



August 6, 2024

Metro  
Attn: Carlos J. Montez  
Deputy Executive Director  
One Gateway Plaza, MS 99-18-2  
Los Angeles, CA 90012

RE: Link US – Draft EIS/SEIR

Mr. Montez,

Thank you for the opportunity to provide comments on the Environmental Impact Statement/Supplemental Environmental Impact Report (EIS/SEIR) for the Metro Link US Project. I am writing to convey the City of Vernon's opposition to the Malabar Yard Mitigation. This "mitigation" proposes modification and closure to two streets in Vernon, and to facilitate the expansion of the Malabar Rail Yard, owned by BNSF, as a "mitigation" to the Metro Link Union Station Project. While we understand the goal is to address capacity constraints at LA Union Station and to prepare Union Station for future high-speed rail service, the negative impacts on the city of Vernon and surrounding southeast Los Angeles (SELA) Environmental Justice (EJ) communities are significant and should not be overlooked. These impacts would be eliminated if, in accordance with Metro's Relocation Assistance Program and the California Relocation Assistance Act, BNSF were paid for the use of its storage tracks rather than relocating its storage operations to Vernon.

The Los Angeles County Metropolitan Transportation Authority (Metro), as the owner of the Los Angeles Union Station (LAUS), is proposing the Link Union Station (Link US) Project to address capacity constraints at LAUS and to prepare LAUS for future high-speed rail service. While the focus of the Project is Union Station, the Project will have significant impacts within the City of Vernon due to proposed infrastructure changes designed to optimize BNSF Railway operations and expand rail car storage at the BNSF Malabar Rail Storage Yard, located in Vernon and approximately two city blocks north of the border with the City of Huntington Park. As currently proposed, the project would require the closure of 49th Street to accommodate approximately 3,350 track feet of storage capacity at the BNSF-owned Malabar Yard and a "Connector" at 46th Street to create a dedicated connection for freight trains to travel between BNSF's Malabar Yard and BNSF's Los Angeles Junction.

Vernon is home to a working population of over 50,000 people. Over the past several years, the City of Vernon has worked to implement environmental reforms to improve air quality and mitigate its industrial impacts on SELA's Environmental Justice communities, including restrictions on the development of large warehouses to improve traffic and reduce vehicle emissions, attracting clean commerce through incentivizing green and tech industries, adopting zoning changes for more balanced land-uses, facilitating the development of housing, and growing

Vernon's residential population. These efforts have been crucial in safeguarding our residents and workforce. Unfortunately, Metro's proposed modifications on behalf of BNSF threaten to undermine these hard-won gains and put an immediate halt to much-needed housing developments occurring in the project area.

Since the release of the Draft EIS/SEIR, City staff have carefully reviewed the documents to provide separate technical comments in response to the Link US Environmental Evaluation of Malabar Yard Mitigation (Appendix Q of the Link US Draft EIS/EIR). In summary, the Link US Project would result in adverse impacts to the following areas:

### **Air Quality and Increased Emissions**

The proposed modifications to BNSF's Malabar Rail Yard to increase storage capacity will lead to an increase in freight railcar traffic within the City of Vernon. This increase in railcars will also cause vehicles to idle longer while waiting for trains to pass. Consequently, this will result in higher emissions of pollutants such as nitrogen oxides (NOx), particulate matter (PM), and other harmful air pollutants. The Malabar Yard "mitigation" seems to justify increased pollution in SELA because the project as a whole reduces emissions regionally.

### **Public Safety Response Times and Emergency Vehicle Access**

The Malabar Yard Mitigation provides for an increase in BNSF's freight train length to up to 60 Rail Cars – 4,000 feet, almost a mile in length. This will directly impact the response times of emergency vehicles in the City of Vernon. The Vernon Police Department, which prides itself on a swift three-minute response time, is situated on the west side of the rail crossings. If a freight train is passing through, officers must drive south into the City of Huntington Park to circumvent the train, delaying their arrival at critical incidents. Such delays can also impede fire and medical emergency services, and in urgent situations, even a few minutes can mean the difference between life and death. The proposed project does not adequately address how these potential delays will be mitigated to ensure the safety and well-being of the local community.

### **Traffic Impact with Street Modifications**

The proposed closure of 49th Street and the 46th Street Connector, will cause significant traffic impacts. These two streets are heavily used by surrounding businesses and the closure/modifications will result in issues with traffic patterns, private parking, and access to loading docks, leading to congestion and delays for commuters and local businesses. The closure of 49th Street alone will create additional blockages on: Pacific Avenue (two locations), East bound traffic on 46th Street, Seville Avenue, Soto Street, 44th Street, Boyle Street, Alcoa Avenue, and South Downey Road. These traffic delays are expected to have a cascading effect on the overall transportation network in Vernon, negatively impacting the daily operations and productivity of local businesses and the quality of life for residents, in addition to pushing traffic into surrounding communities.

### **Operational and Physical Impacts to Businesses**

The proposed expansion and modifications at the Malabar Yard will also have detrimental operational and physical impacts on at least 21 businesses in the vicinity. Metro proposes several design options that include the full demolition of several business buildings. The potential use of business properties for the expansion of BNSF operations could result in the displacement of established businesses, loss of jobs, and economic instability in the area. Additionally, operational

disruptions caused by increased freight traffic and construction activities can hinder the day-to-day activities of local businesses, leading to financial losses and forcing several businesses to shut down.

### **Appendix Q Analysis**

The analysis in Appendix Q is flawed in several ways, including references to policies for the City of Vernon, British Columbia in the nation of Canada. The analysis also relies on data and traffic studies performed during the COVID pandemic that are not representative of typical traffic conditions, current ordinances, or residential zoning in Vernon, California, USA.

Another fundamental flaw is that the analysis focuses on the 49th Street closure and the track extension on 46th Street, without examining the impacts that the change in rail operations facilitated by the Malabar Yard Mitigation will have on sensitive receptors in the immediate area. Focusing on 49th and 46th Streets, not the expanded Malabar Rail Yard results in the exclusion of the Vernon City Elementary School, Holy Angels Church of the Deaf, new housing developments in Vernon, and residents on E 53rd Street in Huntington Park from the Study Area. This minimizes the unavoidable adverse impacts of the Malabar Yard Mitigation. These impacts to Vernon and the SELA community would be eliminated if, in accordance with Metro's Relocation Assistance Program and the California Relocation Assistance Act, BNSF were paid for the use of its storage tracks rather than relocating its storage operations to Vernon.

In conclusion, while the goals of the Metro Link Union Station Project are admirable, we ask that you consider the negative impacts on the City of Vernon and surrounding communities, particularly concerning air quality, public safety, traffic congestion, housing developments, and the well-being of local businesses and the jobs they provide for the community.

I urge Metro to act in accordance with its Relocation Assistance Program and California's Relocation Assistance Act and pay BNSF for the use of its storage tracks rather than facilitating BNSF's relocation of its storage operations to Vernon.

Sincerely,



Judith Merlo  
Mayor  
City of Vernon