



April 8, 2020

Ms. Allison C. Davis, Director
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

300529

ENTERED
Office of Proceedings
April 8, 2020
Part of
Public Record

**RE: DOCKET NO. AB 874 (Sub-No. 1X)
SIERRA NORTHERN RAILWAY - ABANDONMENT EXEMPTION -
IN YOLO COUNTY, CA**

Dear Ms. Davis:

On behalf of the Sacramento Area Flood Control Agency (SAFCA), we are writing to express support for the Sierra Northern Railway's Petition for Exemption seeking approval to abandon a segment of its rail line in Docket No. AB 874 (Sub-No. 1X), as noticed in the Federal Register on April 8, 2020.

The SAFCA Board of Directors include elected officials from the County of Sacramento Board of Supervisors, the City of Sacramento Mayor and Council, the County of Sutter Board of Supervisors, the American River Flood Control District Board of Trustees, and the Reclamation District No. 1000 Board of Trustees.

On January 16, 2020, the SAFCA Board of Directors adopted Resolution No. 2020-006 supporting the proposed abandonment, because it will facilitate expedited completion of critical flood control improvements in the Sacramento area. The SAFCA resolution, which is attached to this letter, summarizes the plan to build critical flood protection infrastructure in the Sacramento area and the importance of the proposed abandonment to timely delivery of the flood protection improvements.

Congress has authorized the U.S. Army Corps of Engineers to construct six flood control projects to better protect Sacramento. One of these projects is the American River Watershed Common Features 2016 Project. In 2018, Congress provided approximately \$1.6 billion to expedite construction of this project through emergency supplemental appropriations. A major component of the American River Watershed, Common Features 2016 Project is to widen the Sacramento Weir and Bypass. This allows more flood flows to be diverted to the bypass system which conveys the flood waters around the Sacramento urban areas. A portion of the Sierra Northern Railway corridor is in the Project area needed for the widening the Sacramento Weir and Bypass.

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Sierra Northern Railway and SAFCA entered into a mutual agreement that addresses the flood control project's real estate needs and fairly compensates the Railroad. In order to execute this agreement the Surface Transportation Board must approve the plan to abandon a portion of the railroad corridor for the use in the Federal Project to construct the new weir and widened bypass. This would provide the safest and most cost effective solution to construction, function, operation and maintenance of critical flood infrastructure necessary to protect Sacramento.

Thank you for your consideration and we respectfully request approval of the petition for abandonment.

Sincerely,

A handwritten signature in black ink that reads "Patrick Kennedy". The signature is written in a cursive style with a large, stylized "P" and "K".

Patrick Kennedy
Chair, Sacramento Area Flood Control Agency
Supervisor, County of Sacramento

A handwritten signature in black ink that reads "Jeff Harris". The signature is written in a cursive style with a large, stylized "J" and "H".

Jeff Harris
Vice-Chair, Sacramento Area Flood Control Agency
Vice-Mayor, City of Sacramento

A handwritten signature in blue ink that reads "Rick Johnson". The signature is written in a cursive style with a large, stylized "R" and "J".

Rick Johnson
Executive Director
Sacramento Area Flood Control Agency

Attachment

cc: Mr. Anthony J. LaRocca
Steptoe & Johnson LLP
1330 Connecticut Ave., NW
Washington, DC 22036

RESOLUTION NO. 2020-006

Adopted by the Sacramento Area Flood Control Agency

**SUPPORTING SIERRA NORTHERN RAILWAY PETITION TO THE
SURFACE TRANSPORTATION BOARD IN REGARDS TO THE
REAL ESTATE TRANSACTION AGREEMENT**

WHEREAS, Sacramento is recognized as one of the most at-risk urban areas from riverine flooding in the country; and

WHEREAS, Sacramento has over half a million people, 147,000 structures, and \$70 billion in damageable property at risk in deep floodplains; and

WHEREAS, the U.S. Army Corps of Engineers (USACE), in a document to Congress, estimated there could be 1,800 deaths should a flood event occur in Sacramento; and

WHEREAS, the USACE, the California State Department of Water Resources, the Central Valley Flood Protection Board and Sacramento Area Flood Control Agency (SAFCA), are partnering to reduce the risk of flooding in the Sacramento area; and

WHEREAS, currently there are \$4.4 billion in Federal flood risk reduction projects under construction in the Sacramento area; and

WHEREAS, in 2018, Congress provided \$1,565,750,000 through emergency supplemental appropriations to complete the features of the American River Watershed, Common Features 2016 Project by 2024; and

WHEREAS, one of the components the American River Watershed, Common Features 2016 Project is to widen the Sacramento Weir and Bypass, allowing more flood flows to be diverted into the bypass system that moves the water safely past the urban areas; and

WHEREAS, under Federal law, SAFCA, as a non-Federal cost-share partner is responsible for providing to the USACE any lands required for construction of the Project, including relocating or removing obstacles on those properties in the way of construction; and

WHEREAS, a portion of the Sierra Northern Railway corridor is in the Project area needed for the widening the Sacramento Weir and Bypass; and

WHEREAS, Sierra Northern Railway and SAFCA entered into a mutual agreement that addresses the Project's real estate needs, fairly compensates the Railroad and minimizes the impacts on the Federal flood control Project; and

WHEREAS, The agreement includes Sierra Northern Railway petitioning the Surface Transportation Board to abandon a portion of the railroad corridor and selling the land, in fee, to SAFCA for the use in the Federal Project to construct the new weir and widened bypass; and

WHEREAS, Sierra Northern Railway anticipates filing a Petition for Exemption with the Surface Transportation Board in the near future seeking authority to abandon a portion of the tracks.

NOW, THEREFORE, BE IT RESOLVED BY THE SACRAMENTO AREA FLOOD CONTROL AGENCY BOARD OF DIRECTORS THAT:

1. The Sacramento Area Flood Control Board of Directors fully supports the Petition of Exemption filed by the Sierra Northern Railway with the Surface Transportation Board seeking authority to abandon a portion of its tracks.
2. The Sacramento Area Flood Control Agency Board of Directors requests the Surface Transportation Board consider the critically important public safety Project for more than 500,000 citizens as it makes its decision regarding the abandonment.
3. The Sacramento Area Flood Control Agency Board of Directors would like to thank the Surface Transportation Board for its efforts to address this issue.

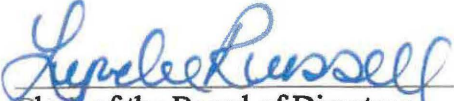
ON A MOTION BY Director Conant, seconded by Director Avdis, the foregoing resolution was passed and adopted by the Board of Directors of the Sacramento Area Flood Control Agency, this 16th day of January 2020, by the following vote, to wit:

AYES: Directors: Avdis, Burns, Conant, Frost, Harris, Holloway, Jennings, Kennedy, Nottoli, Peters, Serna, and Shah
NOES: Directors: None
ABSTAIN: Directors: None
RECUSE: Directors: None
ABSENT: Directors: Ashby


Chair of the Board of Directors of the
Sacramento Area Flood Control Agency

(SEAL)

ATTEST:


Clerk of the Board of Directors