



SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Environmental Analysis

December 12, 2019

Kathryn Kusske Floyd
Venable LLP
600 Massachusetts Avenue NW
Washington, DC 20001

Re: Docket No. FD 36312, Oakland Global Rail Enterprise — Request for Authority to Operate a Rail Line in Oakland, Cal.: Information Request No. 4

Dear Ms. Floyd:

Consistent with 40 C.F.R. § 1506.5(a), the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) requests the following information to assist in its environmental review for the above-referenced proceeding:

1. In Oakland Global Rail Enterprise's (OGRE) response to OEA's Information Request No. 1 - specifically Attachment 2 to OGRE's response - clarify (by segment) which entities own the rehabilitated rail line segments marked in "yellow, pink, green and tan."
2. In OGRE's response to Information Request No. 1, Item 1, third bullet, OGRE states that it would operate over approximately "6,000 feet of track owned by OGRE." Please clarify the location of this track. Is it track within the yellow zone shown in Attachment 2 of OGRE's response? If not, is this track separate from the 22,022 feet of track cited in OGRE's response to Information Request No. 1, Item 1, first bullet?
3. In OGRE's response to Information Request No. 1, Item 1, fifth bullet, OGRE states that it would operate over approximately "1,000 feet of existing track owned" by BNSF Railway Company (BNSF) and cites Attachment 3 of its response. However, Attachment 3 labels the subject track as "BNSF easement." Please clarify whether the subject track is owned by BNSF, or the track is owned by another party and BNSF retains an operating easement. If owned by another party, please identify the party. Additionally, please clarify whether this BNSF track is separate from the 22,022 feet of rehabilitated track discussed in the first bullet of OGRE's response to Information Request No. 1, Item 1.
4. In OGRE's response to Information Request No. 1, Item 1, sixth bullet, OGRE states that it would operate over approximately "4,525 feet of existing "on docks" track in the West Gateway area." Please clarify the location of this track. Is it depicted by the lavender color area shown in OGRE's response to Information

Request No. 1, Attachment 2 (in contrast to the “dark purple” tracks owned by Port of Oakland) and adjacent to Wharfs 5, 6, 7 and 8?¹

5. In OGRE’s response to OEA’s Information Request No. 1 - specifically Attachment 2 – provide the project-related definition of the labels “exclusive” and “non-exclusive” in the West Gateway area
6. OGRE’s response to Information Request No. 2 states that its proposed operations could handle up to three 6,400-foot-long unit trains per day at full capacity, with each unit train being broken down into two 3,200-foot-long trains. Please specify at exactly where in the project area the OGRE trains would be broken down and reassembled?

We look forward to receiving this information by Friday, December 20, 2019. Please submit your response to Dave Navecky of my staff at 395 E Street, SW, Washington, DC, 20423, david.navecky@stb.gov, and cc: Kevin Starner of Skelly & Loy at kstarner@skellyloy.com. Please feel free to contact Dave at 202-245-0294 if you have any questions regarding this request. Thank you for your assistance.

Sincerely,



Victoria Rutson
Director
Office of Environmental Analysis

cc: Kevin Starner, Skelly & Loy
Alyssa Lynd, Skelly & Loy

¹ The “wharf” terminology and designations are from Exhibit 2 of OGRE’s Petition for Declaratory Order in Docket No. FD 36168, filed May 23, 2018.