



February 27, 2019

Mr. Jeff Mann  
President & CEO  
Research Triangle Regional Public  
Transport. Authority (d/b/a GoTriangle)  
P.O. Box 13787  
Research Triangle Park, NC 27709

The Honorable Ellen Reckhow  
Durham County Commissioner  
Chair, GoTriangle Board of Trustees  
c/o GoTriangle  
P.O. Box 13787  
Research Triangle Park, NC 27709

Dear Commissioner Reckhow and Mr. Mann,

Since the mid-1990's, GoTriangle/Triangle Transit advanced a number of plans for light rail and regional rail, most of which included proposed use of the North Carolina Railroad (NCRR) corridor between Raleigh and Durham. More recently, those plans were adapted and revised, and a final GoTriangle plan to introduce light rail emerged in 2014-15 (as an electrified transit system using overhead wires on separate, dedicated track) proposing to use the NCRR corridor through downtown Durham for approximately two miles.

Through each of these scenarios, NCRR and our operating railroad partner, Norfolk Southern, reviewed TTA/GoTriangle plans and offered comments in an effort to ensure the proposed plans would be compatible with the existing infrastructure for main line freight and Amtrak train systems, as well as future commuter rail, all within or along the NCRR corridor. In August 2014, NCRR initiated and GoTriangle assisted in hosting a trip to Norfolk, V.A. to experience the city's new light rail system and better understand what a system might look like in a dense urban setting, utilizing the existing street system (as with Pettigrew Street). Representatives of Norfolk Southern and the Durham Chamber also joined the Norfolk light rail tour.

A chronological summary of the meetings, plans, and events relating to this work, and the collaboration by NCRR among the other organizations involved, is attached. This work included our letter of mutual understanding provided on your behalf for the FTA on November 21, 2018.

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Over recent weeks, GoTriangle has worked on revised conceptual plans, which we understand to be approximately 20% designed (i.e. not yet fully engineered). Optimistically, when completed, you will have addressed the technical challenges and safety issues presented by locating a light rail operation within and adjacent to the active freight and Amtrak passenger rail corridor, and can achieve GoTriangle's goal of high frequency transit east-west through downtown Durham.

As with previous plans, the current GoTriangle plan proposes "fitting" a double track, electrified light rail system along the NCRR corridor, locating the proposed light rail system adjacent and parallel to the main line NCRR railroad that is operated, maintained, and dispatched by Norfolk Southern. The near term goal of our engineering teams is to determine all of the details necessary to fit the new tracks, supporting below ground retaining walls, bridges, electronic control systems, stations, and electric overhead wires within approximately 45 feet of space laterally spanning both Pettigrew St. and the NCRR corridor. Safety of the freight and Amtrak trains, pedestrians, and riders remains a primary concern for NCRR, therefore we are unable to approve the plans in their current stage as the basis of a signed lease.

We believe the current design is vastly improved over the 2018 plan, and is likely to be approved once the details are available and reviewed in the months ahead. However, GoTriangle management acknowledges that there is design work remaining to be done to determine exactly what property and infrastructure will be needed. This includes location and strength/design of retaining walls, station locations, emergency exits and life safety locations, detailed crossing plans for North Duke, Gregson, Dillard, Blackwell and other streets, and detailed bridge and tunnel plans along Pettigrew Street.

You have indicated in recent meetings with our counsel and Real Estate Vice President that NCRR should commit to sign and execute a 100-year lease. Before NCRR is comfortable executing agreements, the following open issues must be resolved, which include, but are not limited to: (1) the lease fee; (2) the performance guaranty payment provisions; (3) indemnification; and (4) engineering plans. Of course, any final agreements are subject to full NCRR Board approval.

In our phone call with GoTriangle legal counsel, Shelley Blake and you on January 10, 2019, we communicated that before recommending execution of a lease, NCRR required final plans, or 65% plans at a minimum, the standard NCDOT uses when acquiring land for new construction. Nonetheless, we have indicated to you that we would be willing to commit to the form of that lease document, which will include final agreement on the one-time rental fee, a performance guaranty payment, and liability and indemnification clauses acceptable to NCRR and Norfolk Southern that have thus far not been agreed to by GoTriangle.

What we suggest is that GoTriangle continue the design work while designated representatives of GoTriangle and NCRR finalize the lease language subject to approved final plans, and that this form of unexecuted lease draft be presented to the FTA in good faith as part of your federal funding applications. *We are happy to participate in those meetings with the FTA in order to verify that NCRR is committed to executing a lease upon approval of acceptable final plans, and*

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*to see the project through to completion as the issues between the many parties to GoTriangle's plan continue to be addressed.*

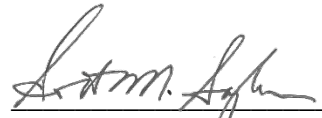
Like you, we have devoted many, many work hours to meetings, draft agreements, and plan design changes over the past two years, and will respond timely to reasonable requests to assist GoTriangle in its efforts to make a safe and sustainable light rail system along the NCRR corridor in downtown Durham a reality.

Sincerely,



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Michael P. Walters, Chairman



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Scott M. Saylor, President

Attachment

cc: Ms. Wendy Jacobs, Chr., Durham County Commissioners  
Mr. Steve Schewel, Mayor, City of Durham  
Mr. Wendell Davis, Durham County Manager  
Mr. Tom Bonfield, Durham City Manager