



BOARD OF DIRECTORS AGENDA

LOSSAN RAIL CORRIDOR AGENCY BOARD OF DIRECTORS MEETING

Monday, March 18, 2019
11:15 a.m. to 12:45 p.m.

Orange County Transportation Authority Headquarters
Board Room – Conference Room 07
550 South Main Street
Orange, California

Teleconference Sites:

California Department of Transportation, Lanatt Street Warehouse
3390 Lanatt Street
Conference Room 1B/HQ – 1st Floor
Sacramento, CA

County of Santa Barbara Administration Building
105 East Anapamu Street
Board of Supervisors Private Conference Room 405 – 4th Floor
Santa Barbara, CA

Del Mar City Hall
1050 Camino Del Mar
Lobby Conference Room – 1st Floor
Del Mar, CA

Poway City Hall
13325 Civic Center Drive
City Manager's Office
Conference Room 2118 - 2nd Floor
Poway, CA

San Diego Metropolitan Transit System
1255 Imperial Avenue
Executive Committee Conference Room- 10th Floor
San Diego, CA

Ventura County Criminal Justice Training Center
106 Durley Avenue
Instructor of Record Office – 1st Floor
Camarillo, CA



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Any person with a disability who requires a modification, accommodation or agenda materials in an alternative format in order to participate in the meeting should contact the LOSSAN Clerk of the Board, telephone 714-560-5676, no less than two (2) business days prior to this meeting to enable LOSSAN to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Board of Directors may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Comments on Agenda Items

Members of the public may address the Board of Directors regarding any item. Please complete a speaker's card and submit it to the Clerk of the Board or notify the Clerk of the Board the item number on which you wish to speak. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.

All documents relative to the items referenced in this agenda are available for public inspection at www.lossan.org or through the LOSSAN Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.



BOARD OF DIRECTORS AGENDA

2019 BOARD OF DIRECTORS

(revision as of -1-30-19)

County	Members	Alternates
San Luis Obispo: 1 vote	Fred Strong Council Member, City of Paso Robles Member, San Luis Obispo Council of Governments	Jeff Lee Mayor, City of Grover Beach Member, San Luis Obispo Council of Governments Andy Pease Vice Mayor, City of San Luis Obispo Member San Luis Obispo Council of Governments
Santa Barbara: 1 vote	Gregg Hart Supervisor, 2nd District Santa Barbara County Board of Supervisors Member, Santa Barbara County Association of Governments	Cathy Murillo Mayor, City of Santa Barbara Member, Santa Barbara County Association of Governments
Ventura: 1 vote	Bryan MacDonald Council Member, City of Oxnard Member, Ventura County Transportation Commission	Jim White Representative, Ventura County Transportation Commission
Los Angeles: 2 votes	(Vacant) John Fasana Mayor, City of Duarte Member, Los Angeles County Metropolitan Transportation Authority	David Perry Representative, Los Angeles County Metropolitan Transportation Authority Mary Lou Echternach Representative, Los Angeles County Metropolitan Transportation Authority
Orange: 2 votes	Al Murray (Chairman) Executive Director, City of Tustin Chamber of Commerce Representing, Orange County Transportation Authority Tim Shaw Council Member, City of La Habra Member, Orange County Transportation Authority	Laurie Davies Mayor Pro Tem, City of Laguna Beach Member, Orange County Transportation Authority Mark A. Murphy Mayor, City of Orange Member, Orange County Transportation Authority
County	Members	Alternates



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Riverside: 1 vote	Dana Reed (Vice Chairman) Council Member, City of Indian Wells Member, Riverside County Transportation Commission	(Vacant)
San Diego: 2 votes	Jewel Edson Deputy Mayor, City of Solana Beach Member, North County Transit District Caylin Frank Council Member, City of Poway Member, San Diego Metropolitan Transit System Ellie Haviland Deputy Mayor, City of Del Mar Member, San Diego Association of Governments	Priya Bhat-Patel Mayor Pro Tem, City of Carlsbad Member, North County Transit District Bill Sandke Mayor Pro Tem, City of Coronado Member, San Diego Metropolitan Transit System Ron Morrison Vice Mayor, City of National City Member, San Diego Association of Governments
Ex-Officio Members:		
Amtrak	Eric Hosey Representative, Amtrak	
California Department of Transportation	Kyle Gradinger Representative, California Department of Transportation	
California High-Speed Rail Authority	Michelle Boehm California High-Speed Rail Authority	
Southern California Association of Governments	Alan D. Wapner Council Member, City of Ontario Member, Southern California Association of Governments	



BOARD OF DIRECTORS AGENDA

Call to Order

Pledge of Allegiance

1. Public Comments

At this time, members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors, but no action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three (3) minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Board of Directors.

Special Calendar

There are no Special Calendar Matters.

Consent Calendar (Items 2 through 5)

All items on the Consent Calendar are to be approved in one motion unless a Board Member or a member of the public requests separate action or discussion on a specific item.

2. Approval of Minutes

Approval of the minutes of the LOSSAN Board of Directors meeting of February 20, 2019.

3. Fiscal Year 2018-19 Second Quarter Budget Status Report

Jason Jewell

Overview

The Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency's Fiscal Year 2018-19 budget was approved by the Board of Directors on March 29, 2018, in conjunction with the approval of the annual business plan for Fiscal Years 2018-19 and 2019-20. This report provides a summary of financial activities and performance through the second quarter of Fiscal Year 2018-19.

Recommendation

Receive and file as an information item.

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4. Amendment to Cooperative Agreement No. L-8-0013 for the Rail 2 Rail Program with the North County Transit District and National Railroad Passenger Corporation

James D. Campbell

Overview

On July 16, 2018, the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Board of Directors approved a cooperative agreement between the North County Transit District and the National Railroad Passenger Corporation for the Rail 2 Rail Program between Pacific Surfliner and COASTER services on the Los Angeles - San Diego - San Luis Obispo rail corridor. This agreement will expire on July 31, 2019, and an extension is necessary to continue the program.

Recommendation

Authorize the Managing Director to negotiate and execute Amendment No. 1 to Cooperative Agreement No. L-8-0013 between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency, the North County Transit District, and the National Railroad Passenger Corporation for an additional term of one year through July 31, 2020, and increase the reimbursement rate to \$4.44 per boarding.

5. Cooperative Agreement for Continuance of the Rail 2 Rail Program with the Southern California Regional Rail Authority and the National Railroad Passenger Corporation

James D. Campbell

Overview

The Rail 2 Rail Program provides significant benefits to passengers traveling on the Los Angeles - San Diego - San Luis Obispo rail corridor by increasing the number of train options for travel along the corridor. The agreement to provide the Rail 2 Rail Program between the Pacific Surfliner and Metrolink services expires on June 30, 2019, and a new agreement is necessary to continue the program.

Recommendations

- A. Authorize the Managing Director to negotiate and execute Agreement No. L-9-0005 between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency, Southern California Regional Rail Authority, and National Railroad Passenger Corporation to continue the Rail 2 Rail program for a term of one year through June 30, 2020 for a total contract value of \$2,400,000.

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5. (Continued)

- B. Direct the Managing Director to continue to work with the Southern California Regional Rail Authority and National Railroad Passenger Corporation to pursue a step-up fare program to facilitate cost-sharing of the program with Rail 2 Rail passengers.

Regular Calendar

6. Legislative Update
Jaymal Patel

Overview

An update is provided on the federal fiscal year 2018-19 funding bills and discussions surrounding the California High-Speed Rail project. An overview of transportation-related legislative hearings and a report issued by the Federal Railroad Administration on preventing trespassing incidents is also included.

Recommendation

Receive and file as an information item.

7. Cooperative Agreement with National Railroad Passenger Corporation for Design Services in Support of the Expansion of the Pacific Surfliner Layover Facility in the City of Goleta
James D. Campbell

Overview

The Goleta Layover Facility Expansion Project will expand the storage capacity of the existing Amtrak layover facility in the City of Goleta to accommodate proposed service expansion and enhancement goals. A cooperative agreement with the National Railroad Passenger Corporation is required to define roles, responsibilities and funding for the design of the Goleta Layover Facility Expansion Project.

Recommendation

Authorize the Managing Director to negotiate and execute Agreement No. L-9-0001 between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency and the National Railroad Passenger Corporation, in the amount of \$383,000, for Design Services for the expansion of the Pacific Surfliner Layover Facility in the City of Goleta.

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8. Approval of the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Business Plan for Fiscal Years 2019-20 and 2020-21

Roger M. Lopez

Overview

The Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency is required to submit an annual business plan to the California State Transportation Agency by April 1 of each year. The business plan is a two-year planning document that outlines operations and service goals, discusses any proposed changes to the Pacific Surfliner service, and provides the basis for the annual budget request. The Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency business plan for fiscal years 2019-20 and 2020-21 is presented for review and approval.

Recommendations

- A. Adopt the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency business plan for fiscal years 2019-20 and 2020-21.
- B. Direct staff to submit the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency business plan for fiscal years 2019-20 and 2020-21 to the Secretary of the California State Transportation Agency by April 1, 2019.
- C. Direct staff to return to the Board of Directors in June 2019 with an updated business plan that includes revised budget assumptions consistent with the revenue and expense estimates provided by Amtrak for federal fiscal year 2019-20.

Discussion Items

9. 2019 Board of Directors Initiatives

Jennifer L. Bergener

Staff will present an overview of the draft 2019 Board of Directors Initiatives.

10. Managing Director's Report

11. Board Members' Report

12. Closed Session

There is no Closed Session scheduled.



BOARD OF DIRECTORS AGENDA

13. Adjournment

The next regularly scheduled meeting of this Board will be held:

Monday, May 20, 2019

11:15 a.m. – 12:45 p.m.

Orange County Transportation Authority Headquarters

Board Room – Conference Room 07

550 South Main Street

Orange, California



MINUTES

Board of Directors' Meeting

Call to Order

The February 20, 2019 Board of Directors (Board) meeting of the Los Angeles - San Diego - San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) was called to order by Chairman Murray at 11:16 a.m., at the Orange County Transportation Authority (OCTA) Headquarters, Board Room – Conference Room 07, 550 South Main Street, Orange, California.

Chairman Murray announced that several of the Directors would participate in today's meeting via teleconferencing, and all votes would be taken by roll call.

Directors Present: Al Murray, Chairman
 Dana Reed, Vice Chairman
 MaryLou Echternack, Metro (teleconference)
 Jewel Edson, NCTD
 Caylin Frank, SDMTS (teleconference)
 Gregg Hart, SBCAG
 Ellie Haviland, SANDAG
 Bryan MacDonald, VCTC
 Tim Shaw, OCTA
 Fred Strong, SLOCOG
 Michelle Boehm, CHSRA, Ex-Officio
 Eric Hosey, Amtrak, Ex-Officio

Directors Absent: John Fasana, Metro
 Kyle Gradinger, Caltrans, Ex-Officio
 Alan D. Wapner, SCAG, Ex -Officio

Staff Present: Jennifer L. Bergener, Managing Director
 Gina Ramirez, LOSSAN Agency Deputy Clerk of the Board
 James Donich, General Counsel

Pledge of Allegiance

The pledge of allegiance was led by Director Haviland.

1. Public Comments

Public comments were heard from:

Eric Reese, (via teleconference from Los Angeles), asked the LOSSAN Agency's Board and staff consider constructing a flyover track bridge at the BNSF Railway/Metrolink Fullerton junction, just east of the Fullerton Station, and to extend the existing southern platform for through train movements. Mr. Reese highlighted the benefits for his recommendation.

Mr. Reese encouraged the LOSSAN Agency to work with Amtrak, Metrolink, the California High-Speed Rail (CHSR) Authority, and the BNSF Rail in their design analysis of the Los Angeles to Anaheim corridor. He added that he forwarded this public comment, along with his design renderings, to LOSSAN Agency staff for consideration and is inviting the Board to look these over.

Paul Herstein, (via teleconference from San Diego), representing the Train Coalition, Santa Fe Depot, stated that the Train Coalition understands that there are a limited number of Charger engines currently in use for the Pacific Surfliner service, and that four of those engines should be allocated to the four trains which layover in their immediate neighborhood at night. He added that nearly 2,000 people who live around the Santa Fe Depot are subjected to the old P-42 engines. He asked that as a matter of public health and as a courtesy, the LOSSAN Agency provide a detailed explanation of why the four charger engines are not assigned to the layover trains at the Santa Fe Depot, and asked for a timetable for compliance for this request.

Special Calendar

There were no Special Calendar Matters.

Consent Calendar (Items 2 and 3)

2. Approval of Minutes

A motion was made by Director Strong, seconded by Director Hart, and following a roll call vote, declared passed 10-0, to approve the minutes of the LOSSAN Board of Directors meeting of January 30, 2019.

3. Amendments to Pacific Surfliner Transit Transfer Agreements

A motion was made by Director Strong, seconded by Director Hart, and following a roll call vote, declared passed 10-0, to:

- A. Authorize the Managing Director to negotiate and execute Amendment No. 3 to Cooperative Agreement No. L-6-0010 with Anaheim Transportation Network in the amount of \$84,000 to provide ongoing reimbursement for transit transfers by Pacific Surfliner passengers. This will increase the maximum obligation of the cooperative agreement to a total value of \$124,000.
- B. Authorize the Managing Director to negotiate and execute Amendment No. 3 to Cooperative Agreement No. L-6-0016 with the City of Glendale in the amount of \$30,000 to provide ongoing reimbursement for transit transfers by Pacific Surfliner passengers. This will increase the maximum obligation of the cooperative agreement to a total value of \$35,000.
- C. Authorize the Managing Director to negotiate and execute Amendment No. 3 to Cooperative Agreement No. L-6-0005 with the Santa Barbara Metropolitan Transit District in the amount of \$144,000 to provide ongoing reimbursement for transit transfers by Pacific Surfliner passengers. This will increase the maximum obligation of the cooperative agreement to a total value of \$184,000.
- D. Authorize the Managing Director to negotiate and execute Amendment No. 3 to Cooperative Agreement No. L-6-0012 with the Ventura County Transportation Commission in the amount of \$72,000 to provide ongoing reimbursement for transit transfers by Pacific Surfliner passengers. This will increase the maximum obligation of the cooperative agreement to a total value of \$87,000.

Regular Calendar

4. Agreement for San Diego County Layover and Maintenance Facility Study

A public comment was heard from:

Eric Reese, (via teleconference from Los Angeles), who suggested that the LOSSAN Agency and the selected contractor look into the current San Diego Metropolitan Transit System (SDMTS) trolley maintenance facility, and highlighted how this could be accomplished.

4. (Continued)

Mr. Reese provided additional suggestions and benefits of considering the SDMTS trolley maintenance facility for this study. Mr. Reese also stated that through cost allocation, the North County Transit District (NCTD) and the LOSSAN Agency could work together to create a layover facility that benefits both agencies.

Jennifer L. Bergener, Managing Director, reported that the layover facility in San Diego is located adjacent to the Santa Fe Depot and four trains are currently stored there overnight. She added that capacity of that facility has been reached and, in order to expand the Pacific Surfliner service, an alternate location needs to be identified where the daily layover activities can be performed.

Ms. Bergener provided information on the procurement process and added that the Train Coalition and stakeholder groups will have an opportunity to comment and participate throughout the process and, as sites are identified or as the work progresses, there will be designated meetings for public input.

A motion was made by Vice Chairman Reed, seconded by Director MacDonald, and following a roll call vote, declared passed 10-0, to:

- A. Approve the selection of WSP USA, Inc., to identify and evaluate potential locations for a new maintenance and layover facility for the Pacific Surfliner intercity passenger rail service in San Diego County.
- B. Authorize the Managing Director to negotiate and execute Agreement No. L-9-0003 between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency and WSP USA, Inc., in the amount of \$299,600 for a one-year term to identify and evaluate potential locations for a new maintenance and layover facility for the Pacific Surfliner intercity passenger rail service in San Diego County.

5. Draft Business Plan for Fiscal Years 2019-20 and 2020-21

Eric Reese, (via teleconference from Los Angeles), recommended that the Draft Business Plan (Plan) include a provision for the introduction of station ambassadors to help improve customer service and increase on-time performance and to achieve shorter station dwell times. Mr. Reese added that at unstaffed locations there is lack of public signage and public announcements to help guide new travelers and indicate where the train doors line up.

Mr. Reese provided the benefits for having train ambassadors and suggested that the LOSSAN Agency consider partnering with the Station Host Association of California, as they currently provide volunteer "station hosts" in Northern California the San Luis Obispo Station.

5. (Continued)

Fred Hottinger (via teleconference from San Diego), Train Coalition, Santa Fe Depot, thanked the Board for giving him an opportunity to comment on the Plan. Mr. Hottinger stated that there was no mention of the San Diego Layover Facility Study and felt it merits a paragraph in the Plan. Mr. Hottinger added to indicate in the Plan the time slots of the 13th and 14th trains to San Diego.

Roger Lopez, Manager of Planning and Analysis, provided background information on the process of developing and finalizing the Plan. Mr. Lopez added that there have been no significant material changes to the Plan following comments received from the Technical Advisory Committee, and only minor revisions to historical information.

Director Hart inquired about Chapter 7 of the Plan and reference to the CHSR project. Director Hart suggested that in the future, staff provide an update to the LOSSAN Agency Board about the status of the HSR project, particularly as it relates to how any future changes will impact Pacific Surfliner service connectivity.

Jennifer L. Bergener, Managing Director, reported that she had a conversation with California State Transportation Agency Secretary Brian Annis and Deputy Secretary Chad Edison regarding the State of the State speech, and one important point to clear up is that the money that exists will be used to complete the 171-mile segment.

Ms. Bergener also stated that the State administration remains committed to what has been referred to as the “bookend” projects for the last several years. She added that if there is ever money freed-up, the LOSSAN Agency has advocated for any funding made available to come to intercity rail. Ms. Bergener commented that staff will continue to monitor and return to the Board with updates as available.

Director Boehm reported that in the short-term, the CHSR Authority is working on the environmental clearance for the entire Phase 1 system (from San Francisco to Anaheim) and ensuring that investments in the bookends are put in place. She offered to provide a more detailed update at the next LOSSAN Board meeting.

Director Strong stated that Chapter 14: Emerging Corridors of the Plan discusses four actions needed to advance the Coast Daylight project. Director Strong suggested that, in light of the possible delay of the HSR, this be one of the LOSSAN Agency’s highest priorities for an additional secure connection between San Diego and San Francisco.

5. (Continued)

A motion was made by Director Strong, seconded by Chairman Murray, and following a roll call vote, declared passed 10-0, to direct staff to incorporate comments received from the Technical Advisory Committee, member agencies, and the Board of Directors into the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Business Plan for Fiscal Years 2019-20 and 2020-21, and return to the Board of Directors on March 18, 2019 to seek final approval.

6. Pacific Surfliner Marketing Update

Emilia Doerr, Marketing & Communications Officer, provided an overview and a PowerPoint presentation on this item as follows:

- Performance Summary;
- Year-Over-Year Performance;
- Always-On Campaigns;
- Driving Awareness;
- Driving Consideration;
- Driving Conversions;
- Campaign Fare Promotion;
- Pacific Surfliner Game of the Week (a short video clip with highlights of the game was shown);
- Big West Conference;
- Map of the Big West Universities on Pacific Surfliner Route was Shown;
- California Everyday Discounts for United States (U.S.) Veterans; and
- Looking Ahead.

Chairman Murray thanked Ms. Doerr for the presentation and encouraged her to seek all possible venues associated with the U.S. Veterans outreach efforts. Chairman Murray felt that a lot of veterans would take advantage of the discounts.

Director Edson asked if the companion fare discount being offered Monday through Thursday was for both business and coach class fares. Ms. Doerr responded that the discount would be only for coach class fares.

Director Edson also inquired if there is feasibility of the LOSSAN Agency collaborating with NCTD and Metrolink on marketing programs and incentives in the future. Jennifer L. Bergener, Managing Director, responded yes, and staff will continue to look for enhanced collaboration in the coming year.

6. (Continued)

Director MacDonald suggested that staff continue to work on enhancing advertising of the “pacificsurfliner.com” link, such as by putting a silhouette of a train as the background and the contrasting lettering (link) on top to really catch the eye.

Director Shaw asked if the Pacific Surfliner advertising is still being shown at Angels baseball games. Ms. Doerr responded that the LOSSAN Agency is still active in its partnership with both the Angels and the San Diego Padres.

Director Hart congratulated Ms. Doerr and staff for a fantastic, high-quality marketing effort on the Pacific Surfliner. He added that the public agrees because doubling the referral sales revenue is a very important statistical milestone and evidence of success.

No action was taken on this receive and file information item.

Discussion Items

7. Managing Director's Report

Jennifer L. Bergener, Managing Director, reported on the following:

- A more comprehensive update on the HSR project is expected to be provided at the next Board meeting.
- There was an issue with one of the ground power stations failing at the Santa Fe Depot and staff believes it will be resolved today. An email was sent to the Train Coalition, the LOSSAN Chairman, and Members of the Board who were directly affected.
- At the March 18, 2019 Board meeting, the Board will be taking action on the renewal of both Rail 2 Rail programs with NCTD and Metrolink, and the Final Business Plan for submittal to the State. Both items are very significant and represent huge accomplishments for the LOSSAN Agency.
- There are only four Siemens Charger engines in service today. One of the engines is damaged due to striking a tree on the north end of the corridor. The other engines are out of service due to various issues, and staff is working with Siemens, the State, and Amtrak to get the issues resolved as quickly as possible.

8. Board Members' Report

Director Hart asked Jennifer L. Bergener, Managing Director, when the Board will be receiving an update on the Transit and Intercity Rail Capital Program grant projects. Ms. Bergener responded that staff is working on scheduling a briefing with LOSSAN Board Member on the north end of the corridor and with the Union Pacific Railroad to discuss the specific infrastructure projects. Staff can provide information on the layover facility efforts at a future Board meeting.

Director Strong reported that the National League of Cities (NLC) has named him Rail Co-Chair for the United States NLC. In addition, last week he met with the Vice President of the Transportation Committee for the House of Representatives in Washington, D.C., and will return in two weeks to meet with the Chairman and promote rail as much as possible.

Director Haviland reported that earlier this month, the San Diego Association of Governments (SANDAG) received Coastal Commission approval to begin Phase 4 of the stabilization projects on the Del Mar bluffs, and work will begin this summer or fall.

Director Haviland also reported that SANDAG and NCTD are preparing a federal grant application to fund Phase 5 to stabilize the Del Mar bluffs, as well as to make seismic and drainage improvements. Director Haviland stated that SANDAG and NCTD are hoping for a letter of support from the LOSSAN Agency. Ms. Bergener responded that the letter of support is forthcoming and can be expected to be received tomorrow.

Director MacDonald thanked staff for reviewing train schedules and accommodating the Board Members with a slightly different meeting time to allow those Members that ride the train from both the south and north end of the corridor to arrive to the meetings in a timely manner and have spare time before they board the train to return.

Director Shaw reported that an official ribbon-cutting event took place yesterday for the new parking structure at the rail station in downtown Orange. The new parking structure has 608 parking spaces, solar panels, and electric vehicle charging stations. There are 500 parking spaces for people using the rail service, and 108 spaces are for folks that visit downtown Orange.

Director Edson thanked the Board for welcoming her to the LOSSAN Board.



MINUTES

Board of Directors' Meeting

9. Closed Session

There was no Closed Session scheduled.

10. Adjournment

The meeting of the LOSSAN Agency's Board adjourned at 12:06 p.m. The next regularly scheduled meeting of this Board will be held:

Monday, March 18, 2019

11:15 a.m. – 12:45 p.m.

Orange County Transportation Authority Headquarters

Board Room – Conference Room 07

550 South Main Street

Orange, California

ATTEST:


Al Murray
LOSSAN Chairman

Gina Ramirez
LOSSAN Agency
Deputy Clerk of the Board



March 18, 2019

To: Members of the Board of Directors

From: Jennifer L. Bergener, Managing Director 

Subject: Fiscal Year 2018-19 Second Quarter Budget Status Report

Overview

The Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency's Fiscal Year 2018-19 budget was approved by the Board of Directors on March 29, 2018, in conjunction with the approval of the annual business plan for Fiscal Years 2018-19 and 2019-20. This report provides a summary of financial activities and performance through the second quarter of Fiscal Year 2018-19.

Recommendation

Receive and file as an information item.

Background

On March 29, 2018, the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) Board of Directors (Board) approved the LOSSAN Agency Annual Business Plan for Fiscal Year (FY) 2018-19 and FY 2019-20 (Business Plan), as well as the FY2018-19 budget. Included in both the adopted budget and the Business Plan is funding for FY 2018-19 administrative and marketing services in the amount of \$6,174,329, as well as \$36,493,957 for net train operations (including \$500,000 for minor projects and \$1,177,275 for reimbursement from other agencies), and \$8,900,000 for grant programs, bringing the total adopted budget to \$51,568,286. The adopted budget for operations was based on preliminary cost estimates available at the time of adoption.

The LOSSAN Agency received Amtrak's federal FY (FFY) 2018-19 operating revenue and expense forecast on March 30, 2018. The California State Transportation Agency (CalSTA) allowed for the LOSSAN Agency to submit a revised budget and resubmittal of the Business Plan by June 30, 2018, in order to incorporate Amtrak's FFY 2018-19 forecast. A budget amendment was approved by the Board on June 18, 2018, which adjusted the net train operations

budget to \$44,489,186 (including \$500,000 for minor projects), to align the budget with the Amtrak forecast. The budget includes estimates to implement an additional round trip, one-time positive train control host railroad costs, emergency bus bridge services, design for Coachella special train service, minor projects, and a reimbursement from other agencies of \$1,177,275. The gross train operations budget including minor capital is \$45,666,461. The budget amendment also increased grant revenues and expenses by \$1,500,000 and increased administration revenues and expenses by \$258,775, bringing the total budget to \$62,499,565.

Amtrak operates on a FFY of October 1 – September 30; thus, the operating contract has historically been executed on a FFY basis.

Discussion

The LOSSAN Agency bylaws state that a quarterly written report shall be filed with the Board reporting the amount of money held, the amount and source of receipts since the last report, and the amount and recipient of the amounts paid out since the last report. The Quarterly Budget Status Report (Attachment A) provides a detail-level overview of financial activity, including a comparison of budget to actuals and explanations for any budget-to-actual variances through the second quarter of FY 2018-19 (October 2018 through December 2018). A summary of these activities is provided below.

Budgeted revenues through the second quarter of FY 2018-19 totaled \$24,786,708 which is comprised of \$18,695,156 in state advance operating funds, \$1,625,000 in grant funds, \$2,214,452 in State Administrative Funding, \$2,000,000 in State Marketing Funding, \$250,000 in State Capital Funding, and \$2,100 for interest revenue.

Actual revenues through the second quarter totaled \$11,801,082, versus a budgeted amount of \$24,786,708. The actuals are comprised of operating funds from the state of \$11,456,761, grant funds of \$297,863, and interest revenue of \$46,458. The variances are primarily due to operating funds being provided by the state at the FFY 2018-19 Amtrak forecast amount of \$26.4 million (less \$1.2 million in other agency reimbursement) vs. the net train operating funding level approved by CalSTA at \$33.8 million, which includes the operating funds to implement additional Pacific Surfliner service and additional operating items. This represents approximately \$4.3 million of the variance through the second quarter. The remainder of the variance in net state operating funding of approximately \$2.9 million is due to lower than anticipated actual revenues recognized to offset expenses due to overall lower than anticipated net train operating expenses. The budget versus actual variances are further detailed in Attachment A.

Budgeted expenses through the second quarter of FY 2018-19 total \$23,414,734, which is comprised of \$18,695,157 for Amtrak operations, \$1,625,000 for grant programs, and \$3,094,577 for administrative and marketing services. Actual expenses through the second quarter totaled \$13,487,936 versus a budgeted amount of \$23,414,734. The major areas experiencing budget variances are within net train operating expenses, grant programs, administrative staffing, and marketing services. These variances are further detailed in Attachment A.

The LOSSAN Agency bylaws also call for a report of all expenditures under \$100,000 to be provided on a quarterly basis. This report is included as Attachment B.

The LOSSAN Agency Board has also directed staff to provide a listing of all open agreements, including vendor, description of purchase, contract number, contract amount, amount spent, remaining balance, and expiration date on a quarterly basis. This report is provided in Attachment C.

Summary

Through the second quarter of Fiscal Year 2018-19, the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency's actual revenues and expenses are below budget. A portion of the variance in both net train operating revenues and expenses are due to operating funds provided by the state at the federal fiscal year 2018-19 Amtrak forecast level of \$26.4 million (less \$1.2 million in other agency reimbursement) versus the California State Transportation Agency approved funding amount of \$33.8 million (excluding \$500,000 for minor projects). The remaining variance in both net train operating revenues and expenses are mainly due to higher budget allocations from the first quarter due to cyclical activity. Additional expense variances are due to vacant administrative positions, and lower than expected activity within grant programs and marketing.

Attachments

- A. Quarterly Budget Status Report, Second Quarter of Fiscal Year 2018-19
- B. Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency, Second Quarter Financial Activity Report, Fiscal Year 2018-19
- C. Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency, Open Agreements Listing as of December 31, 2018

Prepared by:



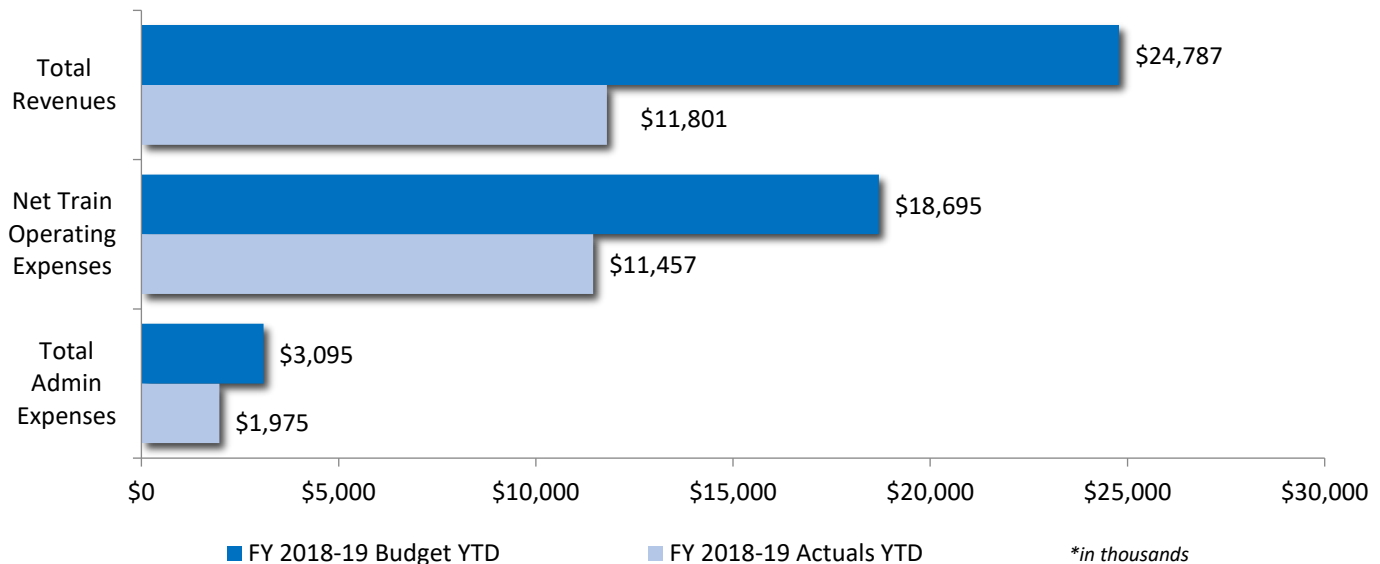
Jason Jewell
Finance and Administration Manager
(714) 560-5086



Quarterly Budget Status Report

Second Quarter of Fiscal Year 2018-19

FY 2018-19 Budget to Actuals Year-To-Date



OVERVIEW

On March 29, 2018, the Board of Directors (Board) approved the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) Business Plan for Fiscal Year (FY) 2018-19 and FY 2019-20 (Business Plan) as well as the FY 2018-19 budget. Included in the Business Plan and budget is funding for FY 2018-19 administrative and marketing services in the amount of \$6,174,329, as well as \$36,493,957 for net train operations (including \$500,000 for minor projects and \$1,177,275 reimbursement from other agencies), and \$8,900,000 for grant programs, bringing the total adopted budget to \$51,568,286. The adopted budget for operations was based on preliminary cost estimates available at the time of adoption.

The LOSSAN Agency received Amtrak's operating revenue and expense forecast for federal FY (FFY) 2018-19 on March 30, 2018. The California State Transportation Agency (CalSTA) allowed for a revised budget and resubmittal of the business plan by June 30, 2018, in order to incorporate Amtrak's FFY 2018-19 forecast. A budget amendment was approved by the Board on June 18, 2018, which adjusted the net train operations budget to \$44,489,186 (including

\$500,000 for minor projects) to align the budget with the Amtrak forecast.

The budget includes estimates to implement additional round trips, one-time positive train control host railroad costs, emergency bus bridge services, design for Coachella special train service, minor projects, and a reimbursement from other agencies of \$1,177,275. The gross train operations budget including minor capital is \$45,666,461. The budget amendment also increased grant revenues and expenses by \$1,500,000, and increased administration revenues and expenses by \$258,775, bringing the total budget to \$62,499,565.

The LOSSAN Agency submitted a revised FY 2018-19 and FY 2019-20 Business Plan to CalSTA on June 18, 2018 for approval, which was subsequently approved by CalSTA on September 11, 2018. The net train operating funding level approved by CalSTA includes the FFY 2018-19 Amtrak forecast amount for train operations at \$26,442,664, less \$1,177,275 revenue cost share for re-timed trains from the Santa Barbara County Association of Governments (SBCAG). The approved funding also includes \$8,065,754 to implement an additional round trip from San Diego to San Luis Obispo, as well as funding for emergency bus bridge services (\$120,000) and design for Coachella special train service (\$300,768). The

FFY 2018-19 Amtrak forecast amount for train operations of \$26,442,664, was based on the current service levels at the time of execution, and does not include additional round trips, bus bridge service, or Coachella special train service. As these services are implemented, amendments will be brought to the Board to amend the Amtrak agreement and adjust the state funding supplements as necessary. Included in the FY 2018-19 LOSSAN Agency working budget is \$9,000,000 for one-time positive train control host railroad costs. The state has funded this from FY 2017-18 funds.

Amtrak operates on a FFY of October through September, thus the operating contract has historically been executed on a FFY basis. The LOSSAN Agency operates on a FY between July and June.

The FY 2018-19 adopted budget assumes the California Department of Transportation Division of Rail and Mass Transportation will directly fund equipment capital charges for the Amtrak-owned railcars and locomotives used on the three state-supported corridors. As a result, equipment capital charges are not included in the operating agreement between Amtrak and the LOSSAN Agency.

This report highlights the major variances between the budget and actual revenues and expenses through the second quarter of FY 2018-19.

REVENUES

Budgeted revenues through the second quarter of FY 2018-19 are \$24,786,708 which is comprised of \$18,695,156 in state advance operating funds, \$2,214,452 in state administrative funding, \$2,000,000 in state marketing funding, \$1,625,000 in

other state funding, \$250,000 in state capital funding, and \$2,100 for interest revenue. Actual revenues through the second quarter totaled \$11,801,082 versus the budgeted amount of \$24,786,708. The actuals are comprised of state operating funds of \$11,456,761, other state funding of \$297,863, and interest revenue of \$46,458.

The majority of the variance in revenues through the second quarter is in state operating funding. Part of this variance is due to operating funds being provided by the state at the FFY 2018-19 Amtrak forecast amount of \$26,442,664 (less \$1,177,275 SBCAG revenue) vs. the LOSSAN Agency budget amount, which includes an additional \$8.5 million for additional round trips, emergency bus bridge service, and Coachella special train service which have not been implemented yet. Funding will be provided by the State as these projects are implemented. This contributes to approximately \$4.3 million in budget variance for state operating funds through the second quarter. The remainder of the variance in net state operating funding of approximately \$2.9 million is due to lower than anticipated expenses, causing lower than anticipated actual revenues recognized to offset the expenses. The variance in net train operating expenses is explained in the operating expenses section. State administrative and marketing funding are collectively contributing a variance of \$4,214,452 in the second quarter. The variance is due to timing. It is anticipated that funding will be received in the third quarter.

The variance of \$1,327,137 in other state funding is primarily due to lower reimbursements in Transit & Intercity Rail Capital Program grant funds (for the transit transfer program and corridor optimization study) due to lower than anticipated expenses. The variance also includes lower than anticipated

REVENUES

	FY 2018-19 Adopted Budget	FY 2018-19 Working Budget	FY 2018-19 Working Budget Year To Date	FY 2018-19 Actual Year To Date	\$ Variance Year To Date	% Variance Year To Date	Percent of Budget Used to Date
State Administrative Funding	\$ 4,170,129	\$ 4,428,904	\$ 2,214,452	\$ -	\$ (2,214,452)	N/A	0.0%
State Marketing Funding	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ -	\$ (2,000,000)	N/A	0.0%
State Operating Funding	\$ 33,639,407	\$ 43,989,186	\$ 18,695,156	\$ 11,456,761	\$ (7,238,395)	-39%	26.0%
Other State Funding ¹	\$ 8,900,000	\$ 10,400,000	\$ 1,625,000	\$ 297,863	\$ (1,327,137)	-82%	2.9%
Reimbursements from other Agencies	\$ 1,177,275	\$ 1,177,275	\$ -	\$ -	\$ -	N/A	0.0%
State Capital Funding ²	\$ 500,000	\$ 500,000	\$ 250,000	\$ -	\$ (250,000)	N/A	0.0%
Net State/Other Agency Funded	\$ 50,386,811	\$ 62,495,365	\$ 24,784,608	\$ 11,754,625	\$ (13,029,984)	-53%	18.8%
Interest Revenue	\$ 4,200	\$ 4,200	\$ 2,100	\$ 46,458	\$ 44,358	2112%	1106.1%
Total Revenues	\$ 50,391,011	\$ 62,499,565	\$ 24,786,708	\$ 11,801,082	\$ (12,985,626)	-52%	18.9%

¹ Includes Transit & Intercity Rail Capital Program, California Transit Security Grant Program, State Rail Assistance and State Transportation Improvement Program Funds

² Includes State Minor projects funding

Working budget is the adopted budget plus any amendments approved during the year.

revenues recognized for California Office of Emergency Services (CalOES) grant funded station improvement projects, due to lower than anticipated project expenses.

The variance in revenues for state capital funding is due to no minor project expenses through the second quarter. Expenses for minor projects are anticipated in the fourth quarter.

OPERATING EXPENSES

Budgeted expenses through the second quarter of FY 2018-19 total \$23,414,734, which is comprised of \$18,695,157 for net Amtrak operations, \$3,094,577 for administrative and marketing services, and \$1,625,000 for grant programs. Actual expenses through the second quarter totaled \$13,487,936 versus a budgeted amount of \$23,414,734. The major areas experiencing budget variances are within net train operating expenses, grant programs, administrative staffing, and marketing expenses.

The actuals in these categories are comprised of net train operating expenses of \$11,456,761, total administrative services (including marketing) of \$1,974,986 and grant program expenses of \$56,189. As explained in the revenue section, part of this variance is due to operating funds being provided by the state at the executed FFY 2018-19 Amtrak agreement amount of \$26,442,664 (less \$1,177,275 in SBCAG revenue) vs. the LOSSAN Agency budget amount, which includes an additional \$8.5 million (for funding capacity for additional round trips, emergency bus bridge service for Coachella special train service). This creates approximately a \$4.3 million budget variance in both state operating revenues and net train operating expenses through the second quarter.

The remaining budget variance within net train operations of \$2.9 million is due to overall route costs and additives coming in lower than forecast by approximately \$2.93 million and host railroad fees lower than forecast by \$344,000. This is primarily due to a higher budget allocation from July through September anticipating higher net expenses during the summer months, which did not occur. In addition, total revenue is coming in over forecast by \$89,000. The route costs, additives, and host railroad fees coming in under forecast (as well as total revenue over forecast), is offset by fuel costs being higher than forecast by approximately \$551,000. This is due to the budget assumption of \$2.33 cost per diesel gallon of fuel compared to the average actual price of \$2.54 per gallon during the second quarter. This expense will continue to be monitored

throughout the year. The LOSSAN Agency has approximately \$4.1 million in operating reserve funds that can be used to fund variances in operating expenses if needed.

The grant programs expenses are lower than budgeted by \$1,568,811. The variance is due to lower than anticipated expenses for the transit transfer program and the corridor optimization study. Expenses are anticipated to be incurred in the third and fourth quarter. In addition, the CalOES-funded station improvement project related expenses have been lower than anticipated.

The administrative staffing line item budget variance is driven by five administrative positions which remained vacant throughout the first quarter. Three of the five vacant positions were filled during the second quarter. The LOSSAN Planning & Analysis Manager position was filled internally by LOSSAN staff during the second quarter, creating a vacancy for a LOSSAN Transportation Analyst, Principal. The vacant positions remaining at the end of the second quarter include the LOSSAN Mechanical and Equipment Manager, LOSSAN Marketing Specialist, Principal, and the LOSSAN Transportation Analyst, Principal.

Marketing expenses came in lower than budgeted by \$346,761. Marketing expenses are anticipated to increase through the third quarter, as a major media marketing campaign and major league baseball partnership commitments are underway.

Quarterly Budget Status Report - LOSSAN

Second Quarter of FY 2018-19

EXPENSES

	FY 2018-19 Adopted Budget	FY 2018-19 Working Budget	FY 2018-19 Working Budget Year To Date	FY 2018-19 Actual Year To Date	\$ Variance Year To Date	% Variance Year To Date	FY 2018-19 Percent of Budget Used to Date
Administrative Budget Line Items							
Administration - Staffing	\$ 3,831,179	\$ 4,089,954	\$ 2,044,977	\$ 1,212,095	\$ 832,882	41%	29.6%
Legal Services	\$ 50,000	\$ 50,000	\$ 25,000	\$ 11,623	\$ 13,377	54%	23.2%
Travel	\$ 26,950	\$ 26,950	\$ 12,500	\$ 10,484	\$ 2,016	16%	38.9%
Marketing	\$ 2,000,000	\$ 2,000,000	\$ 1,000,000	\$ 653,239	\$ 346,761	35%	32.7%
Insurance	\$ 57,000	\$ 57,000	\$ -	\$ 67,349	\$ (67,349)	N/A	118.2%
Contracted services (Audit, Planning)	\$ 200,000	\$ 200,000	\$ 10,000	\$ 16,435	\$ (6,435)	-64%	8.2%
Dues & Memberships	\$ 5,000	\$ 5,000	\$ -	\$ -	\$ -	N/A	0.0%
Net State Funded Services	\$ 6,170,129	\$ 6,428,904	\$ 3,092,477	\$ 1,971,225	\$ 1,121,252	36%	30.7%
Banking Services	\$ 4,200	\$ 4,200	\$ 2,100	\$ 1,048	\$ 1,052	50%	25.0%
Total Admin Services	\$ 6,174,329	\$ 6,433,104	\$ 3,094,577	\$ 1,972,273	\$ 1,122,304	36%	30.7%
Non Budgeted Expenses							
Other Business Expenses	\$ -	\$ -	\$ -	\$ 2,712	\$ (2,712)	N/A	N/A
Non Budgeted Admin Services	\$ -	\$ -	\$ -	\$ 2,712	\$ (2,712)	N/A	N/A
Total Administrative Services	\$ 6,174,329	\$ 6,433,104	\$ 3,094,577	\$ 1,974,986	\$ 1,119,591	36%	31%

	FY 2018-19 Adopted Budget	FY 2018-19 Working Budget	FY 2018-19 Working Budget Year To Date	FY 2018-19 Actual Year To Date	\$ Variance Year To Date	% Variance Year To Date	FY 2018-19 Percent of Budget Used to Date
Operating/Capital Budget Line Items							
Net Train Operating Expenses	\$ 35,993,957	\$ 45,166,461	\$ 18,695,157	\$ 11,456,761	\$ 7,238,396	39%	25.4%
Minor Projects	\$ 500,000	\$ 500,000	\$ -	\$ -	\$ -	N/A	0.0%
Grant Programs ¹	\$ 8,900,000	\$ 10,400,000	\$ 1,625,000	\$ 56,189	\$ 1,568,811	97%	0.5%
Total Operating/Capital Budget	\$ 45,393,957	\$ 56,066,461	\$ 20,320,157	\$ 11,512,951	\$ 8,807,206	43%	20.5%
Total Budget	\$ 51,568,286	\$ 62,499,565	\$ 23,414,734	\$ 13,487,936	\$ 9,926,798	42%	21.6%

¹ Includes Transit & Intercity Rail Capital Program, California Transit Security Grant Program, State Rail Assistance and State Transportation Improvement Program Funds
Working budget is the adopted budget plus any amendments approved during the year.



Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency
Second Quarter Financial Activity Report
Fiscal Year 2018-19

Date	Payee	Debit	Credit	Balance
October				
10/1/2018	Bank Account Balance Forward			32,322,966.89
10/2/2018	Joanna Capelle - Professional services	1,950.00		32,321,016.89
10/2/2018	PR Newswire Professional Marketing Services	835.00		32,320,181.89
10/2/2018	PR Newswire Professional Marketing Services	835.00		32,319,346.89
10/2/2018	Woodruff, Spradlin & Smart - September - Legal Services	1,310.60		32,318,036.29
10/10/2018	Bank of the West - Credit Card Charges Various	2,424.31		32,315,611.98
10/10/2018	Outfront Media - Advertising	5,600.00		32,310,011.98
10/11/2018	Outfront Media - Advertising	47,267.00		32,262,744.98
10/11/2018	PR Newswire Professional Marketing Services	2,082.00		32,260,662.98
10/16/2018	Managing Director Travel	48.00		32,260,614.98
10/23/2018	ACE Agency - Professional Marketing Services	11,430.14		32,249,184.84
10/23/2018	Goal Productions - Videography	7,675.00		32,241,509.84
10/23/2018	Deputy Managing Director Travel	102.10		32,241,407.74
10/23/2018	Amtrak - Station Upgrades	2,186.58		32,239,221.16
10/23/2018	Outfront Media - Advertising	46,692.00		32,192,529.16
10/23/2018	Web Advanced - Web Marketing Services	1,477.50		32,191,051.66
10/30/2018	Joanna Capelle - Professional services	975.00		32,190,076.66
10/30/2018	Marketing Manager - Travel	37.10		32,190,039.56
10/30/2018	Google - Advertising	29,922.03		32,160,117.53
10/30/2018	San Luis Obispo Regional Transit Authority - Transit Transfer Program	9.96		32,160,107.57
10/25/2018	Deposit - Managing Director Reimbursement		8.02	32,160,115.59
10/31/2018	Bank of the West - Interest		1,480.40	32,161,595.99
November				32,161,595.99
11/6/2018	Amtrak - Station Upgrades	14,544.38		32,147,051.61
11/6/2018	OCTA Administrative Services July-September	561,928.32		31,585,123.29
11/6/2018	Pacific Graphics, Inc. - Printing	18,867.52		31,566,255.77
11/6/2018	Woodruff, Spradlin & Smart - October - Legal Services	937.20		31,565,318.57
11/9/2018	Bank of the West - Credit Card Charges Various	981.43		31,564,337.14

Date	Payee	Debit	Credit	Balance
11/13/2018	ACE Agency - Professional Marketing Services	1,337.50		31,562,999.64
11/13/2018	Deputy Managing Director Travel	192.30		31,562,807.34
11/13/2018	Operations, Compliance & Safety Manager - Travel	182.67		31,562,624.67
11/13/2018	PR Newswire Professional Marketing Services	19,801.80		31,542,822.87
11/13/2018	Truth and Advertising - Marketing professional services	13,700.00		31,529,122.87
11/20/2018	Google - Advertising	22,055.56		31,507,067.31
11/27/2018	Facebook - Advertising	6,774.09		31,500,293.22
11/27/2018	Goal Productions - Videography	1,200.00		31,499,093.22
11/27/2018	Deputy Managing Director Travel	198.50		31,498,894.72
11/28/2018	Monarch Sport LLC - Pacific Surfliner Marketing	9,510.00		31,489,384.72
11/27/2018	Amtrak - Station Upgrades	12,866.11		31,476,518.61
11/27/2018	Santa Barbara Metropolitan Transit District -Transit Transfer Program	10,344.50		31,466,174.11
11/27/2018	Ventura County Transportation Commission - Transit Transfer Program	7,124.12		31,459,049.99
11/27/2018	Web Advanced - Web Marketing Services	472.50		31,458,577.49
11/30/2018	Bank of the West - Interest		14,639.90	31,473,217.39
December				31,473,217.39
12/4/2018	Deputy Managing Director Travel	360.25		31,472,857.14
12/4/2018	IT Works Inc. Wifi Landing Page	10,503.00		31,462,354.14
12/4/2018	Vavrinek Trine and Day - Audit Services	13,510.00		31,448,844.14
12/4/2018	Web Advanced - Web Marketing Services	672.25		31,448,171.89
12/4/2018	Woodruff, Spradlin & Smart - October - Legal Services	1,748.70		31,446,423.19
12/11/2018	Bank of the West - Credit Card Charges Various	5,125.23		31,441,297.96
12/11/2018	OCTA Administrative Services September-October	187,309.44		31,253,988.52
12/4/2018	Web Advanced - Web Marketing Services	428.75		31,253,559.77
12/18/2018	Anaheim Ducks - Advertising	65,000.00		31,188,559.77
12/18/2018	Operations, Compliance & Safety Manager - Travel	161.67		31,188,398.10
12/18/2018	Facebook - Advertising	4,884.53		31,183,513.57
12/18/2018	Google - Advertising	27,911.36		31,155,602.21
12/18/2018	Making Waves - Web Marketing Services	8,710.87		31,146,891.34
12/18/2018	Marsh Risk and Insurance - Brokerage Fee	10,000.00		31,136,891.34
12/18/2018	Monarch Sport LLC - Pacific Surfliner Marketing	2,987.40		31,133,903.94
12/18/2018	North County Transit District - Transit Transfer Program	1,316.53		31,132,587.41
12/18/2018	San Diego Visitor's Magazine - Advertising	4,800.00		31,127,787.41
12/18/2018	ACE Agency - Professional Marketing Services	7,234.23		31,120,553.18
12/18/2018	Senior Accounting Analyst - Travel	31.20		31,120,521.98
12/18/2018	Woodruff, Spradlin & Smart - November - Legal Services	3,300.50		31,117,221.48
12/20/2018	OCTA Administrative Services October-November	290,481.41		30,826,740.07

Date	Payee	Debit	Credit	Balance
12/26/2018	Marsh Risk and Insurance - Insurance	57,348.87		30,769,391.20
12/26/2018	Amtrak - Station Upgrades	11,102.17		30,758,289.03
12/31/2018	Bank of the West - Interest		26,905.71	30,785,194.74

**Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency
Open Agreements Listing as of December 31, 2018**

AGREEMENT NUMBER	VENDOR	DESCRIPTION	EXECUTED	TERMINATES	CONTRACT AMOUNT	AMOUNT PAID TO DATE	CONTRACT BALANCE	CONTRACT STATUS
C-4-1816	Woodruff Spradlin & Smart	Professional legal services. Piggyback off of Orange County Transportation Authority's (OCTA) contract.	7/1/15	6/30/29	\$160,000	\$124,510	\$35,490	OPEN
C-5-3490	Joanna Capelle	Professional services for financial programming, coordination and reporting services relating to grants. Piggyback off of OCTA's contract.	9/4/15	9/30/19	\$44,550	\$12,740	\$31,810	OPEN
L-5-0002	N/A	Joint Powers Agreement Concerning the LOSSAN Agency	N/A	N/A	N/A	N/A	N/A	OPEN
L-5-0005	Web Advanced Corporation	Consultant Services for Website Development and Implementation for the LOSSAN Agency - Pacific Surfliner.	4/6/16	12/31/18	\$250,000	\$111,918	\$138,082	OPEN
L-5-0006	Goal Productions	Consultant Services for Professional Video services for the LOSSAN Agency - Pacific Surfliner.	5/16/16	12/31/19	\$200,000	\$182,762	\$17,238	OPEN
L-5-0012	Vavrinek, Trine, Day & Company, LLP	Independent Auditing Services for the LOSSAN Agency	4/1/16	3/31/19	\$75,000	\$49,298	\$25,702	OPEN
L-6-0003	Southern California Regional Rail Authority (SCRRA), Amtrak	Cooperative Agreement with SCRRA, Amtrak for Rail 2 Rail Program.	7/1/15	6/30/19	No Funds Flow Through LOSSAN	N/A	N/A	OPEN
L-6-0005	Santa Barbara Metropolitan Transit District	Cooperative Agreement with Santa Barbara Metropolitan Transit District for Pacific Surfliner Transit Transfer Agreement	6/6/16	6/30/21	\$40,000	\$31,687	\$8,313	OPEN
L-6-0006	San Luis Obispo Transit	Cooperative Agreement with San Luis Obispo Transit for Pacific Surfliner Transit Transfer Agreement.	7/1/16	6/30/21	\$10,000	\$20	\$9,980	OPEN
L-6-0007	South County Transit	Cooperative Agreement with South County Transit for Pacific Surfliner Transit Transfer Agreement.	6/1/16	6/30/21	\$5,000	\$24	\$4,976	OPEN
L-6-0009	OCTA	Cooperative Agreement with OCTA for Pacific Surfliner Transit Transfer Agreement.	6/6/16	6/30/21	\$95,000	\$31,509	\$63,491	OPEN
L-6-0010	Anaheim Resort Transit	Cooperative Agreement with Anaheim Resort Transit for Pacific Surfliner Transit Transfer Agreement.	6/2/16	6/30/21	\$40,000	\$35,274	\$4,726	OPEN
L-6-0012	Ventura County Transportation Commission	Cooperative Agreement with Ventura County Transportation Commission for Pacific Surfliner Transit Transfer Agreement	6/1/16	6/30/21	\$15,000	\$7,196	\$7,804	OPEN
L-6-0013	Gold Coast Transit	Cooperative Agreement with Gold Coast Transit for Pacific Surfliner Transit Transfer Agreement.	7/1/16	6/30/21	\$20,000	\$1,158	\$18,842	OPEN
L-6-0015	San Luis Obispo Regional Transportation Authority	Cooperative Agreement with San Luis Obispo Regional Transportation Authority for Pacific Surfliner Transit Transfer Agreement.	6/1/16	6/30/21	\$18,000	\$22	\$17,978	OPEN
L-6-0016	Glendale Beeline	Cooperative Agreement with Glendale Beeline for Pacific Surfliner Transit Transfer Agreement.	6/22/16	6/30/21	\$7,500	\$2,967	\$4,533	OPEN
L-6-0017	North County Transit District (NCTD)	Cooperative Agreement with NCTD for Transit Transfer Agreement	6/6/16	6/30/21	\$95,000	\$3,632	\$91,368	OPEN
L-6-0023	Amtrak and OCTA	Cooperative Agreement with OCTA and Amtrak for Emergency bus bridge agreement. Funds flow between Amtrak and OCTA.	7/10/17	5/31/19	\$50,000	N/A	N/A	OPEN

**Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency
Open Agreements Listing as of December 31, 2018**

AGREEMENT NUMBER	VENDOR	DESCRIPTION	EXECUTED	TERMINATES	CONTRACT AMOUNT	AMOUNT PAID TO DATE	CONTRACT BALANCE	CONTRACT STATUS
L-7-0003	Truth and Advertising	Consultant services for professional marketing, branding, public outreach services for the LOSSAN Agency - Pacific Surfliner	10/2/17	8/31/18	\$300,000	\$292,480	\$7,520	OPEN
L-7-0004	Truth and Advertising	Consultant services for integrated advertising and direct response marketing for the LOSSAN Agency - Pacific Surfliner	10/2/17	8/31/18	\$1,150,000	\$718,353	\$431,647	OPEN
L-7-0008	Amtrak	Operating Agreement with Amtrak for the provision of passenger rail service for Fiscal Years 2017-18 and 2018-19	10/1/17	9/30/19	\$26,891,144	\$24,557,579	\$2,333,565	OPEN
L-7-0011	Marsh Risk and Insurance Services	Consultant services to provide Insurance brokerage services	7/1/17	6/30/22	\$50,000	\$20,000	\$30,000	OPEN
L-7-0013	Amtrak	Security Projects for LOSSAN Corridor with Amtrak	3/12/18	Project Completion	\$1,887,000	\$267,398	\$1,619,602	OPEN
L-7-0014	Union Pacific Rail Road Corporation	Corridor analyst reimbursement agreement for proposed additional Pacific Surfliner intercity passenger rail service (Capacity analysis)	12/8/17	At Completion	\$35,000	\$17,500	\$17,500	OPEN
L-7-0016	Marsh Risk and Insurance	Purchase Order: General liability, crime, and errors & omissions insurance policy	1/1/18	12/31/18	\$44,224	\$44,224	\$0	OPEN
L-7-1917	Making Waves USA, Inc.	Consultant services for website design and development services for the LOSSAN Agency - Pacific Surfliner	3/28/18	3/15/20	\$650,000	\$92,891	\$557,109	OPEN
L-8-0001	Bank of the West	Commercial Banking Services	9/6/18	8/31/23	\$25,000	\$0	\$25,000	OPEN
L-8-0003	Monarch Sport LLC	Pacific Surfliner Field Marketing	7/16/18	7/15/19	\$50,000	\$12,497	\$37,503	OPEN
L-8-0004	Outdoor Media	Sole Source Purchase Order for Outdoor Advertising for Summer Campaign	6/4/18	9/30/18	\$99,561	\$99,559	\$2	OPEN
L-8-0005	Ace Agency	Pacific Surfliner Public Relations	8/8/18	6/30/19	\$50,000	\$20,002	\$29,998	OPEN
L-8-0006	Pacific Graphics	Specialty Printing Services for the Pacific Surfliner	6/26/18	6/30/19	\$50,000	\$34,977	\$15,023	OPEN
L-8-0007	Meringcarson	Email Marketing and Passenger Communications Program	1/7/19	12/31/19	\$49,800	\$0	\$49,800	OPEN
L-8-0008	Pastilla	Creative Design and Strategic Communications Program	10/9/18	8/31/19	\$50,000	\$0	\$50,000	OPEN
L-8-0009	California Department of Transportation	Interagency Transfer Agreement Between State of California Department of Transportation and the LOSSAN Agency	7/1/18	6/30/21	N/A	N/A	N/A	OPEN
L-8-0010	OCTA	Managing Agency Agreement for OCTA to provide administrative services to LOSSAN	7/1/18	6/30/21	Reimbursable Agreement	\$994,617	N/A	OPEN
L-8-0011	Civilian, Inc.	Creative Services and Advertising Marketing for Pacific Surfliner	1/9/19	12/31/19	\$1,000,000	\$0	\$1,000,000	OPEN
L-8-0013	NCTD, Amtrak	Rail to Rail Cooperative Agreement with the LOSSAN Agency, NCTD & Amtrak	8/1/18	7/31/19	No Funds Flow Through LOSSAN	N/A	N/A	OPEN


**Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency
Open Agreements Listing as of December 31, 2018**

AGREEMENT NUMBER	VENDOR	DESCRIPTION	EXECUTED	TERMINATES	CONTRACT AMOUNT	AMOUNT PAID TO DATE	CONTRACT BALANCE	CONTRACT STATUS
L-8-0014	Sparkloft Media	Pacific Surfliner Social Media Marketing	11/2/18	3/31/19	\$50,000	\$0	\$50,000	OPEN
L-8-0015	PR Newswire Association LLC	PR Newswire Services	10/3/18	9/4/21	\$63,080	\$19,802	\$43,278	OPEN
L-8-0016	Amtrak, Capitol Corridor Joint Powers Authority, San Joaquin Joint Powers Authority	Cooperative agreement for Amtrak to install connecting motor coach branding decals	12/15/2017	Project Completion	\$61,521	\$61,521	\$0	OPEN
L-8-0020	IT Works Inc DBA Volanno	WiFi Landing Page Services	10/19/2018	6/30/2019	\$10,503	\$10,503	\$0	OPEN
L-8-0024	Marsh Risk Insurance	Purchase order for general liability, crime, errors and omissions insurance	12/1/2018	12/1/2019	\$57,349	\$0	\$57,349	OPEN



March 18, 2019

To: Members of the Board of Directors

From: Jennifer L. Bergener, Managing Director 

Subject: Amendment to Cooperative Agreement No. L-8-0013 for the Rail 2 Rail Program with the North County Transit District and National Railroad Passenger Corporation

Overview

On July 16, 2018, the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Board of Directors approved a cooperative agreement between the North County Transit District and the National Railroad Passenger Corporation for the Rail 2 Rail Program between Pacific Surfliner and COASTER services on the Los Angeles – San Diego – San Luis Obispo rail corridor. This agreement will expire on July 31, 2019, and an extension is necessary to continue the program.

Recommendation

Authorize the Managing Director to negotiate and execute Amendment No. 1 to Cooperative Agreement No. L-8-0013 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency, the North County Transit District, and the National Railroad Passenger Corporation for an additional term of one year through July 31, 2020, and increase the reimbursement rate to \$4.44 per boarding.

Discussion

The Rail 2 Rail (R2R) Program with the North County Transit District (NCTD) was initiated in August 2013 through a cooperative agreement between the California Department of Transportation (Caltrans), NCTD, and the National Railroad Passenger Corporation (Amtrak) to allow for Pacific Surfliner and COASTER passengers with certain Amtrak or NCTD tickets to utilize either service within the limits of their ticket at no additional charge. The R2R Program continued in substantially the same format through 2017.

In July 2018, recognizing the ongoing benefits of the R2R Program, the LOSSAN Agency Board of Directors (Board) approved the terms for the continuance of the R2R Program with NCTD and authorized the

Managing Director to enter into an agreement to continue the R2R Program. The R2R Program currently provides for all Amtrak-operated Pacific Surfliner trains to accept valid COASTER Regionplus day passes, monthly, or 30-day passes and for all COASTER trains to accept valid Amtrak tickets, within the limits of the ticket, for all shared stations between Oceanside and San Diego.

The R2R Program provides improved passenger rail service along the LOSSAN rail corridor by allowing greater flexibility for rail passengers and making rail transit a more viable alternative. The R2R Program also provides mutual benefit for both the Pacific Surfliner and COASTER services by allowing NCTD to offer up to 24 additional daily trips to its passengers at a fraction of the cost to provide that service independently. Several of the Pacific Surfliner trains also provide service during time periods not currently serviced by COASTER trains.

Furthermore, the LOSSAN Agency is required, per the interagency transfer agreement with Caltrans, to maintain specific performance standards related to passenger miles, ridership, and farebox recovery. The R2R Program helps the Pacific Surfliner to achieve these performance standards by increasing ridership and providing a modest revenue increase. The R2R Program has proven to be a success, providing benefit to passengers and both services.

To ensure continued benefit to passengers, staff is recommending the continuance of the R2R Program with NCTD for an additional term of one year, through July 31, 2020, and to increase the reimbursement rate from \$4.42 to \$4.44 per boarding, which is consistent with the average COASTER revenue per boarding identified in NCTD's Fiscal Year 2017-18 Comprehensive Annual Financial Report.

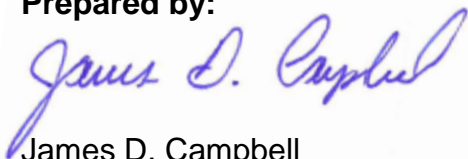
Summary

Staff requests Board of Directors approval for the Managing Director to negotiate and execute Amendment No. 1 to Cooperative Agreement No. L-8-0013 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency, the North County Transit District, and the National Railroad Passenger Corporation for an additional 12 months through July 31, 2020, and to increase the reimbursement rate to \$4.44 per boarding for the Rail 2 Rail program between Pacific Surfliner and COASTER services on the Los Angeles – San Diego – San Luis Obispo rail corridor.

Attachment

None.

Prepared by:




James D. Campbell
Deputy Managing Director
(714) 560-5390



March 18, 2019

To: Members of the Board of Directors

From: Jennifer L. Bergener, Managing Director 

Subject: Cooperative Agreement for Continuance of the Rail 2 Rail Program with the Southern California Regional Rail Authority and the National Railroad Passenger Corporation

Overview

The Rail 2 Rail Program provides significant benefits to passengers traveling on the Los Angeles – San Diego – San Luis Obispo rail corridor by increasing the number of train options for travel along the corridor. The agreement to provide the Rail 2 Rail Program between the Pacific Surfliner and Metrolink services expires on June 30, 2019, and a new agreement is necessary to continue the program.

Recommendations

- A. Authorize the Managing Director to negotiate and execute Agreement No. L-9-0005 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency, Southern California Regional Rail Authority, and National Railroad Passenger Corporation to continue the Rail 2 Rail program for a term of one year through June 30, 2020 for a total contract value of \$2,400,000.
- B. Direct the Managing Director to continue to work with the Southern California Regional Rail Authority and National Railroad Passenger Corporation to pursue a step-up fare program to facilitate cost-sharing of the program with Rail 2 Rail passengers.

Discussion

The Rail 2 Rail (R2R) Program was initiated in 2003 through a cooperative agreement between the California Department of Transportation (Caltrans), Southern California Regional Rail Authority (Metrolink) and the National Railroad Passenger Corporation (Amtrak). The R2R Program was intended to leverage available capacity on the Pacific Surfliner trains for the mutual benefit of both

Metrolink and Pacific Surfliner passengers. The R2R Program has continued in substantially the same format, with the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) assuming administrative responsibility in 2015.

The R2R Program with Metrolink currently provides for all Amtrak-operated Pacific Surfliner trains to accept valid monthly Metrolink tickets, and for all Metrolink trains to accept valid monthly Amtrak tickets within the limits of the tickets, subject to certain restrictions and blackout dates. The R2R Program also allows for Pacific Surfliner trains to accept all valid Metrolink fare media between Los Angeles Union Station and the Burbank Airport – South station, providing additional options for travelers who want to take the train to and from Burbank Airport instead of renting a car.

The R2R Program provides improved passenger rail service along the LOSSAN rail corridor by allowing greater flexibility for rail passengers and making rail transit a more viable alternative. The R2R Program also provides mutual benefit for both the Pacific Surfliner and Metrolink by allowing Metrolink to offer up to 24 additional daily trips to its passengers at a fraction of the cost to provide that service independently. These additional Pacific Surfliner trains serve as express trains along the corridor and provide service in currently unserved timeslots, requiring minimal financial contribution from Metrolink member agencies. The R2R Program benefits the Pacific Surfliner by increasing ridership and providing a modest revenue increase. The R2R Program has proven to be a success, providing benefit to passengers and both services.

The LOSSAN Agency is required, per the interagency transfer agreement with Caltrans, to maintain specific performance standards related to passenger miles, ridership, and farebox recovery. The R2R Program provides incremental increases in ridership, fare revenue, and overall passenger miles. These increases are beneficial in maintaining the performance standards of the Pacific Surfliner service and allow for cross-promotion between the services. The R2R Program is consistent with the draft LOSSAN Agency Business Plan for Fiscal Year (FY) 2019-20 and FY 2020-21 (Business Plan), providing improved service and connectivity along the LOSSAN rail corridor.

The current R2R Program agreement expires on June 30, 2019. Based on the performance of the R2R Program to date and the consideration of the program in the draft Business Plan, LOSSAN Agency staff recommends the continuance of this program for a term of one year, through June 30, 2020. A reimbursement rate of \$7.00 per boarding is recommended with a contract value of \$2,400,000, which is consistent with the draft FY 2019-20 Metrolink budget.

To continue the development of options for the long-term continuance of the R2R Program and also to ensure continued integration efforts on the LOSSAN rail corridor, LOSSAN Agency staff will continue discussions with Metrolink and Amtrak to pursue the development of a mobile-based or similar option for a step-up fare program for the R2R Program. This program will facilitate cost sharing by off-setting some of the reimbursement costs paid by Metrolink member agencies through an adjusted ticket price paid by those passengers who choose to participate in the R2R Program. It is envisioned that this proposed step-up program will also assist with managing the passenger loads on certain peak-period trains.

LOSSAN Agency staff, working in coordination with Metrolink and Amtrak, has developed a draft cooperative agreement consistent with the terms above for the continuance of the R2R Program.

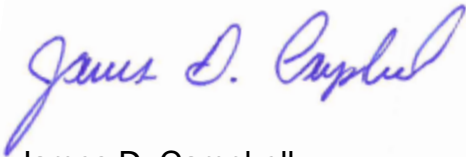
Summary

Staff requests Board of Directors approval for the Managing Director to negotiate and execute Cooperative Agreement No. L-9-0005 to continue the Rail 2 Rail Program for a term of one year, through June 30, 2020 for a total contract value of \$2,400,000. Staff will continue to work with Metrolink and Amtrak to pursue the development of a mobile based or similar option for a step-up fare program to help facilitate cost-sharing of the Rail 2 Rail Program

Attachment

None.

Prepared by:



James D. Campbell
Deputy Managing Director
(714) 560-5390



March 18, 2019

To: Members of the Board of Directors
From: Jennifer L. Bergener, Managing Director
Subject: Legislative Update

Overview

An update is provided on the federal fiscal year 2018-19 funding bills and discussions surrounding the California High-Speed Rail project. An overview of transportation-related legislative hearings and a report issued by the Federal Railroad Administration on preventing trespassing incidents is also included.

Recommendation

Receive and file as an information item.

Discussion

Federal Appropriations Process Update

Prior to the start of federal fiscal year (FFY) 2018-19, the President signed five of the 12 appropriations bills into law, funding a portion of government operations for the duration of the fiscal year. The remaining seven appropriations bills, including the Transportation, Housing and Urban Development (THUD) bill, were funded under a series of continuing resolutions that expired on December 21, 2018. After a 35-day lapse in appropriations, another continuing resolution was passed on January 25, 2019, that reopened the closed government agencies through February 15, 2019. A separate measure was also passed providing backpay for federal workers impacted by the partial government shutdown.

On February 14, 2019, the House signed omnibus appropriations legislation by a vote of 300 to 128. The Senate passed the bill shortly thereafter by a vote of 83-18. On February 15, 2019, the President signed the bill into law, funding the remaining seven appropriations bills through the end of the fiscal year. The THUD division received \$71.1 billion in discretionary funding, \$23.1 billion above the President's budget request and \$1 billion above the FFY 2017-18 enacted

level. The portion of the omnibus bill that funds the Department of Transportation provides \$85.6 billion overall.

The omnibus bill provides more than \$16 billion for public transportation and intercity passenger rail grants, which is \$1.2 billion above authorized levels in the Fixing America's Surface Transportation (FAST) Act. Within the \$13.4 billion provided for public transportation grants is \$2.55 billion for the Capital Investment Grants (CIG) program. The bill allocates \$1.27 billion for New Starts projects, \$635 million for Core Capacity projects, and \$526.5 million for Small Starts programs. In addition, the bill also includes language directing the Federal Transit Administration to obligate \$2.17 billion of the CIG funds in a timely manner, specifically by December 31, 2020. There was also language emphasizing that the CIG program should be administered pursuant to the policies authorized in the FAST Act.

The \$2.6 billion provided for intercity passenger rail grants consists of \$1.94 billion for Amtrak, \$400 million for Federal-State Partnership for State of Good Repair grants, and \$255 million for the Consolidated Rail Infrastructure and Safety Improvements program, among other programs. Of the \$1.94 billion included for Amtrak, the bill allocates \$650 million for Northeast Corridor grants and \$1.29 billion for the National Network. As for the Federal-State Partnership for State of Good Repair program, the bill also directs the Federal Railroad Administration (FRA) to release funding for FFY 2016-17, 2017-18, and 2018-19 grants within 30 days of enactment of this bill to expedite the timeline of grant notices and awards.

The omnibus bill also provides \$900 million for the competitive Better Utilizing Investments to Leverage Development (BUILD) program, which funds surface transportation projects that include multi-modal investments. The bill requires BUILD grants to be split evenly between large urban areas and rural areas with a population of under 200,000. The bill also contains language requiring that the FFY 2018-19 funding application process commence within 60 days of enactment. Staff will continue to monitor the implementation of these funds as it relates to intercity passenger rail service.

California High-Speed Rail Project Update

Since voters approved Proposition 1A in 2008, the high-speed rail project has experienced significant cost increases that have resulted in an estimated \$50 billion funding gap to complete Phase I of the project, which would run from San Francisco to Anaheim. In the State of the State speech, Governor Gavin Newsom signaled a shift in California's approach to the project. Specifically, the Governor announced his intention to utilize the authorized funding to complete a segment of the project between Merced and Bakersfield,

while also continuing work on the environmental reviews for the remainder of Phase I.

In response to the Governor's announcement, the FRA declared its intention to cancel a \$929 million federal grant appropriated in 2009. The letter from the FRA detailing its reasoning behind the potential de-obligation of these funds is included as Attachment A. In the letter, the FRA argues that the California High-Speed Rail Authority (CHSRA) has failed to meet the terms of the Cooperative Agreement entered into with the FRA when the grant was executed. The FRA is also considering legal options to get back another \$2.5 billion federal grant the CHSRA has already spent on the project.

On March 4, 2019, the CHSRA responded to the FRA in a letter included as Attachment B. In this letter, the CHSRA explains how the agency is focused on meeting the conditions laid out in the federal grant agreement. Specifically, the letter discussed the progress made on the project, which includes 119 miles of construction, and the advancing of environmental permits. In addition, the letter notes that the CHSRA fulfilled its commitment to fully expend the other \$2.5 billion in federal funds discussed in connection with the FRA's letter.

It is expected that both the Legislature and Congress will continue to analyze and evaluate the project's next steps. Staff will continue to provide additional updates as the situation continues to develop.

Federal Railroad Administration's Report on Preventing Trespassing

On February 19, 2019, the FRA issued a report to Congress entitled, "National Strategy to Prevent Trespassing on Railroad Property," which is included as Attachment C. At the request of the U.S. House of Representatives Committee on Appropriations, the report analyzes the leading factors of trespassing incidents on railroad property, as well as develops a national strategy to prevent future trespasser incidents. Specifically, the FRA identified several contributing factors, such as the behavioral choices of individuals, the lack of knowledge of trespassing dangers, the focus of finite resources on higher-priority law enforcement issues, community-planning decisions, and the lack of prosecutions associated with violations.

In addition, the FRA examined trespasser casualties over a four-year period between November 2013 and October 2017 and identified the ten counties with the highest pedestrian trespasser casualties, which includes the Counties of Los Angeles and San Diego. Considering these high-risk areas and the increase in trespasser fatalities at grade crossings and other railroad rights-of-way, the FRA developed a national strategy that focuses on four strategic areas: data gathering and analysis, community site visits, funding, and partnerships with

stakeholders. The focus on these areas is expected to allow the FRA to transition its trespasser prevention program to a centrally managed, data driven program designed to identify and mitigate trespassing hot spots more effectively.

Informational Hearing on Senate Bill 1

On February 26, 2019, the Senate Transportation Committee held an informational hearing on Senate Bill 1 (SB1) (Chapter 5, Statutes of 2017). This hearing focused on the benefits that SB 1 funding has been able to provide for local streets and roads, transit, highways, rail, active transportation, research, and the economy. The witnesses included Chad Edison, Deputy Secretary of the California State Transportation Agency, and Darrell Johnson, Chief Executive Officer of the Orange County Transportation Authority. Deputy Secretary Edison spoke about the increase in funding for the Transit and Intercity Rail Capital Program and the State Rail Assistance Program, which has allowed for investments in operations and capital improvements for intercity and commuter rail service, as well as transit service improvements and electrification efforts. Darrell Johnson shared how SB 1 has provided immediate benefits to localities and regions by doubling local streets and roads funding for each city and county, stabilizing the State Transportation Improvement Program, augmenting transit funding, and providing a new revenue source for intercity and commuter rail. In addition, a common theme that was discussed by the Senate Transportation Committee and the witnesses was the need for more robust workforce development efforts to address future employment needs in the construction and equipment manufacturing sectors.

House Transportation and Infrastructure Committee Hearing

On February 26, 2019, the House Transportation and Infrastructure Committee held a hearing entitled, "Examining How Federal Infrastructure Policy Could Help Mitigate and Adapt to Climate Change." Committee members and witnesses discussed how transportation policy impacts the environment and, specifically, how federal transportation policy might be altered to achieve both infrastructure and climate goals. Committee members discussed how the transportation sector is one of the largest contributors to climate change and, as such, transportation policy should reward local transportation agencies for pursuing low-carbon technologies and strategies. California Air Resources Board Member Dr. Daniel Sperling testified about policies implemented in the State of California, most notably regional greenhouse gas emission reduction targets, as well as the importance of funding in incentivizing transportation agencies to achieve climate goals. Committee members and witnesses also focused on the airline industry's success in achieving emissions reductions as an example of a market-based approach to protecting the environment. According to a witness from Airlines for America, the air travel industry is responsible for driving five percent of gross

domestic product, yet airlines are only responsible for two percent of greenhouse gas emissions. These statistics, and others like them, generated significant discussion about the need for market-based policies to combat greenhouse gas emissions as opposed to top-down environmental mandates that might harm taxpayers.

Summary

An update is provided on the appropriations process, trespasser incidents, the California High-Speed Rail Project, and transportation-related hearings.

Attachments

- A. Federal Railroad Administration's Letter to the California High-Speed Rail Authority
- B. The California High-Speed Rail Authority's Letter to the Federal Railroad Administration
- C. Report to Congress, National Strategy to Prevent Trespassing on Railroad Property
- D. Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Legislative Matrix

Prepared by:



Jaymal Patel
Associate Government Relations Representative
(714) 560-5475



**LOS ANGELES – SAN DIEGO – SAN LUIS OBISPO
RAIL CORRIDOR AGENCY**

**Federal Railroad Administration's Letter
to the California High-Speed Rail Authority**



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

February 19, 2019

Mr. Brian Kelly (via electronic mail to brian.kelly@hsr.ca.gov)
California High-Speed Rail Authority
770 L Street, Suite 620
Sacramento, California 95814

Subject: Notice of Intent to Terminate Cooperative Agreement No. FR-HSR-0118-12-01-01

Dear Mr. Kelly,

This letter provides notice to the California High-Speed Rail Authority (CHSRA) that the Federal Railroad Administration (FRA) intends to terminate Cooperative Agreement No. FR-HSR-0118-12-01-01 (Agreement) effective March 5, 2019. Following termination, FRA also intends to promptly de-obligate the full \$928,620,000 obligated under the Agreement.

FRA has determined that CHSRA has materially failed to comply with the terms of the Agreement and has failed to make reasonable progress on the Project (as defined in the Agreement), significantly endangering substantial performance. Considering this determination, FRA intends to exercise its right to terminate the Agreement, consistent with Section 23 of the Agreement.¹ FRA's determination is based on many factors, including:

- CHSRA's failures relating to required State expenditures necessary to advance the Project according to the Project's schedule.
 - CHSRA has failed to achieve the State contribution rates described in its quarterly Funding Contribution Plan (FCP). For example, CHSRA committed to a \$141.8 million State contribution to advance final design and construction activities in December 2018, but reported only \$47.9 million of actual expenditures in that month. This almost \$100 million difference shows not only CHSRA's inability to deliver State contributions as outlined in the FCP, it is also an example of CHSRA's failure to advance construction work and expend funds at a pace necessary to complete the Project according to its schedule. Other months show the same shortfall of expenditures as compared to the State contribution commitment.

¹ Section 22902(a) of Title 49 (Previously codified at 24402(a) of Title 49) authorizes the Secretary of Transportation to require terms, conditions, and other requirements that the Secretary deems necessary or appropriate on grants awarded under Section 301 of the Passenger Rail Investment and Improvement Act of 2008, which is one of the authorized programs included in the High-Speed Intercity Passenger Rail grant program. Additionally, 49 CFR § 18.43(a), provides the general authority for Federal awarding agencies to terminate awards if the grantee "materially fails to comply with any term of [the] award, whether stated in a Federal statute or regulations, an assurance, a notice of award, or anywhere else."

- Based on CHSRA Board of Directors reports, FRA has determined that CHSRA will not complete the Project by 2022, the end of the Agreement's period of performance.
 - FRA's evaluation of the various documents submitted to FRA, or publicly available (e.g., CHSRA's 4th Quarter 2018 Summary Schedule and CHSRA's February 2019 Finance and Audit Committee reports) shows CHSRA cannot complete the Project by 2022.
 - When compared against the amount of funds expended, the pending contractual completion dates show CHSRA is failing to make the type of sustained progress necessary to meet the 2022 deadline. For example, according to CHSRA's February 2019 Finance and Audit Committee report on Construction Package (CP) 4, the contractor has expended 25.1% of the contract price but approximately 86.5% of contract's period of performance has elapsed, demonstrating that CHSRA is not advancing construction work at the pace necessary to maintain the Project's schedule. Numerous prior quarterly reports reflect the same failure to expend contract dollars consistent with the contract period of performance.
- CHSRA's failure to submit required critical grant deliverables adequate to demonstrate CHSRA is effectively managing delivery of the Project. Such deliverables include Funding Contribution Plans.
 - CHSRA has failed to provide FRA with timely and satisfactory financial reports and other related deliverables. Without these deliverables, CHSRA has not demonstrated that it is making reasonable progress or effectively managing the Project. For example, since 2016, FRA has found over 40 reports and deliverables are delinquent or do not contain the type of information or level of detail necessary to allow FRA to oversee CHSRA's performance of the Project; this represents a very large portion of the reports and deliverables due over that timeframe. A portion of these delinquent or unsatisfactory deliverables are also required by Cooperative Agreement No. FR-HSR-0009-10-01-06; however, they generally show CHSRA's repeated failure to meet its obligations to FRA.
- Based on findings from FRA's oversight and monitoring, CHSRA has failed to take the appropriate corrective actions to ensure delivery of the Project.
 - FRA has regularly communicated its concerns on the above issues to CHSRA through: routine monitoring with CHSRA staff; individual meetings with CHSRA leadership; Quarterly Executive Meetings; and feedback on the Authority's reports and deliverables as part of FRA's routine business practice. CHSRA has consistently failed to take the appropriate corrective actions.

- FRA identified areas of interest in the 2017 annual monitoring (e.g., failure to develop and submit to FRA realistic Project schedules and budgets based on past performance and trends). During its most recent November 2018 monitoring, FRA found that CHSRA failed to satisfactorily address those areas of interest.

Reinforcing FRA's concerns about CHSRA's past performance, and the likelihood CHSRA will deliver on its obligations, is the significant change in the State of California's plans for its high-speed rail system. As described in the Agreement and in the various CHSRA applications for Federal financial assistance, the Project is a component part of the larger high-speed rail system that would, ultimately, connect San Francisco in the north and Los Angeles and Anaheim in the south. During his recent State-of-the-State address, Governor Newsom presented a new proposal that represents a significant retreat from the State's initial vision and commitment and frustrates the purpose for which Federal funding was awarded (i.e., an initial investment in the larger high-speed rail system).

If you believe there is information showing that: (1) CHSRA has satisfied its commitments and obligations under the Agreement; (2) is making reasonable progress to deliver the Project; and (3) that the Governor's announcement does not constitute a fundamental change in the purpose of the overall project for which Federal funding was awarded, FRA will take that information into consideration prior to taking any final action regarding termination of the Agreement. You may submit any such information before March 5, 2019, to Ms. Jamie Rennert, FRA's Director of Program Delivery at jamie.rennert@dot.gov.

FRA reserves its rights under all other grant or cooperative agreements with CHSRA and is exploring all available legal options, including termination of Cooperative Agreement No. FR-HSR-0009-10-01-06 and the recovery of the Federal funds expended under that Cooperative Agreement.

Sincerely,



Ronald L. Batory
Administrator

By e-mail to: brian.kelly@hsr.ca.gov

cc: The Honorable Gavin Newsom
Governor
State of California

The Honorable Brian C. Annis
Secretary
California State Transportation Agency



**LOS ANGELES – SAN DIEGO – SAN LUIS OBISPO
RAIL CORRIDOR AGENCY**

**The California High-Speed Rail Authority's Letter
to the Federal Railroad Administration**



March 4, 2019

BOARD MEMBERS

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Honorable Jim Beall

Brian P. Kelly

CHIEF EXECUTIVE OFFICER

GAVIN NEWSOM
GOVERNOR



Ms. Jamie Rennert
Director, Office of Program Delivery
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Subject: Notice of Intent to Terminate Cooperative Agreement No. FR-HSR-0118-12-01-01

Dear Ms. Rennert:

I am responding on behalf of the California High-Speed Rail Authority ("CHSRA") to Ronald Batory's February 19, 2019 notification that the Federal Railroad Administration ("FRA") intends to terminate Cooperative Agreement No. FR-HSR-0118-12-01-01 ("FY10 Agreement" or "Agreement") and de-obligate the \$928,620,000 obligated under the Agreement effective March 5, 2019.

I urge the FRA to reconsider the precipitous and unjustified action it is contemplating. Termination of the FY10 Agreement would be unwarranted, unprecedented, and legally indefensible, and it would gravely harm a historic project on which the FRA and the CHSRA have collaborated productively for nearly a decade.

As detailed below, the CHSRA is meeting its commitments under the FY10 Agreement and Cooperative Agreement No. FR-HSR-0009-10-01-06 (the "ARRA Agreement"). The CHSRA is making reasonable progress on the Project.¹ And, far from abandoning the ultimate vision of a California high-speed rail system running from northern to southern California, Governor Newsom is proposing billions of dollars in additional state funding to expand the initial construction project in the Central Valley required by the ARRA Agreement. This expanded system will connect three of the largest cities in the Central Valley (Merced, Fresno, and Bakersfield), providing service to millions of individuals and transforming the economy of one of the nation's most economically distressed regions, as well as providing important transit connectivity to Los Angeles, the Bay Area, and Sacramento. The threatened termination of funding, by contrast, would cause massive disruption, dislocation, and waste, damaging the region and endangering the future of high-speed rail in California and elsewhere in the nation.

Accordingly, the FRA should reconsider the rash and unlawful action it is contemplating and instead engage in reasoned and structured discussion with the CHSRA of its concerns. The FRA's threat to terminate funding under the FY10 Agreement on two weeks' notice is a sharp departure from the productive, collaborative relationship previously enjoyed by the FRA and the CHSRA. In light of that relationship, and the disruption and waste that abrupt termination of the Agreement would cause, we owe it to the residents of the Central Valley, state and federal

¹ Unless otherwise indicated by context, "Project" refers to Tasks 1 through 10 listed in the FY10 Agreement and the ARRA Agreement.

taxpayers, and the nation as a whole to continue cooperating on our historic and transformative high-speed rail project.

EXECUTIVE SUMMARY

The February 19, 2019 notification letter from Mr. Batory (the "Notice") asserts that the CHSRA has materially breached the FY10 Agreement based on four factors. But none of the conduct identified by the Notice constitutes a material breach of the Agreement, and the Notice's assertions of additional unidentified breaches are contradicted by the FRA's previous acknowledgements that the CHSRA has been complying with the essentially identical terms of the ARRA Agreement.

For example, although the Notice asserts that the CHSRA has failed to make required expenditures, the only shortfall that it identifies is the failure to meet projected design and construction expenditures in December 2018. Deviations from projected expenditures are, however, routine in any large construction project, and nothing in the FY10 Agreement makes such a deviation a breach, much less a material one.

Moreover, far from asserting any prior material breaches, the FRA repeatedly has acknowledged that the CHSRA was complying with its obligations. Under the ARRA Agreement, the FRA was permitted to release funds only if the CHSRA was complying with the Agreement. Nevertheless, the FRA released all the ARRA funds, making over 450 separate payments to the CHSRA from March 2011 to September 2017, when the account closed, thereby acknowledging the CHSRA's compliance with its spending (and other) obligations.

The Notice's other assertions of non-compliance are similarly unsupported. While the Notice concludes that the CHSRA will not complete the Project by the end of 2022, the only documents cited in support of this conclusion expressly state that the Project will be completed by then. Even more fundamentally, the Notice does not point to any "time is of the essence" clause or other provision in the Agreement making completion by 2022 material. The Notice similarly fails to identify any specific deliverables that the CHSRA has failed to satisfy, much less to explain why such failures would be material and cannot be cured. Finally, contrary to the Notice's assertion, the CHSRA has not failed to take any corrective action required by the FRA: indeed, the FRA has notified the CHSRA of only one corrective action, which the CHSRA completed.

The Notice also asserts that the CHSRA has failed to make reasonable progress on the Project. Here again, the Notice's assertion is belied by the FRA's prior conduct. In addition to prohibiting the release of funds absent compliance, the ARRA Agreement prohibited the release of funds unless the CHSRA was making adequate and timely progress. As a consequence, when FRA released funds under that Agreement from March 2011 through September 2017, it necessarily acknowledged that the CHSRA was making reasonable progress. Moreover, nothing in the Notice suggests that the CHSRA has stopped doing so. To the contrary, in the last year the CHSRA has made important progress in completing the Project. Indeed, there are now 24 active or completed construction sites in the Central Valley, employing more than 2,600 workers, who are realigning roads and utilities, building bridges, viaducts, and crossings, as well as grading roads and constructing embankments.

California has not changed the overall purpose of its High-Speed Rail Plan, nor has it frustrated the purpose of the Agreement. To the contrary, Governor Newsom has reiterated his support for the vision of his predecessors. He is, however, focused on completing the current project in the Central Valley and maximizing the benefits of that project. Far from frustrating the purpose of the Agreement, he is proposing to expand the construction contemplated by the Agreement so that the first building block of

the high-speed rail program will bring the benefits of high-speed rail to three of the largest cities in the Central Valley and three of the fastest growing counties in California.

The threatened termination of the FY10 Agreement on two weeks' notice is a sharp and wasteful departure from the FRA's fruitful collaboration with the CHSRA, which is necessary to complete any large infrastructure project. If this abrupt termination occurs, the FRA will not only endanger the historic project on which it has collaborated for nearly a decade; it also will set a troubling precedent that may undermine future infrastructure projects funded through state-federal partnerships. Accordingly, the CHSRA urges the FRA to reconsider its contemplated action or, at a minimum, to engage in structured discussions to share facts, clarify misunderstandings, and resolve disagreements.

DISCUSSION

I. THE CHSRA HAS NOT MATERIALLY BREACHED THE FY10 AGREEMENT

The Notice asserts that the CHSRA has materially breached the terms of the FY10 Agreement based on four specified factors.² The Notice, however, fails to identify any material breaches and thus fails to provide any legitimate ground for terminating the Agreement for non-compliance.

A. The CHSRA has Committed and Spent More Than Sufficient State Funds for the Project

The first factor specified in the Notice is the failure to make required State expenditures. The Notice, however, identifies only one specific shortfall: the CHSRA's expenditure of \$47.9 million rather than the \$141.8 projected on final design and construction in December 2018. It is true that the last quarterly Funding Contribution Plan projected design and construction expenditures of \$141.8 million in December 2018, and that only \$47.9 million was actually spent. But nothing in the FY10 Agreement required a \$141.8 million expenditure in December 2018 or that the CHSRA meet its expenditure projections each month.

Projections are just estimates for a given period. A deviation from such estimates is not a material breach. In any civil infrastructure project, the exact pace of the final design and construction activities varies over the duration of the project. If the projected progress in one month does not match the actual progress, the pace of the progress in subsequent months can be accelerated. This is especially true with delays early in a project when critical path items are being constructed because such delays may delay the commencement of others. But later noncritical path items can be accelerated to make up for the lost time and bring the project back on schedule.

The Notice's assertion that the current pace of state expenditures breaches the FY10 Agreement is also puzzling because CHSRA is not yet making expenditures under the FY10 Agreement. The FY10 Agreement funds the final set of tasks needed to complete the Project. The rest of the funding for the Project is being provided by the State and by the ARRA Agreement. Although the federal money granted under the ARRA Agreement was exhausted in September 2017, when the ARRA appropriation account closed, the CHSRA is still in the process of spending \$2.5 billion in matching state funds under the ARRA Agreement.

² The Notice states that the FRA's assertion of material breach is based on "many" factors, but only identifies four areas of noncompliance. The CHSRA cannot respond to allegations concerning factors that have not been identified, and it would be fundamentally unfair for the FRA to terminate the Agreement based on factors that it has not given the CHSRA a chance either to contest or to cure.

Far from finding that the State materially breached the terms of the ARRA Agreement, the FRA repeatedly has recognized the CHSRA's compliance with that agreement. Under Section 7(b) of the General Provisions in Attachment 2 of the ARRA Agreement, the FRA may authorize release of funds only if it receives adequate documentation of a cost *and* the CHSRA is "complying with its obligations" under the ARRA Agreement. Pursuant to this provision, the FRA made over 450 separate payments to CHSRA from March 2011 through September 2017, thereby acknowledging that the CHSRA has been complying with its obligations.

Moreover, California is well ahead of schedule in meeting its matching obligation under the ARRA Agreement. As of December 2018, the CHSRA has submitted for FRA approval \$970 million in state matching funds, which is 39% of California's \$2.5 billion match requirement. As only 26% of the period for achieving this match has expired, California is plainly on track to meet its state match funding obligation under the ARRA Agreement. Furthermore, in 2018 the CHSRA committed an additional \$3.1 billion in state funding toward the Project, which would result in a total State contribution of 71% of the Project's cost. Thus, the State has committed to more than its fair share of the Project, and there has been no breach of the State's spending obligations.

B. The CHSRA Remains Committed to Completing the Project by December 31, 2022

The second factor identified by the Notice is that the CHSRA will not complete the Project by December 31, 2022. Here again, the facts identified by the Notice fall short.

The Notice asserts that the FRA's evaluation of various documents shows that the CHSRA cannot complete the Project by the end of 2022. But the only documents that the Notice identifies are CHSRA's Fourth Quarter 2018 Summary Schedule and its February 2019 Finance and Audit Committee reports. Far from showing that the Project will not be completed by 2022, the Fourth Quarter 2018 Summary Schedule shows that most work on the Project will be completed by March 2022 and the four final tasks by the end of that year. The Notice's reliance on the 2019 Finance and Audit Committee Reports is equally misplaced. According to the monthly report that the committee received this February, the construction packages in the Central Valley will be completed by December 31, 2020, August 31, 2021, March 31, 2022, and December 31, 2022.

Completing these packages on this schedule will be challenging. But as most recently outlined at the February 19, 2019 Finance and Audit Committee meeting with the public in attendance, the CHSRA acknowledges the risks to the project schedule that must be monitored and mitigated to keep the Project on track. The Authority is therefore implementing strategies to meet those challenges, and its Chief Operating Officer has set out the construction expenditure plan required to meet the December 31, 2022 deadline as well as creating cross-functional Strike Teams to clear project work sites, establishing teams to resolve commercial contractor charges and claims, and appointing an Executive COO and a Deputy COO focused solely on increasing construction productivity. The Notice does not—and cannot—explain why despite these actions the CHSRA cannot complete the Project by the end of 2022.

The FRA also notes one report submitted to the CHSRA's Finance and Audit Committee shows that a contractor has expended only 25.1% of a contract price even though 86.5% of the contract period has elapsed. But this report concerns "Construction Package 4," which is just one of four contract packages. The Notice offers no reason to believe that a delay in the completion of this one aspect of the Project will prevent completion of the overall Project by December 31, 2022, which is still more than three years away. Indeed, as the FRA knows, the CHSRA has been in active negotiations to correct the completion date for that contract package consistent with completion of the overall Project by the end of 2022.

Even more fundamentally, the Notice does not explain why a delay in completion of the overall Project would constitute a material breach of the FY10 Agreement. The Agreement contains no “time is of the essence” provision. Nor does the Agreement’s termination provision state that failure to achieve 100% completion by the end of 2022 constitutes grounds for termination. To the contrary, Section 23.c of the General Provisions in Attachment 2 of the Agreement states that “[e]xpiration of any Project time period established for this Project does not, by itself, constitute an expiration or termination of this Agreement.”

It is also surprising to us that the FRA is now finding the Project hopelessly and fatally delayed, because the agency has refused for nearly a year to take simple actions that would accelerate the Project. In June 2018, the CHSRA applied to conduct environmental reviews under the National Environment Policy Act concurrent with our robust state environmental review process. As staff at the United States Department of Transportation as well as the FRA have acknowledged, this simple measure would save months in project review (as well as millions of dollars in redundant expenses). Nevertheless, the FRA has not acted on our application, and, to make matters worse, since last August it has failed to conduct even the most routine review and approval of documents necessary to advance the environmental clearance process. The FRA should not point to delays, assert that future deadlines will be missed, and abandon the Project when it has failed to take simple steps to reduce delays.

The need to amend an interim schedule does not suggest or establish that a project cannot be completed or that its ultimate value will be diminished, and it certainly provides no reason to terminate the FRA’s participation in a multi-billion-dollar project. The FRA should be working with the CHSRA on ways to limit those delays and expedite completion of the Project. Large design-build public transportation projects encounter scores of challenges and therefore require persistence, creativity, and inter-agency cooperation.

C. The CHSRA Is Meeting Its Obligations to Submit Deliverables

The Notice asserts that the CHSRA has failed to submit “critical grant deliverables,” including Funding Contribution Plans. In particular, it asserts that the FRA has found over 40 reports and deliverables either delinquent or lacking sufficient information. This is the first time that the FRA has identified deliverables as an issue so major that it might justify termination of the FY10 Agreement, and because the Notice fails to identify any particular report or deliverable, much less the deficiency in it, the CHSRA is not in a position to respond fully to this concern at this time. Nonetheless, it is clear that these asserted deficiencies do not justify termination of the Agreement.

First, a lack of sufficient information in deliverables is no basis for declaring a material breach, much less termination, because such deficiencies are obviously curable.

Second, while the Notice asserts that the FRA has found 40 reports and deliverables deficient since 2016, the FRA previously recognized that there were no material deficiencies before September 2017. As noted above, until the ARRA Agreement funds were exhausted in September 2017, the FRA approved payments under that agreement, thereby acknowledging that CHSRA was in compliance with the agreement. As the deliverables under the ARRA Agreement overlap with those under the FY10 Agreement, there could not have been any material breach of the latter concerning deliverables prior to September 2017. Moreover, nothing in the Notice suggests that any deficiencies since that time are any different in kind or number than those before.

Third, the CHSRA has made substantial submissions to the FRA. In total, it has delivered to the FRA 121 documents and plans specifically identified in the Agreements, including detailed reports, environmental documents, design plans, and other plans. The CHSRA is unaware of any deliverables

that have not been submitted other than four that were due at the end of last year, which the CHSRA has been unable to deliver because of the government shutdown and the FRA's subsequent delay in providing routine guidance concerning the content of those documents requested by the CHSRA.

While some other deliverables have been delayed, many of the delays were also attributable to the FRA. For example, environmental deliverables were delayed when the FRA ceased all work on environmental approvals pending resolution to the CHSRA's NEPA Assignment request. Other deliverables, such as the Interim Service Development Plan, were delayed while the CHSRA awaited guidance on the content of those documents, and still others such as the Program Management Plan were delayed because the FRA changed the guidance it provided or requested additional information. Because the Notice fails to identify the deliverables it contends were deficient, it is impossible to say how many of the deficiencies asserted by the FRA are attributable to its own action or inaction.

D. The CHSRA Has Not Failed to Take Corrective Actions or Respond to The FRA's Monitoring

Finally, the Notice asserts that the CHSRA has consistently failed to take appropriate corrective action. That is simply false. Under the procedures established by the FRA, if the FRA determines that a corrective action is required, it is supposed to issue a finding and a notice of the corrective actions required, usually in its monitoring reports. The FRA has issued only one such finding and notice under the ARRA and FY10 Agreements. That was in a 2014 review related to the CHSRA's oversight of a contractor's compliance with permit requirements, and the CHSRA promptly implemented a corrective action plan, which resolved the matter.

The FRA's own reports confirm that, contrary to the Notice's suggestion, the CHSRA has not failed to take corrective actions. The last monitoring report CHSRA received from the FRA was dated February 12, 2018, and the summary table of items requiring corrective action in the report is empty.

The Notice asserts that the FRA identified areas of interest in the 2017 annual monitoring review, which the CHSRA failed to satisfactorily address. This does not support the Notice's assertion that the CHSRA has failed to take corrective actions because *the FRA never notified the CHSRA that corrective action was required.*

Moreover, contrary to the Notice's suggestion, the CHSRA has spent considerable time and effort responding to issues raised in the FRA's annual monitoring reviews. Indeed, every year the FRA and the CHSRA conduct a Site Monitoring Review, which includes a one-day site review at the CHSRA's Sacramento headquarters office and three days in the Central Valley reviewing each construction package (this includes a one-day site tour of the construction packages). This week-long review covers multiple topics and involves every aspect of the program from grant management to construction oversight, providing the CHSRA and the FRA an opportunity to review issues that have arisen over the year and ongoing future needs and concerns. There has never been a suggestion before that the CHSRA fails to address the issues raised by the FRA or has failed to satisfactorily address them.

The Notice offers only one example of a supposed failure to respond to its monitoring: the CHSRA, it asserts, has not developed "realistic Project Schedules and budgets based on past performance and trends." In fact, however, the CHSRA has made extensive efforts to update and improve its scheduling and budgeting process. For example, in June 2018, as part of its business plan process, the CHSRA completed an updated baseline cost estimate and budget to complete the work underway, an updated schedule for completion, and an implementation plan for passenger service and completion of the federal grant agreement.

In addition, numerous examples of the CHSRA responding to the FRA concerns can be cited. For example:

- **Staff Capability and Capacity**—In response to the FRA's suggestion that the CHSRA reorganize staff to facilitate project delivery and fill key positions with project delivery experts, in August 2017, the CHSRA created a new Program Delivery Office, restructured to focus on program delivery and made improvements in its governance and decision-making structure to improve internal communications.
- **Internal Processes**—In response to the FRA's suggestion to implement a control system addressing Program Management Plan requirements, the CHSRA established a Program Management and Oversight branch and implemented a more formalized process of configuration management and change control.
- **Service Development Planning**—In response to the FRA's suggestion that the CHSRA explain the independent utility of the Central Valley portion of the high-speed rail program, the CHSRA contracted with an Early Train Operator consultant, which evaluated different service options, including a Merced to Bakersfield approach, that were discussed in the CHSRA's 2018 Business Plan and will be discussed further in a report to the Legislature in May 2019.
- **Right-of-Way Acquisitions**—In response to the FRA's suggestion to increase the pace of right-of-way acquisitions, the CHSRA stepped up its acquisitions so, for example, acquisitions for Construction Package 4, increased from 39% complete in 2017 to 80% by December 2018. For all Construction Packages, 74% of the property needed has been delivered to the design-build contractors.

Here again, the Notice has failed to show any material breach of the terms of the FY10 Agreement that could justify termination of the Project.

II. THE CHSRA IS MAKING REASONABLE PROGRESS ON THE PROJECT

In addition to asserting that the CHSRA materially breached its commitments and obligations under the Agreement, the Notice contends that the CHSRA is not making reasonable progress on the Project. That is also wrong.

Since the CHSRA has not yet accessed FY10 Agreement funding as it spends down the required State matching dollars, progress must be measured against the ARRA Agreement. In releasing funds under the ARRA Agreement, however, the FRA has acknowledged that the CHSRA has been making reasonable progress. In addition to prohibiting payments absent compliance, the ARRA Agreement prohibited payments unless the CHSRA was "making adequate and timely progress toward Project completion." As the FRA made over 450 payments under the ARRA Agreement from March 2011 through September 2017, the CHSRA must have been making adequate progress into at least the third quarter of 2017.

Nothing in the Notice shows that progress has materially stalled since then. To the contrary, CHSRA has continued to make substantial progress. Indeed, at this point:

- 90% of the design work on the Project has been completed, and 74% of the rights of way have been delivered to the CHSRA's contractors;
- There are more than 24 active or completed construction sites in the Central Valley;

- State Route 99 has been realigned, and the realignment of other roads as well as utilities is in progress;
- Two overhead crossings, a bridge, and a viaduct have been completed; two other viaducts as well as a trench in Fresno are in progress; and abutments for bridges and ponds are being constructed;
- Over 44 miles of grading and embankment work is either finished or in progress; and
- In total, the Project has employed more than 2,600 workers in the Central Valley, involved 488 small businesses, and achieved nearly \$6 billion in economic output.

Overall, the CHSRA has made significant progress on multiple sections in the Central Valley portion of the high-speed rail program concurrently to more quickly deliver statewide mobility and environmental benefits. In light of these significant and visible achievements, it is critical for both the FRA and the CHSRA, as stewards of the significant taxpayer funds invested so far, to complete the Project. Otherwise, we risk both failure and the unthinkable abandonment of a partially completed Project that would not be fit for the purpose for which the taxpayers have made this investment.

III. CALIFORNIA HAS NOT CHANGED THE OVERALL PURPOSE OF THE HIGH-SPEED RAIL SYSTEM

The Notice's final objection is that Governor Newsom, in his recent State of the State Address, changed the overall goal for High-Speed Rail in California and made a proposal that frustrates the purpose for which federal funding was awarded. Nothing could be further from the truth.

In his State of the State Address, Governor Newsom expressly confirmed that he shares that ambitious vision for high-speed rail of his predecessors Governors Brown and Schwarzenegger. Moreover, as I made clear in a recent memorandum to the chairman of the High-Speed Rail Authority, the Authority's ultimate goal remains a high-speed rail system that connects San Francisco to Los Angeles/Anaheim and that eventually will reach north to Sacramento and south to San Diego. The Governor merely identified a pragmatic, near-term focus, which is to "get trains on the ground" in the Central Valley and to lay the foundation for the San Francisco to Los Angeles/Anaheim service. Like all mega-infrastructure projects, the California high-speed rail system will be completed in building blocks with each block placed in service upon completion with future funding and construction eventually expanding the system to its ultimate extent.

Far from frustrating the purpose of the FY10 and ARRA grants, the Governor's focus expands that purpose and maximizes the utility of the first building block in the high-speed rail program. These grants are for construction of the initial portion of the high-speed rail system, and they require the CHSRA to construct a 119-mile segment from Poplar Avenue, approximately 15 miles north of Bakersfield, to Madera. Governor Newsom is proposing to expand this project by 50 miles—with California bearing the expense of doing so—to reach south into downtown Bakersfield and north to Merced, so that this initial segment will connect three of the largest cities in the Central Valley (Merced, Fresno, and Bakersfield), three major universities and three of the fastest growing California counties, as well as providing important transit connectivity to the Altamont Corridor Express (ACE) and Amtrak traveling to the Bay Area and Sacramento and to bus services traveling from Bakersfield to Los Angeles.

This expansion will make the initial building block of the high-speed rail program more immediately productive, which furthers, rather than frustrates, the purpose of the federal grants. The expanded Central Valley project also furthers the ultimate goal of a statewide high-speed rail system by ensuring that the first step in California's high-speed rail system brings tangible benefits that will encourage extension to the San Francisco Bay area and then to the Los Angeles basin.

IV. THE THREATENED TERMINATION OF THE FY10 AGREEMENT IS A SHARP AND UNFORTUNATE DEPARTURE FROM PRIOR PRACTICE

In addition to being unjustified, the FRA's sudden threat to end the Project on two weeks' notice is a sharp—and wasteful—departure from its fruitful collaboration until now with the CHSRA.

For nearly a decade, the CHSRA and the FRA have been working together toward our common goal of achieving the first true high-speed rail system in the United States. A project of this magnitude faces challenges at every stage, from planning, funding, environmental review, and acquisition of private property to the physical challenges of construction that cannot be fully predicted or addressed until dirt is actually moved. Consequently, the cooperation and, at times, patience of numerous agencies and municipalities is required. Until now, the CHSRA and the FRA have enjoyed such cooperation including, among other things, amending the ARRA Agreement six times to accommodate various changes.

Together, the agencies have overcome numerous hurdles since the original execution of the grant agreements in 2010 and 2011. For example, in 2012, after litigation challenging the Project was filed, the FRA and the CHSRA renegotiated the ARRA grant terms to allow a tapered match payment arrangement whereby the federal ARRA funds would be used first to pay for capital costs until fully expended, which occurred in September 2017, followed by state match until the full match amount is spent. Similarly, in late 2013, as the same litigation was on appeal, the FRA and the CHSRA mutually agreed to slow down the project construction, pending the results of the appeal or access to alternative state matching funds. And the FRA and the CHSRA continued to cooperate under a tapered match arrangement to assure the full use of the federal ARRA funds prior to the September 2017 statutory deadline.

While much remains to be done, we are proud of the progress we have made. Terminating the FY10 Agreement now, especially without providing the CHSRA a fair and reasonable opportunity to be heard, would have grave consequences. Especially if paired with the clawback that the Notice threatens, termination would create uncertainty over the future of a project that has created 2,600 jobs in the Central Valley, a region that has struggled economically, and ultimately may leave that area strewn with unfinished bridges, overpasses, and viaducts.

This termination, should it go forward, also would set a troubling precedent that would undermine future infrastructure projects nationwide. Especially given the precipitous manner in which termination and withdrawal of funds has been threatened, the termination would cast doubt on the reliability of the federal government as a partner in delivering on *its* funding commitments. As a result, states may be unwilling to join the federal government in investing billions of dollars on future infrastructure projects, leaving the federal government with the unenviable choice of funding those projects itself or leaving them undone.

I urge the FRA and the Federal Government to focus on the important goal we have set together for California and the rest of the nation: to complete the first building block of a statewide high-speed rail system. That goal was established in partnership with the FRA in 2010 and 2011 when the ARRA and FY10 grant funds were awarded. Since that time, California has appropriated matching state funds, including Proposition 1A and Greenhouse Gas Reduction funds. Thus, based on the best available estimates the state and federal funds needed to satisfy capital costs to complete Central Valley construction, including right of way acquisition, construction management, environmental mitigation, final design, construction, and interim service, have all been committed or identified. Moreover, extensive construction is already underway. The FRA should not step away and waste all of these efforts.

At a minimum, in light of the massive disruption and waste that an abrupt termination would cause, I ask the FRA to agree to engage in a sincere effort to work through the issues raised in the Notice and save the

Ms. Jamie Rennart
March 4, 2019
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nearly decade of collaboration on our historic high-speed rail project. Before any precipitous and potentially irreparable action is taken, the FRA should specify the deficiencies that the Notice only vaguely references and give the CHSRA an opportunity to respond to them individually and, where justified and still live, to discuss ways in which to cure or mitigate them. We also should engage in a meaningful discussion of how such issues may be cured in a more prompt and productive fashion without endangering a multibillion dollar project employing thousands of workers. And, finally, before concluding that the Project cannot be completed and abandoning it, the FRA officials should come to California and inspect the Project so that they can see for themselves both the great progress that has been made and the devastating harm that abandoning the Project at this stage would cause.

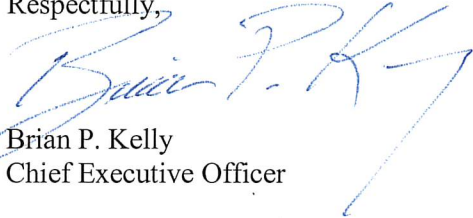
Please contact us so that we can begin to make these arrangements as soon as possible and remove any cloud over the Project. We owe it to taxpayers to continue our cooperation on this historic endeavor and to act in good faith as stewards of the funds spent and to be spent in the Agreement.

CONCLUSION

Based on the above, I urge the FRA to decide that the FY10 Agreement should not be terminated or, at a minimum, that it defer any final termination decision and meet constructively with the CHSRA to resolve any and all issues of concern and preserve the historic Project on which we have cooperated for so long.

Thank you for your consideration.

Respectfully,

A handwritten signature in blue ink, appearing to read "Brian P. Kelly", with a long horizontal stroke extending to the right.

Brian P. Kelly
Chief Executive Officer

Report to Congress

**National Strategy to Prevent Trespassing
on Railroad Property**



October 2018

Federal Railroad Administration
U.S. Department of Transportation

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National Strategy to Prevent Trespassing on Railroad Property

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Abbreviations in this Report

AIS	Abbreviated Injury Scale
CRISI	Consolidated Rail Infrastructure and Safety Improvements
FRA	Federal Railroad Administration
FY	Fiscal Year
VSL	Value of a Statistical Life

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National Strategy to Prevent Trespassing on Railroad Property

Executive Summary

Trespassing on railroad property is the leading cause of all rail-related deaths in the United States. More people are struck and killed by trains each year while trespassing – illegally entering or remaining on a railroad right-of-way – than in motor vehicle collisions with trains at highway-rail grade crossings. Between 2012 and 2017, the annual number of trespass-related pedestrian fatalities increased 18 percent, from 725 people killed in 2012 to 855 in 2017. In calendar year 2018, 324 pedestrian trespass fatalities had occurred by July 31, 2018. Data indicates that the number of trespassing occurrences each year far exceeds the number of fatalities and injuries. This raises serious concern of the potential for even more trespasser accidents.

In its report on the fiscal year (FY) 2018 Department of Transportation appropriation,¹ the U.S. House of Representatives Committee on Appropriations requested the Federal Railroad Administration (FRA) study and identify the causal factors that lead to trespassing incidents on railroad property. The Committee also asked FRA to develop a national strategy to prevent trespasser incidents and submit it to the House and Senate Committees on Appropriations by August 1, 2018. This document responds to the Committee's request.

In October 2017, FRA formed a team of experts to study the problem of people being killed or injured while trespassing on railroad property. To help understand the problem's scope, the team analyzed the costs to railroads and society. The team found that trespass accidents during the five-year period from 2012 to 2016 cost society approximately \$43 billion.² The team also reviewed existing research and data related to railroad trespasser fatalities nationwide for the four-year period between November 2013 and October 2017. The team found that, of the 3,100 counties and county equivalents in the United States, approximately 14 percent of trespasser fatalities occurred in 10 counties in 4 different states.³ Moreover, 74 percent of all trespasser deaths and injuries in that four-year period occurred within 1,000 feet (less than ¼ of 1 mile) of a grade crossing.

FRA regional teams conducted field surveys in 6 of the top 10 counties to gather data related to rail operations, social demographics, and circumstances surrounding individual trespass incidents in those counties. FRA's research and field surveys identified several contributing factors, including the behavior and choices of individuals who trespass on railroad property and lack of knowledge and appreciation of trespassing dangers. FRA found that communities tend to focus

¹ U.S. House of Representatives, House Report No. 115-237, July 21, 2017.

² This cost includes the value of fatalities, injuries, and travel time delay due to trespassing incidents. It does not include indirect costs such as emotional distress or productivity losses.

³ In this report, FRA refers to these as the *top 10 counties*.

National Strategy to Prevent Trespassing on Railroad Property

their finite resources on higher-priority law enforcement issues, such as homicides, illegal drugs, and highway crashes. These issues often take precedence over the investigation and prosecution of trespasser offenses. As a result, even when railroad trespass violations are reported to law enforcement, the violations are rarely prosecuted, reducing the perceived negative consequences for trespassing. FRA also found that community-planning decisions (such as the location of bus stops in relation to safe crossing paths) might lead to trespassing.

FRA's past efforts to address the problem of people trespassing on railroad property have focused on outreach to the public, railroads, and law enforcement agencies. FRA's approach has not been a national, proactive approach to address the root causes of trespassing. Instead, FRA's historical approach has been dependent its regional staff and resources reacting to specific safety issues on a case-by-case basis.

FRA's current analysis demonstrates that it needs to do more than educate and facilitate mitigation measures when issues arise. To this end, FRA developed the National Strategy to Prevent Trespassing on Railroad Property. It focuses on four strategic areas: (1) data gathering and analysis; (2) community site visits; (3) funding; and (4) partnerships with stakeholders. The key elements of each of these strategic areas are listed below.

Strategic Area 1. Data Gathering and Analysis

- Transition to a data driven, centrally managed, regionally implemented program.
- Identify new data sources and explore statutory, regulatory, or other authorities to protect new data.
- Develop and use a trespasser risk model.
- Consider changes to railroad reporting regulations to improve the data available to FRA and other stakeholders.

Strategic Area 2. Community Site Visits

- Communicate information to FRA regional staff for targeted engagement.
- Develop standard operating procedures for conducting regional community site visits.
- Assign regional assets to identified hot spots to engage railroads, police, and local governments in partnerships using data to identify location-specific causal factors and assist with identifying and implementing mitigation strategies.

Strategic Area 3. Funding

- Work through the executive and Congressional budget cycles to identify funding to strengthen grant programs for trespasser mitigation, such as engineering solutions, law enforcement overtime, school resource officers, and outreach.

National Strategy to Prevent Trespassing on Railroad Property

- Include information on the availability of grants and other funding as part of FRA's survey and outreach program.
- Work through the executive and Congressional budget cycles to identify funding for a national trespasser public service announcement campaign.

Strategic Area 4. Develop Partnerships with Stakeholders

- Convene trespasser prevention summits with representatives from each of the top 10 counties for trespasser casualties to engage local community leaders, law enforcement, railroads, and the public.
- Collaborate with government agencies and other organizations, including the Substance Abuse and Mental Health Services Administration and Global Railway Alliance for Suicide Prevention, on targeted outreach to address suicides.
- Share trespasser hot spot data with advocacy organizations, such as Operation Lifesaver, Inc., so they can focus their activities to yield the greatest returns on investment.

The success of this national strategy is dependent on several factors outside of FRA's control. For example, gathering and analyzing the railroads' close call data⁴ would help FRA identify and target trespassing hot spots more effectively. However, FRA does not have specific statutory authority to protect this data from disclosure and use in judicial actions to determine damages or liability for trespasser accidents. FRA expects railroads would be more likely to share this information with such protection in place. Successful implementation of this national strategy will be best served by sufficient resources and cooperation of all stakeholders.

⁴ A trespassing *close call* is a situation in which a trespasser is almost struck by a train, but escapes without injury and the incident is captured by a locomotive camera and/or reported by a train crew.

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National Strategy to Prevent Trespassing on Railroad Property

Introduction

Trespassing on railroad property is the leading cause of all rail-related deaths in the United States. Annually, more fatalities and injuries occur due to trespassing on railroad property than motor vehicle collisions with trains at highway-rail grade crossings. Total annual trespass-related pedestrian fatalities have increased 18 percent from 725 in 2012 to 855 in 2017. In calendar year 2018, 324 pedestrian trespass fatalities had occurred by July 31, 2018.

In its report on the FY 2018 Department of Transportation appropriation, the U.S. House of Representatives Committee on Appropriations asked FRA to study and identify the factors that lead to trespassing incidents on railroad property and to develop a national strategy to prevent them. The Committee directed FRA to include milestones, timelines, and metrics to define success in its strategy. The Committee expects FRA to implement its trespasser accident prevention strategy within the specified timelines. The Committee asked FRA to submit the strategy to the House and Senate Committees on Appropriations by August 1, 2018. This report responds to this request and contains the results of FRA's research and field surveys.

FRA's analysis of available data for the period between November 2013 and October 2017 identified the ten counties in the United States where most pedestrian trespasser casualties occurred.⁵ Table 1 lists these counties from most to least casualties.

**Table 1: U.S. Counties with the Most Railroad Trespasser Casualties, Not Including Suicides
November 2013 to October 2017**

Rank	County	Casualties	Rank	County	Casualties
1	Los Angeles, California	110	6	Palm Beach, Florida	47
2	Cook (Chicago), Illinois	109	7	Fresno, California	46
3	San Bernardino, California	59	7	Riverside, California	46
4	Harris (Houston), Texas	52	9	Contra Costa, California	44
5	Broward, Florida	51	9	San Diego, California	44

Source: FRA analysis

⁵ Casualties include fatalities and injuries.

Trespassing on Railroad Property

Definition

Railroads own their rights-of-way and have a reasonable expectation of operating on their property without the presence or interference of unauthorized people. Any unauthorized person who enters or remains on a railroad right-of-way, equipment, or facility is trespassing.

Trespassing on private railroad property, including a railroad's right-of-way, is illegal.

Pedestrians and motorists are permitted on railroad property where an authorized crossing (either roadway or pedestrian) intersects with the railroad right-of-way at a grade crossing, provided highway traffic control signals and other signage are obeyed.

FRA distinguishes between trespass accidents and trespass incidents for its national strategy.

Trespass Accidents. When one or more trespassers is struck and killed or injured by a train or other means while on railroad property without authority. This report refers to individuals injured or killed because of trespassing on railroad property as casualties.

Trespass Incidents. When law enforcement, railroad personnel, or cameras observe one or more trespassers on railroad property. Instances of trespassing in which the trespasser is not struck by a train or otherwise injured or killed on railroad property.

Types of Accidents

FRA grouped trespass accidents into three categories for analysis and development of its national strategy.

Accidents Involving Trespass Casualties at Grade Crossings. This type of trespass casualty occurs when a pedestrian climbs either through a train stopped at a grade crossing or over or around gates or other physical barriers to enter a grade crossing when a train is approaching. FRA data shows 12 percent of trespassing pedestrian casualties, not including suicides, occur at grade crossings. About 2 percent (3,000 miles) of U.S. rail miles are at grade crossings.

Accidents Involving Trespass Casualties on All Other Segments of Railroad Rights-of-Way. The remaining 98 percent (137,000 miles) of U.S. route miles not at grade crossings are other segments of railroad rights-of-way. Although trespassing can occur anywhere along a right-of-way, 74 percent of trespassing casualties, not including suicides, occur within 1,000 feet (less than ¼ of 1 mile) of a grade crossing.

Suicides and Suicide Attempts. This type of trespass accident occurs when a person enters a railroad right-of-way with the intent of being struck and killed by a train. FRA data indicate that at least 30 percent of fatalities that occur on the rail system result from an intentional act of suicide. Similar to trespass casualties on segments of railroad rights-of-way other than grade

crossings, 73 percent of suicide attempts occur within 1,000 feet of a grade crossing. When an accident is classified as a suicide, it is removed from the casualty data.

Complexities of the Problem

Trespassing on railroad property is a complex problem because of the differing priorities of individuals and the communities in which trespassing occurs. FRA's limited authority to address the issue and varying state laws affecting how a railroad or local authority may enforce trespassing laws are compounding factors. For FRA and many affected communities, a lack of sufficient resources and clear data are primary concerns.

Individuals. At its core, the problem of trespassing starts when an individual enters private railroad property without authority to do so. Most trespassers make this choice because crossing railroad property provides the most direct route to a desired destination. The person might be unaware of the dangers involved in trespassing on railroad property. The person could be distracted by another activity (e.g., hunting, bicycling, riding all-terrain vehicles, using a cell phone or earbuds). These circumstances can lead to deadly consequences.

Communities. From a community's perspective, public safety issues, such as homicides, illegal drugs, and highway crashes, can take precedence over investigating and prosecuting railroad trespass offenses. FRA found in each of the top 10 counties, over a four-year period, the number of railroad trespass casualties was less than two percent of the respective county's total homicides, drug-related deaths, and highway fatalities. Local and state governments often focus their finite resources on their higher-priority issues. In many instances, railroad trespassers are not prosecuted even when law enforcement is aware of the incidents.

Local land use decisions can affect the likelihood of trespassing on railroad property or rights-of-way. For example, community decisions regarding the placement of public buildings and services, such as homeless shelters, food pantries, and schools, or approval of new construction can affect the number of railroad trespassers.

FRA. In 2008, Congress directed the U.S. Department of Transportation to develop and maintain a comprehensive outreach program to address trespassing on railroad property and strengthen relevant enforcement strategies by improving communication among Federal, state, and local entities.⁶ FRA's efforts to mitigate trespassing on railroad property have focused on data gathering and sharing and outreach to the public, railroads, and law enforcement. FRA regulations require railroads to report deaths, injuries, and occupational illnesses arising from the operation of a railroad.⁷ This reporting requirement includes trespasser casualties. However, trespassing on railroad property is a law enforcement issue governed by state and local law,

⁶ United States Code, title 49, section 20151(b).

⁷ Code of Federal Regulations, title 49, part 225.

which limits FRA's authority to address the issue. FRA, however, encourages railroads to consider the risks of trespassing accidents as part of their safety planning. When providing grants or other funding for new or existing railroads, when allowable, FRA conditions the funding on the railroad's consideration of mitigation of identified risks, including the risk of trespassing accidents.

State and Local Law Enforcement. Trespassing on railroad property is a law enforcement issue governed by state and local law. State and local law enforcement administer state trespass laws. Railroads (particularly Class I and commuter railroads) employ railroad police, whose duties typically include investigating incidents of trespassing and confronting trespassers they observe in the act of trespassing. Nationwide, railroads employ more than 1,200 railroad police personnel, whose duties include railroad employee safety, lading protection, theft investigation, and trespasser enforcement. Their status and authority as law enforcement officers varies from state to state, as does their ability to enforce state and local trespass laws.

Differences in state laws can hinder the efforts of state and local law enforcement officers, as well as those of railroad police, by making it difficult for railroads to enforce or legally address trespassing. In some states, a person who trespasses on railroad property could be guilty of a misdemeanor – punishable by a fine and/or imprisonment in state prison or county jail. Other states appear to have carved out “permissive use” or “frequent trespass” exceptions to the general rule. Under these exceptions, if the railroad has permitted the public to travel over its track at a specific location for a considerable period and a sizeable number of people have done so, the railroad could be liable for injuries to trespassers. Some states impose a knowledge requirement, i.e., a person who enters or remains on railroad property without the owner's consent must know that it is railroad property, to be guilty of trespassing. In other states, local law enforcement can address trespassing concerns on private property only when its department receives written authorization from the private property owner.

Scope of the Problem

Each day on average in the United States three people are killed or injured while trespassing on railroad property, including over 1,100 pedestrians in 2017. Approximately 800 railroads operate over 140,000 route miles and through 210,093 grade crossings to serve the communities and industries in which the U.S. population, more than 325 million people in 2017, lives and works.⁸ Railroads operate through diverse geographical areas, including congested urban centers and sparsely populated rural areas. Around major cities, the larger and denser populations result in increased passenger and freight train traffic to support that population. This increased train traffic increases the likelihood of trespassing accidents. In more sparsely populated rural areas,

⁸ FRA data and U.S. Census Bureau, *Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2017*, December 2017.

National Strategy to Prevent Trespassing on Railroad Property

local law enforcement officers and railroad police face challenges monitoring and enforcing trespassing activity along remote stretches of railroad right-of-way.

FRA presumes the number of reported trespassing accidents is a small fraction of the number of trespassing occurrences. Using data one Class I railroad shared voluntarily, FRA found the railroad's reported number of close calls⁹ was much larger than the number of casualties, excluding suicides, over the same timeframe. This difference indicates that the potential for additional trespassing casualties is significant.

In response to the House Committee's request to identify and study the factors that lead to trespassing incidents, FRA's experts from its Offices of Railroad Safety and Railroad Policy and Development studied available data. For the four-year period between November 2013 and October 2017, the team determined:

- Nationwide, excluding suicides, 4,242 pedestrians were killed or injured while trespassing on railroad property. With the 1,175 suicides included, the total rises to 5,417 people.
- Of the approximately 3,100 counties and county-equivalents in the United States, approximately 14 percent of all trespasser casualties occurred in 10 counties in 4 different states.
- In the top 10 counties, excluding suicides, 300 pedestrian trespassers were killed. With the 169 suicides included, the total increases to 469.
- 6 of the top 10 counties for trespasser casualties were in California and accounted for 7.9 percent of the U.S. total.
- The county with the most trespasser casualties, 110, was Los Angeles County, California, followed closely by Cook County(Chicago), Illinois, with 109 casualties.
- 74 percent of trespassing casualties occurred within 1,000 feet of a grade crossing.
- Slips, trips, and falls while trespassing caused 185 casualties, or 5 percent of trespassing casualties not at grade crossings.

Distance Between Trespassing Accidents and Grade Crossings

Approximately 73 percent of trespassing suicides and attempted suicide casualties and 74 percent of trespassing casualties excluding suicides occur within 1,000 feet (less than ¼ of 1 mile) of a highway-rail grade crossing. FRA global information system mapping data includes the locations of all reported pedestrian trespasser accidents, including suspected suicides and

⁹ A trespassing *close call* is a situation in which a trespasser is almost struck by a train, but escapes without injury and the incident is captured by a locomotive camera and/or reported by a train crew.

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attempted suicides that have occurred since July 2012. Table 2 below shows the percentage of suicide and attempted suicide trespasser accidents nationwide by distance from a grade crossing from November 2013 to October 2017. The cumulative percentage of casualties by distance from a grade crossing is also listed. Table 3 shows the number of non-suicide trespasser casualties and cumulative percentage nationwide and in the top 10 counties by distance from a grade crossing for the same period.

Table 2: Location of Suicides and Attempted Suicides, November 2013 to October 2017

Distance from a Highway-Rail Grade Crossing (feet)	Percentage of Suicides and Attempts	Cumulative Percentage of Suicides and Attempts
At a grade crossing	11 %	11 %
Within 50	7 %	18 %
50 to 100	6 %	24 %
100 to 200	10 %	34 %
200 to 300	9 %	43 %
300 to 400	7 %	50 %
400 to 500	5 %	55 %
500 to 1,000	18 %	73 %
1,000 to 5,000	24 %	97 %
5,000 to 10,000	2 %	99 %
More than 10,000	1 %	100 %

Source: FRA analysis

Table 3: Location of Pedestrian Trespasser Casualties, Excluding Suicides, November 2013 to October 2017

Distance from a Highway-Rail Grade Crossing (feet)	Casualties Nationwide		Casualties in Top 10 Counties	
	Cumulative Number	Cumulative Percentage	Cumulative Number	Cumulative Percentage
At a grade crossing	516	12 %	102	18 %
Within 50	853	20 %	27	23 %
50 to 100	1,116	26 %	29	28 %
100 to 200	1,608	38 %	56	38 %
200 to 300	1,973	46 %	49	47 %
300 to 400	2,232	53 %	42	55 %
400 to 500	2,462	58 %	31	60 %
500 to 600	2,658	63 %	20	64 %

Table 3: Location of Pedestrian Trespasser Casualties, Excluding Suicides, November 2013 to October 2017

Distance from a Highway-Rail Grade Crossing (<i>feet</i>)	Casualties Nationwide		Casualties in Top 10 Counties	
	Cumulative Number	Cumulative Percentage	Cumulative Number	Cumulative Percentage
600 to 700	2,798	66 %	21	67 %
700 to 800	2,945	69 %	16	70 %
800 to 900	3,049	72 %	10	72 %
900 to 1,000	3,142	74 %	12	74 %
1,000 to 1,250	3,328	78 %	25	79 %
1,250 to 1,500	3,477	82 %	21	82 %
1,500 to 2,000	3,711	87 %	30	88 %
2,000 to 3,000	3,950	93 %	21	92 %
3,000 to 5,000	4,107	97 %	24	96 %
5,000 to 10,000	4,186	99 %	12	98 %
More than 10,000	4,242	100 %	11	100 %
Total Casualties	4,242		559	

Source: FRA analysis.

FRA Efforts to Address Trespassing

FRA has worked extensively with railroads; state, county, and local governments; and other organizations to raise awareness about the inherent dangers and consequences of trespassing. The paragraphs below describe some of the work FRA has done to address the issue. FRA's trespass prevention website¹⁰ contains many of the research and other documents referenced below.

Research. FRA research examines all aspects of trespass prevention with a focus on education, engineering, and enforcement. FRA researches new technology prototypes, systems, and components, and education and enforcement initiatives that have the potential to decrease or eliminate railroad trespassing. FRA research includes the demonstration and evaluation of new technologies and innovative safety treatments and technology transfer initiatives from other modes of transportation (e.g., use of artificial intelligence). These studies enable FRA to develop effective methods that, combined with local efforts, reduce railroad trespassing. In July 2018,

¹⁰ <https://www.fra.dot.gov/Page/P0846>.

FRA published a report intended to provide a baseline measure of trespassing and suicide incident data from 2012 to 2014.¹¹

Data Analysis. FRA conducted national studies of demographic and market analysis of rail trespass fatalities in 2008 and a follow up study in 2013.¹² The objective was to establish a foundation to build an outreach or public education program and assist law enforcement to identify demographic populations most at risk. Results indicated that trespassers involved in fatal accidents are typically identifiable as white males, with an average age of 38, and with low socioeconomic status. These studies led FRA to conclude that many in this demographic might be intoxicated at the time of trespassing.

Community, Analysis, Response, and Evaluation Rail Trespass Problem-Solving Model. FRA in collaboration with Transport Canada developed and published the *Community Trespass Prevention Guide* (Guide) in 2003.¹³ This guide details a collaborative, systematic problem-solving approach for communities. Called the Community, Analysis, Response, and Evaluation rail trespass problem-solving model, the guide presents a non-regulatory approach to addressing railroad trespassing in local communities.

Collaboration with National Organizations. FRA promotes trespass prevention programs through cooperative efforts with public and private entities to encourage enforcement, educational, and engineering activities that effectively reduce trespass incidents and associated casualties. FRA collaborates with national organizations, such as Operation Lifesaver, Inc., for public outreach and education activities to increase awareness of the dangers of railroad trespassing. FRA has provided \$1 million annually through grants to Operation Lifesaver, Inc., which conducts public outreach and education activities to increase awareness of the dangers of railroad trespassing.

National Workshops. FRA hosted three workshops (in 2008, 2012, and 2015) to provide stakeholders updates on right-of-way fatality and trespass prevention activities and to solicit ideas for future actions and research priorities. The attendees generated more than 80 ideas ranging from expanded initiatives to new research projects. Their recommendations included increased signage, use of unmanned aerial vehicles, model state laws, and enforcement grants.

¹¹ FRA, *Characteristics of Trespassing Incidents in the United States (2012-2014)*, at <https://www.fra.dot.gov/eLib/Details/L19581>.

¹² <https://www.fra.dot.gov/eLib/details/L04702>.

¹³ <http://www.fra.dot.gov/Elib/Document/1265>.

Law Enforcement Outreach. Through the right-of-way workshops and local activities, FRA learned that law enforcement wanted a state-by-state listing of trespassing laws. FRA issued the *Compilation of State Laws and Regulations Affecting Highway-Rail Grade Crossings* in 2013, which is also a mobile application downloadable to any handheld device.¹⁴

Costs and Effects of Railroad Trespassing

According to FRA's economic analysis, the benefits of reducing trespassing accidents can be measured in lives saved, injuries reduced, and train delays avoided. This analysis uses data reported to FRA over the five-year period from 2012 to 2016. The 9,363 reported trespassing accidents during this period cost society \$43.2 billion in fatalities and injuries (with an average cost of \$4.6 million per accident) and more than \$56.0 million in travel time delays. These calculations do not include unquantified costs to the economy, such as lost productivity, and society, such as emotional distress.

Fatalities and Injuries. The benefit of preventing a fatality or injury is measured by the value of a statistical life (VSL). VSL is the additional cost society is willing to bear for improvements in safety that reduce the expected number of fatalities by one. The U.S. Department of Transportation currently sets VSL at \$9.6 million.¹⁵ In cases of injury, a value is assigned based on a fraction of the VSL using the abbreviated injury scale (AIS). AIS categorizes injuries into levels of severity from AIS 1 (minor) to AIS 5 (critical) and assigns a dollar value to each category of injury. FRA calculated the values of the reported trespasser fatalities and injuries.

- The 4,291 reported trespasser fatalities equate to a value of fatalities over the five-year period of approximately \$41.2 billion.
- The 5,072 reported trespasser injuries equate to a value of injuries over the five-year period of approximately \$2.0 billion.¹⁶

Travel Time Delays. When a trespassing accident occurs, the train is required to stop at the accident site. One Class I railroad told FRA each time a train strikes a trespasser the initial investigation and restoration of traffic flow takes an average of four hours. During this time, passengers are waiting on the involved train. FRA estimated the value of this time by assuming

¹⁴ <https://www.fra.dot.gov/StateLaws>.

¹⁵ *2016 Revised Value of a Statistical Life Guidance.pdf* at <https://www.transportation.gov/office-policy/transportation-policy/revised-departmental-guidance-on-valuation-of-a-statistical-life-in-economic-analysis>.

¹⁶ FRA used National Automotive Sampling System values to assign a monetary value to each individual injury type.

200 passengers per train¹⁷ and each passenger's time on the train is worth \$20.40 per hour.¹⁸ If the involved train is carrying freight, FRA estimated the value of this time as \$637.26 per hour.¹⁹ In addition, the conductor or engineer on the involved train has a wage rate of \$31.57 per hour.²⁰ FRA used these assumptions to estimate the value of a reduction in train delays, if all expected trespass accidents were avoided.

- The value of passenger train delays over the five-year period is \$34.1 million.²¹
- The value of freight train delays over the five-year period is \$21.9 million.²²

Unquantified Economic and Societal Costs. FRA's analysis does not include other costs that trespasser accidents impose on the economy and society. For example, accident response and investigation can delay motorists and their passengers at highway-rail grade crossings. Similarly, commercial trucks carrying freight or providing services can incur delays. Other trains must be held until a trespass accident is cleared. Costs such as wages and expenses of law enforcement personnel who conduct the initial investigations and emergency responders who assist the passengers and trespasser(s) are not quantified.

Other unquantified costs include the negative effects on the trespassers and their families and the emotional distress of involved railroad personnel and emergency responders. One railroad representative told FRA that trespasser accidents often affect even the most experienced engineers to the extent they are unable to continue to work. The railroad then has to replace them with less experienced ones. The railroad's labor and training costs rise and safety could be adversely impacted as those more experienced engineers leave the workforce.

¹⁷ FRA estimate.

¹⁸ *2016 Revised Value of Travel Time Guidance.pdf* at <https://www.transportation.gov/office-policy/transportation-policy/revised-departmental-guidance-valuation-travel-time-economic>.

¹⁹ National Cooperative Highway Research Program, *Comprehensive Costs of Highway-Rail Grade Crossing Crashes*, Report 755.

²⁰ Surface Transportation Board, 2016, at <https://www.stb.gov/econdata.nsf/WageStatistics?OpenView>.

²¹ 2,035 passenger incidents * [(\$31.57 train employee wage rate * 1.75 burdened wages * 2 employees per train * 4 hours per delay) + (200 passengers per train * \$20.40 per passenger per hour * 4 hours per delay)].

²² 7,328 freight incidents * [(\$637.26 value of goods per hour * 4 hours) + (\$31.57 * 1.75 burdened wages * 2 employees per train * 4 hours per delay)].

FRA's Field Survey - Site Review Teams' Executive Summaries

Based on the data and analysis described above, FRA deployed four trespasser site review teams to six counties in California, Illinois, Texas, and Florida. The teams were composed of FRA regional grade crossing inspectors and went to six of the top 10 counties nationwide for trespasser casualties. Each team had maps, tools, and data and reported on the number of trains passing through the area; the number of trespass violations local authorities and railroad police submitted and prosecuted; the amount of time law enforcement dedicated to addressing the issue of trespassing on railroad property; and the locations where trespassing was occurring. The teams also identified how close trespassing locations were to homeless communities and shelters, food pantries, and schools. Finally, the teams interviewed trespassers to find out why they were trespassing, if they knew they were trespassing, if they knew trespassing was illegal, and to explain the dangers of trespassing. The teams gathered data for the period November 2013 to October 2017.

In summary, the site review teams found that individuals were often making conscious decisions to trespass as a matter of convenience and generally reported that they knew they were illegally trespassing. In one instance, FRA personnel observed schoolchildren and a school official trespassing on a railroad's right-of-way. The site review teams also found that some locations lacked fencing or other physical barriers to the railroad's right-of-way, while other locations had fences that did not effectively deter trespassers. In one instance, trespassers regularly climbed or crawled through the cars of stopped trains to get to the other side of the tracks. The teams identified examples of potential poor community planning (e.g., parking lots intended for a building on the opposite side of the track from the building), and where prevention and engineering controls, such as fences, had been installed. Tables 4 to 7 below highlight each team's findings by state.

Table 4: California Counties Reviewed by FRA Region 7 Grade Crossing Inspectors

County	Rank for Number of Casualties	Number of Casualties
Los Angeles	1	110
Riverside	7	46
San Diego	9	44

Contributing Factors

- Trespassing for convenience.
- Lack of deterrence, such as fencing, enforcement, or education.

Table 4: California Counties Reviewed by FRA Region 7 Grade Crossing Inspectors

Considerations for Mitigation

- Trespassers interviewed said they knew they were illegally trespassing.
- Railroad management reported frustration with ineffective education and enforcement efforts and stated that the next step is to explore the use of engineering solutions.
- Railroads are using a tracking process to report homeless encampments on railroad right-of-way for targeted enforcement actions.

Table 5: Illinois County Reviewed by FRA Region 4 Grade Crossing Inspectors

County Name	Rank for Number of Casualties	Number of Casualties
Cook (focused on Chicago)	2	109

Contributing Factors

- Of 1,081 railroad trespasser violations, 435 (40 percent) were not prosecuted; 1,034 (almost 96 percent) were filed by railroad police.
- County or city police departments issued less than 50 trespasser violations.
- Chicago Police stated that less than 1 percent of their calls are directly related to railroad trespassing, and they divert those calls to railroad police.

Considerations for Mitigation

- A significant number of trespasser fatalities occurred near homeless shelters, schools, and food pantries.
- Most track is railroad over grade (elevated track).
- Fencing was already installed at all locations visited; the assumption is that trespassers are climbing fences.

Table 6: Texas County Reviewed by FRA Region 5 Grade Crossing Inspectors

County Name	Rank in Number of Casualties	Number of Casualties
Harris (focused on Houston)	4	52
Contributing Factors		
<ul style="list-style-type: none"> Of 228 trespassing violations issued October 2013-November 2017, 1 was prosecuted. Trespassers regularly climb or crawl through the cars of stopped trains rather than wait or walk around. 		
Considerations for Mitigation		
<ul style="list-style-type: none"> City of Houston officials advocated for federal funding for cameras. High levels of trespassing near shelters and food banks. 		

Table 7: Florida County Reviewed by FRA Region 3 Grade Crossing Inspectors

County Name	Rank in Number of Casualties	Number of Casualties
Palm Beach County	6	47
Contributing Factors		
<ul style="list-style-type: none"> Trespass occurs for convenience allowing the pedestrian a most direct path to their desired location. Lack of grade crossings in large sections of track contributes to trespassing for convenience. Mid-block public bus stops between crossings were a contributing factor to trespass. Multiple groups of schoolchildren and a vice-principal were observed trespassing upon school dismissal. 		
Considerations for Mitigation		
<ul style="list-style-type: none"> Trespassers interviewed admitted they knew they were illegally trespassing. Moving public bus stops closer to grade crossings could be a viable mitigation strategy. Location specific mitigations (physical barriers) to create more resistance, and in others, a need to provide a safer path of least resistance. A more comprehensive and focused survey should be performed to identify specific areas and effective methods of mitigation. This survey should be guided by the railroads, and should include state/local officials, state/local police departments, state/county school boards, and county/city transportation boards. 		

Contributing Factors

FRA's analysis of previous research and field survey identified two primary factors that contributed to trespassing incidents on railroad property and rights-of-way. First, trespassing starts with an individual choosing to enter or remain on railroad property without authority to do so. Most trespassers make this choice because crossing railroad property provides the most direct route to a desired destination. FRA's survey teams found that trespassers often knew they were illegally on railroad property. Trespassers often do not have a sufficient understanding or appreciation for the dangers of trespassing on railroad property.

Individual Contributing Factors

- a) Personal convenience.
- b) Lack of knowledge of or appreciation for the dangers of trespassing.

Second, from a community's or local government's perspective, other law enforcement and public safety issues are often the focus of their resources. FRA found in each of the top 10 counties, over a four-year period, the number of railroad trespass casualties was less than two percent of the respective county's total homicides, drug-related deaths, and highway fatalities. As a result, many communities prioritized their resources in ways that limit their ability to address railroad trespassing issues either through engineering solutions or public outreach and education. FRA's field survey confirms that railroad trespassers are rarely prosecuted, thereby reducing the perceived negative consequences of trespassing. Finally, community decisions, such as putting bus stops too far from safe crossing paths, might contribute to an increased number of trespassers.

Community Contributing Factors

- a) No (or insufficient) dedicated resources (personnel or funding).
- b) Lack of physical deterrents, such as fences, natural or engineered barriers, or obstacles.
- c) Failure to prosecute trespassers by local judicial process.
- d) Public perception of the dangers of trespassing on railroad property.
- e) Poor community planning.

Conclusion

FRA's approach to the trespassing issue has not been national or proactive, but rather a program of national outreach and education. Regional FRA staff and resources react to specific trespasser issues on a case-by-case basis. FRA's efforts have focused on data gathering, sharing, and outreach to the public, railroads, and law enforcement. FRA has considered specific trespassing problems as local problems and regional FRA safety personnel assisting local authorities and communities as the best way to address these issues. Regional FRA safety staff work with these communities and railroads to facilitate solutions to specific, local trespasser issues.

FRA's current analysis demonstrates that it needs to do more than educate and facilitate mitigation when issues arise. Proactive use of current, relevant data and analysis to identify areas at systemically high-risk for trespassing incidents is the best way to develop and facilitate implementation of specific mitigation strategies with communities, local governments, law enforcement, and impacted railroads. Education and outreach are not enough. Engineering solutions (e.g., fencing, automated video detection systems) designed to prevent or discourage trespassing on railroad property can be utilized in conjunction with frequent and consistent enforcement of trespasser laws. FRA has developed the following national strategy, focusing on four strategic areas: (1) data gathering and analysis; (2) community site visits; (3) funding, and (4) partnerships with stakeholders.

The success of this national strategy depends on several factors outside of FRA's control. FRA's ability to gather and analyze railroad trespasser close call data is the cornerstone of this strategy. Railroads have been reluctant to share this information, because FRA does not have specific statutory authority to protect this data from disclosure and use in judicial or other actions to determine damages or liability for trespasser accidents. Without this data, FRA will be unable to understand fully this complex problem and target trespassing hot spots. Trespassing is generally a matter of state and local law, and enforced at each state and municipality's discretion. Higher-priority law enforcement and other issues compete for the resources of local governments to address trespassing on railroad property. Successful implementation of this strategy will depend on the availability of sufficient resources and all stakeholders working together.

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National Strategy to Prevent Trespassing on Railroad Property

FRA's national strategy to prevent trespassing on railroad property includes four strategic focus areas: data gathering and analysis, community site visits, funding, and partnerships with stakeholders. None of these focus areas alone is sufficient for preventing trespassing and a successful strategy must include a combination of approaches. Focusing on data gathering and analysis will enable FRA to target its resources to trespassing hot spots. Conducting community site visits will help FRA and other stakeholders build a pool of successful mitigation strategies. Requesting and providing funding will assist communities directly in securing solutions and resources they need to deter trespassing and build partnerships with communities, law enforcement, railroads and other organizations in addressing the trespassing problem. FRA will be able to leverage available resources, expertise, and local knowledge to combat the problem of trespassing.

Implementation of this strategy will transition FRA's trespasser prevention program from regionally managed reactive efforts, to a centrally managed, data driven program designed to evaluate the risks of trespasser incidents throughout the Nation's rail network. It will also help FRA work with communities and local law enforcement to identify and facilitate implementation of effective mitigation strategies.

The strength of this approach is demonstrated by the following examples, identified when FRA developed this strategy.

One Central Problem. FRA survey teams identified convenience as the most consistent problem across surveyed areas—trespassers simply take the most direct routes to their desired destinations—and a main cause of trespassing, regardless of geographic location.

Three Local Solutions. FRA teams visited three communities that data indicated were hot spots for trespasser activity. FRA personnel observed trespassers crossing railroad property to travel from a bus stop to a residential neighborhood in West Palm Beach, Florida. Moving the bus stop closer to an authorized, safer crossing could eliminate the current path of convenience. FRA personnel observed people from a homeless encampment trespassing across railroad property to go into town near Riverside, California. In this case, solutions could include physical barriers, enhanced law enforcement presence, or relocating the homeless population to a safer location. In Oceanside, California, FRA personnel observed trespassers crossing railroad property to travel from a residential neighborhood to the beach. Because neither the neighborhood nor the beach is a candidate for relocation, solutions to this problem could include physical barriers and additional enforcement.

FRA's initial focus on gathering and analyzing appropriate data to identify trespassing hot spots led the agency to send teams to conduct site visits. FRA identified mitigation strategies based on

the specific local circumstances. FRA's next step is to engage with local partners at each location to examine the feasibility of implementing appropriate mitigation measures.

The Four Strategic Areas of the National Strategy

Strategic Area 1. Data Gathering and Analysis. FRA's strategy will be driven by reliable data. FRA will seek ways to improve the integration and presentation of this data into a more thorough picture of the trespass issue. FRA identified the 10 counties in the United States with the highest number of railroad trespassing casualties, yet FRA is missing a key piece of data that will enable it to identify geographical areas for the highest risk of trespassing incidents in the future.

FRA might not receive data related to trespassing incidents that do not result in death or injuries. A trespasser close call (or sometimes referred to as a *near-hit*) is a situation in which a trespasser is almost struck by a train, but escapes without injury and the incident is captured by a locomotive camera or reported by a train crew. This data is critical to identify the areas that are at high risk of trespasser accidents due to the number of trespasser close calls that occur in the area.

Obtaining trespasser close call incident data is essential to successful implementation of any data driven proactive approach to addressing the trespasser issue. Close call data would enable FRA to better identify trespasser hot spots and could be particularly beneficial in deploying law enforcement and railroad police more efficiently and determining what, if any, engineering solutions may be feasible in particular circumstances. Thorough analysis of close call data would allow FRA to direct our resources to areas of highest value and to share risk information with our partners.

Many railroads already collect trespasser close call data for their own use. Railroads have not been willing to share this information with FRA without specific statutory authority to protect the data from disclosure and use in judicial or other actions to determine damages or liability for trespasser accidents or incidents. However, federal law does not prohibit the use of this data as evidence in federal or state court proceedings or other actions for damages or to determine liability for trespasser accidents or incidents. Other operating administrations, such as the Federal Highway Administration, have statutory authority²³ to protect disclosure of data gathered for highway safety projects.

Strategic Area 2. Community Site Visits. FRA will send teams to conduct site visits in communities with high numbers of trespass incidents. These teams will learn more about the specific local factors that contribute to trespassing and will work with local partners to help them implement, and evaluate the effectiveness of, targeted mitigation strategies. Curtailment of trespassing in these areas will contribute to a pool of successful strategies for use in other

²³ United States Code, title 23, section 409.

communities. FRA will use this data to develop a trespass risk model to identify the current and future risk of trespassing for communities across the country.

Strategic Area 3. Funding. Funding is an important part of the direct and tangible support necessary to help communities reduce the number of trespassing incidents. Funding is necessary to enable local communities to implement targeted trespasser mitigation strategies, such as engineering solutions, law enforcement overtime, school resource officers, or community outreach. In February 2018, FRA published a notice of funding opportunity for a law enforcement pilot grant program aimed at evaluating the effectiveness of local law enforcement activities intended to reduce trespassing on railroads.²⁴ This \$150,000 grant opportunity was open to state, county, municipal, local, and regional law enforcement agencies in communities with a demonstrated rail trespass problem. FRA received final applications in April 2018 and expects to award the grants in the fall of 2018. FRA will evaluate the programs over six-month periods of performance.

FRA will work to increase stakeholder awareness of other funding opportunities. For example, trespassing prevention projects, including grade crossing improvements and engineering solutions targeting trespassing (e.g., barriers), could be eligible for funding under the Consolidated Rail Infrastructure and Safety Improvements (CRISI), Restoration and Enhancement, or Federal State Partnership for State of Good Repair grant programs. Congress provided approximately \$960 million in FYs 2017 and 2018 for these grants, with some set-asides for specific priorities. FRA encourages potential applicants to contact FRA for technical assistance before applying for these programs, given the variation in program requirements.

Strategic Area 4. Partnerships with Stakeholders. FRA will continue to work with communities, local governments, law enforcement agencies, railroads, and other interested parties to combat the problem of trespassing. To maximize our reach and effectiveness, FRA will work with organizations whose goals align with ours, collaborating and breaking down silos to share knowledge and data, thematic with the Department's priorities on safety. This includes sharing information and meeting directly with leadership from groups such as Operation Lifesaver, Inc., to raise awareness in hot spot communities; the Global Rail Alliance for Suicide Prevention to share strategies to deter suicides by rail; the Substance Abuse and Mental Health Services Administration to reduce the number of suicides; International Association of Chiefs of Police to share ideas with law enforcement; the National Organization of Youth Safety to find ways to reach younger populations more effectively; and community groups and leaders who have in-depth knowledge of their local problem areas.

Transport Canada, the Department's counterpart agency, is considering options for addressing the railroad trespasser issue in Canada. Transport Canada is developing a document addressing the history of the trespassing issue, access controls, and policy options for consideration. FRA

²⁴ Federal Register, volume 83, number 7842, Feb. 22, 2018.

reviewed Transport Canada’s draft document, shared a draft of this report with Transport Canada, and held a teleconference to discuss both documents. Transport Canada’s findings are similar to the findings in this report and FRA intends to continue collaborating with Transport Canada to share ideas and additional discoveries to create a stronger strategy for both agencies.

Metrics for Success

The success of this national strategy depends not only on FRA’s actions, but also on the resources and actions of stakeholders. FRA will measure the success of this national strategy by the relative levels of stakeholder engagement on the issue and implementation of specific mitigation strategies that reduce trespasser accidents at identified hot spots. FRA will also measure the success of this national strategy by the change in the nationwide number of trespassing accidents.

Implementation Milestones and Timeline by Strategic Area

FRA expects to implement the national strategy, subject to the availability of resources, according to the following milestones in Table 8.

Table 8. Implementation Milestones and Timeline by Strategic Area

Milestone	Timeline
Strategic Area 1. Data Gathering and Analysis	
1. Transition from a regionally managed to a centrally managed, data driven program to support trespasser prevention activities.	Complete by January 2019
2. Identify, through independent analysis and collaboration with railroads and other stakeholders, known and new data sources that could better identify trespasser hot spots or risk factors that lead to trespassing.	Start by January 2019
3. Explore statutory, regulatory, or other authorities to protect railroad near-hit and close-call data from disclosure.	Start in FY 2019
4. Identify, through collaboration with railroads as appropriate, existing and potential new analytical tools (including risk models) to effectively analyze trespasser data.	Start by January 2019
5. Develop an FRA trespass risk model to identify current and future risk of rail trespassing in communities across the country (identify hot spots).	Complete by December 2019
6. Use developed risk model to perform initial risk assessments on identified hot spots	Complete by January 2020
7. Consider changes to accident and incident reporting regulations to improve rail trespasser data. Propose rule, if changes justified.	Complete by September 2020

National Strategy to Prevent Trespassing on Railroad Property

Table 8. Implementation Milestones and Timeline by Strategic Area

Milestone	Timeline
Strategic Area 2. Community Site Visits	
8. Develop system of communicating currently available data to FRA regions for targeted grade crossing and trespasser prevention program inspector and specialist actions.	Complete by March 2019
9. Develop standard operating practices and procedures for FRA community site visits, reporting, and monitoring effectiveness of any mitigation strategy employed.	Complete by June 2019
10. Assign regional assets to identified hot spots and arm them with data necessary to engage railroads, police and local governments in partnerships to identify location specific causal factors and assist with identifying and implementing mitigation strategies.	Start in July 2019
Strategic Area 3. Funding	
11. Work through the executive and Congressional budget cycles and reauthorization process to identify funds to strengthen grant programs that provide funding for trespasser mitigation, such as engineering solutions, law enforcement overtime, school resource officers, and outreach.	Start in FY 2019
12. Work through the executive and Congressional budget cycles to identify funds for a national trespasser public service announcement campaign. Develop a series of announcements for distribution in targeted areas with high number of trespassing accidents.	Start in FY 2019
13. Work through the executive and Congressional budget cycles to identify funds for advocacy organizations to develop focused surveys of communities where trespasser incidents have been a persistent problem. Additional funding will be used to develop forms to collect information from the surveys, establish a database, and prepare reports for the communities and FRA.	Start in FY 2019
14. Provide information on availability and process for applying for FRA grants and other funding (e.g., law enforcement and CRISI grants) during focused surveys and outreach.	As funding becomes available

Table 8. Implementation Milestones and Timeline by Strategic Area

Milestone	Timeline
Strategic Area 4. Partnerships with Stakeholders	
15. Develop system of sharing trespasser hot spot data with advocacy organizations to focus their activities where they will yield the greatest returns on investment and establish communication and reporting procedures to share information and provide feedback on effectiveness of efforts.	Complete by April 2019
16. Collaborate and partner with government agencies, such as the Substance Abuse and Mental Health Services Administration, to develop and implement targeted outreach to address suicides by train.	Complete by December 2020
As appropriate, collaborate with international organizations, such as the Global Rail Alliance for Suicide Prevention, to share ideas on effective strategies to deter suicides by rail.	
17. Partner with law enforcement and other organizations (e.g., International Association of Chiefs of Police, National Organization of Youth Safety) to collaborate on effective trespass prevention and mitigation measures (e.g., enforcement of trespass laws, methods to raise awareness and more effectively reach younger population to prevent trespassing)	Complete by December 2019
18. Partner with the leaders of local communities to improve trespass prevention. Initially, FRA will communicate directly with the leadership of counties identified as having the highest number of railroad trespasser casualties.	Start by July 2019
19. Host trespasser prevention summits with representatives of the top 10 counties. Summits will include local community leaders, law enforcement, railroads and the public.	Complete by July 2020
20. Assist other agencies and organizations in developing and targeting trespasser prevention outreach campaigns to localities identified as trespassing hot spots.	Complete by July 2020



Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Legislative Matrix

2019 Legislative Session – March 18, 2019

BILLS BEING MONITORED

CA AB 145	<p>AUTHOR: Frazier [D] TITLE: High-Speed Rail Authority: Senate Confirmation INTRODUCED: 12/13/2018 LOCATION: Assembly Transportation Committee SUMMARY: Provides that the members of the High-Speed Rail Authority appointed by the Governor are subject to appointment with the advice and consent of the Senate. STATUS: 01/24/2019 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: High-Speed Rail</p>
CA AB 147	<p>AUTHOR: Burke [D] TITLE: Use Taxes: Collection: Retailer Engaged in Business INTRODUCED: 12/14/2018 LAST AMEND: 02/27/2019 LOCATION: Assembly Appropriations Committee SUMMARY: Specifies that a retailer engaged in business in this state includes any retailer that, in the preceding calendar year or the current calendar year, has a cumulative sales price from the sale of tangible personal property for delivery in this state that exceeds a specified amount. Allows the Department to grant relief to certain retailers engaged in business in this state for specified interest or penalties imposed on use tax liabilities due and payable for specified tax reporting periods. STATUS: 02/27/2019 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 02/27/2019 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS. CATEGORY: Funding</p>
CA AB 185	<p>AUTHOR: Grayson [D] TITLE: Transportation Commission: Transportation Policies INTRODUCED: 01/10/2019 LOCATION: Assembly Transportation Committee SUMMARY: Requires the Department of Housing and Community Development to participate in joint meetings held by the Transportation Commission and the State Air Resources Board to coordinate implementation of transportation policies. STATUS: 02/04/2019 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Miscellaneous</p>

CA AB 285	<p>AUTHOR: Friedman [D]</p> <p>TITLE: California Transportation Plan</p> <p>INTRODUCED: 01/28/2019</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY: Requires the Department of Transportation to address in the California Transportation Plan how the state will achieve maximum feasible emissions reductions in order to attain a certain statewide reduction of greenhouse gas emissions below 1990 levels by the end of 2030 and carbon neutrality by 2045.</p> <p>STATUS: 02/11/2019 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.</p> <p>CATEGORY: Environment</p>
CA AB 313	<p>AUTHOR: Frazier [D]</p> <p>TITLE: Road Maintenance and Rehabilitation Account: Reports</p> <p>INTRODUCED: 01/30/2019</p> <p>LOCATION: Assembly Transportation Committee</p> <p>HEARING: 03/11/2019 2:30 pm</p> <p>SUMMARY: Requires the University of California and the California State University, on or before a specified date of each year, to each submit a report to the Transportation Agency and specified legislative committees detailing its expenditures of those moneys for that fiscal year, including, but not limited to, research activities and administration.</p> <p>STATUS: 02/11/2019 To ASSEMBLY Committee on TRANSPORTATION.</p> <p>CATEGORY: Funding</p>
CA AB 352	<p>AUTHOR: Garcia E [D]</p> <p>TITLE: Greenhouse Gas Reduction Fund: Investment Plan</p> <p>INTRODUCED: 02/04/2019</p> <p>LOCATION: Assembly Natural Resources Committee</p> <p>SUMMARY: Requires state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality, to include a specified application timeline, and to allow applicants from the Counties of Imperial and San Diego to include daytime population numbers in grant applications.</p> <p>STATUS: 02/11/2019 To ASSEMBLY Committee on NATURAL RESOURCES.</p> <p>CATEGORY: Environment</p>

CA AB 380	AUTHOR:	Frazier [D]
	TITLE:	Office of the Transportation Inspector General
	INTRODUCED:	02/05/2019
	LOCATION:	Assembly Transportation Committee
	HEARING:	03/11/2019 2:30 pm
	SUMMARY:	Eliminates the Independent Office of Audits and Investigations and would instead create the Independent Office of the Transportation Inspector General in state government, as an independent office that would not be a subdivision of any other government entity, to ensure that specified state agencies and all external entities that receive state and federal transportation funds are operating efficiently, effectively, and in compliance with federal and state laws.
	STATUS:	
	02/15/2019	To ASSEMBLY Committees on TRANSPORTATION and ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.
	CATEGORY:	Audits

CA AB 422	AUTHOR:	Frazier [D]
	TITLE:	High-Speed Rail: Performance Measurement Dashboards
	INTRODUCED:	02/07/2019
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Requires the High-speed Rail Authority, in consultation with the independent peer review group, to develop and update quarterly a set of summary performance measurement dashboards that show ongoing performance of the project and post on its internet website full sets of the summary performance measurement dashboards.
	STATUS:	
	02/15/2019	To ASSEMBLY Committee on TRANSPORTATION.
	CATEGORY:	High-Speed Rail

CA AB 553	AUTHOR:	Melendez [R]
	TITLE:	High-Speed Rail Bonds: Housing
	INTRODUCED:	02/13/2019
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Provides that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system. Requires the net proceeds of other bonds subsequently issued and sold to be made available to the Department of Housing Community Development's Multifamily Housing Program.
	STATUS:	
	02/25/2019	To ASSEMBLY Committee on TRANSPORTATION.
	CATEGORY:	High-Speed Rail

CA AB 659	AUTHOR: Mullin [D] TITLE: Transportation: Emerging Technologies: Grant Program INTRODUCED: 02/15/2019 LOCATION: Assembly Transportation Committee SUMMARY: Establishes the California Smart City Challenge Grant Program to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs, and specifies certain program goals. Requires the California Transportation Commission to form the California Smart City Challenge Workgroup to guide the commission on program matters. STATUS: 02/25/2019 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Miscellaneous
CA AB 676	AUTHOR: Frazier [D] TITLE: California Transportation Commission: Annual Report INTRODUCED: 02/15/2019 LOCATION: Assembly Transportation Committee SUMMARY: Requires the California Transportation Commission to adopt and submit its annual report by 12/31 of each year. STATUS: 02/28/2019 To ASSEMBLY Committee on TRANSPORTATION.
CA AB 821	AUTHOR: O'Donnell [D] TITLE: Transportation: Trade Corridor Enhancement Account INTRODUCED: 02/20/2019 LOCATION: ASSEMBLY SUMMARY: Requires the Transportation Commission to allocate not less than a certain percentage of the funds that are required to be allocated to projects nominated by the Department of Transportation to projects nominated pursuant to the State Port Efficiency Program, which this bill creates. STATUS: 02/20/2019 INTRODUCED. CATEGORY: Miscellaneous
CA AB 847	AUTHOR: Grayson [D] TITLE: Transportation Finance: Priorities: Housing INTRODUCED: 02/20/2019 LOCATION: ASSEMBLY SUMMARY: Requires the Department of Housing and Community Development, on or before June 30, 2020, and on or before June 30 every year thereafter, to review each production report submitted by a city or county in accordance with the provisions to determine if that city or county has met its very low, low-, and moderate-income housing goals, as defined, for that reporting period. STATUS: 02/20/2019 INTRODUCED. CATEGORY: Funding

CA AB 923	AUTHOR: Wicks [D] TITLE: Bay Area Rapid Transit District: Electricity INTRODUCED: 02/20/2019 LOCATION: ASSEMBLY SUMMARY: Authorizes BART to elect to obtain electricity purchased from an electrical corporation or marketer, as defined, and electricity purchases through a market operated by the Independent System Operator or any other electricity market. STATUS: 02/20/2019 INTRODUCED. CATEGORY: Rail
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CA AB 931	AUTHOR: Boerner Horvath [D] TITLE: State and Local Boards and Commission INTRODUCED: 02/20/2019 LOCATION: ASSEMBLY SUMMARY: Requires the composition of each state and local board and commission with appointed members to have a specified minimum number of women board members or commissioners based on the total number of board members or commissioners on that board. STATUS: 02/20/2019 INTRODUCED. CATEGORY: Miscellaneous
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CA AB 1017	AUTHOR: Boerner Horvath [D] TITLE: Railroads: At-Grade Pedestrian Crossings INTRODUCED: 02/21/2019 LOCATION: ASSEMBLY SUMMARY: Requires the Public Utilities Commission to identify standardized supplemental safety measure improvements for at-grade pedestrian crossings. STATUS: 02/21/2019 INTRODUCED. CATEGORY: Rail
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CA AB 1056	AUTHOR: Garcia E [D] TITLE: State Air Resources Board: Report INTRODUCED: 02/21/2019 LOCATION: ASSEMBLY SUMMARY: Relates to a report prepared by the State Air Resources Board that assesses progress made by each metropolitan planning organization in meeting the regional greenhouse gas emission reduction targets set by the state board. Requires this report to be prepared every 2 years. STATUS: 02/21/2019 INTRODUCED. CATEGORY: Environment
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CA AB 1142	<p>AUTHOR: Friedman [D] TITLE: Strategic Growth Council: Transportation Pilot Projects INTRODUCED: 02/21/2019 LOCATION: ASSEMBLY SUMMARY: Requires the Strategic Growth Council, in consultation with the State Air Resources Board, to manage and award financial assistance to specified local entities for the purpose of funding pilot projects that reduce vehicle miles traveled to support the planning and development of sustainable communities. Requires a local entity that receives funding for a pilot project to provide data regarding the reduction of vehicle miles traveled by the project to the board for use in a specified report. STATUS: 02/21/2019 INTRODUCED. CATEGORY: Funding</p>
CA AB 1148	<p>AUTHOR: Patterson [R] TITLE: High Speed Rail: Independent Peer Review Group INTRODUCED: 02/21/2019 LOCATION: ASSEMBLY SUMMARY: Requires the independent peer review group to study and annually report to the legislature on alternative uses for high speed rail project infrastructure that is located in the projects Central Valley corridor and the construction of which the group anticipates will be completed by the end of the calendar year in which the report will be submitted to the legislature. STATUS: 02/21/2019 INTRODUCED. CATEGORY: High-Speed Rail</p>
CA AB 1167	<p>AUTHOR: Mathis [R] TITLE: Greenhouse Gas Reduction Fund: High-Speed Rail INTRODUCED: 02/21/2019 LOCATION: ASSEMBLY SUMMARY: Removes continuously appropriate 25% of the annual proceeds of the Greenhouse Gas Reduction Fund for certain components of a specified high-speed rail project. STATUS: 02/21/2019 INTRODUCED. CATEGORY: High-Speed Rail</p>
CA AB 1237	<p>AUTHOR: Aguiar-Curry [D] TITLE: Greenhouse Gas Reduction Fund: Guidelines INTRODUCED: 02/21/2019 LOCATION: ASSEMBLY SUMMARY: Requires an agency that receives an appropriation from the Greenhouse Gas Reduction Fund to post on its internet website the agency's guidelines, as specified, for how moneys from the fund are allocated. STATUS: 02/21/2019 INTRODUCED. CATEGORY: Environment</p>

CA AB 1277	AUTHOR: Obernolte [R] TITLE: Major Transportation Infrastructure Construction INTRODUCED: 02/21/2019 LOCATION: ASSEMBLY SUMMARY: <p>Requires a public agency undertaking a publicly funded major transportation infrastructure construction project that is estimated to cost \$500,000,000 or more to form an oversight committee subject to applicable open meeting laws and to develop and use risk management plans throughout the course of the project.</p> STATUS: 02/21/2019 INTRODUCED. CATEGORY: Public Works
CA AB 1397	AUTHOR: Burke [D] TITLE: Income Tax Credit: Railroad in Reconstruction INTRODUCED: 02/22/2019 LOCATION: ASSEMBLY SUMMARY: <p>Allows a credit for each taxable year to a qualified taxpayer in an amount equal to a percentage of the qualified railroad reconstruction or replacement expenditures paid or incurred by the qualified taxpayer, subject to a specified limitation. Includes the additional information required for any bill authorizing a new income tax credit.</p> STATUS: 02/22/2019 INTRODUCED. CATEGORY: Rail
CA AB 1411	AUTHOR: Reyes [D] TITLE: Integrated Action Plan for Sustainable Freight INTRODUCED: 02/22/2019 LOCATION: ASSEMBLY SUMMARY: <p>Establishes as a state goal the deployment of a number of zero emission and medium and heavy duty vehicles and off road vehicles and equipment, and the corresponding infrastructure to support them, by a year. Requires the Public Utilities Commission, the state board, the Department of Transportation, the State Energy Resources Conservation and Development Commission, and the Governor's Office to develop and update by a certain date, and every number of years after.</p> STATUS: 02/22/2019 INTRODUCED. CATEGORY: Rail
CA AB 1413	AUTHOR: Gloria [D] TITLE: Transportation: Local Transportation Authorities INTRODUCED: 02/22/2019 LOCATION: ASSEMBLY SUMMARY: <p>Authorizes a local transportation authority to impose a tax applicable to only a portion of its county if two thirds of the voters voting on the measure within the portion of the county to which the tax would apply vote to approve the tax, as specified, and other requirements are met, including that the revenues derived from the tax be spent within, for the benefit of, the portion of the county to which the tax would apply.</p> STATUS: 02/22/2019 INTRODUCED. CATEGORY: Funding

CA AB 1430	AUTHOR: Garcia E [D] TITLE: State Government: Public Investment Opportunities INTRODUCED: 02/22/2019 LOCATION: ASSEMBLY SUMMARY: Requires the Public Utilities Commission, the State Air Resources Board, the California Transportation Commission, and the Labor Workforce Development Agency by January 1, 2021, to provide a joint assessment of options for redefining the term cost effective to the Legislature for the purposes of prioritizing public investment opportunities. STATUS: 02/22/2019 INTRODUCED. CATEGORY: Funding
CA AB 1442	AUTHOR: Rivas [D] TITLE: California Transportation Commission INTRODUCED: 02/22/2019 LOCATION: ASSEMBLY SUMMARY: Authorizes the California Transportation Commission to organize itself into at least four committees relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. STATUS: 02/22/2019 INTRODUCED. CATEGORY: Miscellaneous
CA AB 1515	AUTHOR: Friedman [D] TITLE: California Environmental Quality Act INTRODUCED: 02/22/2019 LOCATION: ASSEMBLY SUMMARY: Defines transit priority area to mean an area with a half mile of a major transit stop that is existing or planned if the planned stop is scheduled to be a program or an applicable regional transportation plan. STATUS: 02/22/2019 INTRODUCED. CATEGORY: Transit
CA AB 1560	AUTHOR: Friedman [D] TITLE: California Environmental Quality Act INTRODUCED: 02/22/2019 LOCATION: ASSEMBLY SUMMARY: Revises the definition of major transit stop to include a bus rapid transit station that is served by a local circulator or a local serving on-demand transit program. Increases the frequency of service interval to 20 minutes. STATUS: 02/22/2019 INTRODUCED. CATEGORY: Transit

CA ACA 1	<p>AUTHOR: Aguiar-Curry [D]</p> <p>TITLE: Local Government Financing: Affordable Housing</p> <p>INTRODUCED: 12/03/2018</p> <p>LOCATION: ASSEMBLY</p> <p>SUMMARY: Creates an exception to the 1% limit on the ad valorem property tax rate on real property that would authorize a city or county to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, if the proposition proposing that tax is approved by 55% of the voters of the city or county.</p> <p>STATUS: 12/03/2018 INTRODUCED.</p> <p>CATEGORY: Funding</p>
CA SB 1	<p>AUTHOR: Atkins [D]</p> <p>TITLE: Environmental, Public Health, and Workers Defense Act</p> <p>INTRODUCED: 12/03/2018</p> <p>LOCATION: Senate Environmental Quality Committee</p> <p>HEARING: 03/20/2019</p> <p>SUMMARY: Enacts the California Environmental, Public Health, and Workers Defense Act, which prohibits a state or local agency from amending or revising its rules to be less stringent than the federal baseline standards pertaining to environmental protection.</p> <p>STATUS: 01/16/2019 To SENATE Committees on ENVIRONMENTAL QUALITY, NATURAL RESOURCES AND WATER, and JUDICIARY.</p> <p>CATEGORY: Environment</p>
CA SB 5	<p>AUTHOR: Beall [D]</p> <p>TITLE: Local-State Sustainable Investment Incentive Program</p> <p>INTRODUCED: 12/03/2018</p> <p>LOCATION: Senate Governance and Finance Committee</p> <p>SUMMARY: Establishes the Local-State Sustainable Investment Incentive Program, which would be administered by the Sustainable Investment Incentive Committee. Authorizes a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority or transit village development district to apply to the Committee to participate in the program and authorizes Committee to approve or deny applications for projects.</p> <p>STATUS: 01/24/2019 To SENATE Committees on GOVERNANCE AND FINANCE and HOUSING.</p> <p>CATEGORY: Funding</p>

CA SB 25	AUTHOR:	Caballero [D]
	TITLE:	Environmental Quality Act: Qualified Opportunity Zones
	INTRODUCED:	12/03/2018
	LOCATION:	Senate Environmental Quality Committee
	HEARING:	03/20/2019
	SUMMARY:	Establishes procedures for the administrative and judicial review of the environmental review and approvals granted for projects located in qualified opportunity zones that are funded by qualified opportunity funds or moneys from the Greenhouse Gas Reduction Fund.
	STATUS:	
	01/16/2019	To SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.
	CATEGORY:	Environment

CA SB 43	AUTHOR:	Allen [D]
	TITLE:	Carbon Taxes
	INTRODUCED:	12/03/2018
	LOCATION:	Senate Environmental Quality Committee
	HEARING:	03/20/2019
	SUMMARY:	Requires the State Air Resources Board in consultation with the Department of Tax and Fee Administration, to submit a report to the Legislature on the results of a study to propose and determine the feasibility and practicality of a system to replace the tax imposed pursuant to the Sales and Use Tax Law with an assessment on retail products sold or used in the state based on the carbon intensity of the product to encourage the use of less carbon-intensive products.
	STATUS:	
	01/16/2019	To SENATE Committees on ENVIRONMENTAL QUALITY and GOVERNANCE AND FINANCE.
	CATEGORY:	Environment

CA SB 50	AUTHOR:	Wiener [D]
	TITLE:	Planning and Zoning: Housing Development
	INTRODUCED:	12/03/2018
	LOCATION:	Senate Housing Committee
	SUMMARY:	Requires a city or county to grant upon request an equitable communities incentive when a development proponent seeks and agrees to construct a residential development that satisfies specified criteria, including, among other things, that the residential development is either a job-rich housing project or a transit-rich housing project.
	STATUS:	
	01/24/2019	To SENATE Committees on HOUSING and GOVERNANCE AND FINANCE.
	CATEGORY:	Transit/Rail

CA SB 127	AUTHOR: Wiener [D] TITLE: Transportation Funding: Active Transportation: Streets INTRODUCED: 01/10/2019 LOCATION: Senate Transportation Committee SUMMARY: Establishes a Division of Active Transportation within the Department of Transportation and requires that an undersecretary of the Transportation Agency be assigned to give attention to active transportation program matters to guide progress toward meeting the department's active transportation program goals and objectives. Requires the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists. STATUS: 01/24/2019 To SENATE Committee on TRANSPORTATION. CATEGORY: Active Transportation
CA SB 128	AUTHOR: Beall [D] TITLE: Enhanced Infrastructure Financing Districts: Bonds INTRODUCED: 01/10/2019 LOCATION: Senate Governance and Finance Committee SUMMARY: Authorizes the public financing authority to issue bonds for purposes of enhanced infrastructure financing districts without submitting a proposal to the voters. Requires specified information related to the issuance of the bonds to be contained in the resolution. STATUS: 01/24/2019 To SENATE Committee on GOVERNANCE AND FINANCE. CATEGORY: Funding
CA SB 137	AUTHOR: Dodd [D] TITLE: Federal Transportation Funds: State Exchange Programs INTRODUCED: 01/15/2019 LOCATION: SENATE SUMMARY: Authorizes the Department of Transportation to allow federal transportation funds that are allocated as local assistance to be exchanged for Road Maintenance and Rehabilitation Program funds appropriated by the department. STATUS: 01/24/2019 To SENATE Committee on TRANSPORTATION. CATEGORY: Funding
CA SB 147	AUTHOR: Beall [D] TITLE: High-Speed Rail Authority INTRODUCED: 01/18/2019 LOCATION: Senate Transportation Committee SUMMARY: Authorizes the High-Speed Rail Authority to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority's internet website. STATUS: 01/31/2019 To SENATE Committee on TRANSPORTATION. CATEGORY: High-Speed Rail

CA SB 241	<p>AUTHOR: Moorlach [R] TITLE: Public Agencies: Joint Powers Authorities: Contracts INTRODUCED: 02/11/2019 LOCATION: Senate Governance and Finance Committee SUMMARY: Relates to the Joint Powers Act. Requires the governing body of each member agency of an agency established pursuant to a joint powers agreement to approve and ratify each memorandum of understanding negotiated between the joint powers agency and its employees. Requires each member agency to approve and ratify each contract for municipal services or functions, as defined, negotiated between the joint powers agency and the entity providing the services or functions. STATUS: 02/21/2019 To SENATE Committees on GOVERNANCE AND FINANCE and LABOR, PUBLIC EMPLOYMENT AND RETIREMENT. CATEGORY: Public Contracts</p>
CA SB 340	<p>AUTHOR: Stone [R] TITLE: High Speed Rail Bonds INTRODUCED: 02/19/2019 LOCATION: SENATE SUMMARY: Provides that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phast 1 blended system. STATUS: 02/19/2019 INTRODUCED. CATEGORY: High-Speed Rail</p>
CA SB 355	<p>AUTHOR: Portantino [D] TITLE: Joint Powers Agencies: Meetings INTRODUCED: 02/19/2019 LOCATION: SENATE SUMMARY: Relates to The Joint Exercise of Powers Act. Relates to The Ralph M. Brown Act. Eliminates the requirement that the designated alternate member of the legislative body of the joint powers agency also be a member of the legislative body of a member local agency. STATUS: 02/19/2019 INTRODUCED. CATEGORY: Miscellaneous</p>
CA SB 356	<p>AUTHOR: McGuire [D] TITLE: North Coast Railroad Authority: Rail Right-Of-Way INTRODUCED: 02/19/2019 LOCATION: SENATE SUMMARY: Requires the North Coast Railroad Authority, within 90 days of removing all of its debts, liabilities, and contractual obligations, to convey and transfer its rights, interests, privileges, and title, lien free, relating to a specified rail right-of-way, its licenses and certificates of public convenience and necessity, any common carrier obligations held by the authority or an associated freight operator, and the railroad assets the authority owns to the district. STATUS: 02/19/2019 INTRODUCED. CATEGORY: Rail</p>

CA SB 526	<p>AUTHOR: Allen [D]</p> <p>TITLE: Regional Transportation Plans: Greenhouse Gas Emissions</p> <p>INTRODUCED: 02/21/2019</p> <p>LOCATION: SENATE</p> <p>SUMMARY: Requires the state board of air resources to adopt a regulation that requires a metropolitan planning organization to provide any data that the board determines is necessary to fulfill the requirements of a specified report and to determine if the metropolitan planning organization is on track to meet its 2035 greenhouse gas emission reduction target.</p> <p>STATUS: 02/21/2019 INTRODUCED.</p> <p>CATEGORY: Environment</p>
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March 18, 2019

To: Members of the Board of Directors

From: Jennifer L. Bergener, Managing Director 

Subject: Cooperative Agreement with National Railroad Passenger Corporation for Design Services in Support of the Expansion of the Pacific Surfliner Layover Facility in the City of Goleta

Overview

The Goleta Layover Facility Expansion Project will expand the storage capacity of the existing Amtrak layover facility in the City of Goleta to accommodate proposed service expansion and enhancement goals. A cooperative agreement with the National Railroad Passenger Corporation is required to define roles, responsibilities and funding for the design of the Goleta Layover Facility Expansion Project.

Recommendation

Authorize the Managing Director to negotiate and execute Agreement No. L-9-0001 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and the National Railroad Passenger Corporation, in the amount of \$383,000, for Design Services for the expansion of the Pacific Surfliner Layover Facility in the City of Goleta.

Discussion

The Pacific Surfliner service is currently supported by three overnight layover facilities located in the cities of Goleta, San Diego, and San Luis Obispo, and a primary maintenance and layover facility near downtown Los Angeles. The layover facilities in Goleta, San Diego, and San Luis Obispo combined can support a total of six train sets, with capacity for one train set in Goleta, four in San Diego, and one in San Luis Obispo. Each of these locations is currently at capacity and cannot accommodate proposed service expansion or enhancement goals for the Pacific Surfliner.

Efforts to expand the layover and maintenance capacity in both San Diego and San Luis Obispo, are currently underway. To support the corridor-wide service expansion and enhancement goals for the Pacific Surfliner, the layover and maintenance capacity in Goleta must be expanded.

The National Railroad Passenger Corporation (Amtrak) has a long-term lease with the Union Pacific Railroad for the property on which the existing layover is located. Amtrak designed and constructed the existing facility and is responsible for operating, maintaining, and making further modifications to the facility.

As part of the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) Capital Improvement Program (CIP) approved by the Board of Directors on January 30, 2019, \$260,000 of State Rail Assistance (SRA) funding was programmed for the design phase of the Goleta Layover Facility Expansion Project (Project). In addition, funding for the Project was included in the LOSSAN Agency's 2018 Transit and Intercity Rail Capital Program (TIRCP) grant award. An allocation of \$123,000 of TIRCP funding for design will be requested at the May 2019 meeting of the California Transportation Commission (CTC), bringing the total budget to \$383,000 for completing the preliminary and final design of the Project.

In order to expedite the process for designing the Project, LOSSAN Agency staff proposes to enter into a cooperative agreement with Amtrak to utilize Amtrak engineering staff and their competitively bid engineering bench of consultants to perform design services for the project.

Fiscal Impact

The \$260,000 of assumed SRA project funding is included in the FY 2019-20 CIP list, approved by the LOSSAN Agency Board of Directors in January 2019. Allocation of the requested SRA funds for this project is contingent upon approval of the CIP list by the California State Transportation Agency. The Project was also included in the 2018 TIRCP grant award received by the LOSSAN Agency in April 2018. An allocation request for \$123,000 of 2018 TIRCP funding will be made at the May 2019 meeting of the CTC.

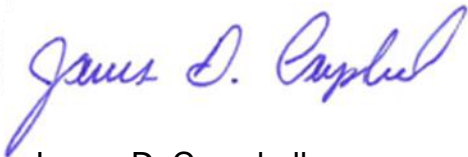
Summary

Staff is seeking authorization to negotiate and execute Cooperative Agreement L-9-0001 with the National Railroad Passenger Corporation to define roles, responsibilities and funding in the amount of \$383,000, for design services in support of the expansion of the Pacific Surfliner Layover Facility in the City of Goleta.

Attachment

- A. (Draft) Cooperative Agreement No. L-9-0001 between Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and National Railroad Passenger Corporation for Design Services in Support of the Expansion of the Pacific Surfliner Layover Facility in the City of Goleta

Prepared by:



James D. Campbell
Deputy Managing Director
714-560-5390

COOPERATIVE AGREEMENT NO. L-9-0001

BETWEEN

LOS ANGELES – SAN DIEGO – SAN LUIS OBISPO RAIL CORRIDOR AGENCY

AND

NATIONAL RAILROAD PASSENGER CORPORATION

FOR

**DESIGN SERVICES IN SUPPORT OF THE EXPANSION OF THE PACIFIC SURFLINER
LAYOVER FACILITY IN THE CITY OF GOLETA**

THIS COOPERATIVE AGREEMENT (“Agreement”), is effective this ____ day of ____, 2019 (“Effective Date”), by and between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency (“LOSSAN Agency”), a joint powers authority as amended pursuant to Senate Bill 1225 (Chapter 802, Statutes of 2012) and the National Railroad Passenger Corporation (AMTRAK), a corporation organized under the Rail Passenger Service Act (recodified at 49 U.S.C. § 24101 et. seq.) and the laws of the District of Columbia and having its principal office and place of business in Washington, D.C.; (LOSSAN Agency and AMTRAK are each sometimes referred to herein as a “Party” and collectively referred to as “Parties”).

RECITALS

WHEREAS, in California, AMTRAK operates, under contract with the LOSSAN Agency, intercity passenger rail service along the Los Angeles – San Diego – San Luis Obispo (LOSSAN) rail corridor which is known as the *Pacific Surfliner* Service (“Service”); and

WHEREAS, the Service is provided through funding made available by the State of California; and

WHEREAS, the LOSSAN Agency has assumed administrative and management responsibility for the Service as of July 1, 2015; and

1 **WHEREAS**, the LOSSAN Agency is an eligible recipient of annual State Rail Assistance
2 (SRA) funds, a program administered by the California State Transportation Agency (CalSTA) to
3 provide commuter and intercity rail agencies with flexible funding to invest in operating or capital
4 improvement programs; and

5 **WHEREAS**, the LOSSAN Agency is an eligible recipient of Transit and Intercity Rail Capital
6 Program (TIRCP) funds, a program administered by CalSTA in collaboration with the California
7 Department of Transportation (Caltrans); and

8 **WHEREAS**, the LOSSAN Agency has programmed \$260,000 in SRA funds for design
9 services in support of the expansion of the Pacific Surfliner layover facility in the City of Goleta
10 (Project); and

11 **WHEREAS**, the LOSSAN Agency has also programmed \$123,000 in TIRCP funding to
12 further support the design of the Project; and

13 **WHEREAS**, the LOSSAN Agency is authorized by applicable law to enter into an agreement
14 with AMTRAK on the terms and conditions hereinafter set forth and to reimburse AMTRAK in the
15 amount not-to-exceed \$383,000 to complete the design of the Project as described in Attachment A;
16 and

17 **WHEREAS**, AMTRAK holds rights for the operations, maintenance and improvements to the
18 Pacific Surfliner layover facility in the City of Goleta, which it leases from the Union Pacific Railroad
19 (UPRR); and

20 **WHEREAS**, the LOSSAN Agency and AMTRAK are committed to providing a safe, high-
21 quality passenger rail service and are mutually working to enhance the safety, security, and efficiency
22 of the Service; and

23 **WHEREAS**, the LOSSAN Agency and AMTRAK wish to work together to define the roles,
24 responsibilities and processes for preparing the design concepts and final design for the Project; and

25 **WHEREAS**, the expansion of the existing layover facility is necessary to advance service
26 expansion and enhancement goals for the Pacific Surfliner; and

1 **NOW, THEREFORE**, in consideration of the promises and mutual understandings of the
2 Parties hereto, the LOSSAN Agency and AMTRAK agree as follows:

3 **ARTICLE 1. COMPLETE AGREEMENT**

4 1. This Agreement, including any attachments incorporated herein and made applicable
5 by reference, constitutes the complete and exclusive statement of the term(s) and conditions(s) of
6 this Agreement between the LOSSAN Agency and AMTRAK and it supersedes all prior
7 representations, understandings, and communications with respect to the subject matter hereof. The
8 invalidity in whole or in part of any term or condition of this Agreement shall not affect the validity of
9 other term(s) or conditions(s) of this Agreement. The above referenced Recitals are true and correct
10 and are incorporated by reference herein.

11 2. The LOSSAN Agency's failure to insist on any instance(s) of AMTRAK's performance
12 of any term(s) or condition(s) of this Agreement shall not be construed as a waiver or relinquishment
13 of the LOSSAN Agency's right to such performance or to future performance of such term(s) or
14 condition(s), and AMTRAK's obligation in respect thereto shall continue in full force and effect.
15 Changes to any portion of this Agreement shall not be binding upon the LOSSAN Agency except
16 when specifically confirmed in writing by an authorized representative of the LOSSAN Agency by
17 way of a written amendment to this Agreement and issued in accordance with the provisions of this
18 Agreement.

19 3. AMTRAK's failure to insist on any instance(s) of the LOSSAN Agency's performance
20 of any term(s) or condition(s) of this Agreement shall not be construed as a waiver or relinquishment
21 of the AMTRAK's right to such performance or to future performance of such term(s) or condition(s),
22 and the LOSSAN Agency's obligation in respect thereto shall continue in full force and effect.
23 Changes to any portion of this Agreement shall not be binding upon AMTRAK except when
24 specifically confirmed in writing by an authorized representative of AMTRAK by way of a written
25 amendment to this Agreement and issued in accordance with the provisions of this Agreement.
26

ARTICLE 2. SCOPE OF AGREEMENT

1. This Agreement specifies the roles and responsibilities of both the LOSSAN Agency and AMTRAK as they pertain to the subject and Project addressed herein. Both the LOSSAN Agency and AMTRAK agree that each will cooperate and coordinate with the other in all activities agreed upon herein and any other supplemental agreements which may be required to facilitate the purposes thereof.

2. The scope of work shall define in general the Project to be funded under this Agreement. Attachment A includes a general scope of work and the Project timeframe.

ARTICLE 3. RESPONSIBILITIES OF LOSSAN AGENCY

Subject to all the terms and conditions of this Agreement and Attachment A, the LOSSAN Agency agrees to the following responsibilities for the implementation of the Project:

1. The LOSSAN Agency shall reimburse AMTRAK for allowable Project costs associated with the Project.

2. To provide a Project Manager or designee as its single point of contact to coordinate with AMTRAK to complete the scope of work for the Project, to include participation in all project related meetings, and review of draft and final submittals of reports, plans, schedules, expenditure reports and provide comments. The cost of the LOSSAN Agency's Project Manager will be borne by the LOSSAN Agency and paid by the LOSSAN Agency outside of this Agreement.

3. To be the lead agency for all outreach efforts and communications with the City of Goleta, the Santa Barbara County Association of Governments and the UPRR.

4. Monitor and review the performance of AMTRAK or its consultants in performing the scope of work to ensure that all work performed is in compliance with the obligation of the LOSSAN Agency under any grant, agreement, regulation, law or other requirements.

ARTICLE 4. RESPONSIBILITIES OF AMTRAK

Subject to all the terms and conditions of this Agreement and Attachment A, AMTRAK agrees to the following responsibilities for the implementation of the Project:

1 1. Designate a Project Manager as the point of contact to manage the scope of work
2 through completion.

3 2. AMTRAK shall be responsible for obtaining all applicable permits, clearances and
4 required licenses. It is specifically acknowledged and understood by the Parties that AMTRAK
5 may not be the owner of the real property where the work set forth in the scope of work is to be
6 performed.

7 3. In the event that AMTRAK cannot obtain permission from an applicable property
8 owner prior to the start of the Project, or if such permission is conditioned or withdrawn prior to
9 the completion of the Project, all costs incurred by AMTRAK in connection with the Project or
10 relating to cancellation or modification of the Project that are related to said lack of or conditioned
11 permission shall be considered Project costs, and shall be reimbursed to AMTRAK.

12 4. Enter into agreements related to the scope of work and be responsible for payment
13 to consultants. AMTRAK shall be responsible for reviewing consultant invoices for accuracy,
14 reasonableness, terms, and completeness.

15 5. AMTRAK shall provide final approval on all plans, specifications, estimates and
16 designs, and directly manage all consultants. Any review and approval of the consultant's
17 drawings, plans, specifications and estimates ("Documents") by AMTRAK shall be for examining
18 the general arrangement, design and details of the Project for potential impact on AMTRAK's
19 operations. AMTRAK's contract with its consultant shall provide that no review, correction or
20 approval of Documents by AMTRAK (or the LOSSAN Agency) shall relieve the consultants from
21 professional responsibility for errors or omissions in such Documents or for the adequacy thereof.
22 AMTRAK assumes no responsibility for and makes no representations or warranties, express or
23 implied, as to the design, condition, workmanship, or adequacy of the Documents or of the Project.

24 6. Upon Project completion, the cost of ongoing operation and maintenance of the
25 Project equipment, systems and facility constructed or otherwise provided pursuant to this
26 Agreement shall be borne by AMTRAK, consistent with existing operating and maintenance

1 agreements for the layover facility.

2 7. Submit a monthly progress report to the LOSSAN Agency indicating the percent
3 complete of the scope of work.

4 8. Establish a baseline schedule by primary task for completing the scope of work and
5 submit updates to the schedule on a monthly basis along with the progress report.

6 9. Submit a monthly invoice to the LOSSAN Agency that has been reviewed and
7 approved by the AMTRAK project manager as being complete and correct. The invoices should
8 detail actual costs incurred during the previous months. Each AMTRAK invoice shall include the
9 following information:

- 10 a. Agreement Number L-9-0001 and AMTRAK Project Number;
- 11 b. The time period covered by the invoice;
- 12 c. Itemized expenses including support documentation incurred during the reporting
13 period. Support documentation shall include a breakdown of all costs into the
14 following categories:
- 15 i. AMTRAK costs; to include hours and rates by labor classification, including
16 project related expenses
- 17 ii. Consultant services; to include hours and rates by labor classification,
18 including project related expenses
- 19 iii. Other project related expenses
- 20 d. Invoices shall be submitted to:
- 21 Accounts Payable
- 22 LOSSAN Rail Corridor Agency
- 23 600 S. Main St.
- 24 Orange, CA 928638
- 25 VendorInvoices@octa.net
- 26 e. Such other information pertinent to this Agreement as reasonably requested by the

LOSSAN Agency.

10. To comply with the applicable provisions of Title 24, California Code of Regulations, and of local building codes and ordinances. AMTRAK agrees its consultants shall comply with all applicable laws and regulations.

11. Include the LOSSAN Agency's designated Project Manager in all project related meetings and submit all schedules, plans and reports for review and comment by the LOSSAN Agency.

ARTICLE 5. MAXIMUM OBLIGATION

Notwithstanding any provisions of this Agreement to the contrary, LOSSAN Agency and AMTRAK mutually agree that LOSSAN Agency's maximum cumulative payment obligation hereunder shall be Three Hundred Eighty-Three Thousand Dollars (\$383,000.00), unless agreed to and amended by both Parties.

ARTICLE 6. AUDIT AND INSPECTION

AMTRAK shall maintain a complete set of records in accordance with generally accepted accounting principles. Upon reasonable notice, AMTRAK shall permit the authorized representatives of LOSSAN to inspect and audit all work, materials, payroll, books, accounts and other data and records of AMTRAK for a period of three (3) years after completion of this Agreement, or until any on-going audit is completed. For purposes of audits, the date of completion of this Agreement shall be the date of LOSSAN's payment of AMTRAK's final billing (so noted on the invoice) under this Agreement.

ARTICLE 7. ALLOWABLE COSTS AND PAYMENTS

1. All design and estimating work under this Agreement shall be performed by AMTRAK or by the consultant(s) retained by AMTRAK.

2. The LOSSAN Agency agrees to reimburse AMTRAK, not more frequently than monthly in arrears. AMTRAK will forward invoices to the LOSSAN Agency requesting reimbursement for actual allowable costs incurred by AMTRAK for the applicable Project

described in Attachment A. Allowable costs shall include those set forth in Attachment A hereto. Payment of invoices will be due upon receipt. Invoices may include other costs necessary to complete each Project such as materials and permit fees. Backup documents supporting the costs invoiced shall be made available at the LOSSAN Agency's request. Such documentation shall be sufficiently detailed to enable the LOSSAN Agency to determine that the costs included in each invoice are in accordance with the applicable Project budget.

3. If at any time during the Project AMTRAK believes that the total cost of the Project may exceed the approved Project budget, it shall promptly notify the LOSSAN Agency. The LOSSAN Agency and AMTRAK shall then confer to determine how best to address the funding shortfall (e.g. seek more funding, extend the schedule of the Project, reduce the scope of the Project). Amtrak may cease all work on such Project until such shortfall is, in Amtrak's judgment, satisfactorily addressed. Failure of the LOSSAN Agency to reimburse Amtrak pursuant to the terms of this Agreement shall be considered a breach and shall be cause for termination by Amtrak if not cured by the LOSSAN Agency within 15 days of receipt of written notice of such non-payment by Amtrak.

4. Within 120 days after completion of the work for the Project, AMTRAK shall submit a final accounting to the LOSSAN Agency of all allowable incurred Project expenses with respect to the Project. Such final accounting shall detail all Project expenses previously reimbursed by the LOSSAN Agency and those not yet submitted by AMTRAK for payment with respect to the Project. Any documents supporting the invoiced Project costs (e.g. letters, receipts, employee time records, and sub-contractor invoices, etc.) which have not been previously submitted to the LOSSAN Agency shall be included in this final accounting of the Project. The LOSSAN Agency shall reimburse Amtrak for allowable Project costs in the final accounting to the extent they do not exceed the total funds available under the Project budget for the Project. The LOSSAN Agency will audit the final invoice and all prior invoices to determine the eligibility of all costs. Any Project costs determined to be ineligible for reimbursement will be re-paid by Amtrak to the LOSSAN

1 Agency. If AMTRAK disagrees with such determination, the dispute shall be resolved in
2 accordance with Sections 7 and 8 of the Parties' Agreement for the Provision of Passenger Rail
3 Service dated October 1, 2017 and first amended on August 23, 2018 and again on December 3,
4 2018.

5 5. AMTRAK shall use its standard procurement processes for all contracted work.
6 Procurement related requirements shall be solely those established pursuant to AMTRAK's
7 procurement process as detailed in the AMTRAK Procurement Manual (December 2015 revision).
8 Should the preferred proposal or any necessary contract change orders and associated AMTRAK
9 management costs exceed the available funds set forth in the Project budget or the agreed to
10 Project schedule, the LOSSAN Agency agrees to either (a) attempt to seek additional funding;
11 (b) work with AMTRAK to reduce the scope of the Project to meet the available funds and
12 timeframe; or (c) direct AMTRAK to reject all bids and cancel the Project.

13 6. For purposes of this Agreement, the definition of "allowable costs" for all Project
14 work shall be defined as such costs directly necessary for the implementation of the Project scope
15 of work.

16 7. Amtrak staff travel pertinent to this Agreement shall be reimbursed at the federal
17 Per Diem rate as shown on the U.S. General Services Administration (GSA) website
18 (www.gsa.gov).

19 **ARTICLE 8. INDEMNIFICATION**

20 1. To the fullest extent permitted by law, LOSSAN Agency shall defend (at LOSSAN
21 Agency's sole cost and expense with legal counsel reasonably acceptable to AMTRAK), indemnify,
22 protect, and hold harmless AMTRAK, its officers, directors, employees, and agents (collectively the
23 "Indemnified Parties"), from and against any and all liabilities, actions, suits, claims, demands, losses,
24 costs, judgments, arbitration awards, settlements, damages, demands, orders, penalties, and
25 expenses including legal costs and attorney fees (collectively "Claims"), including but not limited to
26 Claims arising from injuries to or death of persons (LOSSAN Agency's employees included), for

1 damage to property, including property owned by AMTRAK, or from any violation of any federal,
2 state, or local law or ordinance, alleged to be caused by the negligent acts, omissions or willful
3 misconduct of LOSSAN Agency, its officers, directors, employees or agents in connection with or
4 arising out of the performance of this Agreement.

5 2. To the fullest extent permitted by law, AMTRAK shall defend (at AMTRAK's sole cost
6 and expense with legal counsel reasonably acceptable to LOSSAN Agency), indemnify, protect, and
7 hold harmless the LOSSAN Agency, its officers, directors, employees, and agents (collectively the
8 "Indemnified Parties"), from and against any and all liabilities, actions, suits, claims, demands, losses,
9 costs, judgments, arbitration awards, settlements, damages, demands, orders, penalties, and
10 expenses including legal costs and attorney fees (collectively "Claims"), including but not limited to
11 Claims arising from injuries to or death of persons (AMTRAK employees included), for damage to
12 property, including property owned by LOSSAN Agency, or from any violation of any federal, state,
13 or local law or ordinance, alleged to be caused by the negligent acts, omissions or willful misconduct
14 of AMTRAK, its officers, directors, employees or agents in connection with or arising out of the
15 performance of this Agreement.

16 3. The indemnification and defense obligations of this Agreement shall survive its
17 expiration or termination.

18 **ARTICLE 9. ADDITIONAL PROVISIONS**

19 1. Term of Agreement: This Agreement shall be effective on _____ and shall be in
20 full force and effect through _____, unless otherwise extended by written agreement by
21 the Parties.

22 2. Termination: This Agreement shall terminate upon the successful completion of the
23 Project or, in the event either Party defaults in the performance of their obligations under this
24 Agreement or breaches any of the provisions of this Agreement, the non-defaulting Party shall have
25 the option to terminate this Agreement upon thirty (30) days' prior written notice to the other Party.
26

1 3. Amendments: This Agreement may be amended in writing at any time by the mutual
2 consent of both Parties. No amendment shall have any force or effect unless executed in writing by
3 both Parties.

4 4. Termination for Convenience: Either Party may terminate this Agreement for its
5 convenience by providing thirty (30) days' prior written notice of its intent to terminate for convenience
6 to the other Party.

7 5. Compliance with Laws: LOSSAN Agency and AMTRAK shall comply with all
8 applicable federal, state, and local laws, statutes, ordinances and regulations of any governmental
9 authority having jurisdiction over the Project.

10 6. Legal Authority: LOSSAN Agency and AMTRAK hereto consent that they are
11 authorized to execute this Agreement on behalf of said Parties and that, by so executing this
12 Agreement, the Parties hereto are formally bound to the provisions of this Agreement.

13 7. Severability: If any term, provision, covenant or condition of this Agreement is held
14 to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction,
15 the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant
16 or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

17 8. Counterparts of Agreement: This Agreement may be executed and delivered in any
18 number of counterparts, each of which, when executed and delivered shall be deemed an original
19 and all of which together shall constitute the same agreement. Facsimile signatures will be permitted.

20 9. Force Majeure: Either Party shall be excused from performing its obligations under
21 this Agreement during the time and to the extent that it is prevented from performing by an
22 unforeseeable cause beyond its control, including but not limited to; any incidence of fire, flood; acts
23 of God; commandeering of material, products, plants or facilities by the federal, state or local
24 government; national fuel shortage; or a material act or omission by the other Party; when
25 satisfactory evidence of such cause is presented to the other Party, and provided further that such
26 nonperformance is unforeseeable, beyond the control and is not due to the fault or negligence of the

1 Party not performing.

2 10. Assignment: Neither this Agreement, nor any of the Parties' rights, obligations,
3 duties, or authority hereunder may be assigned in whole or in part by either Party without the prior
4 written consent of the other Party in its sole and absolute discretion. Any such attempt of assignment
5 shall be deemed void and of no force and effect. Consent to one assignment shall not be deemed
6 consent to any subsequent assignment, nor the waiver of any right to consent to such subsequent
7 assignment.

8 11. Governing Law: The laws of the State of California and applicable local and federal
9 laws, regulations and guidelines shall govern this Agreement. Venue for any action arising out of
10 this Agreement shall be in the federal district court nearest to Orange County, California.

11 12. Insurance: AMTRAK shall cause any consultant or subconsultant it retains to perform
12 the work to provide automobile and commercial general liability insurance written on an occurrence
13 basis for bodily injury, property damage and death of no less than \$1,000,000 per occurrence. The
14 LOSSAN Agency, its officers, agents, and employees ("Insured Parties"), shall be included as an
15 additional insured on all policies of general liability insurance required for the work. Prior to start of
16 the work by each consultant or subconsultant, AMTRAK shall provide the LOSSAN Agency with
17 evidence of such coverage by submitting to the LOSSAN Agency a certificate of insurance from each
18 consultant or subconsultant.

19 13. Litigation fees: Should litigation arise out of this Agreement for the performance
20 thereof, the court shall award costs and expenses, including attorney's fees, to the prevailing party.

21 14. Notices: Any notices, requests, or demands made between the Parties pursuant to
22 this Agreement are to be directed as follows:
23
24
25
26

COOPERATIVE AGREEMENT NO. L-9-0001

To AMTRAK:	To LOSSAN Agency:
National Railroad Passenger Corporation	LOSSAN Rail Corridor Agency
530 Water Street	600 South Main Street
5th Floor	P.O. Box 14184
Oakland, CA. 92607	Orange, CA. 92863-1584
Attention: Tamika Smith Director, State Supported Services	Attention: Jennifer Bergener Managing Director
Phone: (510) 238-2615 E-mail: tamika.smith@amtrak.com	Phone: (714) 560-5462 E-mail: jbergener@octa.net

15. No Third-Party Beneficiaries: This Agreement shall not be construed to create any third-party beneficiaries under this Agreement and provides no right or claim to any entity not a party to this Agreement to bring any claim for payment, damages, injunction or specific performance of this Agreement. This Agreement shall not be construed as creating any relationship between the LOSSAN Agency and any contractor retained by Amtrak or any subcontractor, material man or other party retained by Amtrak. Amtrak shall be responsible for all payments to such entities.

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IN WITNESS WHEREOF, the Parties hereto have caused this Agreement No. L-9-0001 to be executed as of the date of the last signature below.

NATIONAL RAILROAD PASSENGER CORPORATION

LOSSAN RAIL CORRIDOR AGENCY

By: _____
Tamika Smith
Director, State Supported Services

By: _____
Jennifer L. Bergener
Managing Director

Date: _____

Date: _____

Approved as to Form:

By: _____
James M. Donich
General Counsel

Date: _____

ATTACHMENT A
DRAFT SCOPE OF WORK


The scope of work for the Project will include all tasks necessary to complete conceptual through final design for expanding the capacity of the existing Goleta layover facility to support two Pacific Surfliner trainsets during midday operations and overnight, including the evaluation of conceptual design alternatives. The Project should be coordinated, to the extent possible without impacting the Project budget or schedule, with the City of Goleta and the Santa Barbara County Association of Governments and their proposed modification and expansion of the Goleta train station, which is located adjacent to the existing layover facility.

The expanded facility should be designed to maintain the existing servicing and support functions of the facility. The Project will also include coordination (to be led by the LOSSAN Agency) with Union Pacific Railroad in the identification of any potential right-of-way needs and need to modify access to their mainline.



March 18, 2019

To: Members of the Board of Directors

From: Jennifer L. Bergener, Managing Director 

Subject: Approval of the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Business Plan for Fiscal Years 2019-20 and 2020-21

Overview

The Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency is required to submit an annual business plan to the California State Transportation Agency by April 1 of each year. The business plan is a two-year planning document that outlines operations and service goals, discusses any proposed changes to the Pacific Surfliner service, and provides the basis for the annual budget request. The Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency business plan for fiscal years 2019-20 and 2020-21 is presented for review and approval.

Recommendations

- A. Adopt the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency business plan for fiscal years 2019-20 and 2020-21.
- B. Direct staff to submit the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency business plan for fiscal years 2019-20 and 2020-21 to the Secretary of the California State Transportation Agency by April 1, 2019.
- C. Direct staff to return to the Board of Directors in June 2019 with an updated business plan that includes revised budget assumptions consistent with the revenue and expense estimates provided by Amtrak for federal fiscal year 2019-20.

Discussion

Per the interagency transfer agreement between the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) and the California Department of Transportation (Caltrans), and the LOSSAN Joint Powers Agreement, the LOSSAN Agency must develop a business plan to be approved by the LOSSAN Agency Board of Directors (Board) and submitted

to the Secretary of the California State Transportation Agency (CalSTA) by April 1 of each year. The business plan is a two-year planning, operations, and budget document that provides the basis for the annual budget request, outlines operating and service goals, and discusses any proposed changes to the Pacific Surfliner service. The annual budget request must be included and consistent with the annual business plan.

The proposed business plan for fiscal year (FY) 2019-20 and FY 2020-21 discusses the LOSSAN Agency's progress toward meeting the goals and objectives included in prior business plans while outlining proposed enhancements to the Pacific Surfliner service planned over the next two years.

A draft budget is also included as part of the business plan, but will be revised and resubmitted for final approval in June 2019 following receipt of annual operating revenue and expense estimates from Amtrak for federal FY 2019-20. Annual operating revenue and expense estimates are typically not received from Amtrak until March 31, which does not allow for sufficient time for review and incorporation into the annual business plan prior to the April 1 deadline. As part of the approval letter for the current business plan, CalSTA has allowed for this adjustment to the annual budget request to provide sufficient time for the LOSSAN Agency to address any revisions necessary following the receipt of operating expense and revenue estimates from Amtrak.

On January 30, 2019, the LOSSAN Board reviewed a list of key assumptions for the LOSSAN Agency Business Plan for FY 2019-20 and FY 2020-21, and directed staff to incorporate those assumptions into the final draft of the business plan. On February 20, 2019, staff presented the draft business plan to the Board for review and comment. Additional comments were received from the LOSSAN Technical Advisory Committee, and this feedback has been incorporated into the business plan.

Next Steps

LOSSAN Agency staff will incorporate any additional feedback from the Board into the business plan for FY 2019-20 and 2020-21 prior to final submittal to CalSTA by the April 1, 2019 deadline. Staff from CalSTA and Caltrans will then review the business plan and provide a business plan approval letter to the LOSSAN Agency.

Summary

Consistent with the requirements of the interagency transfer agreement and the joint powers agreement, staff has developed the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Business Plan for Fiscal Years 2019-20 and 2020-21. The final business plan will be submitted to the Secretary of the California State Transportation Agency by April 1, 2019.

Attachment

- A. LOSSAN Rail Corridor Agency Business Plan, FY 2019-20 – FY 2020-21

Prepared by:



Roger M. Lopez
Manager, Planning and Analysis
(714) 560-5438



LOSSAN Rail Corridor Agency
BUSINESS PLAN
FY 2019-20 to FY 2020-21

Prepared for California State Transportation Agency
Submitted April 2019

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EXECUTIVE SUMMARY

The Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) is a joint powers authority (JPA) formed in 1989 that works to increase ridership, revenue, capacity, reliability, coordination, and safety on the rail corridor between San Diego, Los Angeles, and San Luis Obispo. On September 29, 2012, Governor Jerry Brown signed Senate Bill (SB) 1225 (Chapter 802, Statutes of 2012), which authorized the LOSSAN Agency to oversee the state-supported Pacific Surfliner intercity passenger rail service operating on the LOSSAN rail corridor, subject to approval of an interagency transfer agreement (ITA) with the State of California. The ITA became effective on July 1, 2015 for an initial three-year period, and was subsequently renegotiated for an additional three-year term effective July 1, 2018 through June 30, 2021. The Orange County Transportation Authority (OCTA) serves as the managing agency for the LOSSAN Agency and provides management and administrative support as outlined in the Administrative Support Agreement (ASA) between the LOSSAN Agency and OCTA.

The Pacific Surfliner service travels along a 351-mile coastal rail corridor through six counties in Southern California: San Diego, Orange, Los Angeles, Ventura, Santa Barbara, and San Luis Obispo. It is currently the second busiest intercity passenger rail corridor in the United States, and the busiest state-supported Amtrak route. The LOSSAN Agency is governed by a Board of Directors (Board) composed of 11 voting members representing rail owners, operators, and planning agencies along the LOSSAN rail corridor, as well as four non-voting, ex-officio members, as detailed below.

Member Agencies

- San Diego Metropolitan Transit System (SDMTS)
- San Diego Association of Governments (SANDAG)
- North County Transit District (NCTD)
- OCTA
- Riverside County Transportation Commission (RCTC)
- Los Angeles County Metropolitan Transportation Authority (Metro)
- Ventura County Transportation Commission (VCTC)
- Santa Barbara County Association of Governments (SBCAG)
- San Luis Obispo Council of Governments (SLOCOG)

Ex-Officio Members

- Amtrak
- California Department of Transportation (Caltrans) Division of Rail and Mass Transportation (DRMT)
- California High-Speed Rail Authority (CHSRA)
- Southern California Association of Governments (SCAG)

As required by SB 1225, and per the terms of the ITA, the LOSSAN Agency must submit an annual business plan by April 1 of each year to the Secretary of the California State Transportation Agency (CalSTA). The primary purpose of the business plan is to identify the major goals and objectives for the LOSSAN Agency's management of the Pacific Surfliner intercity passenger rail service, as well as the budget necessary to administer, market, and operate the Pacific Surfliner

service during the upcoming two-year period. The business plan summarizes operations, service levels, budget, and capital improvements that have contributed to the success of the Pacific Surfliner service and identifies improvements to sustain and grow its success moving forward.

Historical Performance of Pacific Surfliner Service

Since 1971, service on the Pacific Surfliner route between Los Angeles and San Diego has increased from the original six daily trips to the current level of 24 daily trips. The Pacific Surfliner is the busiest state-supported route in the entire Amtrak national system carrying 2.95 million passengers in federal fiscal year (FFY) 2017-18.

Since the early 2000s, ridership on the Pacific Surfliner service has increased significantly, and farebox recovery has exceeded 50 percent. Ridership peaked at nearly 3 million in FY 2016-17, following the reintroduction of the 12th roundtrip between Los Angeles and San Diego. Ridership in FFY 2017-18 declined by less than 2 percent due in part to operational adjustments instituted to implement the morning peak-period service into Ventura and Santa Barbara counties.

Operating costs for the Pacific Surfliner service are funded through the Public Transportation Account, which is primarily supported through the state sales tax on diesel fuel. The annual operating subsidy for Pacific Surfliner service has remained relatively stable since FFY 2014-15, in part due to the transfer of Amtrak equipment lease costs from the operating agreement to a separate agreement between Amtrak and Caltrans, as well as LOSSAN Agency management actions to increase operating revenues. The subsidy rose in FFY 2018-19 due in part to the addition of morning peak-period service into Ventura and Santa Barbara counties.

Los Angeles, San Diego, Irvine, Oceanside, and Solana Beach are the busiest stations of the Pacific Surfliner route, accounting for more than half of total Pacific Surfliner ridership. On-time performance (OTP) has fluctuated over the past several years, and improved nearly 10 percent, to 77.1 percent, in FY 2017-18, but continues to be lower than the 90 percent goal.



Operating Plan and Strategies

Amtrak operates 12 daily Pacific Surfliner roundtrips between San Diego and Los Angeles. Of those, five daily roundtrips (the 700-series trains) extend north of Los Angeles to Santa Barbara and Goleta, with two roundtrips extending further north to serve San Luis Obispo. Amtrak Thruway bus connections supplement the train service on the LOSSAN rail corridor.

The Pacific Surfliner route includes 27 stations, 17 of which are between San Luis Obispo and Los Angeles, with the remaining 10 located south of Los Angeles in Orange and San Diego counties.

The ability to expand Pacific Surfliner service is constrained due to both equipment availability as well as existing access and shared-use agreements with the host railroads on which the Pacific Surfliner service operates. In FY 2016-17, the LOSSAN Agency worked with Amtrak and Caltrans DRMT to reinstate a 12th Pacific Surfliner round trip between Los Angeles and San Diego seven days a week, marking the first Pacific Surfliner service increase in more than a decade. In FY 2017-18, the LOSSAN Agency worked with Amtrak, Caltrans DRMT, SBCAG, CalSTA, and UPRR to implement a schedule change to allow a new early-morning northbound Pacific Surfliner train between Los Angeles and Santa Barbara/Goleta. The LOSSAN Agency also plans to continue to grow the Pacific Surfliner Transit Transfer Program, which provides free connections between the Pacific Surfliner and local transit services.



In FY 2019-20 and 2020-21, the LOSSAN Agency will continue to work cooperatively with Caltrans DRMT to ensure sufficient state funding is provided to operate the Pacific Surfliner and Amtrak Thruway bus services, while exploring opportunities to enhance ridership, revenue, and OTP. During this timeframe, the LOSSAN Agency and Amtrak anticipate introducing a new roundtrip between San Diego and Los Angeles, following the completion of the third main track along the BNSF Railway (BNSF) between Los Angeles and Fullerton. New service north of Los Angeles is also planned, contingent on securing the necessary agreements with UPRR. A second new roundtrip between Los Angeles and San Diego is planned by FY 2020-21. In addition, the LOSSAN Agency has initiated a service optimization study to establish a two- and five-year strategy to optimize service in the LOSSAN rail corridor, and will continue to pursue service expansions to accommodate seasonal and event-related travel demand.

During the next two FYs, the LOSSAN Agency will continue to identify and evaluate root causes for major delays, review crew and equipment utilization, and seek improvements to service disruption responses and recovery while also enhancing connectivity with local transit services.



Performance Standards and Metrics

As required by SB 1225, CalSTA has established a set of uniform performance standards (UPS) for the three state-supported intercity passenger rail corridors, including the Pacific Surfliner service, to control cost and improve efficiency. The proposed performance measures fall into three major categories (usage, cost efficiency, and service quality) and include: passenger miles, ridership, farebox recovery, cost per passenger mile, endpoint OTP, all-stations OTP, and operator responsible delays per 10,000 train miles.

In FFY 2017-18, the Pacific Surfliner service saw a 1.5 percent decrease in ridership, a 5.7 percent increase in revenue, a 2.2 percent decrease in passenger miles, and a farebox recovery of **76.5 percent**. The ridership decline was anticipated and is partly a result of the implementation of peak-period service between Los Angeles and Ventura and Santa Barbara counties, as well as closures impacting the Pacific Surfliner service due to planned track work and unplanned weather events. The revenue increase can be attributed to both the Pacific Surfliner fare restructuring that took place in March 2018, as well as expanded business class service instituted in 2017. Endpoint on-time performance continued to lag behind the goal of 90 percent, averaging 77.1 percent in FY 2017-18.

Capital Improvements

Though much progress has been made over the years, many segments of the LOSSAN rail corridor are still limited by the lack of passing sidings or second main tracks. There is currently more than \$5 billion in capital needs that have been identified on various portions of the LOSSAN rail corridor, including additional track capacity, station improvements, and signal and communications improvements.

The LOSSAN Agency continues to coordinate with member agencies and station owners to pursue funding opportunities that bring benefits to the larger rail corridor. As part of that effort, the LOSSAN Agency is actively working to update its Capital Improvement Program (CIP). The goal of this effort is to review the capital programs included in the LOSSAN Agency, State,

and stakeholder planning documents to compile a comprehensive list of all identified capital projects whether larger or small. Based on this comprehensive list of projects, a prioritized project list will be developed. While each member agency or host railroad is responsible for the implementation of its respective capital improvement projects, the LOSSAN Agency takes a lead role in funding and legislative pursuits, with a focus on leveraging existing funds to advance capital projects that have a corridorwide benefit. In addition to the major capital improvements planned for the LOSSAN rail corridor, the state annually allocates approximately \$500,000 to cover minor projects, such as station improvements, signage, and minor safety enhancements; and the California Office of Emergency Services (CalOES) has allocated approximately \$7.2 million for safety and security projects. The LOSSAN Agency has been allocated the first two years of State Rail Assistance funding, totaling \$8.3 million, with additional funding expected in future years. Finally, the LOSSAN Agency has been awarded more than \$270 million in funding through the state's Transit and Intercity Rail Capital Program (TIRCP) for capital and operational improvements along the LOSSAN rail corridor.

Fare Policy

Pacific Surfliner trains currently offer travel in unreserved coach class and reserved business class. Fares are largely static year-round with the exception of slight increases on select holidays during peak travel periods. Amtrak also offers discounted multi-ride tickets, discounts for group travel, as well as a Rail 2 Rail Program that allows Metrolink and COASTER commuter rail pass holders to ride Pacific Surfliner trains at no additional cost, subject to certain restrictions. The last fare increase on the Pacific Surfliner service took place in June 2013, and a fare restructuring was implemented in March 2018, which normalized fares to eliminate inconsistent pricing methodology and application of discounts along the Pacific Surfliner route.



In FY 2017-18, the LOSSAN Agency also implemented a California Everyday Discounts program to supplement changes to national discount programs made by Amtrak. In the coming year, the LOSSAN Agency will explore a variety of opportunities to increase fare revenue without raising fares, while maintaining and expanding ridership, including promotion of transit transfers, a new small group discount, partnerships with major destinations/attractions, enhanced loyalty programs, and continuation of special event service.

Network Integration and High-Speed Rail

An integrated passenger rail network is a key initiative included in the 2018 California State Rail Plan, with the goal to plan and implement a statewide passenger rail system that maximizes the performance potential of intercity passenger rail as a time- and cost-competitive travel option for meeting the state's transportation needs.

The LOSSAN Agency works in close coordination with CalSTA, Caltrans DRMT, transit and rail operators along the LOSSAN rail corridor, and other stakeholders on efforts to improve rail and transit connections. This includes working to create an integrated passenger rail and transit network with coordinated schedules, which will provide additional travel options throughout the state, allowing passengers to seamlessly transfer from service to service to reach their desired destinations. The LOSSAN Agency will continue to work with its partner agencies to improve rail service through service optimization and modeling efforts, joint funding pursuits, and coordinated ticketing and dispatch policies.

The passenger rail services along the LOSSAN rail corridor act as a backbone for transportation throughout the California coastal region. As such, the LOSSAN rail corridor will provide critical connections and feeder/distributor service to support and compliment any future high-speed rail (HSR) service. Integration between the LOSSAN rail corridor and HSR system will provide mutual benefits to each service and must be planned carefully to build upon the existing success of the Pacific Surfliner service.

Passenger Amenities

The Pacific Surfliner offers its passengers a variety of amenities and tools in an effort to improve the overall travel experience. The LOSSAN Agency plans to pursue a number of strategies for enhancing passenger amenities in the coming two years. Key priorities for FY 2019-20 and FY 2020-21 include enhancements to on-board and station amenities, including business class service, customer communications, food and beverage offerings, joint promotions, seating availability notifications, service disruption response, special event service, train status information, transit connectivity, Wi-Fi improvements, and passenger information and station improvements.



Equipment

The Pacific Surfliner fleet consists of 10 train sets to operate 25 daily trains (24 on weekends). Of the 49 bi-level cars that are dedicated to the Pacific Surfliner service, 10 are owned by Caltrans DRMT and the remaining 39 are owned by Amtrak. Caltrans also leases approximately 19 Amtrak Superliner cars to supplement the Pacific Surfliner fleet. As of 2018, 10 of these Superliner cars are regularly used on the Pacific Surfliner service as a second business class car for additional business class seating. Caltrans DRMT also leases 14 Amtrak-owned single-level Amfleet and Horizon cars, as well as two F40 Cab Cars.



Beginning in 2018, Caltrans DRMT and the LOSSAN Agency started to phase out the older Amtrak-owned Electro-Motive F-59PHI locomotives that had provided power on the Pacific Surfliner service since 1998, and replaced them with new 4,400 horsepower (HP) state-owned Siemens Charger SC-44 locomotives. New single-level state-owned railcars are expected to be available beginning in late 2020, and the LOSSAN Agency is currently working with Caltrans DRMT and the other two state-supported corridors to finalize a deployment plan for the new cars.

Amtrak staff is responsible for all maintenance activities related to the Pacific Surfliner service as part of the annual operating contract with the LOSSAN Agency. The LOSSAN Agency is responsible for administration and maintenance supervision of the Pacific Surfliner fleet, particularly the 10 state-owned railcars, and the 14 state-owned Charger locomotives.

Marketing

The proposed Pacific Surfliner marketing program for FY 2019-20 focuses on optimizing existing marketing efforts while continuing to grow awareness, ridership and revenue. The LOSSAN Agency's efforts to create awareness and generate interest in the Pacific Surfliner service include a broad range of marketing activities from communicating critical rider information and engaging with audiences through various channels to launching new service promotions and working to increase revenue related to key business objectives.

Marketing tactics will include traditional and digital advertising, as well as video, social media, email blasts, field marketing, and a state-of-the-art, customer-oriented digital experience. Marketing strategies will include strengthening the Pacific Surfliner brand, building new marketing tools and content, enhancing passenger communications, forming strategic partnerships to enhance destination-based marketing, and implementing targeted public relations campaigns. In addition, a new PacificSurfliner.com digital platform was launched in early 2019, which will allow future marketing efforts to adapt to changing market conditions while keeping pace with evolving technology and customer expectations. All marketing activities and expenditures will be measured to determine efficiency and effectiveness, including the ability to drive sales referrals from PacificSurfliner.com to Amtrak.com.

Annual Funding and Separation of Funding

The primary purpose of the business plan is to guide the allocation of funds necessary for the LOSSAN Agency to administer, operate, maintain equipment, and market the Pacific Surfliner service.

The total net State operating subsidy for FY 2019-20 is projected to be \$43,099,148, which includes the net operating subsidy as well as administrative and marketing funding. This includes an additional revenue and expense estimate for the implementation of a 13th round trip between San Diego and Los Angeles, a 6th roundtrip between San Diego and Goleta, and a 3rd roundtrip between San Diego and San Luis Obispo. The operating costs and fare revenue also include the retiming of trains which provide peak-period service from Los Angeles to Ventura and Santa Barbara Counties. Total Amtrak operating costs are estimated assuming a 4 percent budget increase over the prior year, and a modest fare revenue increase of 2.5 percent.

Caltrans DRMT has executed an agreement with Amtrak to directly fund equipment capital charges for the Amtrak-owned railcars and locomotives used on the state-supported services, effective October 2015. As a result, equipment capital charges are not included in the operating agreement between Amtrak and the LOSSAN Agency. The budget also includes \$500,000 for minor projects, including station improvements, signage, and minor safety and security enhancements, as well as state grant revenues for capital and operational improvements.

In addition to the operating payment to Amtrak, the state will also fund the administration and marketing of the Pacific Surfliner service. The FY 2019-20 administrative budget is proposed at \$4,878,548. This amount assumes one additional full-time project manager position, bringing the total staffing level to 14 full-time positions and one part-time extra help position. The managing agency overhead is assumed at the current rate, as well as administrative employee performance-based salary increases consistent with OCTA's proposed FY 2019-20 budget and personnel and salary resolution. The FY 2019-20 proposed funding request for legal, travel, dues and memberships, and banking fees remain consistent with the FY 2018-19 approved budget. The FY 2019-20 proposed funding level for professional services is \$410,000, and the FY 2019-20 marketing funding request remains consistent with the FY 2018-19 approved funding level at \$2,000,000. The LOSSAN Agency has been previously approved to use prior year remaining marketing funds.

To ensure state funding for the Pacific Surfliner service is kept separate from funding for OCTA projects and programs, a separation of funding has been established within the LOSSAN managing agency.

Government Relations and Advocacy

One of the benefits gained through local governance of the Pacific Surfliner service by the LOSSAN Agency is added flexibility in advocating for policies at the state and federal level to improve rail operations, increase funding for operations and capital needs, and allow better coordination and interoperability with connecting transit and rail services.

The annual legislative program adopted by the LOSSAN Board provides overall guidance to LOSSAN Agency advocacy activities, and staff will continue to provide regular legislative updates and bill analyses to the LOSSAN Board consistent with that program. The 2019 LOSSAN Legislative Program provides detail on legislative priorities, including:

- Maximize the share of long-term, sustainable funding sources to support passenger rail operations and capital projects in the LOSSAN rail corridor, including funds made available by the federal rail title and ensuring eligibility for the LOSSAN Agency to compete for state funding, such as funding through SB1 and the cap-and-trade program.
- Support efforts to further enhance connectivity of regional rail and local transit services within the LOSSAN rail corridor.
- Continue to study and advance infrastructure and service improvement projects/programs.

At the local level, LOSSAN Agency staff will continue to work with LOSSAN member agencies, local communities, and stakeholder organizations to build awareness of passenger rail services along the LOSSAN rail corridor, developing strategic partnerships to better evolve the services to meet local needs. Increased awareness of these services by local officials can then be leveraged to back consensus based operational improvements and policy activities.

Safety and Security

Protecting the safety and security of passenger rail service is key to attracting and retaining riders, and ensuring efficient operation of passenger trains on the LOSSAN rail corridor. The goal of the LOSSAN Agency safety program is to instill a comprehensive safety culture that will govern all of the activities associated with the operations and maintenance of the service, while efficiently meeting operational performance goals. The Federal Railroad Administration (FRA) and the California Public Utilities Commission (CPUC) are responsible for overseeing general railroad safety along the LOSSAN rail corridor.

The LOSSAN Agency primarily serves in an oversight and coordination role with regard to safety and security aboard trains, relying on the extensive on-board safety and security programs and policies put in place by Amtrak. Pacific Surfliner passengers benefit from the Amtrak security program, specifically the services of the Amtrak Police Department.

The LOSSAN Agency will continue to attend regularly scheduled safety meetings hosted by Amtrak for front-line employees to reiterate that safety is the first priority in delivering Pacific Surfliner service. Amtrak is responsible for all required reporting of safety data to federal, state, and local agencies, including FRA and CPUC. All cab cars and locomotives are equipped with a “forward facing” camera system to aid in accident investigation, and new Charger locomotives are also equipped with “inward facing” cameras. As required by the FRA, Positive Train Control (PTC) was fully operational on all Pacific Surfliner trains effective December 31, 2018. The LOSSAN Agency will continue to work with right-of-way owners and rail operators to enhance safety and response to incidents along the right-of-way. Public information efforts will include both traditional and social media to build awareness of rail safety.

Emerging Corridors

In addition to administering the existing Pacific Surfliner rail service, the LOSSAN Agency will continue to work with member agencies to study and pursue expansion opportunities on emerging corridors that provide connectivity within southern California and beyond. Specifically, the LOSSAN Agency expects to focus on connectivity to the eastern communities throughout Riverside County and the Coachella Valley, and coastal communities up to San Luis Obispo and north to the San Francisco Bay Area. These connections will provide seamless travel opportunities by rail throughout the region and state. System improvements on existing and emerging rail corridors will contribute to the success of the LOSSAN rail corridor, support future statewide and regional rail operations, and provide enhanced connectivity with local transit systems.



Chapter 1: Introduction

The LOSSAN Agency's annual business plan for FY 2019-20 and FY 2020-21 identifies the LOSSAN Agency's major goals and objectives for management of the Pacific Surfliner intercity passenger rail service, as well as the budget necessary to administer, market, and operate the Pacific Surfliner service during that two-year period.

SB 1225 (Chapter 802, Statutes of 2012), approved in September 2012, authorized the LOSSAN Agency to assume responsibility for managing the state-supported Pacific Surfliner service, subject to negotiation of an ITA with the State of California. The initial ITA took effect on July 1, 2015 for a three-year period ending on June 30, 2018. The ITA was subsequently renegotiated for an additional three-year term effective July 1, 2018 through June 30, 2021. Over the past several years, the LOSSAN Agency has implemented a number of initiatives aimed at improving the passenger experience on the Pacific Surfliner while also increasing ridership and revenue. The LOSSAN Agency looks forward to continuing to work with the state, Amtrak, and LOSSAN member agencies to ensure the Pacific Surfliner remains a safe, reliable, and cost-effective transportation alternative that is well-integrated with connecting transit services and the state's other two intercity passenger rail corridors.

Overview of the LOSSAN Rail Corridor

The Pacific Surfliner service travels along the 351-mile LOSSAN rail corridor through six counties in Southern California (San Diego, Orange, Los Angeles, Ventura, Santa Barbara, and San Luis Obispo). It is the busiest state-supported, Amtrak-operated intercity passenger rail service in the nation. The LOSSAN rail corridor is made up of seven different right-of-way (ROW) owners, including both public agencies and freight railroads (See Table 1.1 and Figure 1.1), and is used by five different passenger rail and freight services (Amtrak, COASTER, Southern California Regional Rail Authority (Metrolink), BNSF, and UPRR).

Table 1.1: LOSSAN Rail Corridor ROW Owners

Owner	Route Miles
SDMTS	22
NCTD	38
OCTA	42
BNSF	21
Metro	36
VCTC	16
UPRR	176
Total	351

Overview of the LOSSAN Agency

The LOSSAN Agency is a JPA originally formed in 1989 for the primary purpose of improving passenger rail service along the LOSSAN rail corridor. It is tasked with increasing ridership, revenue, capacity, reliability, coordination, and safety on the rail line between San Diego, Los Angeles, and San Luis Obispo. The LOSSAN Agency is governed by an 11-member Board

comprised of officials representing rail owners, operators, and planning agencies along the LOSSAN rail corridor. The LOSSAN Board includes representatives from nine member agencies (Metro, NCTD, OCTA, RCTC, SANDAG, SDMTS, SLOCOG, SBCAG, and VCTC). Amtrak, Caltrans DRMT, CHSRA, and SCAG are non-voting, ex-officio members of the LOSSAN Board.

OCTA was selected as the managing agency of the LOSSAN Agency in August 2013, following a competitive request for proposals. As the managing agency, OCTA provides all management and administrative support for the LOSSAN Agency as outlined the ASA between the LOSSAN Agency and OCTA. The LOSSAN Agency currently consists of 11 full-time staff members.

Consistent with the requirements of the ITA, the LOSSAN Agency must submit an annual business plan by April 1 of each year to the Secretary of CalSTA. The LOSSAN Agency business plan must be reviewed and approved by the Secretary, and is used to develop an annual appropriation request to the state legislature. As required by SB 1225, the LOSSAN Agency business plan is consistent with the 2018 California State Rail Plan developed by Caltrans DRMT as well as the 2018 CHSRA Business Plan.

The ITA, consistent with the provisions of SB 1225, requires the LOSSAN Agency to maintain the existing Pacific Surfliner service and facilities, and to implement service expansions as warranted by ridership demand and available revenue. The ITA further provides that the state will provide the funding necessary for service operations, administration, and marketing of the Pacific Surfliner service. Caltrans DRMT also remains responsible for the development of the California State Rail Plan, and the coordination and integration between the three state-supported intercity passenger rail services, as outlined in the ITA.

Figure 1.1: LOSSAN Rail Corridor ROW Owners



Agency Roles and Responsibilities

The following list provides a summary of the agencies involved in providing passenger rail service along the LOSSAN rail corridor, and those that the LOSSAN Agency will continue to coordinate with in managing the Pacific Surfliner service.

LOSSAN Agency: JPA legislatively permitted to assume administrative and oversight responsibility of the state-supported Pacific Surfliner intercity passenger rail service on the LOSSAN rail corridor effective July 1, 2015.

LOSSAN Member Agencies: The LOSSAN Agency is comprised of nine voting member agencies. The member agencies are key partners that provide important technical and policy input at both the Technical Advisory Committee (TAC) and Board level.

CalSTA: State office responsible for the funding and oversight of California's three state-supported intercity rail corridors, as well as CHSRA.

Caltrans DRMT: The department within Caltrans that is responsible for development of the State Rail Plan, oversight of state-owned rail equipment, and overall funding and coordination of the three state-supported intercity rail corridors.

Amtrak: The contracted operator of the state-supported Pacific Surfliner service and owner of the majority of the rail cars utilized in providing Pacific Surfliner service.

Capitol Corridor JPA (CCJPA): Responsible for the operations and oversight of the state-supported Capitol Corridor intercity passenger rail service between San Jose, Oakland, Sacramento, and Auburn. It was the first non-state agency to assume responsibility and oversight for state-supported passenger rail service in California in 1998. Bay Area Rapid Transit was selected as the managing agency for this rail corridor to act on behalf of the CCJPA, similar to OCTA's role on behalf of the LOSSAN Agency.

San Joaquin JPA (SJJPA): Administers the state-supported San Joaquin intercity passenger rail service between Bakersfield, Stockton, Oakland, and Sacramento. The San Joaquin Regional Rail Commission was selected as the managing agency for this rail corridor to act on behalf of the SJJPA, similar to OCTA's role on behalf of the LOSSAN Agency.

OCTA: Selected by the LOSSAN Agency Board as the LOSSAN managing agency, responsible for providing administrative services and daily management of the Pacific Surfliner service and the LOSSAN Agency.

In addition to the agencies listed above, there are a number of stakeholders who are engaged with the LOSSAN Agency on an ongoing basis. These stakeholders include rail operators such as Metrolink, NCTD, and the freight railroads, as well as ROW owners along the rail corridor and the CHSRA. A list of those additional stakeholders is provided below:

Rail Operators
Metrolink

NCTD
BNSF
UPRR
Amtrak

ROW Owners

BNSF
UPRR
NCTD
Metro
OCTA
VCTC
SDMTS

Regional Planning Agencies

SANDAG
SBCAG
SLOCOG
SCAG

Others Key Stakeholders/Partners

CHSRA
Coast Rail Coordinating Council (CRCC)
Coachella Valley Technical Advisory Committee
FRA
Members of the California State Legislature
Members of the United States Congress
Pacific Surfliner station cities and local elected officials
Rail Passenger Association of California and other transit/rail advocacy groups
Current and prospective rail passengers

Chapter 2: Historical Performance of the Pacific Surfliner Service

Overview

California is home to three of the most successful state-supported intercity passenger rail services operated by Amtrak. Combined, the Pacific Surfliner, Capitol Corridor, and San Joaquins intercity passenger rail services carry more than 5.7 million passengers each year (See Figure 2.1). These routes represent three of the five busiest state-supported rail services in the entire Amtrak national system: Pacific Surfliner at No. 1 with 2.95 million passengers per year, the Capitol Corridor at No. 2 with 1.71 million passengers per year, and the San Joaquins Corridor at No. 5 with 1.08 million passengers per year.¹ California's investment in intercity passenger rail service operations and capital projects over the past four decades has led the state to boast the highest Amtrak ridership of any state in the country, with the three state-supported corridors being responsible for 18 percent of the ridership for the entire Amtrak national system.

History of Pacific Surfliner Service

From May 1971, when Amtrak assumed operation, through 2016, service between Los Angeles and San Diego increased from the original six daily trips to 24 daily Pacific Surfliner trips. The growth and geographic limits of the trips over time are detailed in Figure 2.2. Of the 24 daily Pacific Surfliner trains Amtrak operated, ten trains extend to Santa Barbara / Goleta and four continue to San Luis Obispo. The corridor is complemented by state-funded Amtrak Thruway buses, which provide scheduled connections to the Central Coast, Bay Area, Coachella Valley, and to the San Joaquins intercity rail corridor via Bakersfield. Two Amtrak long-distance trains (the Coast Starlight and Southwest Chief) also traverse portions of the LOSSAN rail corridor.

For the purposes of reporting performance, FFY will be used, as this corresponds to Amtrak's reporting period.

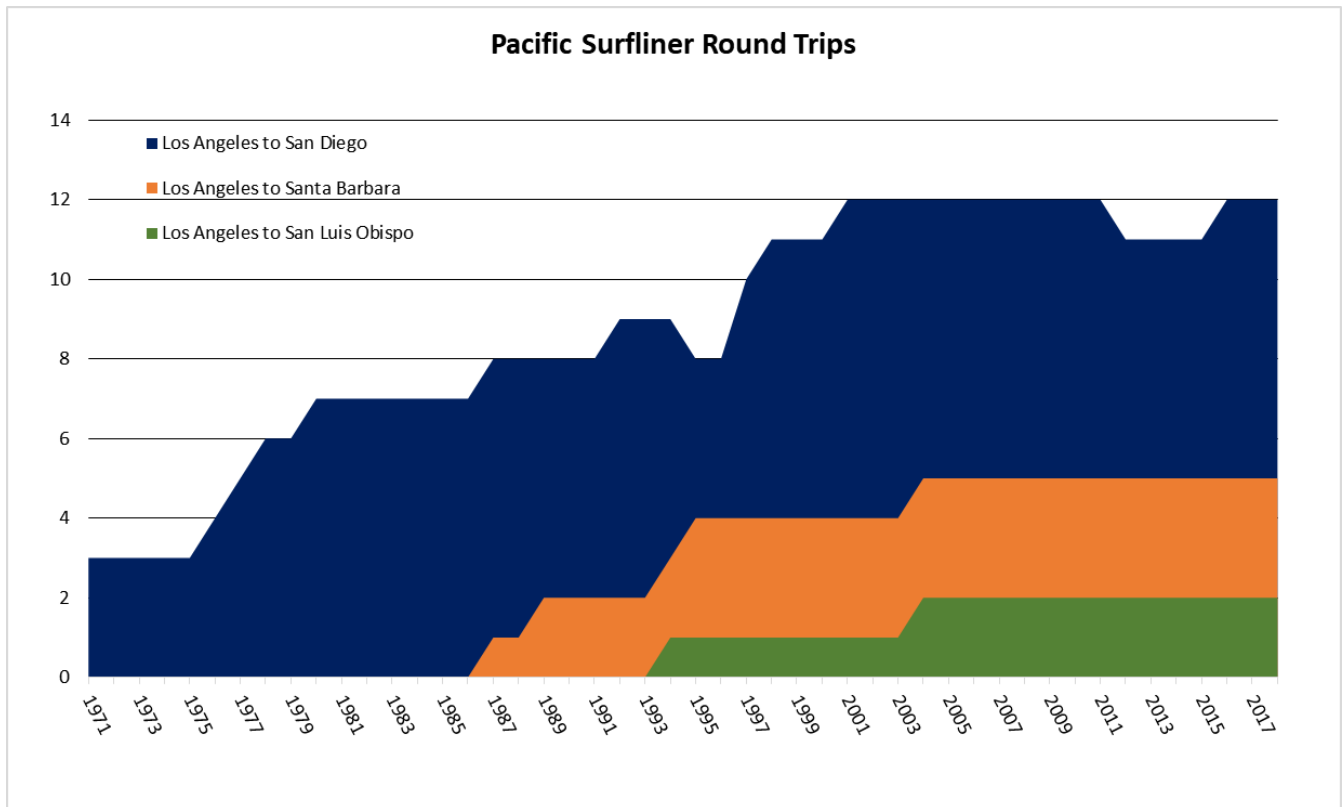
Figure 2.1: California Intercity Passenger Rail Routes



Source: Caltrans, 2015

¹ Amtrak Route Ridership and Gross Ticket Revenue, September 2018

Figure 2.2: Pacific Surfliner Service Growth



Source: LOSSAN Agency, 2018

Pacific Surfliner Funding

Table 2.1: Pacific Surfliner State Operating Subsidy

Fiscal Year	State Subsidy
2014	\$ 29,423,000
2015	\$ 36,819,000
2016	\$ 21,290,000
2017	\$ 21,644,000
2018	\$ 22,662,000
2019	\$ 26,443,000

As shown in Table 2.1, the annual operating subsidy for Pacific Surfliner service has remained relatively stable since FFY 2014-15, in part due to the transfer of Amtrak equipment lease costs from the operating agreement to a separate agreement between Amtrak and Caltrans, as well as LOSSAN Agency management actions to increase operating revenues. The subsidy rose in FFY 2018-19 due in part to the addition of morning peak-period service into Ventura and Santa Barbara counties.

Source: Amtrak, 2018

Historical Ridership and Revenue Performance

Table 2.2 shows annual ridership and financial performance data from FFY 1976-77 (when state-supported service began) through FFY 2017-18. Ridership and farebox recovery climbed steadily through the early 1990s with the farebox recovery ratio near or over 100 percent for six consecutive years, and ridership peaked at 1.8 million in FFY 1992-93.

Table 2.2: Pacific Surfliner Historic Performance

FY	Ridership	Revenue	Farebox Recovery	FY	Ridership	Revenue	Farebox Recovery
1977	607,976	\$ 598,140	36.0%	1998	1,624,693	\$ 15,194,498	33.9%
1978	753,246	\$ 1,446,036	38.4%	1999	1,563,275	\$ 16,401,625	40.6%
1979	967,316	\$ 2,203,403	50.8%	2000	1,567,318	\$ 17,883,725	47.7%
1980	1,218,196	\$ 3,341,561	60.4%	2001	1,661,704	\$ 20,430,153	53.5%
1981	1,238,135	\$ 4,032,480	61.4%	2002	1,742,768	\$ 20,922,453	53.1%
1982	1,167,718	\$ 4,097,254	62.0%	2003	2,030,491	\$ 22,247,564	52.6%
1983	1,131,146	\$ 4,094,750	59.1%	2004	2,307,010	\$ 24,559,183	54.2%
1984	1,221,256	\$ 4,842,400	76.4%	2005	2,454,396	\$ 26,660,048	55.4%
1985	1,240,003	\$ 5,410,502	84.4%	2006	2,655,490	\$ 31,604,715	56.9%
1986	1,394,320	\$ 5,658,915	88.1%	2007	2,685,194	\$ 34,753,372	59.5%
1987	1,461,003	\$ 6,072,523	93.3%	2008	2,835,132	\$ 37,266,009	61.7%
1988	1,661,512	\$ 8,223,462	104.6%	2009	2,696,951	\$ 34,857,678	56.6%
1989	1,717,539	\$ 11,458,084	108.5%	2010	2,614,777	\$ 35,822,186	53.5%
1990	1,746,673	\$ 12,189,942	103.2%	2011	2,746,320	\$ 38,739,760	56.0%
1991	1,791,781	\$ 13,306,307	99.6%	2012	2,664,935	\$ 42,884,431	57.6%
1992	1,673,107	\$ 13,152,063	99.3%	2013	2,689,465	\$ 64,446,130	61.7%
1993	1,810,572	\$ 13,692,612	103.3%	2014	2,673,170	\$ 69,013,726	67.1%
1994	1,699,882	\$ 12,725,094	90.8%	2015	2,827,134	\$ 75,836,869	70.5%
1995	1,464,577	\$ 11,805,859	73.5%	2016	2,924,117	\$ 79,465,847	78.8%
1996	1,480,674	\$ 13,553,553	56.5%	2017	2,989,871	\$ 83,016,156	79.2%
1997	1,617,641	\$ 14,804,355	37.4%	2018	2,946,239	\$ 86,319,147	77.3%

*FFY 2018 based on preliminary unaudited data

Source: Amtrak, 2018

service was reduced. By FFY 2014-15, Pacific Surfliner ridership had recovered to pre-recession ridership levels, even though fewer train trips were operated than the prior years during which ridership peaked. FFY 2016-17 saw the reintroduction of the 12th roundtrip between Los Angeles and San Diego, and with it the highest annual ridership in the history of the service. Ridership in FFY 2017-18 declined by less than 2 percent. This was due in part to operational adjustments instituted to make the morning peak-period service into Ventura and Santa Barbara counties possible. Additional analysis on the ridership decrease is discussed in Chapter 4.

Since the early 2000s, ridership on the Pacific Surfliner service has increased significantly, offsetting the initial impacts of the introduction of commuter rail services. Ridership reached 2 million in FFY 2002-03, and farebox recovery has exceeded 50 percent since FFY 2000-01. Additionally, the introduction of the Rail 2 Rail program with Metrolink in September 2002, and in April 2008 with COASTER, was associated with another increase in ridership. Ridership peaked at nearly 3 million in FFY 2016-17, with farebox recovery exceeding 79 percent, continuing the overall trend of increase.

The Pacific Surfliner ridership declined each year between FFY 2007-08 and FFY 2009-10 as a result of the significant economic recession affecting the nation. During this time, Amtrak

On-Time Performance

Table 2.3: Historical Pacific Surfliner Endpoint OTP

Fiscal Year	On-Time Performance
2014	77.60%
2015	78.00%
2016	78.00%
2017	68.80%
2018	77.10%

OTP is an important measure of service quality and passenger satisfaction. For the Pacific Surfliner service, endpoint OTP is defined as arrival at the endpoint station within 10 minutes of scheduled arrival for trips up to 250 miles, and within 15 minutes of scheduled arrival for trips between 251 and 300 miles. Corridor-wide OTP is calculated by taking the total number of trains arriving on time at the end point of the run divided by the total number of trains operated on the route.

Source: Amtrak, 2018

The intercity passenger rail UPS released by CalSTA set a 90 percent endpoint OTP goal. Train delays are recorded by the conductor in minutes on a delay report form and categorized by specific cause. Additional details on OTP and efforts to achieve the 90 percent endpoint OTP goal are discussed in Chapter 4.

Historical Pacific Surfliner endpoint OTP from FFY 2013-14 to FFY 2017-18 is summarized in Table 2.3.

Chapter 3: Operating Plan and Strategies

Existing Train Service and Planned Expansions

Currently, Amtrak operates 12 daily Pacific Surfliner roundtrips between San Diego and Los Angeles. Of those, five daily roundtrips (the 700-series trains) extend north of Los Angeles to serve Santa Barbara and Goleta, with two of those roundtrips extending further north to serve San Luis Obispo. Dedicated Amtrak Thruway bus connections supplement the train service on the LOSSAN rail corridor by providing transportation to and from Santa Barbara and San Luis Obispo and points north along the Central Coast to Oakland to connect with the Capitol Corridor, as well as transportation between Fullerton and points east to the Coachella Valley, and between Los Angeles and Bakersfield to connect with the San Joaquins Corridor.

The ability to expand Pacific Surfliner service is constrained due to both equipment availability as well as existing access and shared-use agreements with the host railroads on which the Pacific Surfliner operates. On the 351-mile LOSSAN rail corridor, the Pacific Surfliner operates over four host railroads that include UPRR, Metrolink, BNSF, and NCTD. Service expansion along the UPRR and BNSF is based on specific capital investments identified by the host railroad to allow for increased capacity. The extent of capital investment required to increase service Pacific Surfliner is a major reason why, over the past 20 years, only one new roundtrip has been added to the service. The largest capacity constraint to adding service has been the completion of a third main track along the BNSF between Los Angeles and Fullerton. This final capital improvement is scheduled to be complete in the fourth quarter of FY 2018-19. With the completion of this major capacity enhancement, additional roundtrips to increase the frequency of service between Los Angeles and San Diego are the near-term focus of service expansions for the Pacific Surfliner.

With the recent award of TIRCP grant funds in 2018 for the LOSSAN Agency's "Building UP" application, the necessary capacity enhancements can now be made north of Los Angeles on the UPRR as well, allowing for additional roundtrips to be extended north to Santa Barbara and San Luis Obispo in the near future.

Stations

The Pacific Surfliner services 27 stations (Figure 3.1), 17 of which are between San Luis Obispo and Los Angeles, with the remaining 10 located south of Los Angeles in Orange and San Diego Counties (for station specific information, please refer to the "*LOSSAN Corridorwide Facilities, Equipment and Operations Inventory*"¹ report prepared April 2013). The Camarillo, Moorpark, and San Clemente Pier stations have limited service (not all trains stop at these stations).

¹ http://www.octa.net/pdf/publicationid_1748_15821.pdf

Figure 3.1: LOSSAN Rail Corridor and Pacific Surfliner Stations



Amtrak Thruway Bus Service and Transit Connections

Pacific Surfliner rail service is supplemented by Amtrak's network of Thruway buses that connect passengers throughout the LOSSAN rail corridor and beyond (Figure 3.2). Amtrak contracts with private bus operators to provide this service, including both operating staff and the vehicles. The bus routes function as part of the Pacific Surfliner service, with coordinated connections, guaranteed seating, integrated fares and ticketing procedures, and inclusion in Amtrak's central information and reservation system in the same manner as trains.

The Amtrak Thruway bus routes included in the Pacific Surfliner budget are summarized below:

- **Route 4:** Los Angeles to Santa Barbara/Goleta. One daily trip each direction.
- **Route 17:** Santa Barbara to San Luis Obispo to Oakland (where it connects with Capitol Corridor). Six daily trips in each direction.
- **Route 39:** Fullerton to Palm Springs and Coachella Valley. Two daily trips in each direction.

Figure 3.2: LOSSAN Managed Amtrak Thruway Routes



In addition, the LOSSAN Agency partners with local transit agencies to offer expanded options for transit connections throughout the LOSSAN rail corridor. The LOSSAN Agency recently coordinated with CalSTA to extend the Pacific Surfliner Transit Transfer Program by an additional year using existing TIRCP funding. The program, which was launched in July 2016, provides free connections between the Pacific Surfliner and 11 local transit services. The LOSSAN Agency also continues to sell both Metro TAP and SDMTS Compass cards on Pacific Surfliner trains, making it easier for passengers to connect to the local bus and rail systems in Los Angeles or San Diego.

Additionally, there are Amtrak Thruway bus routes managed by the CCJPA and SJJPA that provide connectivity between the Pacific Surfliner and the Capitol Corridor and San Joaquins services.

FY 2018-19 Operating Plan and Accomplishments

The LOSSAN Agency's operating plan for FY 2018-19 was initially based on the November 7, 2016 timetable, adjusted further for the October 9, 2017 timetable, with additional modifications implemented on April 1, 2018. For the April 1, 2018 schedule change, the LOSSAN Agency implemented peak-period service from Los Angeles to Ventura and Santa Barbara counties. The LOSSAN Agency coordinated with Amtrak, Metrolink, SBCAG, CalSTA, and UPRR to implement a schedule that created a new early-morning, northbound train (Train 759) between Los Angeles and Goleta that, when combined with existing southbound Pacific Surfliner service (Train 792), allows passengers to utilize the Pacific Surfliner to travel from their homes in Ventura County to work in Santa Barbara County. The current Operating Plan² for FY 2018-19 is as follows:

- San Diego – Los Angeles: 24 daily trains
- Los Angeles – Goleta: 10 daily trains
- Goleta – San Luis Obispo: 4 daily trains

The LOSSAN Agency continued coordination efforts with all freight and passenger rail operators along the LOSSAN rail corridor through joint scheduling meetings and absolute work window planning meetings to improve connectivity and customer service, and minimize passenger inconvenience.

FY 2019-20 and FY 2020-21 Operating Plan

In FY 2019-20 and 2020-21, the LOSSAN Agency will continue to work cooperatively with Caltrans DRMT to ensure sufficient state funding is provided to operate the existing Pacific Surfliner and Amtrak Thruway bus services, while also exploring opportunities to enhance ridership, revenue, and OTP.

While overall corridor OTP is improving, the Pacific Surfliner service remains under its OTP goal of 90 percent. The LOSSAN Agency will continue to work with Amtrak and host railroads to evaluate and pursue additional cost-effective opportunities for improving OTP on the Pacific Surfliner service. Additional details on the efforts currently being undertaken to improve

² Some weekend train schedules differ from weekday schedules.

OTP are included in Chapter 4. In addition to this ongoing analysis and coordination, the LOSSAN Agency was successful in securing TIRCP funds to implement capitalized access and incentive agreements with some host railroads. An agreement was executed with NCTD in January 2019 and a similar agreement is being negotiated with UPRR. These agreements will allow for financial incentives to the host railroads for improved OTP.

In FY 2019-20 and FY 2020-21, the LOSSAN Agency and Amtrak anticipate introducing new service on the LOSSAN rail corridor (Table 3.1). A new roundtrip between San Diego and Los Angeles is planned, following the completion of the third main track along the BNSF between Los Angeles and Fullerton, which is anticipated for the fourth quarter of FY 2018-19. New service north of Los Angeles is also planned, contingent on securing the necessary agreements with UPRR. A second new roundtrip between Los Angeles and San Diego is also planned by FY 2020-21.

Table 3.1: Planned Pacific Surfliner Service Levels

Route Segments	FY 2019-20	FY 2020-21
San Diego – Los Angeles	26 trains*	28 trains*
Los Angeles – Santa Barbara/Goleta	12 trains**	12 trains**
Los Angeles – Santa Barbara – San Luis Obispo	6 trains**	6 trains**

* Service dependent on third main track completion on BNSF between Los Angeles and Fullerton and equipment availability

** Service dependent on approval from UPRR and equipment availability

In addition, the LOSSAN Agency will continue to coordinate, improve and expand on already successful seasonal and special event services, including the Del Mar Races, Oxnard Strawberry Festival, San Diego Comic-Con International, and sporting events along the Pacific Surfliner route. The LOSSAN Agency will also work with its member agencies and host railroads to help identify opportunities to extend special services to events such as the Coachella Valley Music Festival.

To enhance the existing Pacific Surfliner service, the LOSSAN Agency remains committed to working with Caltrans DRMT, SJJPA, Metrolink, NCTD, Amtrak, and regional and local transit providers to improve transit and rail connections to the Pacific Surfliner. To help achieve this, the LOSSAN Agency will be looking into integrated ticketing concepts in collaboration with Caltrans DRMT, NCTD, and Metrolink to create a user friendly and standard interface for passengers to purchase tickets and transfer between services along the LOSSAN rail corridor. The LOSSAN Agency will continue to utilize its member agencies to assist in coordinating improved communications and connectivity with local transit operators, and to help establish timed connections between Pacific Surfliner trains and connecting transit services for the first and last mile connections.

The LOSSAN Agency will also work with local transit agencies to explore opportunities to enhance transit connections from Pacific Surfliner stations to local airports, including John Wayne Airport in Orange County, Los Angeles International Airport, and San Diego International Airport. The Pacific Surfliner already directly serves the Hollywood Burbank Airport. No changes are currently planned to Amtrak Thruway bus service during this period. However, LOSSAN Agency staff will continue to carefully review schedules as well as ridership and

revenue data for the three routes under its control and propose changes to help make the service more effective, as appropriate.

San Diego Maintenance and Layover Facility Study

The Pacific Surfliner service is currently supported by three layover facilities in San Diego, Goleta, and San Luis Obispo, as well as a primary maintenance and layover facility near downtown Los Angeles. The layover facility in San Diego at the Santa Fe Depot is significantly constrained and is currently at capacity for layover trains. This constraint prohibits the expansion of the Pacific Surfliner service. The San Diego County Maintenance and Layover Facility Study will work to identify and evaluate potential locations for a new maintenance and layover facility for the Pacific Surfliner near the southern terminus of the LOSSAN rail corridor. This will help to support the service objectives included in this chapter, and the study is expected to conclude in fall 2020.

Service Optimization

Though it already has the distinction of being the second-busiest intercity passenger rail corridor in the United States, the Pacific Surfliner service has great potential for increased ridership, revenue, enhanced service coordination, and improved on-time performance. In March 2019, the LOSSAN Agency initiated a service optimization study for the entire corridor. The intent of this analysis is to coordinate with host railroads to establish a two- and five-year strategy to optimize service in the corridor. This strategy includes adding up to three new roundtrips for the Pacific Surfliner and implementing some of the early infrastructure and service objectives outlined in Metrolink's Southern California Optimized Rail Expansion (SCORE) program. It is anticipated that results from this effort will be available sometime during the first quarter of calendar year 2020.

The service optimization study will define operating plans that align with the overall goals of the 2018 California State Rail Plan to increase frequency and reliability for services operating along the LOSSAN rail corridor. This optimization study will be further enhanced through the coordination the LOSSAN Agency will continue to perform related to identifying and evaluating root causes for major delays, crew and equipment utilization, and improvements to service disruption responses and recovery.

Chapter 4: Performance Standards and Metrics

Background

The LOSSAN Agency strives for continuous improvement of the Pacific Surfliner passenger rail service. Pursuant to SB 1225, the Secretary of CalSTA was required to establish a set of UPS for the state's three intercity passenger rail corridors to control cost and improve efficiency. These standards measure the ongoing success of the service in three specific areas: **usage** (ridership and passenger miles), **efficiency** (farebox recovery and cost per passenger mile), and **service quality** (endpoint/all station on-time performance and operator caused delays). These standards also provide the basis for service changes, and help guide the planning efforts for the LOSSAN Agency. The performance standards are summarized in Table 4.1.

Table 4.1: Uniform Performance Standards

Performance Standard	Category	Measurement
Passenger Miles	Usage	Ongoing growth in passenger miles* traveled on state-funded bus and rail services relative to baseline
Ridership	Usage	Growth in ridership relative to baseline, on both bus and rail
Farebox Recovery	Cost efficiency	55 percent, inclusive of Amtrak Thruway bus routes
Cost per Passenger Mile	Cost efficiency	Continuous improvement
Endpoint OTP	Service quality	90 percent of endpoint station arrivals within 15 minutes of schedule for trips over 251 miles and within 10 minutes for trips up to 250 miles, calculated quarterly
All-Station OTP	Service quality	90 percent of arrival at all station stops within 15 minutes of schedule, calculated quarterly
Operator Responsible Delays per 10,000 Train Miles	Service quality	Fewer than 325 minutes of delay per 10,000 train miles

* One passenger traveling one mile = one passenger mile

For reporting performance metrics, the FFY will be used, as this is the standard for Amtrak reporting. This chapter presents the performance of the Pacific Surfliner against the established UPS for FFY 2017-18. Along with each standard will be a colored directional indicator, demonstrating both whether the standard is being met (red: standard not met; green: standard met or exceeded) and the direction of the current performance trend. Financial data presented for FFY 2017-18 is preliminary and unaudited.

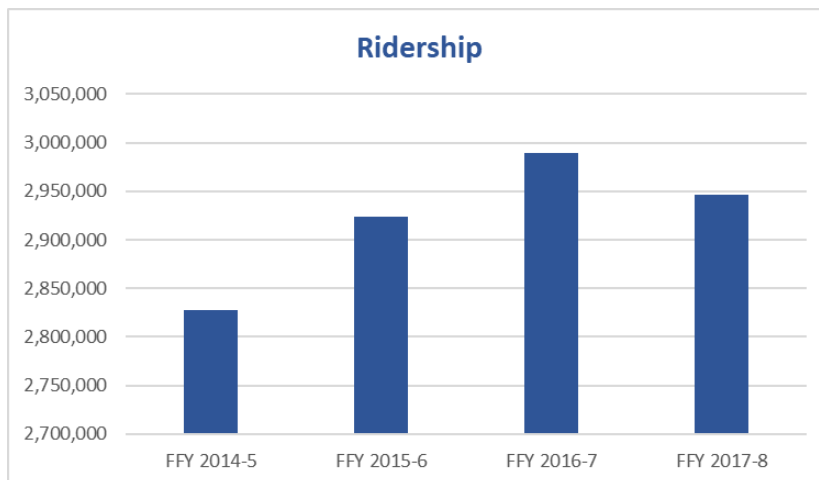
Usage

Performance Standard	Metric	Status
Ridership	Continuous growth relative to baseline	

Total ridership on the Pacific Surfliner for FFY 2017-18 was 2,946,239¹, a **1.5 percent decrease** over the prior year. This marks the first time since the LOSSAN Agency assumed management responsibility for the Pacific Surfliner intercity passenger rail service that the service has experienced a year over year ridership decline.

This ridership decline was anticipated and is partly a result of the implementation of peak-period service between Los Angeles and Ventura and Santa Barbara counties. This service was implemented on April 1, 2018, and since that time, monthly ridership has declined an average of 6.2 percent (through October 2018). A detailed analysis was undertaken to determine the root cause of the decline in overall ridership. One of the more significant findings was the impact of the bifurcation of Train 761, which was necessary to facilitate the new peak-period service.

Figure 4.1: Pacific Surfliner Corridor Ridership




Train 761 averaged daily ridership in excess of 420 passengers and was, by percentage, one of the most heavily utilized trains for Metrolink R2R passengers. On average, of the 420 daily passengers, 200 were R2R riders. Ridership and station pair patterns suggest that Train 761 was popular with morning commuters primarily due to the fact that it allowed R2R riders to take a one-seat ride from Orange County through Los Angeles and into Ventura County. Train 561 (formerly 761) now terminates in Los Angeles, and averages fewer than 200 daily riders, with daily R2R riders averaging fewer than 90 per day. Even factoring in the additional ridership associated with the new peak-period service does not offset the decrease seen by bifurcating former Train 761.

The ridership decreases seen during FFY 2017-18 were also contributed to by the significant track closures that occurred during the fiscal year. There were a number of weekend work windows that were necessary to accommodate construction of capital improvements in San Diego County. The weekend track closures required the cancellation of multiple Pacific Surfliner trains each weekend, with the remaining trains terminating at Irvine or Oceanside, with bus bridge service provided south to San Diego. Additionally, storms and other weather related issues closed portions of the track and imposed speed restrictions on others.

¹ Source: Amtrak, 2018

In an effort to recapture ridership, the LOSSAN Agency is working with Metrolink to improve the connections between northbound trains in Los Angeles to ensure a well-timed connection for ease of transfer to points north of Los Angeles. Effort is also being put towards additional train slots to allow for the restoration of Train 761 on weekdays.

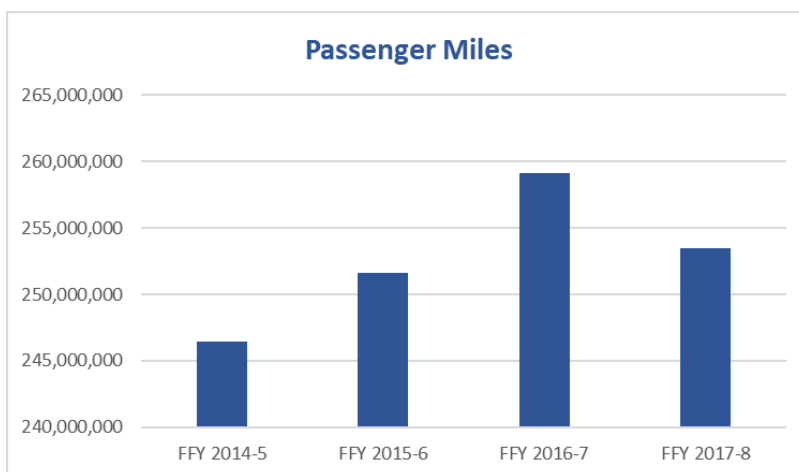
Despite this ridership decrease, the Pacific Surfliner remains the second-busiest Amtrak rail corridor in the nation (surpassed only by the Northeast Corridor between Boston, New York, and Washington, D.C.), and the busiest state-supported service in the entire Amtrak national system. The Pacific Surfliner accounts for nearly 20 percent of the total ridership of all state supported corridors, and nearly 10 percent of the total ridership for the entire Amtrak nation system.

Performance Standard	Metric	Status
Passenger Miles	Continuous growth relative to baseline	

Pacific Surfliner passenger miles totaled 253,461,239 for FFY 2017-18, a **decrease of 2.2 percent** over the prior year, which is on par with the overall decrease in system ridership experienced during the same time period.

Factoring in the average pounds of carbon dioxide emissions per passenger mile in a private automobile versus riding on passenger rail², the 253 million passenger miles for the Pacific Surfliner resulted in a **reduction of over 91,000 tons of greenhouse gases (GHG)**. The impact that this has on the environment cannot be understated. The CO₂ emissions saved is the equivalent of burning over 191,000 barrels of oil.

Figure 4.2: Pacific Surfliner Corridor Passenger Miles



It is expected that passenger miles will recover in FFY 2019-20 as the LOSSAN Agency plans and implements future service expansion. Service expansion opportunities include not only regularly scheduled trains, but also special event trains. The LOSSAN Agency and Amtrak have partnered to provide additional capacity to trains serving major events, including the Del Mar Races, Oxnard Strawberry Festival, and the annual San Diego Comic-Con International. The LOSSAN Agency plans to build on the success of that special event service and look for opportunities to promote the Pacific Surfliner as the travel mode of choice to major events.

² Source: *Public Transportation's Role in Responding to Climate Change*, Federal Transit Administration, 2010. <https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/PublicTransportationsRoleInRespondingToClimateChange2010.pdf>

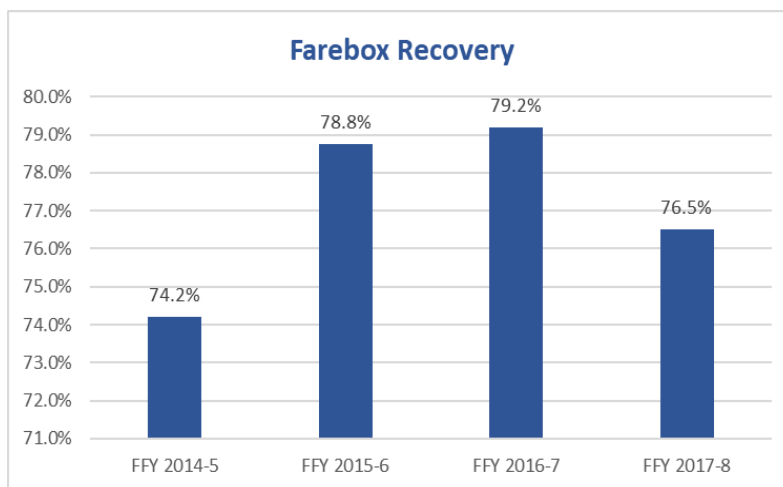
Efficiency


Performance Standard	Metric	Status
Farebox Recovery	Minimum 55 percent	

The FFY 2017-18 farebox recovery rate of **76.5 percent** represents a decline of **3.4 percent** over the prior year. Despite this decline, the farebox recovery rate still far exceeds the mandated 55 percent.

Farebox recovery was also impacted by the implementation of peak-period service between Los Angeles and Ventura and Santa Barbara counties. In this case, the additional costs associated with implementing the new service are not being offset by an increase in ridership, and thus an increase in ticket revenue. This resulted in a small decrease to the farebox recovery for FFY 2017-18. However, as efforts to recover ridership continue, it is expected that farebox recovery will resume an upward trend in FFY 2019-20.

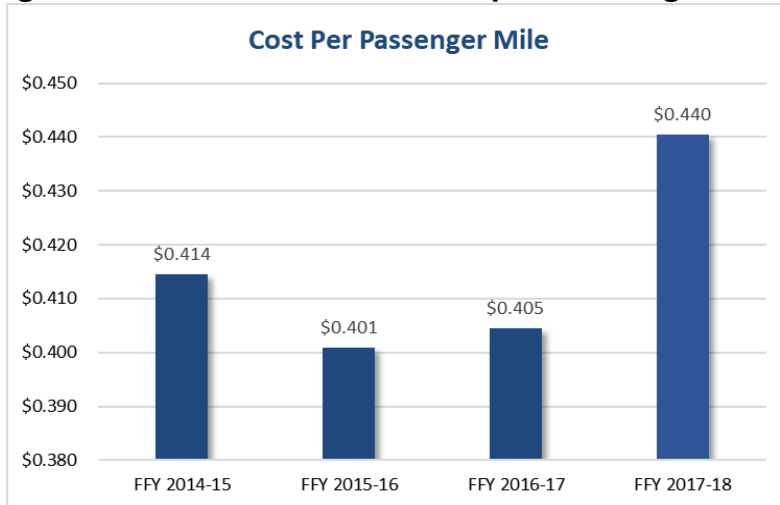
Figure 4.3: Pacific Surfliner Farebox Recovery





Performance Standard	Metric	Status
Cost/Passenger Mile	Continuous improvement	

Cost per passenger mile for FFY 2017-18 was **\$0.440**. This was an increase of 3.5 cents over the prior year. This increase can be attributed in large part to the implementation of additional peak period service. The increase in cost per passenger mile is expected to continue in FFY 2019-20 with the planned implementation of the 13th round trip.

Figure 4.4: Pacific Surfliner Cost per Passenger Mile



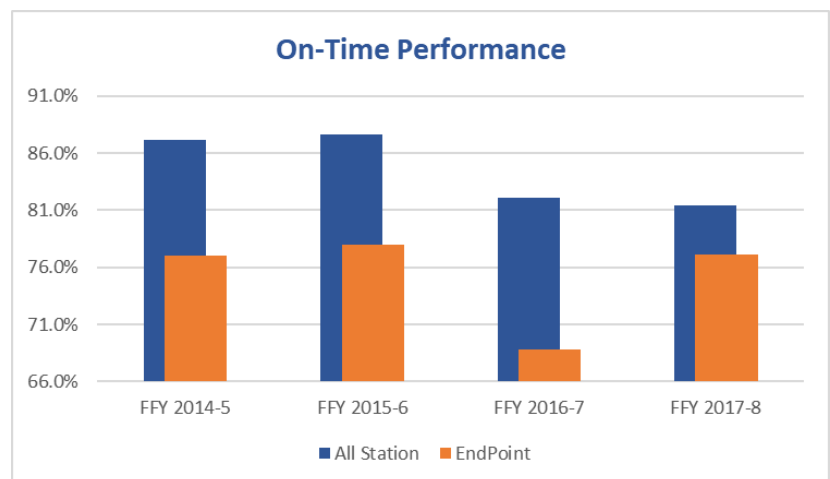
Service Quality

Performance Standard	Metric	Status
Endpoint On-Time Performance	90 percent of endpoint arrivals within 10 minutes (up to 250 miles) or 15 minutes (over 251 miles) of schedule	
All-Station On-Time Performance	90 percent of arrival at all station stops within 15 minutes of schedule	

The FFY 2017-18 endpoint OTP was **77.1 percent**, a 12.1% improvement over the prior year, whereas the all-station OTP was **81.4 percent**, which was slightly lower than FFY 2016-17.

OTP continues to be an area of focus for the LOSSAN Agency and Amtrak, and efforts have been made to collate and classify the root causes for delay via daily OTP reports. Over 55 percent of all delays fall under the host railroad's responsibility, with nearly 40 percent of total delay minutes coming as a result of commuter or passenger train interference. The true root cause of these delays varies by individual train, but can often be traced back to slow orders, signal system failure and dispatching delays. These delays can then cascade and cause trains to meet at non-planned locations, resulting in further delay. In October 2017 and again in April 2018, the LOSSAN Agency worked with rail owners and operators and Caltrans DRMT to implement schedule changes to improve the overall reliability of the Pacific Surfliner service. These changes continue to result in a positive OTP trend.


Figure 4.5: Pacific Surfliner On-Time Performance



However, as OTP continues to be a metric that does not meet the standard, LOSSAN Agency efforts are ongoing in this regard. A significant portion of the identified issues related to OTP were a direct result of host railroad delays and dispatching issues. On January 30, 2019, the LOSSAN Agency executed an agreement with NCTD for an OTP incentive program. Funded via a 2018 TIRCP grant, this program will provide incentive performance payments for meeting Pacific Surfliner OTP goals. A similar program will be developed with the UPRR.

Twelve of the 14 new Charger locomotives designated for the Pacific Surfliner service have been delivered to Los Angeles. As with the rollout of any new equipment, there have been some challenges related to compatibility and reliability. As a result, the initial rollout period has not resulted in improved OTP, but once the issues are resolved, OTP is expected to improve.

Additional issues associated with the deployment of PTC have also contributed to the ongoing OTP deficiency. The LOSSAN Agency continues ongoing effort to work with Amtrak and the host railroads to find appropriate solutions for the improvement of OTP.

Performance Standard	Metric	Status
Operator Delays/10,000 Train Miles	Fewer than 325 minutes of delay per 10,000 train miles	

For FFY 2017-18, the Pacific Surfliner averaged 586 minutes of operator delays per 10,000 train miles. This is an improvement over the prior year, and yet continues to be an area wherein the Pacific Surfliner service does not meet the UPS. Many of the issues associated with operator delays are being improved by the recent schedule changes that are currently causing a rise in OTP. However, the LOSSAN Agency will continue to work with Amtrak and our host railroads to ensure that this performance standard continues to improve.

Additional Performance Indicators

There are additional performance indicators that, while not required to be reported to the state, are helpful in calculating the value and efficiency of the service. These indicators are included below.

Revenue

A strong indicator of the health of the service is total revenue, which exceeded **\$79.9 million** for FFY 2017-18, a **5.7 percent increase** over the prior year.

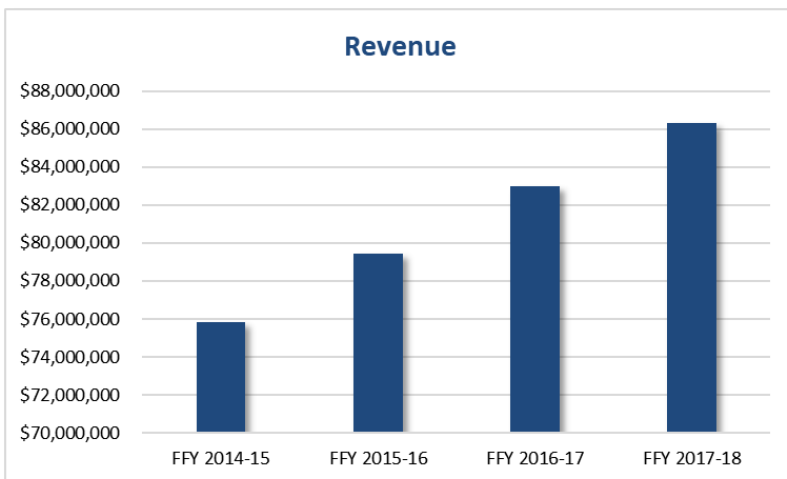
This increase is in spite of the overall decrease in ridership, and can be attributed to both the Pacific Surfliner fare restructuring that took place in March 2018, as well as expanded business class service instituted in 2017. The LOSSAN Agency continues to

seek ways to maximize revenue from the existing service. As part of that effort, LOSSAN Agency staff continually works with Amtrak to evaluate existing food and beverage service based on sales and revenue data, and implement menu refreshes to update the food and beverage selections being offered aboard Pacific Surfliner Café cars. Revenue in FFY 2019-20 is expected to continue to be strong with the planned implementation of the 13th round trip.

Customer Service

For the Pacific Surfliner, Amtrak reports monthly customer service scores in which an ‘average overall satisfied’ percentage is calculated out of 100 passengers surveyed. The Pacific Surfliner

Figure 4.6: Pacific Surfliner Revenue



scored an average **83.9 percent** for FFY 2017-18. This was on par with the Amtrak nationwide average of 83.4 percent for the same period.

FY 2019-20 and FY 2020-21 Action Plan

The LOSSAN Agency will continue to monitor system performance on a monthly basis and report to the Board via the quarterly LOSSAN rail corridor trends report. As OTP continues to be an area of concern, LOSSAN Agency staff will continue to work with the NCTD and UPRR to implement OTP incentive programs. The LOSSAN Agency will continue to develop and implement schedule adjustments as problem areas are identified. Dispatch policies and operating parameters will continue to be refined through the Corridor Improvement Team, which includes all rail operators and host railroads.

Modification of Performance Standards

The UPS document identifies a number of factors that may lead to the need to modify the adopted UPS. Currently, no basis for modifications of the standards exist. As more historical data is gathered, the UPS may be revisited to establish standards that better capture the performance of the service.

Chapter 5: Capital Improvement Program

Since 1990, the State of California has made a significant investment to fund capital improvements on the state's three intercity passenger rail corridors. During that time, LOSSAN member agencies have also been successful in securing state and federal grants for preliminary engineering, environmental documentation, final design, and construction of capital projects along the LOSSAN rail corridor, in addition to local investments by self-help counties using countywide sales-tax measures. These improvements have allowed for significant enhancements in safety, improvements in operational efficiency, and increased capacity. Despite these investments, nearly two-thirds of the rail corridor remains single track, most of which is along the corridor north of Los Angeles. This remaining single track will continue to hinder the expansion of service and overall efficiency. An extensive capital improvement program of over \$5 billion in additional capacity, station improvements, signal and communications improvements, and other capital projects remains unfunded.

There are seven different ROW owners along the LOSSAN rail corridor and each has made investments within their territory; however, the capital needs of the corridor well outweigh the available funding resources. A significant hurdle for the intercity passenger rail services in California has been the lack of a long-term sustainable capital funding source. However, the approval of SB 1 by the California legislature in April 2017 has helped provide a more reliable funding source for these major (and minor) capital needs but is still insufficient by itself to fully fund the identified capital improvements along the LOSSAN rail corridor. The LOSSAN Agency will continue to coordinate with its partners and member agencies to pursue additional funding opportunities that bring benefits to the larger corridor.

The LOSSAN Agency is actively working to update its Capital Improvement Plan for the LOSSAN rail corridor. The goal of this effort is to review the capital programs included in the LOSSAN Agency, State, and stakeholder planning documents to compile a comprehensive list of all identified capital projects whether larger or small. This will include the current status of each project as well as any programmed funding. Based on this comprehensive list of projects, a prioritized project list will be developed from the work performed as part of the corridor optimization study that will begin in early 2019. This list will quantify the capacity improvements, time savings, and other measurable benefits of each capital project. A strategy will be developed that links the various projects for delivery consistent with the service expansion plans of Metrolink and NCTD, including the planned 13th, 14th, and 15th round trips for the Pacific Surfliner.

While each member agency or host railroad is responsible for the implementation of their respective capital improvement programs, the LOSSAN Agency will use the updated Capital Improvement Plan in both funding and legislative pursuits, with a focus on leveraging any existing funds to advance capital projects that benefit the entire LOSSAN rail corridor. This unified voice advocating for capital funding and key projects makes the LOSSAN Agency's requests more compelling and competitive.

It is also important to note that the Class 1 freight railroads own approximately 55 percent of the ROW over which the Pacific Surfliner operates. The UPRR owns 174 miles, and BNSF owns 21 miles. This ownership makes them vested and necessary partners in many of the projects benefitting the corridor. The relationship with these railroads is key to the continued successful

operation of the service, and the LOSSAN Agency continues to coordinate capital improvement efforts with these partners.

CIP Funding

As part of the ongoing CIP, the LOSSAN Agency continues to both pursue and administer various funding programs available for the improvement of the facilities throughout the LOSSAN rail corridor. Below are the programs currently being utilized as part of this effort.

SRA Program: SB 1 includes approximately \$440 million directed specifically to commuter and intercity rail services through the SRA program. The SRA is intended to fund both operational and capital improvements through a combination of formula and competitive distribution. The SRA was created to provide intercity rail agencies with a dependable source of supplemental revenue that is flexible and can be used to fund a variety of rail service improvements. The SRA program formula distribution process begins with state FY 2017-18, and the LOSSAN Agency has been allocated the first two years of available SRA funds (\$8.3 million) to projects identified in the LOSSAN Agency CIP. Future year allocation estimates will be updated annually and will fluctuate somewhat with the current price of diesel fuel.

CalSTA TIRCP: The TIRCP was created to provide grants for capital improvements that modernize California's intercity, commuter, and urban rail systems. The goal of these improvements is the reduction of GHG emissions and vehicle miles travelled. In April 2016, the LOSSAN Agency submitted a \$150 million TIRCP grant application titled: "All Aboard: Transforming Southern California Rail Travel" in partnership with SANDAG, NCTD and OCTA. In total, CalSTA awarded \$82 million in TIRCP grant funds to the LOSSAN Agency, representing the single largest award to any agency. The grant award included funding to advance work on a number of high-priority capital improvements on the LOSSAN rail corridor.

On January 12, 2018, the LOSSAN Agency coordinated the submittal of three separate applications requesting over \$700 million in capital and operational improvement project funding as part of the 2018 call for projects. These applications were divided between the north and south portion of the LOSSAN rail corridor, with the third application focusing on special event service to the Coachella Valley Music and Arts Festival. The LOSSAN Agency was awarded \$188.3 million in TIRCP funds, including \$147.9 million for projects in Ventura, Santa Barbara, and San Luis Obispo Counties, and \$40.4 million for projects in San Diego County.

CalOES – California Transit Security Grant Program (CTSGP): The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B (Prop 1B) in November 2006, authorized the issuance of \$19.9 billion in general obligation bonds for specified purposes, including grants for transit system safety, security, and disaster response projects. An element of Prop 1B is the CTSGP – Intercity Passenger Rail/Commuter Rail Systems administered by CalOES.

The CTSGP provides funding for capital projects that enhance protection against safety and security threats on select intercity passenger and commuter rail systems in California. Projects eligible for CTSGP funding are those designed to enhance the safety and security of stations, tunnels, or other facilities and equipment; the installation of explosive, chemical, biological, and

radiological device mitigation/remediation equipment, and the installation of physical security enhancements.

Caltrans DRMT has been a recipient of CTSGP funds in prior years and has implemented projects along the LOSSAN rail corridor. Past projects have included the installation of video security equipment at various stations, improvement and replacement of platform lighting, and the installation of new crossing barriers and swing gates.

The LOSSAN Agency is an eligible recipient of these grant funds, and has so far been allocated nearly \$7.2 million in CTSGP funds, for FY 2013-14 through FY 2016-17. These grants funds were allocated to projects for a corridor-wide video surveillance system replacement/upgrades, the construction of a centralized monitoring center for these video feeds, and physical security improvements including the construction of a new law enforcement office at the San Diego Santa Fe Depot.

State Minor Capital Project Funding: In addition to the major capital improvements funded by various sources as discussed above, the state annually sets aside an allocation of approximately \$500,000 to cover minor projects related to the Pacific Surfliner service. Projects funded under this program include station improvements, signage, and minor safety and security enhancements.

The LOSSAN Agency has worked with member agencies and station owners to prepare a prioritized list of candidate projects for this state-funded program. As part of that effort, the LOSSAN Agency has worked to maximize the funding available for customer service-focused improvements that enhance the passenger experience by utilizing other sources of funds to fill the immediate safety and security needs.

On January 30, 2019, the LOSSAN Board approved a comprehensive CIP that will utilize the available project funding for the next two years. The approved CIP focuses on projects that address immediate safety and/or security needs, and includes some projects that improve the passenger experience. The LOSSAN Board also directed staff to continue to work with the TAC to identify projects that will utilize future available project funding.

Other Capital Funding: In addition to the funding sources discussed above, the LOSSAN Agency and its member agencies have and will continue to utilize a variety of other federal, state and local funding sources to advance capital improvements and other programs along the LOSSAN rail corridor, including the American Recovery and Reinvestment Act of 2009, the Transportation Investment Generating Economic Recovery program, Passenger Rail Investment and Improvement Act of 2008 grants, Consolidated Rail Infrastructure and Safety Improvement grants and local transportation sales-tax measures.

The 2018 California State Rail Plan (2018 Plan), which is adopted every five years, lays out a transformative long-term vision of the state-wide railroad network. The 2018 Plan envisions capital investments along a strategic trajectory toward a layered, multi-tiered freight and passenger rail operating environment that better serves travel markets and delivers better cost efficiency metrics than the bifurcated services do today. The current planning efforts that the

LOSSAN Agency is engaged in with the passenger and freight rail operators in Southern California, are already being coordinated within the larger context of the 2018 Plan. Future LOSSAN Agency Business Plans will have an obligation to be developed in accordance to the 2018 Plan objectives.

Current and Programmed Capital Projects

The LOSSAN Agency updates the CIP each year consistent with the development of the annual business plan. The needs identified in the CIP often exceed the available funding, and projects are prioritized with safety-related projects given the highest priority. The CIP can be adjusted mid-cycle to account for project savings or projects that may need to be advanced, delayed, added, or deleted. As these needs arise, the LOSSAN Agency will work with the LOSSAN TAC to prioritize additional projects for inclusion in the approved CIP. This list is supplemented by additional capital projects along the rail corridor that have been programmed by member agencies. A summary of the LOSSAN Agency programmed projects are listed in Table 5.1, including programmed funding sources and estimated costs. A list of programmed member or partner agency-led capital projects along the LOSSAN corridor that are in progress or will begin construction prior to FY 2020-21 is provided in Table 5.2.

Table 5.1: Programmed LOSSAN Agency Capital Projects

Operator / Subdivision	Station or Mileposts	Project Description	Estimated Cost	Funding Source
UPRR / Santa Barbara	San Luis Obispo	Central Coast Layover Facility Expansion	\$12,500,000	STIP
UPRR / Santa Barbara	San Luis Obispo	Painting exterior of building and repair wood damage on shelter base	\$312,455	SRA / Minor Capital
UPRR / Santa Barbara	San Luis Obispo	Painting ticket counter and office area	\$7,643	SRA / Minor Capital
UPRR / Santa Barbara	San Luis Obispo	Concrete arm rest for existing bench (6)	\$8,174	SRA / Minor Capital
UPRR / Santa Barbara	San Luis Obispo	3 new benches for platform	\$7,562	SRA / Minor Capital
UPRR / Santa Barbara	San Luis Obispo	New flooring for ticket office	\$3,822	SRA / Minor Capital
UPRR / Santa Barbara	Grover Beach	New platform tactile and striping and repaint handrail	\$289,930	SRA / Minor Capital
UPRR / Santa Barbara	Grover Beach	New platform and parking lot LED upgrade (46)	\$119,400	SRA / Minor Capital
UPRR / Santa Barbara	Guadalupe	New platform tactile and striping	\$188,075	SRA / Minor Capital
UPRR / Santa Barbara	Guadalupe	Paint interior and exterior of shelter canopy	\$16,792	SRA / Minor Capital
UPRR / Santa Barbara	Guadalupe	Provide and install arm rest for existing benches (Concrete swale 8)	\$9,244	SRA / Minor Capital
UPRR / Santa Barbara	Surf	New platform, parking lot and canopy fixture upgrade 32 fixtures total	\$113,146	SRA / Minor Capital
UPRR / Santa Barbara	Surf	Paint, restriped platform tactile, repair expansion joint, clean and polish handrails on platform	\$33,817	SRA / Minor Capital
UPRR / Santa Barbara	MP 355.7 – MP 251.5	Install Centralized Traffic Control	\$30,000,000	TIRCP
UPRR / Santa Barbara	MP 355.7 – MP 251.5	Upgrade of non-powered switches and sidings	\$26,800,000	TIRCP
UPRR / Santa Barbara	Goleta	Goleta layover facility expansion	\$10,222,000	TIRCP / SRA / Other
UPRR / Santa Barbara	Goleta	New platform tactile	\$132,093	SRA / Minor Capital
UPRR / Santa Barbara	Goleta	Crew room rehab (paint, flooring, bathroom, ceiling tile)	\$76,435	SRA / Minor Capital
UPRR / Santa Barbara	Goleta	Restripe platform	\$21,413	SRA / Minor Capital
UPRR / Santa Barbara	Goleta	10 swale for concrete benches	\$8,327	SRA / Minor Capital
UPRR / Santa Barbara	Goleta	Canopy repair and canopy lighting upgrade (6)	\$5,269	SRA / Minor Capital
UPRR / Santa Barbara	Goleta	Design of expanded layover facility	\$260,000	SRA / Minor Capital
UPRR / Santa Barbara	Santa Barbara	Microphone in baggage room	\$2,293	SRA / Minor Capital
UPRR / Santa Barbara	Carpinteria	Carpinteria station double track and second platform	\$31,938,000	TIRCP / SRA

Table 5.1: Programmed LOSSAN Agency Capital Projects (continued)

Operator / Subdivision	Station or Mileposts	Project Description	Estimated Cost	Funding Source
UPRR / Santa Barbara	Carpinteria	New tactile and striping	\$100,928	SRA / Minor Capital
UPRR / Santa Barbara	Carpinteria	Paint and restriped platform	\$18,298	SRA / Minor Capital
UPRR / Santa Barbara	Carpinteria	6 benches	\$13,066	SRA / Minor Capital
UPRR / Santa Barbara	MP 385.6 – MP 368.58	Construction of passing siding	\$26,000,000	TIRCP / SRA
UPRR / Santa Barbara	Oxnard	New tactile and striping	\$157,525	SRA / Minor Capital
UPRR / Santa Barbara	Oxnard	Platform striping	\$31,141	SRA / Minor Capital
UPRR / Santa Barbara	Oxnard	5 new benches with arm rest	\$11,384	SRA / Minor Capital
UPRR / Santa Barbara	Oxnard	Flooring for ticket area and office	\$3,822	SRA / Minor Capital
UPRR / Santa Barbara	Oxnard	New ceiling panel	\$3,057	SRA / Minor Capital
UPRR / Santa Barbara	Oxnard	New exhaust for bathroom	\$1,529	SRA / Minor Capital
UPRR / Santa Barbara	MP 421.44 – MP 405.49	Passing siding extension / construction	\$24,527,346	TIRCP / Prop 1B / SRA
UPRR / Santa Barbara	Camarillo	Camarillo Station Pedestrian Grade Separated Crossing	\$7,800,000	TIRCP / Prop 1B / TDA
UPRR / Santa Barbara	Simi Valley	Tactile and striping	\$126,928	SRA / Minor Capital
SCRRA / Ventura	Chatsworth	Tactile and striping for both platform	\$154,166	SRA / Minor Capital
SCRRA / Ventura	Chatsworth	Furnish and install 4 benches for platform	\$9,855	SRA / Minor Capital
SCRRA / Ventura	Van Nuys	Flooring behind ticket counter and Agent's office	\$5,350	SRA / Minor Capital
SCRRA / Ventura	Van Nuys	Hand dryer in three bathrooms	\$5,350	SRA / Minor Capital
SCRRA / Ventura	Van Nuys	New fiberglass reinforced plastic panel in the server room	\$1,529	SRA / Minor Capital
SCRRA / Ventura	Van Nuys	New shelving outside inside the cage	\$1,529	SRA / Minor Capital
SCRRA / Valley	Burbank	Update signage	\$33,782	SRA / Minor Capital
SCRRA / Valley	Burbank	Platform striping and verbiage	\$32,925	SRA / Minor Capital
BNSF / San Bernardino	Fullerton	New ticket counter	\$328,669	SRA / Minor Capital
BNSF / San Bernardino	Fullerton	Paint inside ticket office, agent's office and baggage area	\$8,408	SRA / Minor Capital
BNSF / San Bernardino	Fullerton	New ceiling tiles inside ticket area and baggage area	\$7,643	SRA / Minor Capital

Table 5.1: Programmed LOSSAN Agency Capital Projects (continued)

Operator / Subdivision	Station or Mileposts	Project Description	Estimated Cost	Funding Source
BNSF / San Bernardino	Fullerton	New Flooring inside ticket office and Agent's office	\$6,879	SRA / Minor Capital
BNSF / San Bernardino	Fullerton	Hand dryer in bathroom	\$2,293	SRA / Minor Capital
SCRRA / Orange	Anaheim	Cross hatched in red by rollup fire door and stencil "Keep Clear" and repair both baggage rollup door for code compliance	\$4,586	SRA / Minor Capital
SCRRA / Orange	San Juan Capistrano	Repaint inside waiting area and ticket office	\$12,994	SRA / Minor Capital
SCRRA / Orange	San Juan Capistrano	Purchase and install 5 benches similar to Maricopa	\$9,855	SRA / Minor Capital
SCRRA / Orange	San Juan Capistrano	New Flooring inside ticket office	\$3,822	SRA / Minor Capital
SCRRA / Orange	San Juan Capistrano	Relocate one camera in front of the entrance	\$1,529	SRA / Minor Capital
NCTD / San Diego	Solana Beach	Platform tactile replacement	\$289,172	SRA / Minor Capital
NCTD / San Diego	Old Town	Tactile and Striping	\$110,830	SRA / Minor Capital
NCTD / San Diego	Old Town	Platform shelter and platform LED lighting upgrade 28	\$97,859	SRA / Minor Capital
NCTD / San Diego	San Diego	480 V panel installation-2 (800A) for platform 2 & 3, 1 (800A) for platform 1, 1(200A) for private car	\$812,986	SRA / Minor Capital
NCTD / San Diego	San Diego	Platform tactile replacement (6000 LF)	\$693,123	SRA / Minor Capital
NCTD / San Diego	San Diego	Upgrade existing camera system to Genetec	\$560,520	SRA / Minor Capital
NCTD / San Diego	San Diego	Bathroom upgrades: Mens (4 stall including 1 ADA, 2 urinal, 4 sink, 2 hand dryer, lighting) and Womens (5 stall including 1 ADA, 4 sink, 2 hand dryer, lighting)	\$229,304	SRA / Minor Capital

TOTAL PROGRAMMED LOSSAN AGENCY CAPITAL IMPROVEMENTS \$175,295,872

Table 5.2: Programmed LOSSAN Partner and Member Agency Capital Projects

Lead Agency	Project Location	Project Title	Project Description	Estimated Cost
City of Grover Beach	Grover Beach Amtrak Station	Grover Beach Train Station Expansion Project	Expands the existing train station parking lot to the south on approximately 1 acre of land. The project provides a new bus stop and shelter adjacent to the existing rail platform. Will provide an additional 40-45 parking spaces for transit parking, van and carpooling and will include the installation of bike lockers.	\$3,000,000
Oxnard	Coast Main Line at Rice Avenue	Rice Avenue Grade Separation	Construct grade separation structure to elevate Rice Avenue over SR-34 and the UPRR track. Includes the construction of two connector roads, one in the southeast quadrant and another in the southwest quadrant of the Rice Avenue grade separation.	\$79,192,000
LA Metro	LA Union Station	Link Union Station	Extending Los Angeles Union Station tracks across US 101	\$950,000,000
LA Metro	Chatsworth Station	Chatsworth Station Improvements	This project will make enhancements at the Chatsworth Station to make it ADA compliant. This includes the platforms, accessible parking spaces, passenger loading areas, ramps, signage, etc.	\$4,000,000
City of Fullerton	Fullerton Station	Fullerton Elevator Project	Additional elevators will be added to both ends of the existing pedestrian overpass.	\$4,600,000
OCTA	Laguna Niguel/ Mission	Video Surveillance System installation	Installation of a video camera system at the station.	\$450,000
OCTA	San Juan Capistrano; MP193.9 to MP195.7	Laguna Niguel to San Juan Capistrano Passing Siding Project	Addition of approximately 1.8 miles of new passing siding railroad track on the LOSSAN rail corridor.	\$34,060,000
SCRRA	San Juan Capistrano; MP197.4 to MP198.4	San Juan Creek Bridge Replacement Project	Replacement of 304-foot long single track rail bridge adjacent to the existing and track realignment.	\$38,333,000
OCTA/SCRRA	Various Locations; MP185.2 to MP199.2	Slope Stabilization Project	Stabilization of slopes from Irvine to San Juan Capistrano at various locations including drainage improvements.	\$4,000,000
SANDAG	Poinsettia Station	Poinsettia Station Improvements	Construct a new grade-separated pedestrian crossing, install new platform, fence, reconfigure tracks, and install two crossovers, signals, and track improvements.	\$28,700,000

Table 5.2: Programmed LOSSAN Partner and Member Agency Capital Projects (continued)

Lead Agency	Project Location	Project Title	Project Description	Estimated Cost
SANDAG	CP Cardiff (MP 239.6) to CP Craven (MP 241.1)	San Elijo Lagoon Double Track	The project includes 1.5 miles of new double-track from CP Cardiff (MP 239.6) to CP Craven (MP 241.1). The project also includes replacement of BR 240.4 and installation of new signals.	\$75,600,000
SANDAG	Chesterfield Drive Crossing	Chesterfield Drive Crossing Improvements	The project includes final design and construction of at-grade crossing improvements including all bike and pedestrian facilities, double track rail, signals, and safety improvements at Chesterfield Drive.	\$6,200,000
SANDAG	MP 260.4, 259.6, 259.1, 258.6 and 257.2	Elvira to Morena Double Track	and install new signals. Construct new/replacement bridges at MP 260.4, 259.6, 259.1, 258.6 and 257.2. Construct new water/sewer facilities for City of San Diego between Friars Road and SR 52.	\$192,500,000
SANDAG	CP Tecolote (MP 263.2) to CP Friar (MP 264.1)	San Diego River Bridge	This project will add 0.9 miles of second main track and realignment from CP Tecolote (MP 263.2) to CP Friar (MP 264.1) and replace the San Diego River Bridge with a double track bridge.	\$93,900,000

TOTAL PROGRAMMED MEMBER/PARTNER AGENCY PROJECTS \$1,514,535,000

Chapter 6: Fare Policy

Pacific Surfliner trains currently offer travel in unreserved coach class and reserved business class. If traveling in unreserved coach, passengers do not need to make an advanced reservation for a specific train, except during Thanksgiving week and select special events, when all seats on Pacific Surfliner trains are reserved. Pacific Surfliner fares are largely static year-round and do not vary by day of the week, with nominal increases on select holiday and traditionally busy travel periods. Business class requires an advanced train-specific reservation and a 50 percent upcharge, with a minimum \$10 upgrade fee. In addition to a guaranteed seat, business class also provides a beverage, snack, newspaper, and service from a dedicated train attendant on most trains.

Ticket types available on the Pacific Surfliner include: one-way, roundtrip, 10-trip tickets, and monthly passes for unreserved coach. Roundtrip tickets are priced at twice the one-way fare. The 10-trip ticket is valid for ten one-way trips between a specific station pair within a 60-day period from date of first use, and can be used by more than one passenger. Ten-trip tickets are discounted below one-way and roundtrip tickets, with all station pairs priced at a consistent 40 percent off the equivalent single ride fares. Monthly tickets are valid for unlimited travel for an entire calendar month for the passenger named on the ticket.

The LOSSAN Agency implemented a fare restructuring in March 2018. This is the only fare change to take place since signing the ITA in June 2015, as can be seen in Table 6.1.

Table 6.1: Historic Pacific Surfliner Fare Adjustments

Date	Increase
June 2003	3 percent
June 2004	3 percent
June 2005	5 percent
December 2005	5 percent
June 2006	5 percent
October 2006	5 percent
February 2009	N/A -- fare restructuring
February 2010	2 percent
June 2010	3 percent
June 2011	2 percent
September 2011	Seasonal fare change eliminated
August 2012	2 percent
June 2013	2 percent
March 2018	N/A – fare structuring

Everyday Discount Programs

In addition to discounted multi-ride tickets, Amtrak previously offered everyday discounts on Pacific Surfliner tickets to senior citizens age 62 and older (15 percent), disabled riders (15 percent), United States military veterans (15 percent), children age 12 and under (50 percent), and members of the National Association of Railroad Passengers and Automobile Association of America (AAA) (10 percent), and a national student discount program that provided a 15 percent discount for students aged 13 to 25 years old.

On January 9, 2018, Amtrak made significant changes to their national tariff policy. The most impactful of these are reductions to some everyday discount programs and the complete elimination of others. The LOSSAN Agency rejected a number of these changes and the LOSSAN Agency Board adopted a revised fare and tariff policy that maintained the current everyday discounts for the Pacific Surfliner service except for AAA.

Other Discount Programs

The LOSSAN Agency and Amtrak occasionally partner with local destinations and/or convention and visitors bureaus to offer special discounts for travel to a specific location. For example, the Santa Barbara and San Luis Obispo Car Free programs offer a 20 percent discount off Pacific Surfliner tickets for travel to stations in those counties. Amtrak also offers a California rail pass, which offers travel on any seven days in a 21-day period on all three state-supported intercity routes in California, as well as the Coast Starlight and most Amtrak Thruway buses. When requested by the LOSSAN Agency, Amtrak can also offer special discounts to one-time events using a special promotional code. Groups of 15 or more on the Pacific Surfliner can receive a 20 percent discount on regular fares on select trains based on projected seat inventory and season of travel. The Kids 'n' Trains program provides reduced group fares for school and youth groups traveling on the Pacific Surfliner on select mid-week trains. In addition, SBCAG is currently subsidizing a limited-term discount on 10-trip and monthly passes between stations in Ventura County and Santa Barbara/Goleta to help encourage ridership on the new peak-period service between Ventura and Santa Barbara Counties.

Rail 2 Rail Programs

There are currently two distinct Rail 2 Rail programs in place that allow Metrolink and COASTER pass holders to ride Pacific Surfliner trains at no additional cost using their valid commuter rail tickets and/or monthly passes.

Metrolink: The Rail 2 Rail program allows Metrolink monthly pass holders who travel on Metrolink's Orange and Ventura County lines to travel on Pacific Surfliner trains within the limits of the station pairs of their pass at no additional charge, including on Saturday and Sunday. The Rail 2 Rail program does not apply to Metrolink one-way, roundtrip, and seven-day passes except on Pacific Surfliner trains between Los Angeles and Burbank Airport. Pacific Surfliner monthly pass holders may also ride any Metrolink train within the station pairs on their Amtrak monthly pass. Amtrak conductors scan the Metrolink passes and Metrolink is billed for each Rail 2 Rail boarding at a reimbursement rate of \$7.00 per boarding.

COASTER: NCTD currently has a modified Rail 2 Rail program agreement whereby COASTER passengers may travel on any Pacific Surfliner trains using a valid COASTER RegionPlus, monthly, or day pass. NCTD reimburses Amtrak \$4.42 per Rail 2 Rail rider, which is the approximate average fare collected per passenger boarding on the COASTER service. Pacific Surfliner monthly pass holders and one-way and roundtrip ticket holders may also ride any COASTER train within the station pairs on their Amtrak ticket at no additional charge.

Additional Fare Enhancement Opportunities

In FY 2019-20, the LOSSAN Agency will continue to work with Amtrak to explore opportunities to increase fare revenue while maintaining and expanding ridership, including:

- Implement a new small group discount program during times of lower travel demand. Previous attempts to implement this program have not been successful due to limitations within the Amtrak ticketing system. LOSSAN Agency staff continues to work with Amtrak on a solution and hopes to have a pilot project in place by fall 2019.
- Increasing public awareness of the Pacific Surfliner Transit Transfer Program, which allows Pacific Surfliner passengers to make seamless connections to local transit services.
- Increasing public awareness of existing everyday discount programs, especially student and group discounts, including the Kids 'n' Trains program.
- Continue the expansion of partnerships with the San Diego Padres, Del Mar Racetrack, Anaheim Ducks, and other event organizers to promote taking the Pacific Surfliner to sporting events, concerts, and other special events served by the Pacific Surfliner.
- Enhance customer loyalty and referral programs, including the Amtrak Guest Rewards program, to retain existing customers and attract new riders.

Chapter 7: Network Integration, Coordination and High-Speed Rail

An integrated passenger rail network is a key initiative included in the 2018 Plan, with the goal to plan and implement a statewide passenger rail system that maximizes the performance potential of intercity passenger rail as a time- and cost-competitive travel option for meeting the state's transportation needs. Several opportunities exist for better integrating the Pacific Surfliner service with the existing, planned and proposed transit and rail network along the 351-mile LOSSAN rail corridor.

Statewide and Regional Coordination

The LOSSAN Agency works in close coordination with CalSTA, Caltrans DRMT, transit and rail operators along the LOSSAN rail corridor, and other stakeholders on efforts to improve rail and transit connections. This includes working to create an integrated passenger rail and transit network with coordinated schedules, which will provide additional travel options throughout the state, allowing passengers to seamlessly transfer from service to service to reach their desired destinations.

Specifically, the LOSSAN Agency has worked with rail operators and stakeholders in the Los Angeles to San Diego segment of the LOSSAN rail corridor to establish a leadership working group to guide coordinated planning and service integration efforts. The group includes executive level participation from the LOSSAN Agency, NCTD, Metrolink, BNSF, CHSRA, Caltrans DRMT, and CalSTA. Together the members are working collaboratively to improve rail service through service optimization and modeling efforts, joint funding pursuits, and coordinated ticketing and dispatch policies.

Transit Connections

The LOSSAN Agency has built strong working relationships with the regional transit operators along the rail corridor. In 2016, the LOSSAN Agency implemented the Pacific Surfliner Transit Transfer Program, providing seamless transfers to 11 local public transit services along the LOSSAN rail corridor and creating more convenient first- and last-mile connections.

The Amtrak-operated Thruway bus service also provides key connections and is coordinated with the San Joaquins and Capitol Corridor intercity rail services, providing connectivity to the statewide rail system. The LOSSAN Agency has worked with SJJPA, CCJPA and Amtrak to implement updated branding on all Amtrak Thruway buses that reflect the service's key role in connecting California's three intercity rail corridors. The LOSSAN Agency will continue to work with Amtrak to review operations of the Thruway bus service and look for opportunities to improve connectivity and efficiency. Pacific Surfliner trains also provide timed connections in Los Angeles to three Amtrak long-distance trains serving destinations including Chicago, New Orleans, Portland, and Seattle.

Integrated Fare Structure

There are several short- and long-term efforts being evaluated or undertaken by the State and local agencies to introduce a more integrated and seamless ticketing system for passenger rail and connecting transit services. In late 2017, the LOSSAN Agency participated in a workshop

hosted by CalSTA to discuss statewide fare integration and coordination of passenger rail and mass transit services. This was the first step in an effort to provide integrated, end-to-end public transportation services that are accessible, convenient, and provide a viable alternative to single occupancy vehicle travel. The LOSSAN Agency also participated in a statewide integrated travel conference held in spring of 2018 that allowed statewide transportation agencies to learn more about integrated travel concepts and help shape progress towards a pilot program within two years. Following this conference, the CCJPA was awarded TIRCP funding to develop a pilot for a Statewide Integrated Travel Program, focused on developing a statewide trip planning and fare integration strategy among multiple agencies using modern software platforms to enhance connectivity, efficiency, and ridership across California, including on the Pacific Surfliner.

In parallel with this statewide effort, the LOSSAN Agency has also been working with Metrolink, Metro, Amtrak and NCTD on shorter-term solutions to provide easier integration for passengers between services. As part of a corridorwide optimization study that will be led by the LOSSAN Agency, various cost sharing methodologies will be evaluated to identify solutions for sharing between agencies the revenue and costs associated with a more integrated ticketing strategy.

Sub-Regional Transit and Rail Integration Studies

Beyond the corridorwide and statewide efforts and strategies noted above, several LOSSAN member agencies have begun work to study more localized passenger rail service along the LOSSAN rail corridor. These local concepts are summarized below.

- *SBCAG Regional Transit and Rail Planning and Integration Study*

As part of the 2018 TIRCP grant awards, SBCAG received funding to perform a sub-regional transit and rail planning and integration study. This study is intended to take a focused look at identifying the regional mobility needs along the LOSSAN rail corridor between Ventura and San Luis Obispo, and identify potential new, modified, or expanded service options, including the best methods for integrating these services into the existing transit and rail network. The LOSSAN Agency will coordinate with its member agencies in Ventura, Santa Barbara, and San Luis Obispo counties on this study.

- *Feasibility Analysis for using Diesel Multiple Units*

In November 2018, SLOCOG submitted a request for funding as part of the Caltrans Strategic Partnerships & Transit Planning Grant program call for projects. The intent of this study is to evaluate the feasibility of operating Diesel Multiple Units along the LOSSAN rail corridor between Guadalupe (in Santa Barbara County) and San Luis Obispo to provide a transportation option for business commuters and local leisure travelers within the Central Coast region that cannot be served by the existing Pacific Surfliner service. The LOSSAN Agency is supportive of this effort to provide more localized passenger rail service within the LOSSAN rail corridor and will be working with SLOCOG and the other corridor stakeholders to identify opportunities for implementing more locally focused rail service that can expand the reach and enhance the connectivity of the Pacific Surfliner service.

Link Union Station

The LOSSAN Agency is participating in planning and design meetings related to the Link Union Station (Link US) project. The project, being managed by Metro, will transform LAUS from a “stub-end” station, to a “run-through” station by extending tracks south over the US 101 freeway, resulting in reduced travel times, particularly for Pacific Surfliner passengers traveling through Los Angeles. Link US will also reconfigure station entry tracks and station boarding platforms to improve efficiency, and create a new passenger concourse with improved retail, food and passenger waiting areas. Metro is also working with CHSRA to explore options to incorporate future HSR service at LAUS. An updated Environmental Impact Report for the Link US Project was released on January 17, 2019 for public comment.

SCORE Program

The SCORE program is a multi-year, \$10 billion program managed by Metrolink to upgrade the regional rail system in Ventura, Los Angeles, Orange, San Bernardino, and Riverside Counties to meet the current and future needs of the traveling public. The SCORE program is more than just adding tracks, grade separations and upgrading signal systems across the Metrolink system. The vision is to provide the infrastructure necessary to operate more trains with greater frequency and reliability, making regional rail travel easier and more convenient.



The LOSSAN Agency is an important partner in this program, working with Metrolink, BNSF, Caltrans DRMT, CHSRA, and CalSTA in the development of a phased implementation strategy for the program that begins the integration of the regional passenger rail services and allows for the eventual introduction of high-speed rail as part of the regional rail network.

HSR Connection

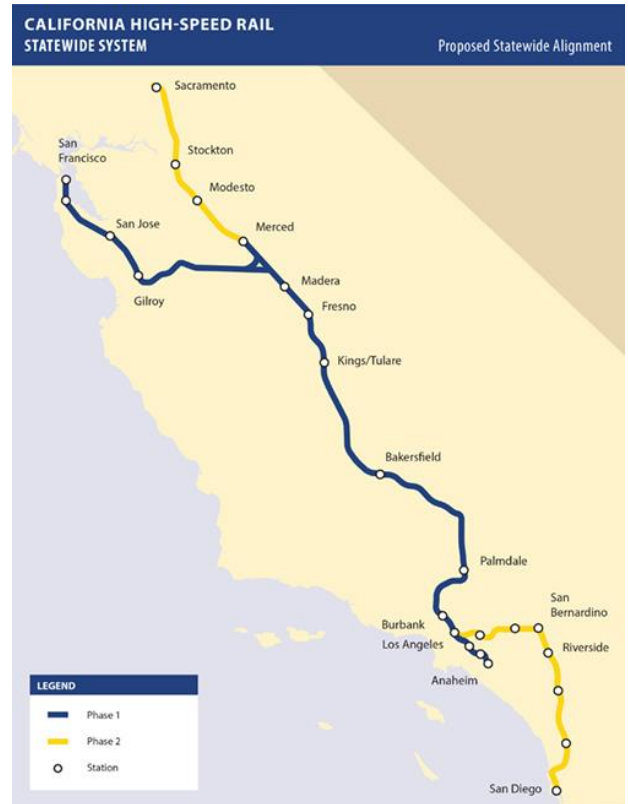
The HSR system was planned to be an integral component of the statewide passenger rail system, and key to the statewide network integration effort. The passenger rail services along the LOSSAN rail corridor serve as a backbone for transportation throughout the central and Southern California coastal regions. As such, the LOSSAN rail corridor will provide critical connections to support and compliment the HSR system in whatever form it eventually takes. Integration between the LOSSAN rail corridor and HSR system will provide mutual benefits to each service.

As of February 2019, the Governor for the State of California established as a priority the operation of HSR in the Central Valley of California, which is the only region in which construction has commenced. He also reaffirmed the commitment to complete the HSR environmental work statewide, to maintain the early investments planned in the Bay Area and Los Angeles and to pursue additional federal and private funding for future project expansion.

The CHSRA adopted its most recent Business Plan in June 2018. As with the previous Business Plan, CHSRA continues to recognize the interregional importance of the Burbank to Anaheim segment of the HSR system and the need to make strategic investments that will help link rail systems together over time. In FY 2019-20, the CHSRA and the LOSSAN Agency will continue efforts to coordinate efforts in the LOSSAN rail corridor.

Phase 2 of the CHSRA project was originally planned to extend HSR from Los Angeles to San Diego via an inland route. This would change the role of the Pacific Surfliner into more of a feeder route to HSR, particularly for coastal communities in Orange and San Diego counties.

Figure 7.1: California High-Speed Rail Statewide System



Source: CHSRA, 2019

Chapter 8: Passenger Amenities

In order to make the Pacific Surfliner an attractive travel alternative, the LOSSAN Agency has worked with Amtrak to implement initiatives designed to enhance amenities and improve the overall passenger experience. This chapter focuses specifically on enhancements to passenger services and amenities that have been prioritized by the LOSSAN Agency for the Pacific Surfliner service in FY 2019-20 and FY 2020-21.

On-Board Amenities

Bicycle Storage: Each Pacific Surfliner train has storage space for seven bicycles in the cab car. A bicycle reservation system allows passengers to reserve a spot for their bicycle free of charge when they book their train ticket. The Pacific Surfliner continues to receive the most bicycle reservations of any Amtrak route in the nation, carrying more than half of the bicycles in the entire Amtrak system. The LOSSAN Agency will work with Amtrak on identifying opportunities to expand bicycle storage as needed, as well as options to allow Amtrak multi-ride ticket holders to make bicycle reservations electronically, which is not currently available.

Business Class: Business class is a popular amenity on the Pacific Surfliner. With a business class ticket, passengers receive a guaranteed seat; self-serve coffee, tea, and pastries in the morning, and at-seat snack and beverage service in the afternoon, as well as a dedicated attendant on most trains. Passengers also receive access to the Amtrak Metropolitan Lounge in Los Angeles, priority boarding at the Santa Fe Depot in San Diego, and bonus Amtrak Guest Rewards points. The LOSSAN Agency worked with Amtrak in late 2016 to expand business class capacity in direct response to passenger demand. This was achieved by utilizing the Superliner long-distance car as a second business class car when needed based on passenger demand. To maintain the quality of the business class experience, the LOSSAN Agency will continue to work with Amtrak to enhance the amenities offered in business class in a cost-effective manner, potentially including upgraded seat coverings and expanded at-seat food and beverage options.

Food and Beverage: In FY 2018-19, the LOSSAN Agency continued to work with Amtrak to evaluate existing food and beverage offerings based on sales and revenue data, and implemented regular menu “refreshes” to introduce new locally sourced fresh food items and local craft beers. The LOSSAN Agency continues to produce and distribute updated menus including attractive photography and product descriptions that highlight the organic, locally-sourced food items available on board. The menu changes have led to a net increase in food and beverage revenue and overall customer satisfaction. Working with Amtrak to introduce additional new locally sourced products will continue to be a priority for the LOSSAN Agency throughout FY 2019-20.

On-Board Information System: LOSSAN Agency staff have been working with Caltrans DRMT on a new On-Board Information System (OBIS). The state-funded OBIS upgrade project would provide automated audio and visual messages onboard Pacific Surfliner trains, including information on next stop, delays, food service, connecting transit, and safety/security-related messages. Staff will continue working closely with Caltrans DRMT and Amtrak, as well as both

the CCJPA and SJJPA on next steps to ensure the upgrade is implemented in a cost-effective manner.

Wi-Fi: All Pacific Surfliner trains currently offer Wi-Fi service, which has proven to be a popular passenger amenity. The LOSSAN Agency is working with Amtrak and Caltrans DRMT to build on the success of the existing Wi-Fi service by improving the speed and reliability of the service. Due to limited bandwidth, the existing Wi-Fi service is often unreliable and speeds are slower than desired. A number of options are being explored for further improving the quality and reliability of on-board Wi-Fi service.

Service Amenities

Customer Communication: The LOSSAN Agency continues to have an active presence on social media, and has seen a consistent growth in followers on all Pacific Surfliner social media channels. Through these channels, LOSSAN Agency staff is able to engage with current and prospective passengers, helping to promote future travel on the Pacific Surfliner. In the coming year, the LOSSAN Agency will further grow its email database using a new email platform, and work with partner agencies to expand digital content to include additional “how-to” articles and destination guides.

Joint Promotions: In FY 2019-20, the LOSSAN Agency will continue coordinated marketing efforts with local convention and visitors bureaus, connecting transit agencies, and key attractions along the Pacific Surfliner route. In FY 2018-19, the LOSSAN Agency worked on a number of successful joint promotions, including with the San Diego Padres, Anaheim Ducks, Los Angeles Angels of Anaheim, Operation Lifesaver, Live Nation, Visit Santa Barbara, and the Disneyland Resort. These efforts will continue in the coming year to provide special offers and incentives to Pacific Surfliner passengers. Additional staff and consultant resources were also secured to assist with field marketing efforts following Amtrak’s decision to curtail field marketing support.

Rail 2 Rail Program: The LOSSAN Agency will continue to work with Amtrak, Metrolink, and NCTD to offer a Rail 2 Rail program benefit to customers that provides an equitable reimbursement rate to the Pacific Surfliner for carrying Metrolink and COASTER pass holders on state-funded intercity trains. In October 2018, the Rail 2 Rail program with NCTD was modified to allow NCTD multi-ride passes to be used on all Pacific Surfliner trains while also eliminating additional COASTER stops that were previously made by some Pacific Surfliner trains.

Seating Availability: The LOSSAN Agency will work with Amtrak on providing information to passengers during the booking process indicating how full a particular train is expected to be based on historical ridership data and current reservations. This would allow passengers to shift to a different unreserved train that was expected to be less crowded to avoid trains at peak capacity. Amtrak introduced a seat reservation system on the Acela route that offers an airline-style seating map, allowing passengers to book a specific seat in advance, including four-seaters for groups of three or more. The LOSSAN Agency has requested that a similar pilot program be implemented on the Pacific Surfliner for business class seating.

Service Disruptions: Improving communication with passengers during a planned or unplanned track closure or service disruption is an important service amenity that the LOSSAN Agency will focus on during FY 2019-20. Service disruption updates are currently posted on the @pacsurfliners Twitter channel, which has resulted in positive customer feedback. The LOSSAN Agency will explore options to send follow-up correspondence to passengers after major delays explaining the cause of the delay and acknowledging the inconvenience they experienced using passenger data retained by Amtrak.

Special Event Service: The LOSSAN Agency will work with Amtrak to expand Pacific Surfliner service to special events that draw large crowds including the Del Mar Race Season, San Diego Comic-Con International, major sporting events and festivals, and during major government holidays, while also ensuring that appropriate resources (rolling stock, staffing, etc.) are made available to accommodate anticipated demand.

Train Status Information: Amtrak currently provides train status information through a number of channels, including announcements at staffed stations, Passenger Information Display System signs on station platforms, and online through the “train status” feature on Amtrak.com and the Amtrak mobile app. The LOSSAN Agency works with Amtrak to provide service alerts on the @pacsurfliners Twitter channel, which supplies more detailed information during service disruptions. The LOSSAN Agency will continue to look for opportunities to further enhance train status updates, including a more user-friendly Web-based train tracker that shows the real-time position of Pacific Surfliner trains on a route map. In addition, the LOSSAN Agency is working with Amtrak to improve the accuracy of the train status data currently offered through the Amtrak app and Amtrak.com.

Transit Transfer Program: The Pacific Surfliner Transit Transfer Program was implemented in 2016 as a result of a successful TIRCP grant. The Transit Transfer Program offers seamless connectivity to more than 11 local public transit services along the LOSSAN rail corridor. The LOSSAN Agency is working with local transit providers to continue marketing efforts for the program. Originally intended as a one-year pilot program, this program was extended for two additional years, through June 2019, using existing TIRCP funds. The LOSSAN Agency intends to continue this program using annual operating funds after expiration of the TIRCP funds. The LOSSAN Agency is also exploring the feasibility of using Amtrak tickets to transfer to the Metro Rail system in Los Angeles in coordination with Metro and Metrolink.

Station Amenities

Station Host Program: The LOSSAN Agency will investigate the feasibility of launching a pilot program to provide station ambassadors at select Pacific Surfliner stations, including best practices from other state-supported Amtrak routes with similar programs. The station host program would assign trained volunteers to provide service-related information at select Pacific Surfliner stations. A pilot program could also be launched at stations shared with Metrolink and/or COASTER to help direct passengers to their trains and correct platforms.

Station Improvements: Using previous studies and input from member agencies and station owners, the LOSSAN Agency prepared a CIP that includes a number of station related improvements that are candidates for minor capital program funds, as well as state and federal safety/security funds, SRA funds and future TIRCP funds. The CIP (as detailed in Chapter 5) prioritizes funding for station and platform improvements, including enhanced wayfinding signage at Pacific Surfliner stations, as well as safety and security upgrades.

Chapter 9: Equipment

The cars primarily used on the Pacific Surfliner were purchased by Amtrak and have been in service since 2000. Additional cars were purchased by the State of California in 2002 to supplement the Amtrak owned fleet by adding seating capacity and additional Pacific Surfliner service. As the ridership continues to grow, additional Amtrak equipment (both single and bi-level cars) has been leased by the State of California to provide the necessary capacity to support the passenger demand on the Pacific Surfliner.

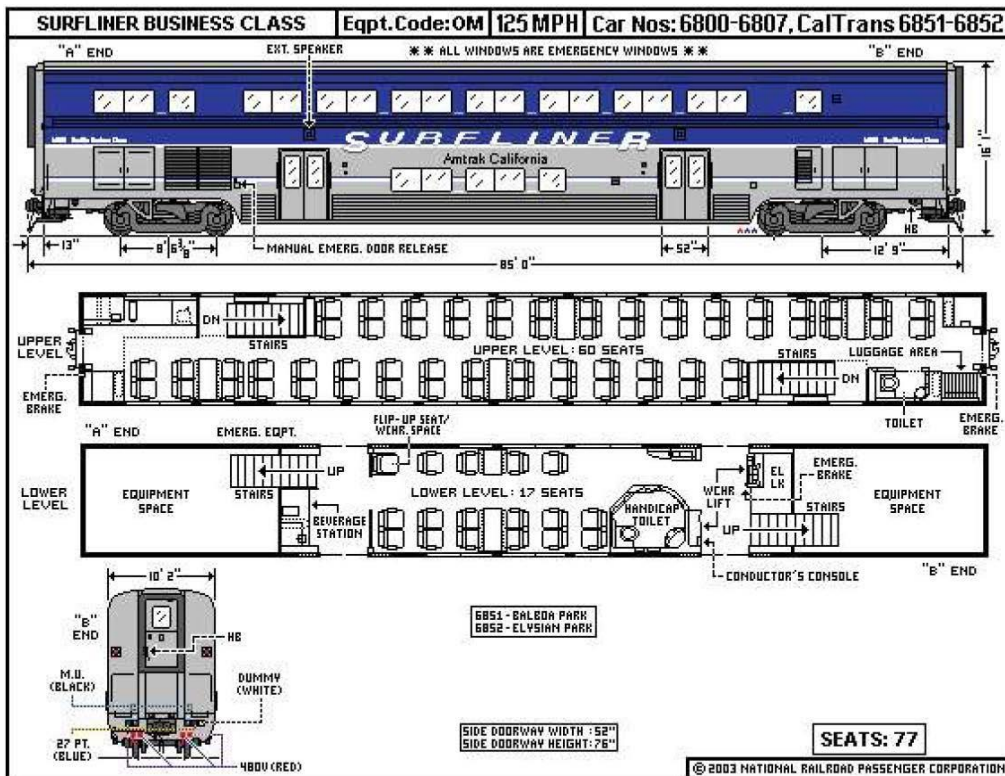
Currently, Amtrak operates 25 daily (24 on weekends) Pacific Surfliner trips using 10 train sets. A typical train set consists of one locomotive and six passenger cars, including one business class car, one Superliner car for additional business class seating, one Café car with coach seating, two coach cars, and one cab/baggage car with additional coach seating. This typical train set provides approximately 480 passenger seats. Additional passenger cars are added to accommodate anticipated increases in demand associated with holidays and special events.

A description and schematic layout of the types of cars currently used to provide Pacific Surfliner service are provided in Table 9.1 and associated Exhibits.

Table 9.1: Pacific Surfliner Fleet Description

Type	Car Description	Seating Capacity
Business Class	Reserved seating on upper and lower levels with dedicated attendant; complimentary at-seat snack and beverage service	72
Café	Regular coach seating on upper level; booth seating and Café area with food and beverage service on lower level	72
Coach	Unreserved seating on upper level with limited seating for seniors/disabled on lower level	90
Superliner Coach	Upper level includes curtain to allow half or full car to be used for business class seating. Some cars have additional seating on the lower level	62-74
Cab/Baggage	Unreserved seating on upper level and cab area for engineer to operate train; limited senior/disabled seating, bike rack accommodating seven bikes, and secured area for storage of checked baggage on lower level	82

Exhibit 9.1: Pacific Surfliner Business Class Car



Note: Business class cars have been reconfigured to add a lower level luggage rack and improved lower-level seating, resulting in a net reduction of five seats, for a total of 72.

Exhibit 9.2: Pacific Surfliner Café Car

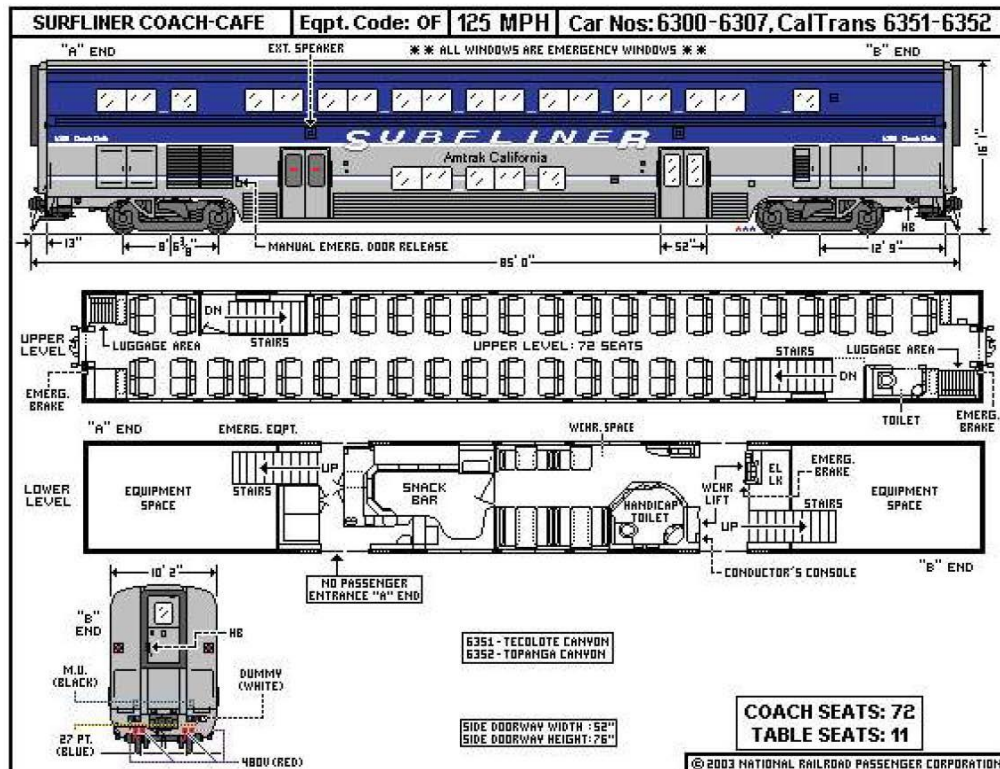


Exhibit 9.3: Pacific Surfliner Coach Car

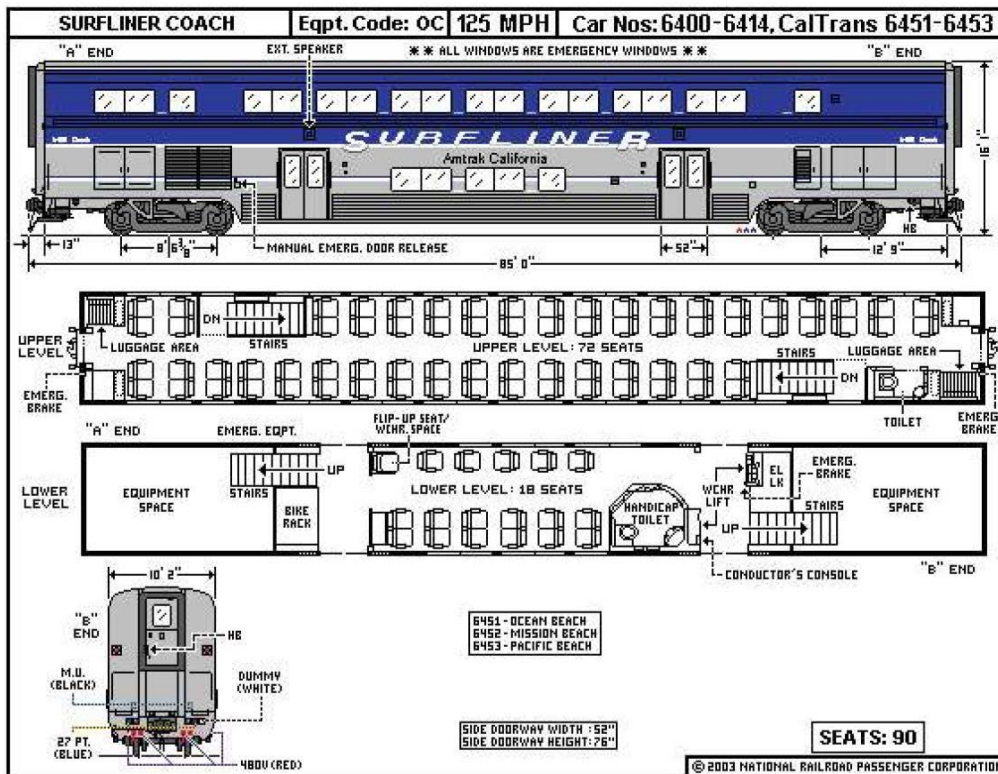


Exhibit 9.4: Pacific Surfliner Cab/Baggage Car

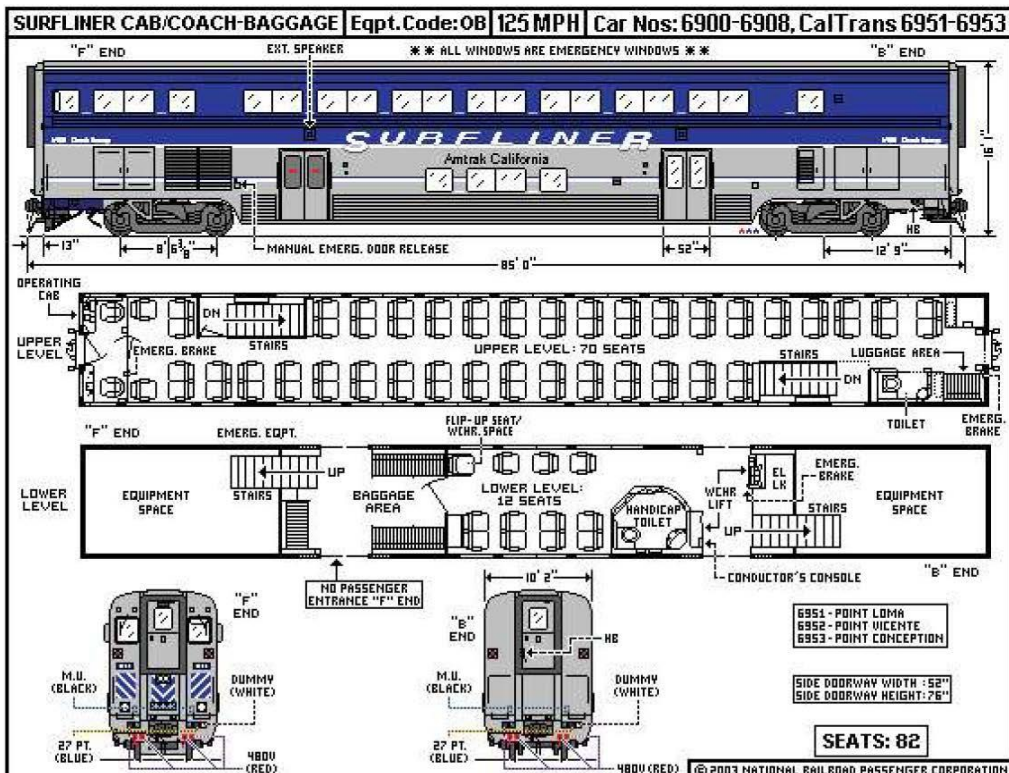
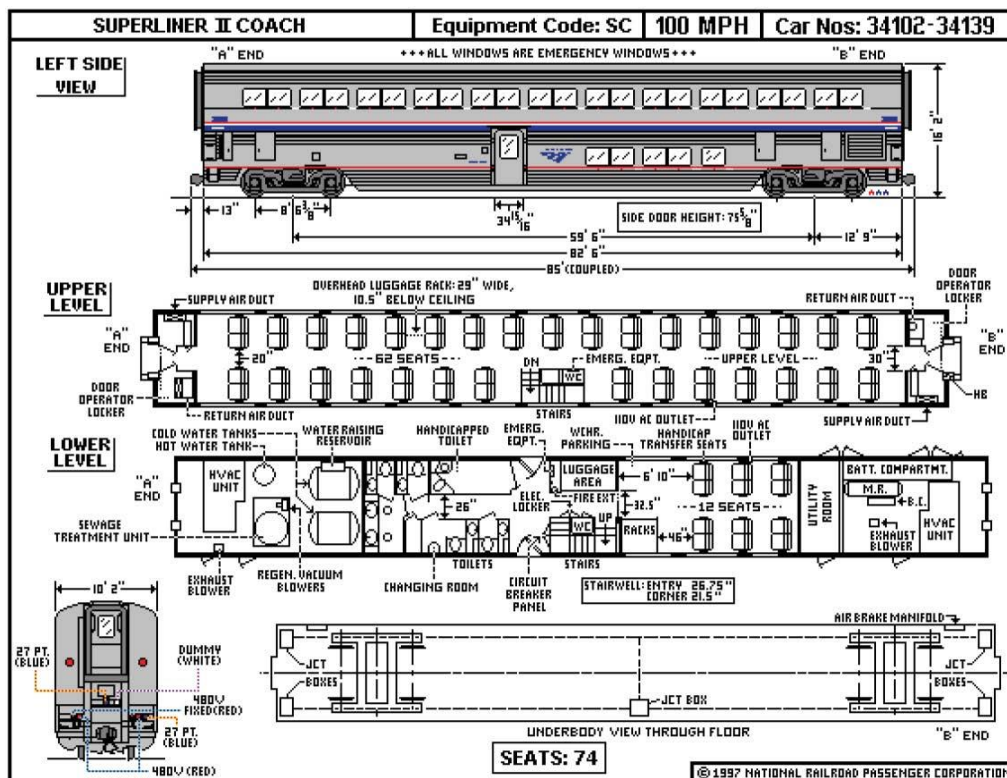


Exhibit 9.5: Pacific Surfliner Superliner Coach Car



The locomotives and passenger cars used to provide the Pacific Surfliner service have historically been primarily owned by Amtrak and leased by Caltrans DRMT for use on the service. The lease fees and capital equipment charges associated with the Amtrak-owned equipment are included in a separate agreement between Caltrans DRMT and Amtrak.

Included in the Pacific Surfliner fleet are 49 bi-level passenger cars, 10 of which are owned by the State of California and the remaining 39 by Amtrak. In addition to the 49 Pacific Surfliner-branded bi-level cars, the State of California, through Caltrans DRMT, leases approximately eighteen Amtrak-owned bi-level Superliner coach and coach-baggage cars, and one Superliner Café car. These cars are typically used on Amtrak's long-distance trains, but have been modified to run in "push-pull" operation and have also been equipped or are being equipped to support the Wi-Fi service offered on Pacific Surfliner trains. As of 2018, 10 of these Superliner cars are regularly used on the Pacific Surfliner service as a second business class car for additional business class seating.

Caltrans DRMT also leases 14 Amtrak-owned single-level Amfleet and Horizon cars, as well as two F40 Cab Cars, which are non-powered locomotives that carries baggage and acts as a cab car. Not all of these cars are available for exclusive Pacific Surfliner use. Additionally, these cars do not have automatic doors, which requires conductors to manually open and close doors at each stop and requires passengers to climb several steps to board the train, which can increase station dwell times. Of the 10 trainsets used to operate Pacific Surfliner service, nine currently consist of a combination of bi-level Surfliner and Superliner cars, and one consists of single-level Amfleet and Horizon cars.

Beginning in 2018, Caltrans DRMT and the LOSSAN Agency started to phase out the older Amtrak-owned Electro-Motive F-59PHI locomotives that had provided power on the Pacific Surfliner service since 1998 and replace them with new 4,400 HP state-owned Siemens Charger SC-44 locomotives. In addition, the LOSSAN Agency and Caltrans DRMT maintain a lease with Amtrak for the nonexclusive use of several 4,250 HP Amtrak-owned P-42 locomotives, which serve as spares for the Pacific Surfliner service. Amtrak routinely positions a spare “protect” locomotive in San Diego and Los Angeles that is available to assist in the event a train encounters a mechanical issue. A summary of the equipment currently used to provide daily Pacific Surfliner service, and its ownership, is provided in Table 9.2.

Table 9.2: Pacific Surfliner Equipment Breakdown for FY2019-20

	FY2019-20	
	<i>State-Owned</i>	<i>Leased from Amtrak*</i>
Cab Car	3	8
Coach	3	15
Business Class	2	8
Café Car	2	8
Superliner Coach and Coach/Baggage	0	18
Superliner Café Car	0	1
Amfleet/Horizon	0	14
Total Rolling Stock	10	72
GE P-42DC	0	2
F40 Cab Car	0	2
Siemens Charger SC-44	14	0
Total Locomotives	14	4

**Not all Amtrak leased equipment available for exclusive Pacific Surfliner use*

Source: Caltrans and Amtrak, 2019

New Equipment

Caltrans DRMT, along with the Illinois Department of Transportation, received federal funds through the High-Speed Intercity and Passenger Rail competitive grant program to procure new rolling stock for California’s three state-supported intercity rail services. In December 2011, the California Transportation Commission approved the allocation of \$42 million of Prop 1B funds as a local match to \$168 million in federal funds for both railcars and locomotives. In November 2012, Caltrans DRMT awarded a \$352 million contract to Sumitomo Corporation of America to build new railcars that meet the federal standards required of the Next Generation Equipment Committee. Design and testing issues led to delays in the production of the new railcars, and ultimately the transfer of the railcar contract from Sumitomo Corporation to Siemens. In November 2017, Caltrans DRMT awarded a contract to Siemens through Sumitomo Corporation to manufacture a total of 137 single-level passenger railcars with 49 for

use in California, with delivery expected to begin in late 2020. These railcars meet Buy America provisions and are being manufactured in Sacramento and will be available for use on all three state-supported routes. The LOSSAN Agency is currently working with Caltrans DRMT and the CCJPA and SJPA to finalize a fleet deployment plan to be implemented once the new cars begin arriving.

Equipment Maintenance

The primary maintenance facility for all Pacific Surfliner rolling stock is Amtrak's Redondo Locomotive Maintenance Facility located adjacent to the LOSSAN rail corridor near downtown Los Angeles. This facility includes locomotive and vehicle repair shops that perform safety inspections, servicing, and maintenance of all Amtrak locomotives and rolling stock. Amtrak utilizes a smaller servicing facility in Goleta and San Luis Obispo for fueling, cleaning, and overnight train inspections. In San Diego, these services are performed at the Santa Fe Depot. While in San Luis Obispo, the Pacific Surfliner trainset is stored on a designated layover track adjacent to a UPRR locomotive servicing track and across from the San Luis Obispo station. The Los Angeles and Goleta maintenance facilities are owned by Amtrak, while the San Diego and San Luis Obispo facilities are through long-term lease agreements with the right-of-way owners.

Amtrak staff is responsible for all maintenance activities related to the Pacific Surfliner service as part of the annual operating agreement with the LOSSAN Agency. The LOSSAN Agency is responsible for administration and maintenance supervision of the Pacific Surfliner fleet, particularly the ten state-owned railcars and 14 Siemens Charger Locomotives. This relationship is further defined in the Equipment Lease Agreement between Caltrans DRMT and the LOSSAN Agency, which is included as an appendix to the ITA. The LOSSAN Agency is also responsible for ensuring the Pacific Surfliner fleet is operated and maintained to the high standards of reliability, cleanliness, and safety set by Amtrak and the state on a day-to-day basis. LOSSAN Agency staff will continue to work closely with Caltrans DRMT and Amtrak to refine the maintenance and operations programs to improve the reliability, safety, and the cost-effectiveness of the fleet.

Caltrans DRMT is responsible for overseeing wreck repair and also participating in the oversight of modifications to state-owned equipment. Additionally, Caltrans DRMT is responsible for statewide fleet planning and deployment of equipment between the three state-supported intercity rail corridors (Pacific Surfliner, Capitol Corridor, San Joaquins) in consultation with each agency.

Amtrak Thruway Bus Service

Amtrak contracts with private bus companies to provide Amtrak Thruway bus service connecting to the Pacific Surfliner route, and the private bus operators provide the vehicles used in the service, which must comply with Amtrak requirements, including Wi-Fi accessibility, electronic destination signs, a restroom, and power outlets.

Chapter 10: Marketing

The LOSSAN Agency's efforts to create awareness and generate interest in the Pacific Surfliner service include a broad range of marketing activities from communicating critical rider information and engaging with audiences through various channels to launching new service promotions and working to increase revenue related to key business objectives. The focus of the FY 2019-20 and FY 2020-21 marketing plan is to support key priorities outlined in the Business Plan, as well as engage in the marketing strategies and programs listed below.

Marketing Strategies

Strengthening the Pacific Surfliner brand

LOSSAN Agency staff will continue to develop and strengthen the Pacific Surfliner brand with efforts that include continuous review of the current brand as it is presented today, as well as customer analysis and qualitative market research. LOSSAN Agency staff will also work to define all aspects of the brand, ultimately developing guidelines for voice and visuals that help support clear and consistent communications across various channels and diverse audiences. Developing and documenting the Pacific Surfliner visual identity and editorial style will help ensure the LOSSAN Agency continues to create compelling campaigns and stories that resonate with audiences while telling a clear and powerful story about the Pacific Surfliner experience and driving intended actions.

Building marketing tools and content

Building a marketing program requires a deep understanding of the Pacific Surfliner audience and their motivations. Conducting market research and mapping out buyer personas will be critical to identifying any potential concerns or questions that prospective passengers may have. Developing tools and content to answer these questions are key not only to boosting awareness, but also to motivating action. Designing reusable content around a clear purpose will help boost marketing productivity.

Passenger communications

The LOSSAN Agency's marketing efforts will include developing offers that address audience concerns and motivations – from sweepstakes and trial promotions to educational tools and interactive content, in order to promote loyalty and engagement. Staff will identify target markets and develop strategic campaigns to drive tangible outcomes (email acquisition, engagement with content, trial usage, promotional redemption). The LOSSAN Agency will also pilot new channels and refine current efforts to more effectively reach existing audiences and new markets while building long-term customer relationships.

Informational messages and critical passenger information regarding service impacts will continue to be regularly communicated to both customers planning trips and passengers in transit via the Pacific Surfliner website, social media accounts, and other relevant channels. These efforts to enhance communication will help increase customer satisfaction.

Public relations

The LOSSAN Agency will develop and implement targeted public relations campaigns to generate featured stories and related publicity in order to boost awareness of the Pacific Surfliner service while enhancing the brand's credibility. In addition to regular press release distributions to print, online and broadcast media, the LOSSAN Agency will work to pitch stories and develop media contacts across industries including transportation and tourism. Efforts will also include working with bloggers and online influencers to promote visibility and awareness of the Pacific Surfliner. In addition to increasing the Pacific Surfliner's overall presence, public relations efforts will utilize media monitoring tools to track coverage and identify opportunities to protect and enhance the Pacific Surfliner brand.

Generating sales referrals to Amtrak.com

One of the key metrics that the LOSSAN Agency uses to help measure the impact of marketing activities on ridership and revenue is Amtrak referral sales reports. These reports track the number of visits to PacificSurfliner.com that ultimately result in successful bookings on Amtrak.com. The LOSSAN Agency uses a combination of broad reach and targeted marketing efforts to ensure that high quality sales leads are directed to PacificSurfliner.com.

Destination marketing

The LOSSAN Agency will continue to expand its destination-based marketing efforts to promote train travel among consumers in market to travel to key destinations along the LOSSAN rail corridor. The LOSSAN Agency continues to build and cultivate partnerships along the Pacific Surfliner route to increase market share and brand awareness in target markets, encouraging more southern California residents and visitors to take the train. Participating in cross-promotional opportunities with strategic partners helps to decrease advertising costs and provides added value for Pacific Surfliner customers.

Marketing Programs

Branding and awareness

Ongoing campaigns will be designed to boost engagement with the Pacific Surfliner brand. General advertising along the corridor is necessary to generate a high number of impressions and create interest in the Pacific Surfliner service while highlighting key selling points, such as scenic views, stress-free travel, the and comfort and convenience of onboard amenities. New marketing channels will be tested to more effectively reach both existing audiences and new markets. Investments will be made made in digital, outdoor, print, and broadcast advertising, as well as partnerships with local sports teams and local visitors bureaus to generate awareness and support traffic back to the PacificSurfliner.com and Amtrak sales channels.

Advertising campaigns and direct marketing

Staff will plan and implement short- and long-term integrated advertising and outreach campaigns to increase market share and strengthen customer relationships. Staff will work with

contracted vendors to identify target markets and develop comprehensive media plans focused on boosting brand awareness and increasing ridership. Regular reporting and data analysis will provide opportunities to refine campaigns to maximize return on marketing investments. This will include a robust marketing effort to support the initiation of additional roundtrips between San Luis Obispo, Los Angeles, and San Diego, as well as any other service improvements that are implemented.

New Pacific Surfliner digital platform

A new PacificSurfliner.com digital platform was launched in early 2019, including a new content management system, which will allow future marketing efforts to adapt to changing market conditions while keeping pace with evolving technology and customer expectations.

Many of the bookings on PacificSurfliner.com are assumed to be from new or latent riders, as frequent passengers tend to book directly through Amtrak.com or the Amtrak mobile app. This illustrates that the LOSSAN Agency's marketing efforts are crucial to not only maintain current customers, but also to reach new and distinct markets that present opportunities to grow ridership and revenue. It is especially important to capture new market segments. New passengers on the Pacific Surfliner can then be turned into return customers by Amtrak through its national sales and promotional efforts, retargeting activities using transactional data, and loyalty incentives like Amtrak Guest Rewards that drive customers back to Amtrak points of sale for future trips.

Field marketing engagement

The field marketing engagement program is designed to build awareness of the Pacific Surfliner service while developing and strengthening relationships with local communities. By generating interest and engagement with the Pacific Surfliner service, the program will position the Pacific Surfliner brand as top of mind and drive customers to PacificSurfliner.com and Amtrak points of sale. The program will include investments in sponsorships, memberships, and advertising programs that are coordinated through strategic partnerships with convention and visitors' bureaus, collegiate and professional sports franchises, live event promoters, and local event producers.

Metrics and milestones

As the LOSSAN Agency further develops its marketing program, it is prudent to invest in expanded marketing activities once marketing staff has sufficient insight into which efforts are productive and are able to take action on efforts that need to be refined. In addition to campaign monitoring and reporting, LOSSAN Agency staff will continue to develop analytics to demonstrate return on investment, provide audience insight and help inform future marketing activities. LOSSAN Agency staff will also continue to work with Amtrak to improve reporting in order to better reconcile marketing efforts with Amtrak sales data, and gain insight to optimize future marketing strategies.

Chapter 11: Annual Funding and Separation of Funding

The annual funding process for the three state-supported intercity passenger rail corridors begins with Caltrans DRMT making an initial request for funding to be included in the state's FY budget. Once the state's budget is approved and funds have been included for the service, CalSTA is responsible for allocating the funds to each of the three intercity passenger rail corridors through the approval of the annual business plans. Simultaneously with this process, the LOSSAN Agency will negotiate with Amtrak regarding the operating and maintenance contract, which is managed on a FFY basis (October – September). The current Amtrak agreement was executed on a biennial basis (covering FFY 2017-18 and FFY 2018-19) to ensure continued and seamless operations at the beginning of each FFY. The biennial agreement is amended to incorporate the second FFY funding amount.

Annually, the LOSSAN Agency will provide a proposed budget for the continued administration, marketing, and operations of the Pacific Surfliner to the LOSSAN Board for review and approval. Consistent with this budget, a funding request will be included in the annual business plan for submittal to the Secretary of CalSTA by April 1 of each year. The LOSSAN Agency will submit the annual business plan including a draft funding request by April 1, 2019, and will submit an updated funding request by June 30, 2019, based on final operating revenue and expense estimates provided by Amtrak.

State funding for operations of all three intercity rail corridors is provided through the Public Transportation Account, which is funded primarily through the state sales tax on diesel fuel.

FFY 2019-20 and FFY 2020-21 Operating Funding Request

The total net State funding request for FY 2019-20 is proposed at \$43,099,148 which includes the net operating subsidy as well as administrative and marketing funding. Total projected net Amtrak operating cost is \$36,220,600. Included in the net operating subsidy is an additional revenue and expense estimate for the implementation of a 13th round trip between San Diego and Los Angeles, a 6th roundtrip between San Diego and Goleta, and a 3rd roundtrip between San Diego and San Luis Obispo. The operating costs and fare revenue also include the retiming of trains which provide peak-period service from Ventura to Santa Barbara. This cost is assumed to be offset by a 50 percent cost share for this service provided by SBCAG. Total Amtrak operating costs are estimated assuming a 4 percent budget assumption increase over the prior year forecast (which is consistent with consumer price index increases and year over year average route cost trends). Total projected fare revenue is estimated using a 2.5 percent budget assumption increase (which assumes the implementation of the additional round trips and is consistent with current year over year trends).

The total net State operating funding request includes \$180,000 for transit connectivity and integration, which includes estimates for the continuation of the Transit Transfer Program (\$60,000), emergency bus bridge service with NCTD and OCTA (\$60,000), and Live Nation concert train service (\$60,000). The Transit Transfer Program proposed budget of \$60,000 will be reduced with the formal approval to use remaining 2015 TIRCP grant funds for the continuance of the program.

The business plan currently assumes that Caltrans DRMT will continue to have a separate agreement with Amtrak to directly fund equipment capital charges for Amtrak-owned railcars and locomotives used on the three state-supported rail corridors. Therefore, equipment capital charges are not included in the operating agreement between Amtrak and the LOSSAN Agency.

Additional supplemental funding is requested for minor projects at \$500,000 consistent with prior year allocations.

FY 2019-20 and FY 2020-21 Administrative and Marketing Funding Request

In addition to the contract costs with Amtrak for the operations and maintenance of equipment for the Pacific Surfliner service, there is an administrative component that is filled by OCTA as the LOSSAN managing agency. The LOSSAN Agency utilizes a small number of key staff positions supported by OCTA staff on an as-needed basis. This way, the LOSSAN Agency and the state receive maximum benefit for the lowest possible cost, and are required to only fund the services and support actually used and needed for the administration of the Pacific Surfliner service.

OCTA continues to provide a host of services through the support function including:

- Audit
- Contracting and Procurement
- Financial Management and Budget
- General Administrative Services
- Human Resources
- Legal
- Marketing
- Operations
- Planning
- Risk Management
- Stakeholder Outreach
- Treasurer-Controller

The FY 2019-20 administrative funding is proposed at \$4,878,548. Included in this amount is \$4,408,398 for managing agency administrative salaries at fully burdened rates. One additional full-time program manager position is requested, bringing the total staffing level to 14 full-time positions, plus one part-time extra help position. The annual estimated cost of adding the additional position including managing agency overhead is \$476,645. This amount assumes the managing agency overhead at the current rate, as well as administrative employee performance-based salary increases consistent with OCTA's proposed FY 2019-20 budget and personnel and salary resolution. Since assuming the full administration and management responsibility for the state-funded, Amtrak operated Pacific Surfliner intercity passenger rail service in July 2015, the duties and responsibilities of the LOSSAN Agency have significantly expanded. The additional resource will help further LOSSAN Agency efforts to improve and expand passenger rail service on the LOSSAN rail corridor, as well as ensure the continued effective and efficient management of the state supported Pacific Surfliner service.

The FY 2019-20 proposed funding request for legal, travel, dues and memberships, and banking fees remain consistent with the FY 2018-19 approved budget. The FY 2019-20 proposed funding level for professional services is \$410,000, (an increase of \$210,000 from FY 2018-19 approved amount). This amount includes \$250,000 for fare integration, \$25,000 for audit services, \$10,000 for insurance brokerage services, \$25,000 for state advocacy and \$100,000 for on-call consulting services for planning, modeling, and project management. The FY 2019-20 marketing funding request remains consistent with the FY 2018-19 approved funding level at \$2,000,000. The LOSSAN Agency has been previously approved to use prior year remaining marketing funds. The LOSSAN Agency plans on budgeting approximately \$1.6 million to utilize prior year marketing funds during FY 2019-20.

The LOSSAN Agency's funding request for net Amtrak operating costs and administrative and marketing funding for FY 2019-20 and FY 2020-21 are detailed in Table 11.2.

Table 11.2: LOSSAN Agency Net Operating, Administrative & Marketing Funding Requests: FY 2018-19 Approved, FY 2019-20 and FY 2020-21 Proposed

	FY 2018-19 Approved Funding	FY 2019-20 Proposed Funding	FY 2020-21 Proposed Funding
Amtrak Operating			
Total Amtrak Operating Costs	\$ 115,050,664	\$ 119,652,691	\$ 124,438,798
Total Amtrak Operating Revenue	\$ (88,608,000)	\$ (90,823,200)	\$ (93,093,780)
Net Amtrak Operating Costs (Expenses less Revenues)	\$ 26,442,664	\$ 28,829,491	\$ 31,345,018
LOSSAN Funding Requirement			
Net Amtrak Operating Costs	\$ 26,442,664	\$ 28,829,491	\$ 31,345,018
Net Cost Estimate For Additional Round Trips	\$ 8,065,754	\$ 8,388,384	\$ 8,723,920
Less Cost Sharing Revenue Retimed Trains	\$ (1,177,275)	\$ (1,177,275)	\$ (1,177,275)
Transit Connectivity and Integration	\$ 420,768	\$ 180,000	\$ 180,000
LOSSAN Net Operating Funding Request	\$ 33,751,911	\$ 36,220,600	\$ 39,071,663
Administrative Funding Request	\$ 4,428,904	\$ 4,878,548	\$ 5,073,690
Marketing Funding Request	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Total LOSSAN Funding Request	\$ 40,180,815	\$ 43,099,148	\$ 46,145,353
Supplemental Allocations			
Minor Projects Funding Request	\$ 500,000	\$ 500,000	\$ 500,000

Grant Programs

Separate from the FY 2019-20 State funding request, grant revenues and expenses are included in the LOSSAN Agency FY 2019-20 annual budget for various operational programs and capital projects. In FY 2015-16, CalSTA awarded the LOSSAN Agency \$1,675,000 in TIRCP grant funds to support the Pacific Surfliner Transit Transfer Program, which allows Pacific Surfliner passengers to travel more seamlessly to connecting public transit services along the entire Pacific Surfliner route. The LOSSAN Agency began the Pacific Surfliner Transit Transfer Program in the fourth quarter of FY 2015-16 and proposes to use remaining surplus funds in the estimated amount of \$1,400,000 from FY 2018-19 to continue to fund the program in FY 2019-20 and to fund related transit connectivity projects. The LOSSAN Agency will assume continuing the program into FY 2020-21 with the use of future state operating funds.

The LOSSAN Agency has been awarded TIRCP funding that will be utilized for capitalized track maintenance and incentives programs with NCTD and UPRR. For FY 2019-20 the amount budgeted is approximately \$2.8 million and for FY 2020-21 the amount budgeted is \$8.1 million. A portion of this program may be supplemented with additional funding sources in future fiscal years as they are identified.

In addition to the TIRCP, the LOSSAN Agency received approximately \$7.2 million in CTSGP funds, for FY 2013-14 through FY 2016-17. These grants funds were allocated to projects for a corridor-wide video surveillance system replacement/upgrades, the construction of a centralized monitoring center for these video feeds, and physical security improvements including the construction of a new law enforcement office at the San Diego Santa Fe Depot. The estimated remaining project funds of \$1,200,000 will be budgeted in FY 2019-20 to complete projects that are already underway.

The LOSSAN Agency was awarded \$3.1 million in FY 2017-18 SRA program funds that will be used for both operational and capital improvements along the corridor. On December 6, 2017, the LOSSAN Agency Board approved projects for the initial distribution and directed staff to coordinate with the LOSSAN Agency TAC to develop a program of projects for future funding. Future year allocation estimates will be updated annually and will fluctuate somewhat with the current price of diesel fuel. For FY 2019-20, the LOSSAN Agency is budgeting \$5.1 million for the funding and the related project expenses.

The FY 2019-20 grant programs budget also includes \$1,500,000 in STIP funds for the project approval & environmental document phase of the expansion of the San Luis Obispo Central Coast Layover Facility. The construction phase is estimated to start in FY 2020-21, with \$9.8 million budgeted for this effort.

Budget amendments will be brought to the LOSSAN Agency Board relating to grant funded projects as necessary depending on the timing of projects and the identification of funding.

Separation of Funding

To ensure state funding for the Pacific Surfliner service is kept separate from funding for OCTA projects and programs, a separation of funding has been established within the LOSSAN managing agency. The funding received from the state is managed through the treasurer and controller of OCTA, as the managing agency. The JPA specifically calls for the treasurer to be the depository of funds and to have custody of all funds of the LOSSAN Agency. The LOSSAN Agency follows OCTA-established policies and procedures that fully comply with the generally accepted accounting principles. The LOSSAN Agency utilizes OCTA's existing accounting system, which is built on a robust platform, and has established a completely segregated accounting system for LOSSAN Agency-related business. This system and established policies/procedures, overseen by the treasurer and controller, as well as the LOSSAN Finance and Administration Officer, will ensure the preservation of the state's investment and a completely accurate accounting for administration of the Pacific Surfliner service, as well as provide for an accurate and timely reconciliation and return of any surplus funds.

Chapter 12: Government Relations and Legislative Advocacy

One of the benefits gained through local governance of the Pacific Surfliner service by the LOSSAN Agency is added flexibility in advocating for policies at the state and federal level to improve rail operations, increase funding for operations and capital needs, and allow better coordination and interoperability with connecting transit and rail services. In addition, the LOSSAN Agency has the ability to conduct targeted outreach to local governments and community organizations to help expand awareness of the services provided on the LOSSAN rail corridor and more directly respond to local needs.

The key to successful advocacy is the ability to partner with stakeholders to jointly advocate for mutually beneficial policies. The LOSSAN Agency has worked closely with the California Intercity Passenger Rail Leadership Coalition, consisting of the LOSSAN Agency, CCJPA, SJJPA, the CRCC, and RCTC, to jointly advocate for common policy positions.

The LOSSAN Agency will, as practical, attempt to participate in advocacy trips to Sacramento and Washington, D.C., to attend any select committees formed to discuss passenger rail issues, and also participate in the States and Amtrak Intercity Passenger Rail groups. The LOSSAN Agency and Board members will participate in meetings with key legislators representing the LOSSAN rail corridor delegation and Administration officials, allowing for the specific objectives of the LOSSAN Agency to be discussed in detail. These meetings are vital to generating a greater understanding of policy impacts on intercity rail and the need for greater recognition of the importance of the LOSSAN rail corridor in the overall Amtrak system.

The annual legislative program adopted by the LOSSAN Agency Board provides overall guidance to LOSSAN Agency advocacy activities, and staff will continue to provide regular legislative updates and bill analyses to the LOSSAN Agency Board consistent with that program. In reviewing these items, the LOSSAN Agency Board then provides direction on how the LOSSAN Agency is to participate in policy discussions with other stakeholders, and potentially offer testimony as relevant policy discussions take place at the Legislature.

From both a national and state perspective, the LOSSAN rail corridor is underinvested, but could greatly enhance mobility in Southern California with additional funding for capital and operational improvements. Efforts will be made to pursue resources for these improvements as Congress begins its efforts to enact surface transportation reauthorization legislation when the Fixing America's Surface Transportation (FAST) Act expires on September 30, 2020. Specifically, the LOSSAN Agency will work on influencing the federal passenger rail title that provides additional funding and financing opportunities for passenger rail programs. In addition, the LOSSAN Agency will work to maximize funding available to benefit the LOSSAN rail corridor in any potential federal infrastructure package and through the continued implementation of California's transportation funding package, SB 1 (Chapter 5, Statutes of 2017).

Staff will continue to provide quarterly legislative updates to the LOSSAN Agency Board on policy and regulatory issues of importance, including those related to the state budget, the FAST Act, and other federal funding or financing opportunities, and intercity rail policy matters. It is anticipated that the LOSSAN Agency will be focused on numerous policy issues at the state, federal, and local levels, including:

- Supporting efforts to pursue a stable, recurring source of intercity rail operations and capital funding for LOSSAN Agency-priority projects.
- Supporting efforts to apply for the use of cap-and-trade and SB 1 funding for LOSSAN Agency-priority projects, advocating for intercity rail as an eligible recipient, flexibility in revenue use and a streamlined allocation process.
- Supporting efforts to streamline and enhance transit services that provide for first- and last-mile connections to intercity and high-speed rail passenger rail services and stations.
- Continuing to advocate and educate officials in Sacramento and Washington, D.C. regarding the LOSSAN rail corridor and Pacific Surfliner service.

The 2019 LOSSAN Legislative Program provides further detail on the LOSSAN Agency's legislative priorities, and includes three top priorities for 2019:

- Maximize the share of long-term, sustainable funding sources to support passenger rail operations and capital projects in the LOSSAN rail corridor, including funds made available by the federal rail title and ensuring eligibility for the LOSSAN Agency to compete for state funding, such as funding through SB1 and the cap-and-trade program.
- Support efforts to further enhance connectivity of regional rail and local transit services within the LOSSAN rail corridor.
- Continue to study and advance infrastructure and service improvement projects/programs.

At the local level, staff will continue to work with LOSSAN member agencies and local stakeholders to build awareness of passenger rail services along the LOSSAN rail corridor, developing strategic partnerships to better evolve the services to meet local needs. Regular communication and outreach on service improvements and priority projects will foster a better understanding of issues faced along the LOSSAN rail corridor. Increased awareness of these services by local officials can then be leveraged to support consensus-based operational improvements and policy activities.

In addition to the specific priorities identified by the LOSSAN Agency Board, the LOSSAN Agency will continue to monitor policies impacting Amtrak service, including the development of the California HSR project, and commuter rail services in the LOSSAN rail corridor. The need for cohesive policies to allow for integration of rail services within the state, and improved access from other transportation modes, has never been more evident as the state works toward achieving goals related to improved mobility, environmental sustainability, and safety.

Chapter 13: Safety and Security

Protecting the safety and security of our passengers and the passenger rail service on the LOSSAN rail corridor is key to attracting and retaining riders, while also ensuring efficient operations of the Pacific Surfliner service. This chapter addresses safety and security onboard Pacific Surfliner trains, at stations, and along railroad ROW between San Diego, Los Angeles, and San Luis Obispo.

The Pacific Surfliner intercity rail service is operated by Amtrak, and is subject to federal safety standards and regulations in accordance with U.S. Code of Federal Regulations (Title 49, Subtitle B, Chapter II). Responsible regulatory agencies overseeing general railroad safety along the LOSSAN rail corridor include the FRA and the CPUC. The FRA Office of Railroad Safety promotes and regulates safety throughout the nation's railroad industry by issuing, implementing, and enforcing railroad safety regulations. The CPUC is the state agency charged with ensuring the safety of freight, intercity, and commuter railroads, as well as highway-railroad crossings in the state. The CPUC performs these railroad safety responsibilities through the Railroad Operations and Safety Branch of the Safety & Enforcement Division. The Transportation Security Administration (TSA) also plays a role in the security of passenger rail service through the TSA-sponsored Visible Intermodal Prevention and Response program.

Operational, track, and other safety inspections are completed through a coordinated review among rail operators and owners, including Amtrak, Metrolink, NCTD, UPRR, BNSF, CPUC, and FRA for federal and state compliance. The LOSSAN Agency coordinates with these agencies to ensure that all reporting requirements are fulfilled at the federal and state levels. Amtrak is responsible for all required reporting of Pacific Surfliner safety data to federal, state, and local agencies, including the FRA and CPUC.

A key objective of the LOSSAN Agency safety program is to instill a comprehensive safety culture that governs all of the activities associated with the operations and maintenance of the Pacific Surfliner service, while efficiently meeting operational performance goals. The LOSSAN Agency will continue to work with Amtrak and host railroads to ensure a detailed system safety and security program is in place to protect Pacific Surfliner passengers and crew, as well as the general public.

As part of this effort, the LOSSAN Agency will continue to:

- Assess ongoing rail safety and security awareness efforts to identify areas for improvement
- Work with host railroads to identify "hot spots" for trespassing and vehicle strikes
- Develop outreach programs that meet the needs of the public, as well as stakeholders
- Work with Amtrak and stakeholders to ensure a continued safety culture for all who work and travel on Pacific Surfliner trains and utilize Pacific Surfliner stations
- Work with local jurisdictions and host railroads to ensure that rail capital projects include a goal of improved safety and security wherever possible
- Work with host railroads and rail operators to coordinate training with local first responders to help expedite emergency response and accident investigation in the event of an incident

- Support Operation Lifesaver, a national rail safety program with the goal of improving public awareness of safety around railroad tracks
- Seek out and leverage state and federal grant funds for safety and security improvements

PTC

In accordance with a federal mandate, PTC was fully operational on all Pacific Surfliner trains effective December 31, 2018. PTC is a predictive collision avoidance technology designed to stop a train in motion when its continued movement may result in an accident. The safety enhancing goals of PTC include preventing train-to-train collisions, speeding and over-speed derailments, incursions into track work zones, and movement of a train through a switch left in the wrong position. The primary benefits of PTC include saving the lives of train crews, passengers, and railroad workers, improving passenger and freight train operational efficiency, and providing real-time train location information.

Safety and Security Onboard Trains

The LOSSAN Agency primarily serves in an oversight and coordination role with regard to safety and security onboard trains, relying on the extensive onboard safety and security programs and policies already put in place by Amtrak. LOSSAN Agency staff will continue to attend regularly-scheduled safety meetings hosted by Amtrak for front-line employees, to reiterate that safety is the first priority in delivering Pacific Surfliner service.

All Pacific Surfliner cab cars and locomotives are currently equipped with a “forward facing” camera system to help aid in accident investigation. This provides crews and first responders with a valuable tool to assist with post-incident investigation, and can help to clear an incident scene more quickly so that trains can proceed. In addition, Amtrak is working to install inward-facing cameras on locomotives and cab cars nationwide, similar to those currently used by Metrolink. The new Charger locomotives currently in service are equipped with inward-facing cameras. Additionally, the Charger locomotives meet or exceed the latest federal rail safety regulations, including enhanced carbody structure safety with crash energy management components like a locomotive cab safety cage and push-back couplers.

Amtrak Police Department

Pacific Surfliner passengers benefit from the existing Amtrak security program, specifically the services of the Amtrak Police Department. There are nine officers, one detective, one sergeant, and one captain currently assigned to the Pacific Surfliner. Of the nine officers, six function in the patrol capacity, and three serve with K-9 units. Additionally, there are five members of the Amtrak Special Operations Unit (SOU) that can be called upon when needed.

The Patrol Officers fulfill traditional policing functions. Their job is to act as a deterrent to crime in stations, on trains, in and around Amtrak facilities, and out on the railroad ROW. They enforce the law, perform checked baggage screening and onboard security checks, conduct follow-up investigations on any crimes involving Amtrak facilities or its passengers, and provide support during special events.

The K-9 units provide a psychological and physical deterrent to potential threats from explosives. The teams undergo intensive training that includes vapor wake training, which allows the K-9 units to be alert to the scents of explosives left in the wake of passing individuals, not just those found in stationary baggage.

The members of the SOU support patrol operations by providing rapid response and enhanced capabilities to assist in keeping Amtrak passengers and employees safe. Although not exclusively assigned to the Pacific Surfliner, the SOU is prepared at any time to deploy personnel and equipment for tactical response, conduct low-visibility counter-surveillance, investigations, and provide enhanced support for special events. The SOU also conducts training on railroad-specific tactical response and procedures for fellow Amtrak Police Department members and external law enforcement partner agencies.

Safety on the Tracks

Safety incidents along the railroad ROW can include injuries and fatalities associated with incidents at grade crossings and trespassing on railroad property. Projects that improve safety include track and signal upgrades, gate and warning systems, and grade separations that eliminate at-grade crossings. In addition, safety can be improved through use of public awareness campaigns designed to educate the public about the risks of trespassing on railroad property and the importance of using caution around railroad tracks and trains.

Safety at Stations

The LOSSAN Agency primarily serves in an oversight, coordination, and funding role with regard to the safety and security of the various station facilities that exist along the LOSSAN rail corridor. The LOSSAN Agency is a recipient of CalOES CTSGP funds and takes the lead in coordinating eligible capital improvements that increase safety and security at passenger and maintenance facilities.

In calendar year 2018 the LOSSAN Agency, in partnership with Amtrak, advanced a number of safety and security improvements utilizing CalOES funding. These on-going projects include:

- The upgrade of existing video surveillance systems (VSS) at six Pacific Surfliner stations on the LOSSAN rail corridor where the existing equipment no longer operates reliably
- The installation of new VSS at six Pacific Surfliner stations on the LOSSAN rail corridor where no equipment currently exists
- The construction of a centralized video monitoring station at Amtrak's Los Angeles maintenance facility

Most of the stations along the LOSSAN rail corridor are outfitted with security cameras that feed directly to a local sheriff's office or operations center that can dispatch emergency services. Some city-owned stations also offer security guards and long-term parking security. However, the ongoing CalOES-funded improvements will allow all VSS along the LOSSAN rail corridor to be monitored in one central location. Additional projects that will enhance the safety and security of the service are planned for implementation during FY 2019-20 and 2020-21.

LOSSAN Rail Corridor Safety Coordination and Emergency Response

The LOSSAN Agency coordinates safety and security activities with various stakeholders, and ROW owners along the corridor including: the state, LOSSAN member agencies, Amtrak, UPRR, BNSF, Metrolink, NCTD, Operation Lifesaver, Department of Homeland Security, and first responders along the LOSSAN rail corridor.

The LOSSAN Agency is continuing to pursue new agreements with local transit providers for emergency bus bridge service, similar to the one implemented with OCTA, as well as the creation of standard operating procedures to address service disruptions. Currently, Metrolink and NCTD coordinate with local transit agencies to provide bus bridges when emergency incidents occur. In addition, Amtrak, Metrolink, and NCTD often transport each other's passengers in the event of an incident on the tracks.

Public Awareness and Outreach

Public information efforts will continue to use both traditional methods and social media to build awareness about vehicular, bicycle, and pedestrian safety around the tracks. The LOSSAN Agency works with Operation Lifesaver to implement rail safety marketing and outreach campaigns that promote safe behavior around the tracks used by the Pacific Surfliner.

Operation Lifesaver is a national rail safety coalition to prevent collisions, injuries, and fatalities on and around railroad tracks and highway-rail at grade crossings. It is comprised of a voluntary effort by railroads, safety experts, law enforcement, public agencies, and the general public. Several LOSSAN member agencies and partners currently participate in Operation Lifesaver activities by implementing safety awareness campaigns and providing rail safety education. The LOSSAN Agency will work to further expand its participation in the program, in order to increase the reach of Operation Lifesaver's rail safety message.

Chapter 14: Emerging Corridors

In addition to managing the Pacific Surfliner rail service, the LOSSAN Agency works with member agencies to study corridor enhancements and expansion opportunities that provide connectivity within Southern California and beyond. In addition to the ongoing coordination with the development of the California HSR system (see Chapter 7), the LOSSAN Agency's focus has been on coordinating connectivity with two developing or emerging corridors; 1) the Coast Corridor, connecting the coastal communities up to San Luis Obispo and further north to the Bay Area, and 2) the Coachella Valley – San Gorgonio Pass Rail Service, connecting the eastern communities throughout Riverside County and Coachella Valley. These connections will provide seamless travel opportunities by rail throughout the region and state. System improvements on existing and emerging rail corridors will contribute to the success of the LOSSAN rail corridor, support future statewide and regional rail operations, and provide enhanced connectivity with local transit systems.

Figure 14.1: Emerging Corridors



Source: LOSSAN Agency, 2017

The Coast Corridor (“Coast Daylight” Service)

The 474-mile Coast Corridor, which runs from San Francisco to Los Angeles, shown in Figure 14.1, currently serves a full complement of urban commuters, as well as regional, intercity, and interstate travelers. Constructed by the Southern Pacific Railroad between the late 19th and early 20th centuries, the Coast Corridor was originally built as a passenger line to transport passengers along the nearly 500 miles between San Francisco and Los Angeles.

Current passenger rail services that operate on segments of the Coast Corridor include Caltrain, Amtrak, and Metrolink. Freight rail services are operated by UPRR, which carries two to four trains per day north of Oxnard and eight to 16 trains per day in the San Fernando Valley. For the UPRR, the Coast Rail Line is considered a “secondary” or “relief” line to the much busier Central Valley Line to the east, which connects Northern and Southern California via the Central Valley.

The “Coast Daylight” service is a proposed extension of the current intercity and long-distance service on the LOSSAN rail corridor north of San Luis Obispo to San Jose and San Francisco. This proposed service would fill a gap in passenger rail services between Northern and Southern California.

The Amtrak Coast Starlight is a daily long-distance train operating through the Coast Corridor that serves the needs of long-distance travelers between Seattle, the San Francisco Bay Area, and Los Angeles. Ultimately, the Coast Daylight service would originate and terminate in San Francisco and would be scheduled to complement the Coast Starlight schedule with a reliable intercity service to meet the needs of communities between the San Francisco Bay Area and Los Angeles.

The CRCC consists of a technical and policy committee made up of staff and elected officials representing coastal agencies supporting the service, which includes VCTC, SBCAG, SLOCOG, Santa Cruz County Regional Transportation Commission, and the Transportation Agency for Monterey County. The LOSSAN Agency is a participating agency of the CRCC and works with the CRCC member agencies and the State to help evaluate the options for the proposed Coast Daylight service, including feasibility, funding, ridership, cost projections, and host railroad negotiations.

Several actions are needed to advance Coast Daylight project, in priority order:

1. Secure track access from host railroads
2. Secure state operating support
3. Secure equipment
4. Secure legislative authority to administer the service

With respect to Coast Daylight services, the LOSSAN Agency business plan includes adequate staff resources to monitor and participate in continued planning efforts led by CRCC staff.

Coachella Valley – San Gorgonio Pass Rail Service

The Coachella Valley – San Gorgonio Pass Rail Corridor refers to the 140-mile long corridor between Los Angeles and the City of Indio as illustrated in Figure 14.1. RCTC is in the early stages of preparing a program-level Environmental Impact Statement/Environmental Impact Report for intercity rail service in this corridor. This service would be similar to the Pacific Surfliner service, providing intercity rail service that would operate through a wide variety of settings from the heavily-urbanized areas of Los Angeles and Orange Counties to the less-populated, but rapidly growing areas of eastern Riverside County.

The only passenger rail service currently operating in the corridor between Los Angeles and the Coachella Valley is Amtrak's Sunset Limited, a long-distance train that operates three times per week between Los Angeles and New Orleans, with a stop in Palm Springs during overnight hours. There is significant travel demand based on current travel patterns along nearby freeways. The ridership potential is also demonstrated regionally by the growth in Metrolink ridership, and locally by the increase in Amtrak Thruway Bus Route 39 ridership between Fullerton, Palm Springs, and Indio. The eastern portion of the corridor is one of the fastest-growing areas of Southern California due to increasing residential development, and has experienced a doubling of population between 1990 and 2010, a trend that is expected to continue. In addition, the Coachella Valley has a large number of tourist destinations that attract regional trips from Los Angeles and Orange counties, as well as national and international visitors.

The LOSSAN Agency is currently supporting the implementation of special event passenger rail service to two of the largest annual public events in the Southern California region – the Coachella Valley Music and Arts Festival and its companion event, the Stagecoach Country Music Festival. The three-weekend Coachella and Stagecoach Festivals host as many as 125,000 participants per weekend, causing heavy traffic congestion on the surrounding area roadways during event days.

The proposed Coachella Valley Special Events Train is intended to provide a safe, reliable, and convenient travel option for music festival attendees travelling within the congested Los Angeles-Coachella Valley corridor. Staff is coordinating with RCTC, Amtrak, UPRR, and Goldenvoice to make this a successful experience. A platform in Indio is needed for the safe and secure loading and unloading of train passengers near the festival grounds. Several grant applications have been submitted to fund this phase of the project. The operating funds for the service are included in the current year LOSSAN budget once rail access and other approvals are received. In March 2019, CalSTA awarded RCTC \$5.9 million in SRA funds to construct a temporary passenger platform in Indio to support the proposed service.

The Coachella Valley – San Gorgonio Pass Rail Corridor's existing travel market is substantial, with 1.5 billion total annual two-way person trips (all modes) in 2000, and projections for more than 300 million additional trips by 2030, and another 100 million trips by 2040 (1.82 billion total).

In 2018, a draft service development plan (SDP) for the corridor was completed and included development of a work plan, outreach efforts, alternatives analysis, market analysis, and ridership projections. The program-level environmental analysis that is currently underway, along

with finalizing the SDP, is anticipated to take an additional three years to complete. Once these planning efforts are finished, the corridor will be eligible to receive state and federal funds for design and construction. The LOSSAN Agency will continue to participate in these planning efforts and ensure they provide connectivity with the Pacific Surfliner service.

Summary

Moving forward, the LOSSAN Agency will continue to work with member agencies to participate in planning efforts for passenger rail service in these emerging corridors, with a focus on creating seamless connections between the Pacific Surfliner and future passenger rail services on the Coast Daylight and Coachella Valley corridors.

Glossary of Terms

AAA	American Automobile Association
ADA	Americans with Disabilities Act
Agency	Rail Corridor Agency
ASA	Administrative Support Agreement
Board	Board of Directors
BNSF	BNSF Railway
CalOES	California Governor's Office of Emergency Services
CalSTA	California State Transportation Agency
Caltrans	California Department of Transportation
CCJPA	Capitol Corridor Joint Powers Authority
CHSRA	California High Speed Rail Authority
CIP	Capital Improvement Program
CP	Control Point
CPUC	California Public Utilities Commission
CRCC	Coast Rail Coordinating Council
CTSGP	California Transit Security Grant Program
DRMT	Division of Rail and Mass Transportation
FAST Act	Fixing America's Surface Transportation Act
FY	Fiscal Year
FFY	Federal Fiscal Year
FRA	Federal Railroad Administration
FY	Fiscal Year
GHG	Greenhouse Gas
HP	Horsepower
HSR	High-speed rail
ITA	Interagency Transfer Agreement
JPA	Joint Powers Authority/Agreement
LAUS	Los Angeles Union Station
Link US	Link Union Station
LOSSAN	Los Angeles – San Diego – San Luis Obispo
Metro	Los Angeles County Metropolitan Transportation Authority
Metrolink	Southern California Regional Rail Authority
MP	Mile Post
NCTD	North County Transit District
OBIS	On Board Information System
OCTA	Orange County Transportation Authority
OTP	On-time performance
Plan	California State Rail Plan
PTC	Positive Train Control
Prop 1B	Proposition 1B
RCTC	Riverside County Transportation Commission
ROW	Right-of-way
SANDAG	San Diego Association of Governments
SB	Senate Bill
SBCAG	Santa Barbara County Association of Governments

SCAG	Southern California Association of Governments
SCORE	Southern California Optimized Rail Expansion
SCRRA	Southern California Regional Rail Authority
SDMTS	San Diego Metropolitan Transit System
SDP	Service Development Plan
SJJPA	San Joaquin Joint Powers Authority
SLOCOG	San Luis Obispo Council of Governments
SOU	Special Operations Unit
SRA	State Rail Assistance
STIP	State Transportation Improvement Program
TAC	Technical Advisory Committee
TIRCP	Transit and Intercity Rail Capital Program
UPRR	Union Pacific Railroad
UPS	Uniform Performance Standards
TSA	Transportation Security Administration
VCTC	Ventura County Transportation Commission
VSS	Video Surveillance System





**LOS ANGELES – SAN DIEGO – SAN LUIS OBISPO
RAIL CORRIDOR AGENCY**

Supplemental Information

INTEGRATE WITH CONNECTING SERVICES

- Renew Rail 2 Rail programs with Metrolink and COASTER
- Advance ticketing integration efforts and local connections program



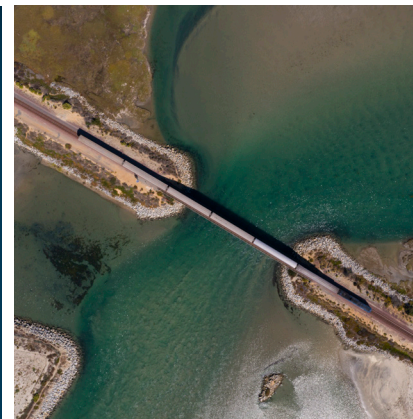
EXPAND SERVICE

- Implement 13th Pacific Surfliner round trip between Los Angeles and San Diego
- Continue to provide and promote special event service



2019 BOARD OF DIRECTORS' INITIATIVES

Los Angeles – San Diego – San Luis Obispo
Rail Corridor Agency



ENHANCE OPERATIONS

- Advance service optimization study and establish two- and five-year service improvement strategy
- Improve service reliability by implementing on-time performance incentive programs

MODERNIZE LOSSAN RAIL CORRIDOR

- Advance major and minor capital improvement projects
- Pursue grant funding for future capital needs



IMPROVE PASSENGER EXPERIENCE

- Continue to work with Amtrak to improve on-board amenities
- Upgrade passenger information systems and signage

