unnecessary routing changes would not occur without operational need. BNSF is the primary operator and has the best available information on routing and storage needs. Their data are the most accurate source for determining train volumes and crossing impacts, and reliance on this data is reasonable, consistent with regulatory guidance, and reflective of operational realities.

The consolidation of freight customer service in the City of Vernon will result in operational efficiencies reducing the number of trains needed through the City.

D-14 CHSRA respectfully disagrees with the commenter's opinion that the EIS uses invalid assumptions for its emergency access analysis. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4**. The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the city are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision would be reduced from 4 existing daily train movements to 0.85 daily train movements (please refer to **Key Issue Response 2, Table 2 and Figures 7 and 8**). Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision. In consideration of the train movements shown in **Final EIS Volume III, Response to Comments, Key Issue Response 2, Table 2 and Figures 7 and 8**, the total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer train movements on the Harbor Subdivision would increase opportunities for enhanced community connectivity.

As discussed above, in response to inquiries related to queuing and traffic congestion at the railroad crossings from Soto Street to Los Angeles Junction, a calculation was performed that demonstrates trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am). Considering the heavy presence of existing freight trains operating in the City already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, and the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, no adverse effect related to division of communities or reduced community connectivity would occur.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an extensive emergency response analysis in coordination with the City of Vernon. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. Based on the comprehensive quantitative analysis performed, the total daily delay that could potentially occur to an emergency response destination would be 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in **Final EIS Volume III, Response to Comments, Table 4**, the total daily delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction of total daily delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above

demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

D-15 The physical changes at Malabar Yard and change in train operations due to the proposed Malabar Yard railroad improvements was taken into consideration for the queuing analysis. BNSF had provided the change in number of daily trains, routes, speed and train lengths due to the Project at Malabar Yard. Therefore, the queuing analysis does capture these changes in the train operations and the traffic related impacts in terms of queuing.

D-16 The train related information used for the analysis are not 'assumptions' but estimates that BNSF had shared for use in the environmental evaluation. BNSF had shared the information such as number of trains, train lengths, speed, and train routes once the Project is operational.

The train-related assumptions are used from the information that was provided by BNSF during the development of the traffic analysis. This information was updated by BNSF based on the changes in the train operation due to relocation of train operations from BNSF West Bank Yard to Malabar Yard. The train length, speed, and frequencies were updated by BNSF in 2024 and presented in **Final EIS Volume III, Introduction and Final EIS Appendix Q, Section 2.2**. BNSF analyzed the change in train operations due to the proposed Project and developed the estimates for number of trains, routes, train length, speed etc. based on their analysis. BNSF is the primary operator and has the best available information on routing and storage needs. Their data are the most accurate source for determining train volumes and crossing impacts, and reliance on this data is reasonable, consistent with regulatory guidance, and reflective of operational realities.

The speed of the train is not a factor in the calculation of 1.7 minutes. The 1.7 minutes per train in delay to emergency response time refers to the additional time needed to respond when a train is blocking the crossing and responders then reroute around the intersection as opposed to waiting for it to clear. These calculations were made based upon routes and routing presented and coordinated with the City of Vernon prior to finalizing for inclusion in the Final EIS (**Final EIS Volume III, Introduction Jey Issue Response 4**).

D-17 The best available vehicular traffic data from 2020 was collected and adjusted based on historical traffic data. The methodology used to adjust the raw 2020 traffic counts was presented and approved by the City in 2020 before being used for the traffic analysis. The assumption that better data is now available is unreasonable since the data used from 2020 was adjusted to reflect the conservative traffic conditions from that period. The traffic analysis was conducted in 2020 and hence the existing baseline conditions for the Malabar Yard railroad analysis is the year 2020. Typically, the traffic data is used for existing conditions during the time of the traffic study. The availability of better traffic data in future years doesn't mean that the older data should be replaced. This is standard industry practice.

D-18 Please refer to **Response to Comment D-11** above.

D-19 The traffic impact analysis has analyzed all the traffic impacts that due to the change in train operations due to the proposed Malabar Yard railroad improvements. Both

improvements were analyzed in the traffic analysis. The change in traffic circulation due to the closure of 49th Street Closure and the 46th Street Connector was analyzed along with its impact on the train operations. BNSF had adjusted the train operations information to reflect the change in operations due to the relocation of train operations from the BNSF West Bank Yard to Malabar Yard. The train information was used in the queuing analysis.

D-20 See **Response to Comment D-14** above regarding the train length intersection/driveway blockage analysis.

D-21 The topic of the Malabar Yard railroad improvements consistency with the City of Vernon General Plan was addressed in **Main Letter Response to Comment 10** and **Response to Comment D-11**, as well as in the **Final EIS, Volume III, Response to Comments**. As discussed in **Response to Comment D-11** response, **Final EIS Appendix Q, Section 3.2 (Land Use and Planning), Table 3.2-2** provides an evaluation of the railroad improvement's consistency with applicable plans, policies, and programs, which is required under 40 CFR 1502.16(c). Consistency of the City of Vernon General Plan (Amended 2015) with the Malabar Yard railroad improvements is analyzed within this table, including Policies CI-1.2, CI-1.3, and CI-1.5 and was overall found to be consistent with applicable general plan policies.

Additionally, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access.

D-22 The Final SEIR has addressed all the possible traffic related impacts due to the proposed Project and the change in train operations due to relocation of train operations from BNSF West Bank Yard to Malabar Yard. All assumptions in the traffic study were in consultation with the City of Vernon, BNSF, and Metro.

Exhibit "E": Environmental Evaluation for Malabar Yard Railroad Improvements – Noise Section 3rd Party Review

E-1 The comment provides an introduction to Urban Crossroads, Inc.'s review of the Environmental Evaluation for Malabar Yard railroad improvements - Noise Section. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

E-2 The comment provides an accurate summary of the Project background. The comment does not contain questions associated with the environmental analyses or conclusions contained within the Final EIS.

E-3 The comment provides a summary of Urban Crossroads, Inc.'s review findings of the Environmental Evaluation for Malabar Yard Railroad Improvements - Noise Section.

- Bullet Item 1: CHSRA and Metro agree with the finding that the Environmental Evaluation for Malabar Yard railroad improvements - Noise Section analyzes noise and vibration impacts related to both temporary construction activity and long-term operation of the Project.
- Bullet Item 2: CHSRA and Metro agree with the finding that the noise analysis states the nearest residences are located over 1,000 feet from the Project boundary.
- Bullet Item 3: CHSRA and Metro agree with the finding that construction of the Malabar Yard railroad improvements would include the following construction phases: demolition (if required), site preparation, grading, building construction (if required), paving, and architectural coatings.
- Bullet Item 4: CHSRA and Metro find this finding inaccurate. Roadway traffic is present in the area but it may not always be the dominant noise source. The analysis area includes other sources of noise including what we assume are those from various industrial uses in the area as well as those from the activity along the existing railroad infrastructure.
- Bullet Item 5: CHSRA and Metro agree with the finding that the noise and vibration analysis relies on the FHWA Roadway Construction Noise Model (RCNIM) input and the Federal Transit Authority (FTA) methodologies.
- Bullet Item 6: CHSRA and Metro agree with the finding that due to the absence of noise-sensitive receivers within 1,000 feet of the Project boundaries, a detailed analysis of noise impacts was not required based on FTA methodologies.
- Bullet Item 7: CHSRA and Metro agree with the finding that the analysis provided a qualitative assessment of operational noise and vibration impacts and a partially quantitative analysis of construction noise and vibration impacts.

E-4 The commenter is correct that the analysis is limited to the Project footprint (Project boundaries); however is incorrect that the analysis ignores operational changes within Malabar Yard. The entire Malabar Yard is not part of the Project footprint because no

physical improvements would extend to the entire yard limits. The Final SEIR and Final EIS addresses the operational changes with the consolidated freight service, and these changes would extend along the Harbor Subdivision and the San Bernardino Subdivision – there is no requirement to extend the Project footprint along these corridors for the same reason there is no requirements to extend the Project footprint to the limits of Malabar Yard. Nonetheless, an analysis of noise and vibration indirect impacts was conducted beyond the footprint. It identified only a beneficial effect of less train noise along the Harbor Subdivision north of Malabar Yard. See **Final EIS Appendix Section 3.6, Pages 3.6-9 to 3.6-10**.

Pursuant to the Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment* manual, the 1,000-foot buffer applies to areas that are unobstructed to the Project, and a 650-foot buffer applies to areas that are obstructed. FTA and Federal Railroad Administration (FRA) guidelines include a screening level assessment that is used to establish whether a more detailed analysis should be conducted. The Project alignment would be considered obstructed; therefore the 650-foot screening distance applies. For the Malabar Yard railroad improvements, the Project system is considered a yard and therefore has different screening distances than the Build Alternative, which is considered a commuter main line. This screening assessment was performed and, per the FTA and FRA guidelines, no noise -sensitive land uses are located within 1,000 feet of the proposed 46th Street Connector and 49th Street Closure (without obstructions) or within 650 feet from the proposed Malabar Yard rail railroad improvements (with obstructions).

E-5 A detailed noise assessment is not required per the applicable FTA and FRA guidelines, however, an evaluation was performed to demonstrate the predicted noise and vibration levels in the vicinity of Malabar Yard railroad improvements. Construction assumptions were provided for both the noise and air quality analyses. FTA's guidelines for assessment of construction noise, as per the methodology in Section 7 of the FTA manual and Chapter 10 of the FRA manual, which are identical to one another, were considered, although a detailed assessment was not performed because there are no noise or vibration-sensitive land uses within the designated screening distances for the Malabar Yard study area.

It is noted in **Final EIS Appendix Q, Section 3.6 (Noise and Vibration)** that noise from construction activity is generated by the broad array of powered, noise-producing mechanical equipment used in the construction process. This equipment ranges from handheld pneumatic tools to excavators, loaders, a variety of trucks, and tie and rail handling equipment. Construction equipment required to implement the Malabar Yard railroad improvements include trucks, loaders, rollers, mobile cranes, ballast tampers, generators, and other items. Nonetheless, it will be up to the construction contractor to identify the exact methods to which they would use to construct the Malabar Yard railroad improvements. At the time appropriate local permits are obtained, any requirements that the City of Vernon may have that are applicable to the Project, including reasonable times of day when construction can take place, would be considered and accounted for.

E-6 The commenter is referring to the part of the analysis on **Page 3.6-9 of Final EIS Appendix Q**, which states that "any combination of design options for the Malabar Yard

railroad improvements would not result in a change to the track alignment or in how the yard or trains using the yard operate. The 46th Street connector would be located between two active rail lines. Therefore, there would be no perceptible change in operational noise under either design option. The Malabar Yard itself would operate similar to how it is currently used; except intermodal empty bare tables would be stored there instead of merchandise cars for customers. Less train building would also occur north of Malabar Yard because this activity would occur within the limits of Los Angeles Junction yard.

Please refer to **Response to Comments E-4 and E-5**. As previously indicated, a detailed noise assessment is not required per the applicable FTA and FRA guidelines because no noise -sensitive land uses are located within 1,000 feet of the proposed Malabar Yard rail line along the 46th Street and 49th Street intersection with Malabar Yard (without obstructions) or within 650 feet from the proposed Malabar Yard rail line along the 46th Street and 49th Street intersection with Malabar Yard (with obstructions).

E-7 Please refer to **Response to Comment E-6** above.

Exhibit "F": Email between Kevin Wilson and BNSF Project Engineer Greg Rousseau

F-1 Exhibit "F" is e-mail correspondence between former Vernon Public Works Director Kevin Wilson and BNSF Project Engineer Greg Rousseau, dated September 27, 2006. It seems to provide background evidentiary support for the proposition when BNSF had identified some similar project designs for facilitating freight rail transportation as early as 2006.

CHSRA Board of Directors Meeting Comments – Received 11/20/25

Comment Transcription and Response to Comments

Responses to Comments Received During CHSRA Board of Directors Meeting on 11/20/25

1. Lilia Hernandez

Lilia Hernandez with the City of Vernon. Vernon is a small city located in southeast Los Angeles. We are a vibrant community where neighborhoods thrive alongside more than 1,500 businesses and a population of 50,000 workers that travel into the city daily. The plan to expand Malabar Yard by closing 49th Street and adding a new rail connector on 46th Street would essentially divide the city into quarters, cutting off vital arteries used daily by businesses, workers, commuters, residents, and first responders. The Malabar Yard modifications will impact air quality and directly affect our elementary school, church, Civic Center, homes, and a new residential apartment complex development all located within about 700 feet of BNSF storage tracks at Malabar Yard but left out of the study area. Metro's proposal accommodates BNSF rather than prioritizing the well-being of our community. Vernon is at the heart of Los Angeles County, an area of working class and lower-income families that at present face a disproportionate share of environmental impact. However, accommodations for BNSF, a private entity, should not come at the expense of our city and our community. Thank you.

Response:

CHSRA and Metro recognizes the unique economic and industrial importance of Vernon, with its employees, businesses, and interconnected network of operations.

During the Draft EIS/SEIR public comment period, comments were received expressing a perception that the Malabar Yard railroad improvements would result in more trains traveling through the City of Vernon and that the closure of 49th Street and addition of the 1,000-foot connector track would physically divide the community. After the close of the Draft EIS/SEIR public comment period, in response to public and agency comments related to physical division of the community, additional analysis was completed and incorporated into the Final EIS to demonstrate no adverse effect related to division of communities or reduced community connectivity would occur. Clarifications were made in the Final EIS as summarized below:

- As discussed in **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-11,** the BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening of the Alameda Corridor in 2002, the BNSF Harbor Subdivision also provided connectivity between the local ports and national railroad networks. Please refer to **Final EIS Appendix Q, Section 1.0, Figure 1-2** for the location of the Harbor Subdivision.
- In the 1920s, the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.

- As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 4**, the proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the city are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned, would be reduced from 4 existing daily train movements to 0.85 daily train movements. Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned.
- As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2, Table 2 and Figures 7 and 8**, the total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer daily train movements would reduce existing gate down time that temporarily restricts vehicular, bicycle, and pedestrian circulation in the community. **Table 2-4** was added to **Final EIS Appendix Q, Chapter 2.0** to reflect this information.
- As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2, Table 2,** in response to inquiries related to queuing and traffic congestion, a calculation was performed that demonstrates trains using the 46th Street Connector track (from Malabar Yard to Los Angeles Junction) would block a driveway (or an intersection) approximately 2 percent of the day, half of which would occur during the night (7pm-2am). **Table 2-4** was added to **Final EIS Appendix Q, Chapter 2.0** to reflect this information.

Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, and that access to all properties throughout the community would be maintained or replaced, no direct adverse effect would occur during operation.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between

the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

Malabar Yard Mitigation Measure TR-1 requires a Traffic Management Plan to be prepared and implemented, clearly marked detours to be implemented, and advanced notice be provided to nearby residences, emergency service providers, public transit and bus operators, the bicycle community, businesses, and organizers of special events. The Traffic Management Plan requires traffic flow to be maintained to the safest degree feasible and the City of Vernon to be notified in advance of street closures, detours, or temporary lane reductions. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, to address the impacts related to traffic delay that would occur at three intersections and one roadway segment (Fruitland Avenue), Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) are proposed to maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all level-of-service-related traffic impacts.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** for a discussion related to sensitive receptors considered in the air quality analysis performed for potential impacts related to vehicle idling associated with the Malabar Yard railroad improvements.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission

levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

Localized impacts during construction

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

Localized impacts during operations

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

2. Brian Saeki

Good morning, I'm Brian Saeki, the City Administrator for the City of Vernon. Thank you, Chair Richards and members of the board for allowing us to address you this morning. Let me affirm that the City of Vernon strongly supports the Link US project and recognizes the regional benefits it will bring. However, the proposed expansion of Malabar Yard presents significant and unacceptable impacts for the City of Vernon. As it's currently designed, the expansion would increase traffic congestion, slow emergency response times, elevate pollution and noise levels, and ultimately diminish the quality of life for residents, workers, and businesses in our community. Today, our request is simple, reasonable, and focused. Remove the Malabar mitigation from the project scope. It disproportionately impacts our community and the mitigation cannot be properly justified. The Vernon community loudly voices concern about the Malabar Yard mitigation.

October 23rd meeting, um... where the board asked BNSF and Metro to speak to the staff. It's been over a month. We haven't heard from anybody. We're in the dark still. Significant concerns

there. Again, our request is straightforward. Please remove the Malabar Yard mitigation from your study. Uh, despite any suggestions to the contrary, this action is fully within your discretion as the lead agency for the NEPA process. Thank you.

Response:

CHSRA and Metro acknowledge both the commenter's support for the Project and additionally the request for the removal of the requirement to expand Malabar Yard and Vernon.

Comments pertaining to traffic, increased pollution, and public safety response times and emergency vehicle access are addressed in **Final EIS Volume III, Response to Comments, Key Issue Responses 2, 3, and 4, respectively.**

In regard to traffic congestion, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2**. As discussed in that response, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/ Santa Fe Avenue - construction, Santa Fe Avenue/ Pacific Boulevard – construction and operations, Pacific Boulevard/ Fruitland Avenue - operations, and Fruitland Avenue - operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts. As such, increased traffic congestion would not occur.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day.

The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality

sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

Regarding increased noise, the closest noise and vibration sensitive land use is a place of worship (Holy Angels Church of the Deaf, FTA Category 3 use) located at 4433 South Santa Fe Avenue, west of Malabar Yard and south of the Vernon Avenue/Pacific Boulevard intersection. The church is located behind intervening buildings and is outside of the 1,000 foot FTA screening distance as depicted in **Final EIS, Appendix Q, Section 3.6, Figure 3.6-1**. Construction of the Malabar Yard railroad improvements would occur in phases over an approximately 18-month schedule and would result in temporary periods of elevated noise levels primarily during daytime hours. **Final EIS Appendix Q, Section 3.6, Table 3.6-2 and Table 3.6-3** provide the predicted daytime noise level at various distances for both the 46th Street Connector and 49th Street Closure, respectively. The daytime construction noise impact criterion is 80 A-weighted decibels (dBA) equivalent continuous sound level (Leq) and construction noise is predicted to attenuate to this level at approximately 150 feet from the loudest construction phase (track installation). Since there are no noise-sensitive land uses within 150 feet, no direct adverse effect would occur during construction.

The Malabar Yard railroad improvements would create additional storage capacity and operational efficiency but would not result in a change to the track alignment of Malabar Yard or in how the yard or trains using the yard operate. The 46th Street connector would be located between two active rail lines (West Seville Connection and East Seville Connection). Therefore, there would be no perceptible change in operational noise because trains already operate on these two lines each day. No direct adverse effect would occur throughout operation.

The consolidation of freight train movements in Vernon would result in 3.15 fewer trains operating along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street. This reduction of train movements would result in a benefit of less train noise and vibration-related annoyance to nearby noise/vibration sensitive receptors that are currently present, in addition to future noise/vibration sensitive receptors that may be present upon the City of Vernon's implementation of the 2023 Vernon Westside Zone Change and General Plan Amendment. In this context, a beneficial indirect adverse effect would occur throughout operation. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Pages 3.6-10 and 3.6-17**.

Fewer train movements in Vernon in addition to Metro's eleven proposed Offsetting Mitigation Measures (OMMs), would contribute to enhanced quality of life (see **Final EIS Appendix Q, Section 3.16, Section 3.16.9**). Metro is committed to continuing the ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements and develop solutions that preserve the city's economic vitality. Specifically, the following OMMs, proposed beyond mitigation measures to reduce potential environmental impacts, would enhance quality of life.

- OMM MY NV-1 and OMM MY NV-2: Quiet zone infrastructure would contribute to reduced train horn noise, improved quality of life for existing residents in nearby areas (minority communities), and reduced disruption to the Vernon City Elementary School and Holy Angels Church of the Deaf. It would also reduce impacts to noise-sensitive businesses

that may be located in the area. Additionally, the railroad safety measures would optimize safety for vehicles and pedestrians at exiting at-grade railroad crossings.

- OMM MY SS-3: the communication and radio systems upgrades would improve public safety, emergency response, and overall quality of life in the community by maximizing inter-and intra-agency coordination and communication abilities more efficiently during critical situations.
- OMM MY TR-9: Bus shelters would provide protection from weather and sun, making waiting for a bus more comfortable for passengers, further supporting their mode choice and reducing VMT within the community. Improved transit amenities and ridership within a developing area would enhance connectivity during both construction and operations and improve quality of life in the City.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[1] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

3. Robert Sousa

Good morning. Chair and members of the board, my name is Robert Sousa, and I am the Police Chief for the City of Vernon. I have been a law enforcement officer in that city for over 28 years, and I know Vernon’s unique street networked emergency response roots intimately. For decades, Vernon has worked to minimize at-grade train crossings as reflected in the general plan to protect emergency response times. The proposed Malabar Yard expansion directly conflicts with the planning and undermines the very foundation of emergency management and response. The 46th Street crossing is at-grade and will create lengthy, unpredictable delays, and we cannot accept the uncertainty of train lengths and crossings without agreement would BNSF. The EIS SEIR misstates how emergency response occurs in Vernon. No consideration is given to east-west bound train movement between Malabar and LA Junction. These movements will create potential delays along our north and south streets. What I do agree with in the EIS SEIR is the report’s conclusion that the project could impede access for emergency response. Public safety must

[1] 2025-0931 - MALABAR YARD MITIGATIONS AND CONTINUED COLLABORATION MOTION - Metro Board

remain the highest priority in any regional transportation project. We support Metro's goal of improved mobility, but never at the expense of safety of our residents, workforce, and first responders. Thank you.

Response:

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon. Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, the traffic study area does not include intersections or roadway segments between Soto Street and the Los Angeles Junction because the Malabar Yard railroad improvements would not generate new traffic trips and would only result in localized redistribution of existing traffic (**Final EIS**

Appendix Q, Section 3.3 (Transportation), Page 3.3-9). Trains currently operate across Pacific Boulevard/Vernon Avenue, Pacific Avenue and 46th Street, Seville Avenue, Soto Street, 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road. No operational changes along the East Seville Connection and Hobart Yard/Los Angeles Junction Connection routes would be attributable to the proposed Malabar Yard railroad improvements; therefore, traffic analysis was not conducted at those corresponding intersections.

For 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road, the four additional train movements that would pass these intersections for BNSF to serve customers on the west side of the City of Vernon (Exxon and West Seville), two movements would occur at night (7:30pm to 2:00am) and two movements would occur during the day (6:30am to 2:00pm). Based on the queuing analysis performed and in response to property owner questions raised in January 2025, Metro conducted a calculation to determine the percentage of time in a 24-hour period that the four additional train movements per day (and the two existing trains movements) may block access to a driveway on 46th Street, which can also be used to demonstrate the overall percentage of time trains may block an intersection along the East Seville Connection from Soto Street to the Los Angeles Junction where a detailed traffic evaluation was not conducted (44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road). The calculation assumes 6 train movements per day, with a 3,000-foot train plus 500 feet on either end for gate activation and clearing, traveling at 10 miles per hour, and demonstrates that trains would block a driveway (or an intersection) approximately 2 percent of the day and half of all trains would operate during the night (7:30pm to 2:00am).

Based on consideration of context and intensity, no adverse effect would occur related to traffic delay at the railroad crossing intersections from Soto Street to Los Angeles Junction where 44th Street, Boyle Avenue, Alcoa Avenue, and South Downey Road are located.

While CHSRA and Metro recognize BNSF would operate trains outside the traffic study area, the existing and future operational scenarios included in the environmental evaluation were focused to the geographic areas where physical modifications to infrastructure improvements or new infrastructure would occur. Indirect impacts were also analyzed per the requirements of 40 C.F.R. 1508.8(b) and *CEQA Guidelines* §15358 since indirect impacts, or secondary impacts, are impacts caused by a project that occur later in time or are farther removed in distance but are still reasonably foreseeable.

4. **Zeina Moussa**

Uh, good morning, my name is Zeina Moussa-Millward, I'm the City Attorney for the City of Vernon. Um, we are here today, most of us traveled nearly 400 miles to make public comment. We were expecting two minutes, so I apologize if I have to speak quickly.

The Malabar Yard expansion is being presented as mitigation for the loss of BNSF rail storage at the West Bank, but the loss of private rail storage is not an adverse environmental effect and does not require mitigation under NEPA or CEQA. LA Metro has admitted that the only reason the Malabar Yard mitigation is part of this project is because BNSF refuses to accept compensation for the loss of their rail storage. BNSF has been asking the City of Vernon for this expansion since at least 2006 for their own operational benefit and unrelated to Link US. This environmental review process is being used to force a real estate transaction that a private corporate has tried and failed to obtain for decades at the expense of a community already overburdened with traffic

congestion and air quality issues. The city was left with no choice but to file CEQA litigation against Metro, and we hope to avoid that result here.

We respectfully request that the Board remove the mitigation measure related to Malabar Yard, or at the very least, continue its review of the EIS to question whether the loss of rail storage even requires mitigation under NEPA, and to study the very real environmental impacts that an expanded BNSF yard would have on the City of Vernon and its surrounding communities. Thank you. Thank you.

Response:

FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by

reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of *consistency* with applicable plans, policies, and programs, and CEQA Guidelines require analysis of program plans, ordinances, or policies addressing the circulation system.

    - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The purpose for implementing Malabar Yard railroad improvements is to comply with 40 CFR 1502.14(f), 40 CFR 1502.16(h), and *CEQA Guidelines* §15126.4(a) requirements to mitigate the Project's adverse effects resulting from permanent loss of approximately 5,500 feet of freight storage track capacity and impacts on freight operations.

Under CEQA, mitigation is considered adequate when it would reduce a significant impact to the extent feasible (*CEQA Guidelines* §15126.4(a)(1)). Under NEPA, mitigation is adequate when it would avoid, minimize, rectify, reduce, or compensate for an impact consistent with 40 CFR § 1508.1(s), and when it is practicable and supports the Purpose and Need. Mitigation under NEPA and CEQA focuses on avoiding, minimizing, or reducing adverse environmental and operational effects, such as disruptions to freight movement, increased congestion, and diminished rail efficiency. Simply compensating BNSF for property acquisition does not restore lost operational capacity, address logistical challenges, or maintain the regional freight network's functionality. In contrast, the Malabar Yard railroad improvements are specifically designed to preserve current levels of rail operations and ensure continuity of goods movement, which is essential for economic and environmental objectives.

Just compensation references a legal requirement for property acquisition but does not serve as an environmental or operational mitigation measure. Any financial payment would not mitigate the operational impacts on freight rail service resulting from the loss of critical yard capacity or functionality. Therefore, pursuing the Malabar Yard improvements remains necessary to address the impacts on freight rail service.

On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements.

Final EIS Appendix Q includes a full environmental evaluation of the Malabar Yard railroad improvements and identifies direct and indirect effects and 29 proposed mitigation measures for adverse effects. The **Final SEIR Table 7-31** includes a full environmental evaluation of the Malabar Yard railroad improvements pursuant to the requirements of CEQA.

5. Dan Wall

Daniel Wall, Director, City of Vernon. I'd like to begin by reiterating that the City of Vernon supports the Link Union Station project and concept. However, even after participating in numerous meetings with Metro staff over the past year, we still have serious concerns about the proposed Malabar Yard mitigation, which would expand BNSF's yard and run a new track along one block of a narrow two-lane street. These impacts cannot be accurately studied or effectively mitigated if the projected train usage is not clearly defined.

And just as importantly, if BNSF is not held to those projections, we've asked that BNSF enter into an enforceable agreement that sets reasonable limits on the volume and type of train traffic at the Malabar Yard and 46th Street. Vernon is ready to engage in a constructive dialogue with BNSF to determine what limits could work for all parties, but we have only been met with silence.

Our concerns are heightened by the fact that Vernon's housing element was recently certified by HCD. Newly rezoned housing sites sit just a few hundred feet from the Malabar Yard, as do

existing homes, a medical clinic, a church serving a deaf community, and in an elementary school servicing students from historically disadvantaged backgrounds. These are extremely sensitive populations who will be directly affected by any increase in rail activity. The environmental documents themselves acknowledge risks such as increased congestion, degraded air quality, and safety hazards. Yet the review concludes these impacts are less than significant. That condition does not reflect the lived reality of our community, and more importantly, it cannot be verified when there is no enforceable limit on actual train usage to the assumptions used in the environment. Thank you. Thank you. That concludes.

Response:

Expansion of Malabar Yard is not proposed. CHRSA respectfully disagrees with the commenter's opinion that impacts cannot be accurately studied or effectively mitigated if the projected train usage is not clearly defined.

The future train movement estimates presented in **Final EIS Appendix Q** and the information in **Final EIS Volume III, Response to Comments** were developed using available operational data provided by BNSF, combined with reasonable planning-level assumptions regarding yard operations, switching patterns, and anticipated operational efficiencies following implementation of the Malabar Yard railroad improvements.

The trains operating in Vernon are to extend up to 3,000 feet. BNSF typically serves customers from 6:30am – 2:00pm and 7:30pm – 2:00am. The proposed frequency is summarized below for each of the affected routes that would have a changed condition upon implementation of the Malabar Yard railroad improvements.

- Hobart Yard to/from Malabar Yard
  - Total daily train movements – 0.85
  - Time of Travel:
    - 3x Week: 7:30pm – 2:00am
- LAJ to West Seville (via 46th Street Connector)
  - Total daily train movements – 2
  - Time of Travel:
    - 1x Day: 6:30am – 2:00pm
    - 1x Day: 7:30pm – 2:00am
- LAJ to Exxon (via 46th Street Connector)
  - Total daily train movements – 2
  - Time of Travel:
    - 1x Day: 6:30am – 2:00pm
    - 1x Day: 7:30pm – 2:00am

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

The Final EIS includes analysis of consistency with the goals and policies within the *2023 Vernon Westside Zone Change and General Plan Amendment* (see **Final EIS Volume III, Response to Comments Key Issue Response 6**). Metro's analysis demonstrates fewer train movements on the Harbor Subdivision, combined with the implementation of OMMs including infrastructure improvements to support a future Quiet Zone, would support the City's planning initiatives for more mixed-use residential land uses along Santa Fe Avenue. Analysis was also performed to demonstrate how indirect beneficial effects related to air quality and global climate change and noise and vibration would result from 3.15 fewer trains operating along the Harbor Subdivision in the vicinity of existing sensitive receptors and future mixed-use residential land uses.

The location of a medical clinic, a church serving a deaf community, and Vernon elementary school were all considered in the analysis using the appropriate methodologies respective to each discipline (i.e., air quality screening distance, and FTA/FRA methodology).

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-25 and 3.5-32** and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

Regarding increased noise, the closest noise and vibration sensitive land use is a place of worship (Holy Angels Church of the Deaf, FTA Category 3 use) located at 4433 South Santa Fe Avenue, west of Malabar Yard and south of the Vernon Avenue/Pacific Boulevard intersection. The church is located behind intervening buildings and is outside of the 1,000 foot FTA screening distance as depicted in **Final EIS, Appendix Q, Section 3.6, Figure 3.6-1**. Construction of the Malabar Yard railroad improvements would occur in phases over an approximately 18-month schedule and would result in temporary periods of elevated noise levels primarily during daytime hours. **Final EIS Appendix Q, Section 3.6, Table 3.6-2 and Table 3.6-3** provide the predicted daytime noise level at various distances for both the 46th Street Connector and 49th Street Closure, respectively. The daytime construction noise impact criterion is 80 A-weighted decibels (dBA) equivalent continuous sound level (Leq)and construction noise is predicted to attenuate to this level at approximately 150 feet from the loudest construction phase (track installation). Since there are no noise-sensitive land uses within 150 feet, no direct adverse effect would occur during construction.

The Malabar Yard railroad improvements would create additional storage capacity and operational efficiency but would not result in a change to the track alignment of Malabar Yard or in how the yard or trains using the yard operate. The 46th Street connector would be located between two active rail lines (West Seville Connection and East Seville Connection). Therefore, there would be no perceptible change in operational noise under either design option because trains already operate on these two lines each day. No direct adverse effect would occur throughout operation.

The consolidation of freight train movements in Vernon would result in 3.15 fewer trains operating along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street. This reduction of train movements would result in a benefit of less train noise and vibration-related annoyance to nearby noise/vibration

sensitive receptors that are currently present, in addition to future noise/vibration sensitive receptors that may be present upon the City of Vernon's implementation of the *2023 Vernon Westside Zone Change and General Plan Amendment*. In this context, a beneficial indirect adverse effect would occur throughout operation. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.6 (Noise and Vibration), Pages 3.6-10 and 3.6-17**.

CHSRA and Metro respectfully disagree with the commenter's opinion that impacts related to safety and hazards are less than significant. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, a new railroad crossing at the intersection of Seville Avenue and 46th Street could cause southbound vehicular traffic to extend across 46th Street. While blocking an intersection is not a legal vehicular maneuver and queuing is not an LOS related traffic impact that constitutes a significant impact/adverse effect under CEQA/NEPA, the increase in queue at this location may introduce a potential roadway hazard. Malabar Yard Mitigation Measure TR-6 minimizes the potential roadway hazard as effectively as possible because it requires roadway design, railroad safety devices, and accessibility to be coordinated with the City of Vernon and CPUC. Potential roadway safety devices that may be considered for future implementation (Malabar Yard Mitigation Measure TR-6) include queue cutter traffic signals or pre-signals for the new railroad crossing on Seville Avenue. Notwithstanding the application of Mitigation Measure TR-6, unavoidable adverse effects under NEPA remain in the following topic areas:

- Transportation – Operations (potential roadway hazard due to queuing which may also impede access for emergency responders, increase response times, cause schedule delay to transit services, or disrupt pedestrian and bicycle access)
- Safety and Security – Operations (potential increased response times for emergency service providers and roadway hazard due to queuing)
- Socioeconomics and Communities Affected – Operations (potential access restrictions to Stacy Medical Center)

Under CEQA, the significant and unavoidable impact would remain after mitigation for Transportation (Threshold C and D) as disclosed in the **Final SEIR Table 7-31, Page 7-260**

- Threshold C - Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)
- Threshold D - Result in inadequate emergency access

For the reasons described above, impacts related to traffic delay and air quality would not be adverse after implementation of mitigation.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[2] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to

[2] 2025-0931 - MALABAR YARD MITIGATIONS AND CONTINUED COLLABORATION MOTION - Metro Board

rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

6. Paul Hubler

Thank you, uh, members, Mr. Chairman, members of the board. Paul Hubler, I'm the Chief Strategy Officer with Metrolink. Metrolink strongly supports the Link US project. It's a needed transformational investment that will unlock the next generation of passenger rail service in Southern California, allowing for faster, more frequent, more reliable service for riders across the entire region. Uh, the project will allow through-running operations at Union Station instead of the current stub end operations. Uh, Union Station is Metrolink's hub, and the linchpin station along the LOSSAN rail corridor, the second busiest rail, inner-city rail corridor in the nation.

With the future arrival of high-speed rail, the project will accommodate statewide rail connections and provide platforms that are compatible with future electrification and the next generation of rolling stock. In closing, I want to thank the High Speed Rail Authority for your partnership in the Link US project, and for your attention today. Thank you.

Response:

CHSRA and Metro acknowledge the commenter's support for the Project.

7. Michael Melideo

This is Michael Melideo. I am the owner of Consolidated Fabricators. I am at the corner of Santa Fe and 49th Street. For 40 years, we've been in the metal business processing 50,000 pound coils of steel.

The closure of 49th Street will make things nearly impossible for us, because of all those trucks, and there are times when we have over 20 loads a day coming in and out of our 49th Street unloading area. Will now have to come in off of Santa Fe and leave off of Sante Fe, and will be queued up on Santa Fe Avenue Bay Avenue. Um, that means congestion on Santa Fe will get much worse, and it's already bad, and those trucks will be parking in front of the elementary school for the deaf, right up the block. It's dangerous and it's dirty, and I have pointed this out to the Metrolink people, and they don't want to hear it.

The EIR is flawed and fraudulent. And it's going to put potentially 85 people out of work, and they don't care. Janice Hahn didn't show up at the Metrolink meeting to cast a defending vote, dissenting vote, because she didn't have the political backbone to do so.

You can't let this go through. It's dangerous, it's dirty, just to give BNSF what they've wanted for years. It was a backroom deal that stinks. Thank you for your time.

Response:

In 2020 and 2021, Metro staff collaborated with the owner of Consolidated Fabricators to develop the hammerhead configuration (49th Street Closure Design Option 2) as a means to allow for safe and legal access into and out of the Consolidated Fabricators business with optimal maneuverability for large semi-trucks.

Both design options were evaluated to determine if adequate ingress/egress for large semi-trucks would be maintained using a 65 foot long "CA Legal" truck turning template. The analysis demonstrated that Design Option 1 could impact ingress/egress or large semi-trucks and Design Option 2 would facilitate optimal maneuverability in and out of the Consolidated Fabricators business (see clarifications made to **Final EIS Appendix Q, Section 3.3, Section 3.3.4**).

During construction of either design option, temporary access restrictions to a portion of Driveway No. 2 and 3 may be required to implement the 49th Street Closure; however, Metro is required implement standard traffic control measures and safety precautions to maintain safe access to adjacent properties while construction occurs (see Malabar Yard Mitigation Measure TR-1 in **Final EIS Appendix Q, Section 3.3, Section 3.3.5**). Metro will continue to coordinate with the property owner to refine their parcel-specific conceptual design during the final design and right of way process.

During a February 3, 2025 meeting conducted onsite with the commenter/property owner, Metro provided exhibits to demonstrate closure and relocation of the Consolidated Fabricators business is not proposed, nor deemed required, as part of the Malabar Yard railroad improvements because the 49th Street Closure would be designed in a manner to allow business access to be maintained.

The 49th Street Closure Design Option 2 would allow for safe and legal access into and out of the Consolidated Fabricators business and adequate ingress/egress for large semi-trucks would be maintained. In February 2025, Metro met with the property owner and requested to be present during heavy delivery days when trucks are staged along Santa Fe Street to assess the potential for worsening these types of backups. The property owner did not respond to Metro's requests to observe heavy delivery days. Metro has committed to coordinate further with the property owner to maintain safe, legal, and adequate access for vehicles and large-semi-trucks during construction and throughout operation.

No new truck trips would be generated throughout operations. Traffic redistribution on Santa Fe Avenue would occur and was considered as part of the traffic impact analysis. Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, anticipated traffic redistribution and localized impact analysis performed, and the potential queuing associated with implementation of Malabar Yard railroad improvements.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 3** for a discussion related to the sensitive receptors considered in the air quality analysis performed for potential impacts related to vehicle idling associated with the Malabar Yard railroad

improvements. Construction or operation of the Malabar Yard railroad improvements would not result in extended idling time for trucks or vehicles. Fewer train movements on the Harbor Subdivision equates to less vehicle idling. Benefits from operation of Malabar Yard railroad improvements include reduced intermodal railcar miles of travel, resulting in reduced fuel consumption by rail and associated rail emissions. The long-term, regionwide reduction in emissions is a beneficial effect disclosed in the **Final EIS Appendix Q, Section 3.5, Section 3.5.4**.

Loss of jobs is not anticipated because the design configuration for 49th Street Closure Design Option 2 (the preferred design option) allows for trucks to move in and out of businesses. The 49th Street Closure Design Option 2 would be designed in a manner that would allow for safe and legal access into and out of the Consolidated Fabricators business and adequate ingress/egress for large semi-trucks to be maintained.

8. Richard Lucas

Good, good. I'm so sorry, and uh... I'd like to start by saying thank you very much, and I do, too, support the Metrolink project. However, I am personally involved in this. I've been a passionate employee with the City of Vernon for 20 years. I was a building official. I've been now designing and building buildings for the last 24 years in the city.

Tuesday night, I left the City of LA on Alameda and 37th Street, and I was caught in gridlock due to two streets east of Santa Fe, blocked by accidents. It took an hour to get from the west side to the east side of the City of Vernon. The proposed rail operations will block more than two streets heading eastbound. With that said, this will create serious, catastrophic traffic that will be gridlocked. Beyond anything in the past, and stop ambulance, fire engines, law enforcement, and they will be unable to traverse east to west. These delays will cost lives. This is not hypothetical, this is not inconvenience, this is a life-threatening condition that must be fully acknowledged, analyzed, and mitigated in the EIS before any approval can move forward. I sincerely ask that you do not approve the City of Vernon's expansion without additional studies. Thank you.

Response:

Comments pertaining to traffic are addressed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**. In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts.

In regards to emergency response, please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 4** for a discussion of public safety response times and emergency vehicle access. As discussed in that response, Metro performed an evaluation in close coordination with the City of Vernon, including Police Chief Sousa. Multiple response time scenarios were evaluated considering vehicular speed, the location and length of freight trains along each of the affected routes, response route, and emergency response destinations. Each

scenario determined the specific delay which could occur to emergency response times as a result of trains being present along the affected train routes in the existing and proposed condition, which enabled the team to identify the location where trains could cause the most impactful delay to emergency response times. The location where the worst delays may occur were considered in conjunction with total daily train movements to calculate the total daily delay for response routes on each of the affected train routes. After the close of the Draft EIS/SEIR 45-day public comment period, Metro met with the Police Chief Sousa on multiple occasions (including on October 23, 2024, November 13, 2024, and November 20, 2024) and received verbal confirmation (that was recorded in the meeting summary) that the emergency response routes analyzed align with current operations, including the scenario where emergency responders traverse through the City of Huntington Park. These coordination meetings demonstrate Metro's diligent effort to accurately resemble how emergency response occurs in Vernon.

Based on input received from the City of Vernon in October and November 2024, it was determined to be reasonable to assume responders originate from the Police and Fire Stations located at the corner of East Vernon Ave and Santa Fe Avenue for comparison purposes between the existing and proposed conditions. Upon review of each train route the worst-case potential delay a train could cause to emergency response would be 1.7 minutes per train movement.

Using this worst-case delay (1.7 minutes) and the frequency of train movements along each of the affected routes, a total sum of the potential delay per route was determined to then compare the total delay in minutes per day from all train movements on each of the affected train routes (see **Final EIS Volume III, Response to Comments, Key Issue Response 4, Table 4**). Table 4 shows the sum of the worst-case daily delay for the affected train routes is 13.6 minutes in the existing condition and 8.25 minutes in the proposed condition. As shown in Table 4, the total delay from all train movements in the City of Vernon (Net Change) is reduced by 5.35 minutes per day. The reduction to total delay is a result of 3.15 fewer trains operating on the Harbor Subdivision (4 daily train movements – Existing; 0.85 daily train movements – Future). The analysis above demonstrates that the total daily delay is reduced; however, to retain a conservative analysis and conclusion in the environmental documentation, no changes were made to the Final EIS conclusion related to response times for emergency service providers.

The commenter mentions additional studies but provides no details to provide further response.

9. Marissa Olguin

Good morning. My name's Marissa Olguin with the Vernon Chamber of Commerce, and we represent 1,400 businesses and 50,000 workers and residents in the City of Vernon. We've had many meetings with Metro. All have resulted in a unified opposition to a plan for Vernon that will permanently alter the city's tiny 5.2 square mile infrastructure generating environmental and safety hazards to its core. The Metro has consistently said it'll improve circulation, reduce emissions, and meet our economic growth goals when it's in fact the opposite. The plan is flawed and essentially cuts Vernon in half, expanding freight rails up to 400 cars 6 times a day. Gridlocking critical crossings, and it really threatens the backbone of Southern California's supply chain.

It doesn't just bring trains, it brings barriers. Barriers for business and customers, workers in job sites, it puts lives at risk. We urge the Board to omit the Malabar Yard from the project and continue to work with BNSF and Metro. High-speed rail should recommend to condemn West

Bank and compensate BNSF, not Vernon, in exchange for the $25 million in mitigation. There has to be a better way. Thank you.

Response:

Metro recognizes the unique economic and industrial importance of Vernon, with its employees, businesses, and interconnected network of operations.

During the Draft EIS/SEIR public comment period, comments were received expressing a perception that the Malabar Yard railroad improvements would result in more trains traveling through the City of Vernon and that the closure of 49th Street and addition of the 1,000-foot connector track would physically divide the community. In response to public and agency comments related to physical division of the community, additional analysis was completed to demonstrate no adverse effect related to division of communities or reduced community connectivity would occur, consistent with the conclusions presented in the Draft EIS/SEIR, Final SEIR, and Final EIS. Clarifications were made in the Final EIS to demonstrate that:

- The BNSF Harbor Subdivision (parallel to Santa Fe Avenue) has provided service to local customers since it was constructed in the 1880s, even earlier than the incorporation of the City of Vernon. Prior to the opening of the Alameda Corridor in 2002, the BNSF Harbor Subdivision also provided connectivity between the local ports and national railroad networks.
- In the 1920s, the Los Angeles Junction Railway was constructed increasing connectivity and service to local customers. Through the present day numerous local commercial and industrial businesses in the City of Vernon utilize freight rail services to ship goods in and out of their businesses.
- The proposed Malabar Yard railroad improvements would result in the consolidation of local freight rail service so that all BNSF customers in the City of Vernon are served from Los Angeles Junction. Daily train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned, would be reduced from 4 existing daily train movements to 0.85 daily train movements. Since all Vernon customers would be served in the future from the same origin point (Los Angeles Junction), the consolidated train movement would result in 78 percent fewer train movements on the Harbor Subdivision adjacent to areas where mixed-use residential land uses are planned.
- In the current condition, BNSF's "train building" activities occur on City of Vernon streets north of Malabar Yard (Pacific Avenue), which triggers a substantial amount of time when railroad gates are down, delaying/blocking vehicular traffic. With the implementation of the Malabar Yard railroad improvements, most train building activities will be relocated to BNSF's Los Angeles Junction (LAJ) rail yard on the east side of the City of Vernon and off of City of Vernon roadways on the westside of the City of Vernon.
- The total daily frequency of trains throughout the City of Vernon would be reduced (net reduction of 3.15 trains per day). Fewer daily train movements would reduce existing gate down time that temporarily restricts vehicular, bicycle, and pedestrian circulation in the community.

- In response to inquiries related to queuing and traffic congestion, a calculation was performed that demonstrates trains using the 46th Street Connector track (from Malabar Yard to Los Angeles Junction) would block a driveway (or an intersection) approximately 2 percent of the day, half of which would occur during the night (7pm-2am).

Considering the heavy presence of existing freight trains operating in the City of Vernon already, reduced train frequencies that would be facilitated by the Malabar Yard railroad improvements, the duration of the day trains would operate between Malabar Yard and Los Angeles Junction, and that access to all properties throughout the community would be maintained or replaced, no direct adverse effect would occur during operation.

- In regard to traffic delays, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all level-of-service-related traffic impacts. As such traffic delays would gridlock critical crossings or threaten the backbone of Southern California's supply chain.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, a localized air quality analysis was conducted to determine if there would be localized air quality impacts to nearby sensitive receptors. SCAQMD uses LSTs to evaluate if projects qualify to be screened out and therefore determined to not have a significant impact to localized air quality, from the requirement to conduct project-specific dispersion modeling. If required, the purpose of dispersion modeling is to demonstrate that a project would not delay attainment of ambient air standards. If a project's on-site emissions are below the LSTs, then no further analysis with dispersion modeling is required. Detailed air dispersion modeling is used to come to the same conclusion as the LST methodology, which determine the impact to localized air quality. As shown in the supporting calculations provided in **Appendix F of Final EIS Appendix Q,** pollutant emissions for NO_x, CO, $PM_{2.5}$, and PM_{10} were below the appropriate LST for respective pollutants in the screening process. Because LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of an ambient air standard, there is no adverse effect to localized air quality. The LST methodology guidelines state "If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality."

For construction, emissions were found to be below the LSTs and therefore would not be significant for air quality. See **Final EIS Volume I, Section 3.5 (Air Quality and Global Climate**

Change), Pages 3.5-25 and 3.5-32 and in the supporting calculations provided in **Appendix F of Final EIS Appendix Q**.

For operations, as presented in **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Page 3.5-19**, implementation of the 46th Street Connector would shift some freight rail activity away from sensitive receptors, such as the Vernon City School and the residences on Furlong Place, and toward the industrial warehouses to the east because fewer trains would be traveling along the portion of the Harbor Subdivision north of Malabar Yard between Pacific Boulevard and the City of Vernon jurisdictional limits near 25th Street.

Fewer train movements on the Harbor Subdivision equates to less vehicle idling at each of the at-grade crossings where sensitive receptors, such as the Vernon City School and the residences on Furlong Place, are currently located and where additional sensitive receptors are planned in the future. These beneficial effects were clarified in the **Final EIS Appendix Q, Section 3.5 (Air Quality and Global Climate Change), Pages 3.5-19 and 3.5-20**. In addition, the reduction in emissions from reduced train movements would outweigh the minimal increase in vehicle idling emissions from any new queuing. The potential increases in idling emissions would not be substantial enough to require further dispersion modeling based upon the typical criteria triggering such analysis (for example, a significant increase in diesel truck volumes or worsening of LOS) and other attainment demonstrations in the Basin. The Malabar Yard railroad improvements would both reduce overall freight rail movement and move rail traffic away from air quality sensitive receptors. For these reasons, increased air emissions throughout the City would not occur.

Trains operating on the 46th Street Connector would be up to 3,000 feet long (similar to the existing condition) and would not result in 400 new rail cars out of the east entrance of Malabar Yard. Using the typical number of rail cars traveling on the 46th Street Connector **(Final EIS Appendix Q, Chapter 2.0, Section 2.2.3)** and the length of each train anticipated to operate on the 46th Street Connector (up to 3,000 feet as clarified in **Final EIS Volume III, Response to Comments, Key Issue Response 2**), each train is expected to carry up to 45 cars. Based on the future Project-related train movements that would operate on the 46th Street Connector (4 daily train movements), up to 180 rail cars would move along the 46th Street Connector per day as a result of the Malabar Yard railroad improvements. As disclosed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, half of the trains operating on the 46th Street Connector (with 90 of the total 180 rail cars) would operate during the night (7:30pm to 2:00am).

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[3] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard railroad improvements must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to

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initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

10. Nick Ghirelli

Good morning, my name is Nick Ghirelli. I'm an attorney with the law firm of Richards Warson and Gershon. I represent the City of Vernon. We've recently submitted lengthy studies and analysis for the administrative record. The city has consistently denied requests to close 49th Street and authorize a crossing along 46th Street for BNSF, due to the significant impacts these closures would cause. And now these requests have been converted into an alleged mitigation measure that imposes greater impacts and causes greater controversy than the Link Union Station project itself which the city strongly supports. On its face, this mitigation is just not possible. The city just does not intend to grant the required approvals for the road closures and crossings.

So the mitigation measure requiring the cities of Vernon's consent to these improvements just can't be met. The EIS doesn't consider the Malabar Yard's impacts on an elementary school, a Catholic parish, and a hospital all within 1,000 feet of the Malabar Yard. It gave no consideration of Vernon's certified housing element and residents. This is not environmental justice, and it's totally unnecessary. The Malabar Yard is purporting to mitigate an impact that does not exist. The City of Vernon does not want to stop or delay the Link Union Station project. But it must protect residents, workers, parishioners, and businesses. That's why Vernon will be filing a lawsuit under CEQA to challenge Metro's adoption of the SEIR, and we'll evaluate its options should the authority adopt the EIS and issue its record of decision. That's if it includes the Malabar Yard mitigation.

So, please direct your staff to remove the Malabar Yard mitigation from the SEIR and help move the project forward. Vernon continues to stand ready to explore alternatives that avoid the Malabar Yard. Or at least avoid the closure at 49th Street and the crossing at 46th. Thank you.

Response:

CHSRA acknowledges receipt of the letter submitted by Richards Warson and Gershon. See Main Letter Responses 1 through 54 and responses to comments received in Exhibits A through E.

FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to

reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated on **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the *affected* environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with

applicable plans, policies, and programs, and CEQA Guidelines require analysis of program plans, ordinances, or policies addressing the circulation system.

- As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The claim that the proposed mitigation (Malabar Yard railroad improvements) is not possible because they require City approvals is not supported by CEQA or case law. CEQA expressly contemplates mitigation measures that involve approvals or actions by other agencies. *CEQA Guidelines* §15126.4(a)(2) state that a measure is feasible if it can be accomplished within a reasonable timeframe considering economic, environmental, social, and technological factors, not whether the lead agency has unilateral authority. Courts have upheld measures requiring another entity's exclusive jurisdiction. In *Tiburon Open Space Committee v. County of Marin* (78 Cal.App.5th 700, 746–748 (2022)), the court confirmed that a lead agency may adopt measures that "should be adopted" by another entity, even when those measures involve discretionary approvals.

CEQA requires substantial evidence, not statements or predictions, to support infeasibility findings. (*CEQA Guidelines* §15091(b).) A city's expressed reluctance does not constitute binding evidence that approvals cannot be obtained, particularly when the approvals involve standard regulatory processes such as right-of-way vacations and encroachment permits.

The argument that the City of Vernon requires approvals does not render the mitigation measure infeasible. CEQA does not prohibit mitigation measures requiring discretionary approvals; it only requires that such measures be capable of implementation. (Pub. Resources Code §21061.1.)

Metro has committed to pursuing all necessary approvals and coordinating with the City of Vernon to implement the Malabar Yard railroad improvements. Courts have repeatedly rejected arguments that reliance on another jurisdiction's discretionary approval renders a measure infeasible. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*, 57 Cal.4th 439, 466 (2013).)

The fact that the City of Vernon holds jurisdiction over certain approvals does not make Mitigation Measure TR-3, or any mitigation requiring City of Vernon approval (Malabar Yard Mitigation Measure TR-6) infeasible under CEQA. CEQA and case law allow mitigation measures requiring other agencies' cooperation, and speculation or stated intent does not constitute substantial evidence of infeasibility. Mitigation Measure TR-3 remains feasible and proper.

Nearby residences, Vernon Elementary School, Holy Angels Church of the Deaf, and the Stacy Medical Center were all considered in the analysis using the appropriate methodologies respective to each discipline (i.e., air quality screening distance, and FTA/FRA methodology) – see **Final EIS Appendix Q Section 3.5, Air Quality and Global Climate Change, Final EIS Volume III, Key Issue Response 3** and **Final EIS Appendix Q Section 3.6, Noise and Vibration**. The *2023 Vernon Westside Zone Change and General Plan Amendment* (adopted July 2023) was also considered and full consistency analysis was performed in **Final EIS Volume III, Key Issue Response 6**. Based on the analysis results in **Final EIS Appendix Q, Section 3.16 Community Analysis**, the Malabar Yard railroad improvements would not result in disproportionate and adverse effects on minority communities, low-income communities, or non-minority communities.

As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 3**, the identification of sensitive receptors is based on SCAQMD's definition. SCAQMD defines sensitive receptors as residences, schools, playgrounds and athletic facilities on school property, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. These are land uses where people stay for extended periods of time, such as 24-hours or more, or land uses where more vulnerable populations (children or people recreating that have higher breathing rates) congregate.

Although the Stacy Medical Center is a healthcare facility, it is not a long-term facility where patients or workers stay onsite overnight, therefore Stacy Medical Center is not considered a sensitive receptor. However, Stacy Medical Center was analyzed in the environmental evaluation. Please refer to **Final EIS Volume III, Response to Comments, Response to Comment AGE 3-B** for analysis related to access to the Stacy Medical Center based on the queuing analysis performed and in response to property owner questions raised in January 2025. In addition, please refer to **Final EIS Volume III, Response to Comments, Response to Comment IND-33**, which is a comment provided by the property owner of Stacy Medical Center. Additional meetings with the property owner were held after the close of the public comment period to further address concerns related to the implementation of the Malabar Yard railroad improvements. Those comments were addressed and will be factored into the final design of the proposed improvements.

Holy Angels Church of the Deaf was considered in the environmental evaluation (see **Final EIS Appendix Q, Section 3.5, Final EIS Appendix Q, Section 3.6, Final EIS Appendix Q, Section 3.10**, and **Final EIS Appendix Q, Section 3.16**).

Additionally, the closest sensitive receptors to the Malabar Yard railroad improvements that were considered and evaluated for potential impacts are shown in **Final EIS Appendix Q, Section 3.5, Figure 3.5-1** and summarized below:

- Residences at 2415-2427 E 53rd St. (located approximately 1,325 feet [0.25 mile] south from the Malabar Yard railroad improvements).
- Vernon City School at 2360 East Vernon Avenue (located approximately 1,350 feet [0.25 mile] northwest from the Malabar Yard railroad improvements).
- Residences on Furlong Place located approximately 1,650 feet (0.31-mile northwest from the Malabar Yard railroad improvements).

The discussion above provides the reasons why Mitigation Measure TR-3 is required to minimize adverse effects on freight and passenger operations and offset the loss of storage track capacity at the BNSF West Bank Yard in a manner that preserves existing levels of freight rail operations, consistent with the Link US Project's Purpose and Need.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[4] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

11. Stephanie Sahgeb

Hi, I'm here. My name is Stephanie Sahgeb, and I'm the property manager for 6 buildings in Vernon, which will be impacted by the Malabar Yard Plan, including one at the corner of Hampton Street and 49th Street. The owners and tenants of these buildings oppose the Malabar Yard portion of Metro's project, as it will create massive delays in the daily transportation of employees, customers, and products through the city that currently makes Vernon the important industrial hub that it is.

Metro must go back to the drawing board to explore alternative solutions per the motion proposed by Metro Board Chair Janice Hahn, and approved by the Board at the October 23rd meeting. In

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Metro's Executive Management Committee meeting on October 16th, Chair Hahn talked about LA County cities having a history of mistrust with Metro and BNSF and stated that BNSF has not been a good partner, has not been coming to the meetings, and has refused the city's request for an operational agreement, leaving open the possibility that train frequencies and lengths could be increased at any time.

We need BNSF to come to this table and be partners with Metro and the city. Gary Hunter of Railroad Industries has told Vernon that the Malabar Yard can be used for this project as is, and with all the changes they are requesting, and have been trying to get Vernon to approve for at least 15 years now for their own gain. It is time for Metro and BNSF both to realistically consider the operations of the property owners, businesses, employees, churches, and schools, transit service riders, and emergency responders in the City of Vernon. Thank you.

Response:

No physical impacts are proposed to the properties east of Malabar Yard, including the property the commenter represents.

Please refer to **Final EIS Volume III, Response to Comments, Key Issue Response 2** for a discussion of the traffic impact methodology, anticipated traffic redistribution and localized impact analysis performed, and the potential queuing associated with implementation of Malabar Yard railroad improvements. As discussed in **Final EIS Volume III, Response to Comments, Key Issue Response 2**, the volume-to-capacity ratio threshold would be exceeded at three intersections and one roadway segment during construction and operations (Vernon Avenue/Santa Fe Avenue – construction, Santa Fe Avenue/Pacific Boulevard – construction and operations, Pacific Boulevard/Fruitland Avenue – operations, and Fruitland Avenue – operations); thereby causing a potential delay that would be considered an adverse effect. Malabar Yard Mitigation Measures TR-1 through TR-5 (see **Final EIS Appendix Q, Section 3.3, Section 3.3.5**) would maintain or improve the volume-to-capacity ratio during construction and operation to mitigate all LOS-related traffic impacts. Therefore, the Malabar Yard railroad improvements would not create massive delays in the daily transportation of employees, customers, and products through the city.

The Final SEIR was certified by the Metro Board of Directors at the board meeting held October 23, 2025. The Metro Board Motions File #2025-0931[5] that were passed when the Final SEIR was certified requires Metro to further collaborate with BNSF to explore other alternative solutions to rail storage that may have fewer rail impacts caused by the loss of storage tracks at the West Bank Yard. Any other alternative solutions to Malabar Yard must be approved by CHSRA, as the NEPA lead agency, after any appropriate NEPA analysis to ensure NEPA decisions are legally sufficient. This includes meeting with BNSF and the City of Vernon (together or separately as appropriate) to seek written commitments from BNSF that may minimize impacts to the City of Vernon. On December 8, 2025, Metro sent a letter to BNSF to initiate coordination pursuant to the Board Motions and to urge BNSF to actively engage in collaborative discussions and a formal agreement with the City of Vernon regarding rail operations and mitigation measures associated with the Malabar Yard railroad improvements. CHSRA and Metro are committed to continuing

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ongoing coordination with BNSF, the City of Vernon, and affected stakeholders to minimize potential impacts associated with the Malabar Yard railroad improvements during construction and operation and develop solutions that preserve the City's economic vitality and connectivity to the extent feasible.

In the existing condition, BNSF Malabar Yard would not serve as a viable alternative to the project because General Code of Operating Rules (GCOR) limit storage of standing trains within 250 feet of the 49th Street at-grade crossing. Furthermore, the tracks at Malabar Yard currently serve their own purpose, to facilitate storage of local cars for local customers. The Final EIS includes clarifications that trains would be 3,000 feet long in the existing and proposed condition – this is based on most recent information received from BNSF in 2024.

FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) require an analysis of freight-rail transportation impacts as part of the NEPA process and CHSRA (as NEPA lead agency) has similarly assessed impacts on freight rail in other EIS documents for HSR as a NEPA effect. *CEQA Guidelines* require analysis of program plans, ordinances, or policies addressing the circulation system and both NEPA and CEQA require analysis of direct and indirect impacts.

Malabar Yard is not part of the project description in the Final EIS or Final SEIR because the Malabar Yard railroad improvements are part of Mitigation Measure TR-3 intended to reduce impacts on the freight transportation system and direct and indirect effects under NEPA and CEQA. A summary of the reasons why Mitigation Measure TR-3 is required to mitigate direct and indirect impacts is included below:

a) FRA's Environmental Procedures require an analysis of impacts which are direct, indirect, and cumulative for freight transportation. FRA's Environmental Procedures 64 Fed. Reg. 28,555 (May 26, 1999) states "The EIS should assess the impacts on both passenger and freight transportation, by all modes, from local, regional, national, and international perspectives."

   CEQA Guidelines §15064(d) states that *"In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project."*

   - As stated in the **Final EIS Volume I, Page 3.3-64**, permanent loss of approximately 5,500 feet of freight storage track capacity at the north end of the BNSF West Bank Yard is considered a direct adverse effect under NEPA. Direct impacts are mitigated via Mitigation Measure TR-3.
   - In accordance with FRA's Environmental Procedures and CEQA Guidelines §15064(d), an adverse indirect effect was identified in **Final EIS Volume I, Section 3.3 (Transportation), Topic 3.3-E, Freight**. Metro also identified a potential indirect significant impact in the Final SEIR analysis under Threshold 7.5.6-A (Indirect Impacts). The analysis concludes a loss of 5,500 feet of storage track capacity at the BNSF West Bank Yard would have the potential to indirectly affect

operations at other freight railyards (BNSF Hobart/Commerce Intermodal Yards) by reducing the maximum storage track length available for singular train movements between the BNSF West Bank Yard and the BNSF Hobart/Commerce Intermodal Yards. Without mitigation, the reduced storage track capacity would necessitate a double movement to transfer longer intermodal trainsets, which may range up to approximately 8,000 or 9,000 feet long. This would potentially create increased emissions and traffic queuing/delay as freight trains may be required to occupy the San Bernardino Subdivision, shared by passenger and freight trains, for an increased period of time. Under NEPA, this is considered an indirect adverse effect. Under CEQA, impacts are considered a reasonably foreseeable indirect physical change. Indirect effects are mitigated via Mitigation Measure TR-3.

b) FRA's Environmental Procedures require an assessment of impacts on local land use controls and comprehensive regional planning as well as development within the affected environment. FRA's Environmental Procedures, 64 Fed. Reg. 28,555 (May 26, 1999) states "Land use. The EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment…"). 40 CFR 1502.16(c) requires an evaluation of consistency with applicable plans, policies, and programs, and CEQA Guidelines require analysis of program plans, ordinances, or policies addressing the circulation system.

   - As discussed in **Final EIS Volume I, Section 3.2 (Land Use and Planning)** and in the Final SEIR analysis under Threshold 7.5.6-A (Direct Impacts - Operations), the permanent loss of freight storage track capacity at the BNSF West Bank Yard would conflict with one policy and program of the *City of Los Angeles Mobility Plan 2035* and three goals and one policy of the California Transportation Plan 2040 that relate to goods movement, the flow of freight traffic, managing and operating an efficient integrated multimodal transportation system, and reducing impacts from climate change. This is considered a direct adverse effect under NEPA/significant impact under CEQA similar to how other conflicts with land use plans, policies, and programs are identified as an adverse effect/significant impact. Mitigation for the loss of storage tracks at West Bank Yard is required to address the land use policy/program conflicts identified. Direct impacts are mitigated via Mitigation Measure TR-3.

With the implementation of Mitigation Measure TR-3, the net loss of freight storage track capacity would be limited to 2,150 track feet and freight rail operations would be enhanced with a new connection between two of BNSF's freight rail yards in the City of Vernon.

The need for Malabar Yard railroad improvements stems from the operational nature of BNSF's rail infrastructure and are integral to preserving current levels of freight rail operations in accordance with the provisions of the purpose and need of the Link US Project. Metro is mandated to mitigate their impacts on the freight transportation system and Metro has coordinated with

CalSTA, CHSRA, and BNSF to identify a site to appropriately mitigate freight-related impacts that would result from implementation of the Link US Project.

The Final EIS does consider the operations of the property owners, businesses, employees, Holy Angels Church of the Deaf, Vernon Elementary School, transit service riders, and emergency responders in the City of Vernon.