



## VENTURA COUNTY TRANSPORTATION COMMISSION SANTA PAULA BRANCH LINE ADVISORY COMMITTEE (SPBLAC)

**MONDAY, March 23, 2020**

**1:00 PM**

**Ventura County Transportation Commission  
Lobby Conference Room  
950 County Square Drive, Ventura, CA 93003**

**[www.goventura.org](http://www.goventura.org)**

### **AGENDA - UPDATED 3/23/2020**

*The Santa Paula Branch Line Advisory Committee (SPBLAC) meeting will **NOT** be held at the Ventura County Transportation Commission Lobby Conference Room as originally scheduled. In light of Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak and in accordance with Executive Order N-29-30 and the Guidance for Gatherings issued by the California Department of Public Health, Commissioners will participate in the meeting from individual remote locations, which is in accordance with the Governor's Executive Order. Members of the public are encouraged to attend the meeting remotely via the link below.*

**The meeting will be live-streamed via: <https://us04web.zoom.us/j/370550830>**

*Persons who wish to address the Committee on an item to be considered at this meeting are asked to submit comments in writing to the Committee at [Afagan@goventura.org](mailto:Afagan@goventura.org) by 5:00 PM, Friday, March 20, 2020. **Persons who wish to address the Committee may also submit comments via the Zoom session by using the link above.***

*In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Commission meeting, please contact VCTC staff (805) 642-1591 ext 0. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.*

- 1. CALL TO ORDER**
- 2. ROLL CALL**

3. **PUBLIC COMMENTS** (For items not on the agenda) – *Each individual speaker is limited to speak three (3) continuous minutes or less. Any written documents to be distributed or presented to the Commission shall be submitted to VCTC SPBLAC staff. This policy applies to Public Comments and comments on Agenda Items. Under the Brown Act, SPBLAC should not take action on or discuss matters raised during Public Comment portion of the agenda which are not listed on the agenda. SPBLAC members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.*
4. **APPROVE SUMMARY FROM 3/25/2019 – SPBLAC MEETING – PG.3**
5. **COMMITTEE MEMBER/STAFF REPORT**  
*This item provides the opportunity for the SPBLAC members VCTC staff to report on attended meetings and any other items related to SPBLAC activities.*
6. **ADDITIONS/REVISIONS** – *The SPBLAC may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the SPBLAC subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the SPBLAC. If there are less than 2/3 of the SPBLAC members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*
7. **DRAFT FISCAL YEAR 2020/2021 SANTA PAULA BRANCH LINE BUDGET– PG. 6**  
**Recommended Action:**  
*Receive and Comment.*
8. **DRAFT SANTA PAULA BRANCH LINE 2019 BRIDGE INSPECTION – PG. 10**  
**Recommended Action:**  
*Receive and File.*
9. **SANTA PAULA BRANCH LINE ENCROACHMENTS AND LEASING REPORT – PG. 18**  
**Recommended Action:**  
*Receive and File.*
10. **SANTA PAULA BRANCH LINE RAIL OPERATOR LEASE– PG. 20**  
**Recommended Action:**  
*Receive and File.*
11. **HEARTHSTONE CROSSING UPDATE – PG. 22**  
**Recommended Action:**  
*Receive and File.*
12. **ADJOURN**



Item #4

## **VENTURA COUNTY TRANSPORTATION COMMISSION SANTA PAULA BRANCH LINE ADVISORY COMMITTEE (SPBLAC)**

**MONDAY, March 25, 2019  
1:00 PM**

**[www.goventura.org](http://www.goventura.org)**

### **SUMMARY**

**Ventura County Transportation Commission  
Lobby Conference Room  
950 County Square Drive, Ventura, CA 93003**

**1. CALL TO ORDER**

Chair Minjares called the meeting to order.

**2. ROLL CALL**

Chair Minjares, Commissioners Crosswhite and Heitman were in attendance. Commissioner Long were absent. Commissioner Bennett arrived to the meeting

**3. PUBLIC COMMENTS**

**4. APPROVE SUMMARY FROM 3/12/2018 SPBLAC MEETING**

Only one Commissioner in attendance had been on the Committee

**5. COMMITTEE MEMBER/STAFF REPORT**

*This item provides the opportunity for the SPBLAC members VCTC staff to report on attended meetings and any other items related to SPBLAC activities.*

**6. ADDITIONS/REVISIONS – None**

**7. DRAFT FISCAL YEAR 2019/2020 SANTA PAULA BRANCH LINE BUDGET– Receive and Comment**

Steve DeGeorge presented the draft budget noting a \$1,500 increase in the budget over the previous year and a status quo budget that includes rail line maintenance, bridge inspections, and administrative oversight and plan checks for two ongoing developments in Santa Paula and Fillmore. The Branch Line has three primary revenue sources: lease revenues, State Transit

Assistance, and Local Transportation Funds. No new projects are envisioned for the Branch Line at this time. Commissioners asked questions about the revenue sources and expenses.

***No action is required.***

**8. SANTA PAULA BRANCH LINE RAIL OPERATOR LEASE– *Receive and File.***

Darren Kettle called to the attention of the Commissioners that the 20-year operating lease with Fillmore & Western will expire June 2021. VCTC will begin to evaluate the future use and operations of the line following expiration of the lease. Commissioners and staff discussed the original intent of the line to preserve the right of way for purposes of a recreational trail or commuter rail service from Ventura to Santa Clarita. Commissioners inquired about the status of commuter rail along the Santa Paula Branch Line. Staff explained that commuter rail would require significant upgrades to the line to provide for commuter rail speeds at an estimated cost exceeding \$1 billion. Density at a level on par with development around the Metrolink line would be needed to support the cost of commuter rail upgrades and operations. Completion of a recreational through-trail connecting to the LA County line has a receiver site with continuation of a dedicated public right-of-way associated with the Newhall Ranch development. Other rail operational models for rail operations were also discussed. Steve DeGeorge noted that the purchase of the line itself was completed with Federal funds, which affects future use of the rail property.

***No action is required.***

**9. DRAFT PAULA BRANCH LINE 2018 BRIDGE INSPECTION – *Receive and File***

Steve DeGeorge explained that Santa Paula Branch Line (SPBL) has 35 bridges over the 32 miles Branch Line. Steve DeGeorge explained the requirement for annual inspections of the bridges, and noted a steady, slow decline of bridge conditions over time. Three bridges were upgraded in priority for repairs at an estimated cost of \$450,000. Total repair costs are approximately \$1 million. VCTC is under no obligation to repair the bridges within the Fillmore & Western portion of the Branch Line, but can elect to complete repairs to the line. VCTC is obligated to cover the cost of repairs to the portion of the line within the Union Pacific operating right of way. VCTC is not obligated to cover the cost of repairs within the Fillmore & Western operating right of way. ***No action is required.***

**10. ADJOURN**



**THIS PAGE IS INTENTIONALLY LEFT BLANK**



Item # 7

March 23, 2020

**MEMO TO: SANTA PAULA BRANCH LINE ADVISORY COMMITTEE**

**FROM: AMANDA FAGAN, PLANNING AND POLICY DIRECTOR**

**SUBJECT: DRAFT SANTA PAULA BRANCH LINE FISCAL YEAR 2020/2021 BUDGET**

**RECOMMENDATION:**

- Receive comments

**DISCUSSION:**

The Draft Fiscal Year 2020/2021 Santa Paula Branch Line (SPBL) Budget provides for continued asset management, maintenance, and operational obligations along the thirty-two mile long corridor and includes planning for the future of the Branch Line. The Draft Fiscal Year 2020/2021 SPBL budget is approximately \$2,400 lower than the previous year due to modest reductions in the personnel and consultant services categories.

The Draft Budget provides for four broad categories of effort:

- (1) Routine property management activities, such as VCTC's continuing "Good Neighbor" policy of weed abatement, tree trimming, and trash removal within the corridor. VCTC continues to work with the cities of Santa Paula and Fillmore to coordinate efforts to address a persistent homeless population along segments of the Branch Line Trespasser Removal Policy Update.
- (2) Bridge inspections, including the annual inspections mandated by the Bridge Management Plan per the Federal Railroad Administration. The annual bridge inspection report is addressed further in Item 8, Draft Santa Paula Branch Line 2019 Bridge Inspection. For Fiscal Year 2020/2021, quarterly inspections are added for three bridges based on a recommendation from the December 2019 annual inspection.
- (3) Rail maintenance on the line performed by the rail operator as prescribed in the 2017 agreement.
- (4) Consultant support and rail engineering services to assist with planning for the future of the SPBL.

Revenues for the Santa Paula Branch Line come from four primary sources:

- (1) Local Fees (lease revenue from the 75 paying leases along the SPBL and permits, such as for filming);
- (2) Signal Revenues from the California Public Utilities Commission;
- (3) State Transit Assistance (STA); and

(4) Local Transportation Funds (LTF).

To minimize the use of STA, approximately \$316,000 in Local Fees (\$311,000 from Leases and \$5,000 from Permits) generated by the Branch Line are used first for Branch Line activities. Staff salaries are funded by LTF.

**BUDGET TASK: SANTA PAULA BRANCH LINE****DIRECTOR:** Amanda Fagan**BUDGET MANAGER:** Amanda Fagan**OBJECTIVES:** Manage the Santa Paula Branch Line (SPBL) corridor.

**ACCOMPLISHMENTS:** The Ventura County Transportation Commission purchased the thirty-two-mile-long Santa Paula Branch Line in 1995. With the purchase of the Branch Line came a large number of leases for cultivation, utilities, crossings and pipelines which provide a portion of the revenue needed to support the line. In 2001, VCTC entered into a lease agreement with the Fillmore and Western Railway Company for maintenance and operation of the SPBL. With these agreements comes the need to actively manage the SPBL on a daily basis.

During Fiscal Year 2019/2020, staff managed the day-to-day business of owning the SPBL, issuing rights-of-entry permits, license agreements, performing weed abatement, trash removal, and interfacing with other jurisdictions on property management issues. In addition, staff met the Federal Railroad Administration (FRA) requirement to have all bridges inspected annually under VCTC's Bridge Management Plan and have any bridge requiring it evaluated for its load carrying capacity.

Staff also provides administrative oversight for private development projects adjacent to the SPBL corridor in Santa Paula and Fillmore. Staff and legal costs are fully compensated by the developers.

**DESCRIPTION:** The Fiscal Year 2020/2021 Santa Paula Branch Line Task Budget provides for daily asset management and maintenance, including issuing rights-of-entry, weed abatement, debris cleanup, lease management, and implementation of the trespass removal policy.

In addition to right-of-way maintenance, the Fiscal Year 2020/2021 SPBL Budget includes \$45,000 for consultant support for the federally mandated annual Bridge Inspection Report and \$15,000 for quarterly inspection of three (3) bridges based on the Engineer recommendation from the December 2019 inspection.

The 20-year lease with the current SPBL rail operator expires June 30, 2021. VCTC will need to evaluate options and determine the future of the SPBL. As such, the Fiscal Year 2020/2021 budget includes \$75,000 for consultant support and rail engineering services to assist with planning for the future of the SPBL (tasks continued from the previous Fiscal Year).

The Fiscal Year 2020/2021 SPBL Budget is \$2,400 below the previous fiscal year due to modest reductions in the personnel and consultant services categories.

**BUDGET TASK: SANTA PAULA BRANCH LINE (continued)****DIRECTOR:** Amanda Fagan**BUDGET MANAGER:** Amanda Fagan**WORK ELEMENTS:**

1. Manage the day-to-day operation of the SPBL, consistent with policies of the VCTC and requirements of the California Public Utilities Commission (CPUC), the Federal Railroad Administration (FRA), and the Surface Transportation Board (STB).
2. Investigate revenue opportunities for the SPBL.
3. Prepare and administer leases and rights-of-entry for use of SPBL corridor property.
4. Quickly respond to neighbor complaints; conduct weed abatement activities including application of pre-emergent and weed killer sprays; trim and/or remove brush and trees on the rail ROW; and contract for regular monthly operations and maintenance.
5. Implement VCTC Trespass Policy requirements along SPBL right-of-way.
6. Complete annual FRA required rail bridge inspections.
7. Complete quarterly recommended rail bridge inspections for three (3) bridges.
8. Evaluate SPBL leases and establish new rate schedule where applicable.
9. Evaluate options and plan for the future of the SPBL following expiration of the current rail operating lease.

**PRODUCT:** Continued safe and cost-efficient management of the SPBL corridor.**FUNDING:**

<b>Funding Source</b>	<b>Funding Dollars</b>
LTF Fund Transfer	\$130,700
STA Fund Transfer	420,000
STA Fund Carry-Over	50,000
Signal Revenue	20,000
Local Fee – Leases	311,000
Local Fee – Permits	5,000
<b>Total Funding</b>	<b>\$936,700</b>

**EXPENDITURE COMPARISON:**

	<b>Fiscal Year 2018/2019 Actual</b>	<b>Fiscal Year 2019/2020 Budget*</b>	<b>Fiscal Year 2020/2021 Budget</b>
Salaries	\$ 36,184	\$ 60,100	\$ 58,900
Fringe and Tax	14,961	24,600	24,700
Indirect Cost Allocation	29,941	43,400	47,100
Mileage	379	500	500
Office Support	0	500	500
Consultant Services	58,270	140,000	135,000
Legal Services	27,436	50,000	50,000
Non-Rail Maintenance	77,573	100,000	100,000
Signal Repair and Replacement	0	70,000	70,000
Track Maintenance	468,894	450,000	450,000
<b>Total Expenditures</b>	<b>\$713,638</b>	<b>\$939,100</b>	<b>\$936,700</b>

\* This budget task was amended after the Commission approved the budget in June 2019.



Item # 8

March 23, 2020

**MEMO TO: SANTA PAULA BRANCH LINE ADVISORY COMMITTEE**  
**FROM: AMANDA FAGAN, PLANNING AND POLICY DIRECTOR**  
**SUBJECT: DRAFT SANTA PAULA BRANCH LINE 2019 BRIDGE INSPECTION**

**RECOMMENDATION:**

- Receive and File

**BACKGROUND:**

In July 2010, the Federal Railroad Administration (FRA) promulgated Title 49, Code of Federal Regulations (CFR) Part 237 - Bridge Safety Standards, which mandates that owners of railroads develop and adopt a Bridge Management Plan (BMP). As part of the BMP, bridges must be inspected annually for safety and engineering deficiencies, and by March 2017, all bridges in service must have had a bridge load capacity rating performed to determine the weight each bridge can safely carry. As owner of the Santa Paula Branch Line (SPBL), VCTC must comply with the federally mandated 49 CFR Part 237 on the prescribed schedule.

**DISCUSSION:**

In December 2019, VCTC rail engineering consultant Wilson & Company conducted the annual BMP Bridge Inspection. Wilson & Company inspected and assessed each of the thirty-seven bridge structures in terms of condition, needed repairs, and estimated cost of repairs. Wilson & Company provided a written report in January 2020 within the required schedule. Total estimated bridge maintenance costs are \$1,211,500. This estimate is \$234,000 more than the previous year.

Consistent with previous inspections, the 2019 inspections reveal a continued worsening of bridge conditions along most of the Branch Line. Notable exceptions include Haun Creek Bridge (Mile Post 416.32) was completely rebuilt and reopened in the summer of 2018, and the bridges at Mile Post 416.02 and 416.21, which were removed and replaced as part of work associated with the Harvest at Limoneira (East Area 1) development in Santa Paula.

The 2019 report identifies four bridges in need of major maintenance within the next year, and recommends quarterly inspections for three of the four bridges to ensure functionality of the bridge until repairs are made.

The bridges, as shown in Figure 1, at Mile Post 415.69, 415.92, 417.24, and 420.20 each need deck planks and stringers to be replaced.



**Figure 1. Selected Bridge Locations**

Under VCTC's lease with the rail operator on the line, for bridges between mile post 414.15 and mile post 437.07, VCTC is under no obligation to make these repairs, but the rail operator may elect to assume responsibility for the repairs at their own cost. At this time, only funds for quarterly inspections of the three bridges for which the Engineer recommends such inspections (MP 415.69, MP 415.92, and MP 417.24) are included in the Draft Santa Paula Branch Line Fiscal Year 2020/2021 task budget.

The estimated cost of repairs is shown in Attachment A (2019 Maintenance List).

Structure #	Priority (years)	Description of Work - Maintenance	Est. Cost
407.48	1	Repair wingwalls to retain ballast	\$4,000
	1	Repair footwalk and handrail	\$2,000
408.02	3	Replace fouled ballast	\$5,000
	1	Raise approaches	\$4,000
	3	Replace ties	\$5,000
	1	Repair northeast embankment	\$3,000
408.84a	<1	Remove vegetation under all spans	\$2,000
	<1	Repair backwall and scour before next rainy season	\$10,000
	1	Raise approaches on both ends	\$4,000
	<1	Replace walkway	\$2,000
	<1	Repair handrail cable	\$2,000
408.84b	<1	Repair walkway	\$4,000
	<1	Repair handrail	\$2,000
	1	Remove vegetation under bridge	\$2,000
	1	Repair undermining at pier 3	\$4,000
408.84c	<1	Remove vegetation under all spans	\$2,000
	1	Raise approaches on both ends	\$4,000
	<1	Replace walkway	\$2,000
	<1	Repair backwall and scour before next rainy season	\$10,000
	<1	Repair handrail cable	\$2,000
409.74	1	Replace ballast	\$5,000
	1	Raise approaches	\$4,000
	<1	Remove bees	\$1,000
410.40	1	Remove vegetation from under and around bridge structure	\$5,000
	1	Raise approaches	\$4,000
	<1	Repair handrail	\$2,000
	1	J-Bolts need to be installed to prevent tie movement	\$1,000
	1	Repair west wingwall to prevent further ballast loss	\$5,000
411.97	<1	Repair handrail	\$1,000
	1	Raise approaches	\$4,000
412.25	<1	Remove vegetation from under and around bridge	\$3,000
	1	Clean debris from around bearings both ends	\$2,000
	1	Raise approaches both ends	\$4,000
	1	Replace guard timbers	\$2,000
	1	Replace split tie	\$1,000
	1	Add handrails	\$4,000
415.20	1	Raise approaches	\$4,000
	<1	Repair handrail	\$1,000
	1	Excavate to allow inspection or replace with culvert	\$10,000
	3	Repair wingwalls	\$4,000
415.32	<1	Replace walkway grating	\$2,000
	1	Raise approaches	\$4,000
	<1	Replace handrail	\$2,000
415.59b	1	Clean bearings	\$2,000
	1	Remove material between inside guard rail and running rail both ends, both sides	\$4,000
415.69	1	Raise east approach	\$2,000
	<1	Replace failed deck planks	\$50,000
	<1	Replace failed/rotten/crushing stringers	\$150,000
	<1	Quarterly inspections until deck and stringer repairs are made	\$3,500
	1	Repair wingwalls	\$4,000
415.79	1	Repair ballast guard	\$1,000
	1	Add ballast to approaches	\$3,000
	1	Clean channel to allow inspection or replace with culverts	\$10,000
415.82	1	Repair wingwalls and headwall retainer, both ends	\$3,000
	1	Replace sway braces	\$3,000
	1	Raise ballast at approaches	\$3,000
	<1	Shim pier to provide bearing	\$1,000
415.92	1	Ballast planks beginning to fail. Monitor and replace if maintained as a bridge	\$25,000
	<1	Walkway has uneven surface and is a tripping hazard	\$2,000
	1	Shim helper bents to all stringers	\$1,000
	<1	Replace failed and rotten stringers or replace with culverts	\$150,000
	1	Repair handrail	\$1,000
	<1	Quarterly inspections until deck and stringer repairs are made	\$3,500
	1	Repair wingwalls	\$4,000

Structure #	Priority (years)	Description of Work - Maintenance	Est. Cost
416.21	1	Grout Joints	\$2,000
	1	Add handrail	\$4,000
416.32	1	Raise and straighten west approach	\$3,000
	<1	Bridge has silted in more, channel needs cleaning to prevent water from hitting stringers	\$8,000
416.63	1	Raise approaches	\$4,000
	1	Repair backwall locations that are leaking	\$5,000
417.24	<1	Remove vegetation under and around bridge and on tracks	\$5,000
	<1	Replace bad track ties	\$2,000
	1	Clear boulders, trees & other debris from under bridge to allow max flow & prevent damage to pile	\$3,000
	2	Repair backwalls	\$20,000
	<1	Replace ballast planks with stringer replacement	\$35,000
	<1	Replace bad stringers.	\$150,000
	<1	Quarterly inspections until deck and stringer repairs are made	\$3,500
	1	Repair erosion around wingwalls	\$3,000
417.96	1	Correct rail alignment	\$4,000
	3	Level track across structure	\$5,000
418.02	1	Clear debris from under bridge	\$2,000
	1	Raise approaches both ends	\$4,000
	1	Replace failed deck planks	\$25,000
	2	Install wingwall east end to prevent ballast loss	\$3,000
419.42	<1	Remove overhead vegetation	\$2,000
	2	Repair scour and protect both abutments	\$30,000
	1	Raise approaches	\$4,000
	<1	Repair handrail both sides	\$2,000
419.92	<1	Protect Abutment #1 from further scour	\$10,000
	1	Raise approaches both ends	\$4,000
	1	Replace missing, rotted and broken bracing	\$5,000
	2	Replace rotten backwall planks	\$20,000
	1	Repair holes in ballast near abutment 1	\$2,000
	2	Increase height of SW ballast retainer to hold ballast	\$2,000
420.20	1	Raise approaches	\$4,000
	<1	Shim temporary bents	\$1,000
	1	Add supplemental steel stringers to replace temporary bents	\$15,000
	1	Add handrail	\$5,000
	1	Repair ballast retainer and deck planks	\$10,000
	2	Repair sway bracing	\$3,000
	3	Repair rotten backwall	\$20,000
420.46	1	Raise approaches	\$4,000
	2	Repair abutment ballast retainer west end and add at east end	\$2,000
	2	Repair west backwall	\$10,000
	1	Replace broken bent 2 sway brace, attach bent 4 brace	\$4,000
	1	Repair holes in deck planks	\$2,000
421.05	1	Clean silt from span 1	\$5,000
	1	Raise approaches both ends	\$4,000
	2	Replace / Repair / Install wingwalls both ends both sides	\$4,000
421.23	1	Clean channel downstream	\$5,000
	1	Raise approaches both ends	\$4,000
	<1	Repair walkway	\$4,000
	<1	Repair handrail	\$2,000
	2	Replace stringers on span #1 & #2 . Monitor if condition worsens and raise priority.	\$75,000
	1	Increase ballast depth to 12 in minimum	\$3,000
422.53	<1	Remove vegation around bridge	\$2,000
	1	Add j-bolts to attach ties to stringers along with guard timbers	\$2,000
	1	Raise approaches on both ends	\$4,000
	1	Repair handrail cable	\$2,000
422.89	1	Raise approaches on both ends	\$4,000
	1	Replace fouled ballast	\$5,000
423.28	1	Raise approaches	\$4,000
	<1	Repair handrail cable north side	\$2,000
	2	Clean bearings. Monitor condition and raise priority if necessary	\$2,000
	<1	Remove bees at abutment 1	\$1,000
423.44	1	Add ballast - ballast 3" below top of tie	\$5,000
	1	Raise west approach	\$2,000
	1	Remove debris from bents	\$5,000
	2	Add scour protection at Abutment 1	\$5,000

2019 Maintenance List

Structure #	Priority (years)	Description of Work - Maintenance	Est. Cost
425.15	<1	Repair loose handrail cable	\$2,000
427.64	<1	Clear vegetation on north and south side of bridge	\$3,000
	<1	Clear channel	\$5,000
	1	Raise approaches both ends	\$4,000
	1	Replace ties	\$3,000
	<1	Clean debris from stringers	\$2,000
	1	Repair backwalls	\$5,000
429.79b	2	Raise both approaches	\$4,000
	1	Clear abutments, center pier and bearings of silt and debris	\$5,000
<b>Total Maintenance Costs 2019=</b>			<b>\$1,211,500</b>

Selected photos of the four bridges with significant findings are included below.

**MP 415.69**



**MP 415.92**



**MP 417.24**



**MP 420.20**





Item # 9

March 23, 2020

**MEMO TO: SANTA PAULA BRANCH LINE ADVISORY COMMITTEE**  
**FROM: AMANDA FAGAN, PLANNING AND POLICY DIRECTOR**  
**SUBJECT: SANTA PAULA BRANCH LINE ENCROACHMENTS AND LEASING REPORT**

**RECOMMENDATION:**

- Receive and File

**BACKGROUND:**

VCTC staff actively manages the Santa Paula Branch Line (SPBL) to administer leases, conduct weed abatement and trash removal to carry out the “Good Neighbor” policy, and maintain the right-of-way.

The SPBL consists of 99 parcels owned by VCTC and runs for 32 miles from Mile Post 403 to Mile Post 435, with 29 active track miles extending through Mile Post 432. The SPBL property has 75 active paying leases and generated nearly \$250,000 in revenue in Fiscal Year 2018/2019. The SPBL currently has 617 total ongoing leases, the majority of which are for utilities (457 leases) or access (72 leases) that do not pay lease fees on an ongoing basis. Leased areas include 24 cultivation leases extending 11.39 miles, where agriculture occurs on some portion of the property owned by VCTC and leased to private parties.

**DISCUSSION:**

The Commission has previously directed staff to address encroachments through leasing activities to ensure fairness among neighboring land owners and generate revenues to sustain SPBL management and operations.

Field study conducted in February 2020 and an analysis of the Branch Line property indicates that many neighboring properties have extended cultivation activities and/or access onto the public property without entering into a lease with VCTC. These encroachments include row crops, lemon and avocado trees, equipment and materials staging areas, and other uses of the public property without entering into a lease with VCTC or receiving other permission to access the Branch Line property. A number of neighboring parcels within the unincorporated County have extended use beyond the private property line onto the public right-of-way without a corresponding lease. Based on field study and analysis conducted to date, significant acreage is in cultivation or private use on the public right-of-way without an active lease. VCTC staff has not yet been able to access all of the Branch Line to conduct a detailed evaluation due to difficulty of access on certain portions of the Line without crossing private property; however, from a visual inspection, it is anticipated that additional encroachments along the line are occurring.

Agricultural land within the Santa Clara River Valley / Ventura County carries average annual lease values ranging from \$250 (average current SPBL lease rent) to \$1,700 (average County of Ventura cultivation lease rent). The current average rent for VCTC cultivation leases is \$250 annually, but as

leases are renewed or reassigned, VCTC is working to update rent values consistent with current market rates. For those leases that include provisions that include termination provisions, VCTC staff will work proactively with leaseholders to update leases to market rates. Foregone revenue associated with public land not currently leased but in active cultivation is approximately \$100,000 based on the current County of Ventura agricultural land rent annual payment per acre of \$1,700.

Though used for a public purpose, railroads are considered private property, unlike streets and highways. In California, courts have found that railroads are not subject to adverse possession, so users cannot gain a right to use the railroad property by using the property for some period of time.

VCTC staff will conduct further field study to document encroachments, followed by preparing and sending letters to neighboring property owners to notify, educate, and inform the owners about the need for a lease to access or cultivate within the public right-of-way or on railroad property, and giving property owners sufficient time to respond, enter into a lease, or remove encroachments and/or cease access without permission.



Item # 10

March 23, 2020

**MEMO TO: SANTA PAULA BRANCH LINE ADVISORY COMMITTEE**

**FROM: AMANDA FAGAN, PLANNING AND POLICY DIRECTOR**

**SUBJECT: SANTA PAULA BRANCH LINE RAIL OPERATOR LEASE**

**RECOMMENDATION:**

- Receive and File

**BACKGROUND:**

VCTC entered into a lease agreement with the Fillmore & Western Railway Company on June 25, 2001 for a twenty-year term for operation and maintenance of the rail line. That agreement has been amended three times to reflect changes in payment and the terms and conditions specified in the settlement agreement resulting from past litigation. The current terms of the lease provide for VCTC to pay Fillmore & Western Railway Company \$450,000 per year for maintenance performed on the rail line. VCTC receives approximately \$10,000 per year in lease revenues from Fillmore & Western for use of the rail line. VCTC also receives a small share of film revenue generated on the line (combined total of approximately \$12,000 in Fiscal Year 2018/2019 and the first seven months of Fiscal Year 2019/2020).

The overall draft budget for the Santa Paula Branch Line (SPBL) for Fiscal Year 2019/2020 is \$936,700, with funding comprised of approximately 64% State Transit Assistance Funds (STA) / Local Transportation Funds (LTF), and 36% Local Fees and Signal Revenues generated by the SPBL.

**DISCUSSION:**

The lease agreement with Fillmore & Western Railway Company will expire on June 30, 2021, leaving approximately 15 months to contemplate the future of the Branch Line. The Commission will need to explore available options, including but not limited to, renewing or replacing the lease with the current operator, seeking a new operator through a competitive process, or taking the Branch Line out of service. Each of these options has broad impacts that warrant careful analysis and evaluation so that the Commission can make an informed decision. Future planning efforts seek to achieve the Commission policy of a self-sustaining Branch Line that does not require public transit funding subsidy. Staff intends to schedule a real property negotiations closed session of the full Commission at the May 1, 2020 meeting to establish terms and conditions for the potential lease of the Santa Paula Branch Line.

The Draft Fiscal Year 2020/2021 Budget includes \$75,000 for consultant services and rail engineering services to address these issues. Staff anticipates that additional SPBLAC meetings may be needed in the upcoming year to discuss options, process, and timeline for rail operator lease parameters and a possible Request for Proposals.

**THIS PAGE IS INTENTIONALLY LEFT BLANK**



**Item # 11**

**March 23, 2020**

**MEMO TO:     SANTA PAULA BRANCHLINE ADVISORY COMMITTEE**  
**FROM:         AMANDA FAGAN, PLANNING & POLICY DIRECTOR**  
**SUBJECT:      HEARTHSTONE CROSSING UPDATE**

**RECOMMENDATION:**

- Receive and File

**BACKGROUND:**

At the March 2018 Santa Paula Branch Line Advisory Committee meeting, VCTC Staff reported to the Committee that Hearthstone Multi-Asset Entity C., L.P., the developer of The Bridges community in Fillmore, had requested to construct an additional at-grade rail crossing with associated easements for vehicular traffic, storm water drainage, and utilities. Staff worked with General Counsel to negotiate with representatives of Hearthstone, and in November 2018, the full Commission approved the construction and a non-exclusive Easement Agreement to provide for storm water drainage for the project. The Easement Agreement separated the storm water drainage from an at-grade crossing and utilities easement pending approval by the California Public Utilities Commission (CPUC). Hearthstone entered into a cost recovery agreement with VCTC to cover the cost of both staff and legal counsel's time.

**DISCUSSION:**

The developer has requested from VCTC the right to install and obtain easements for construction, maintenance, and operation of an at-grade public vehicular, bicycle, and pedestrian crossing of the railroad tracks and related crossing-gates and signals, which require approval by the CPUC, and utilities (electrical, gas, water, reclaimed water, sewer, telephone, and cable utilities).

In connection with that request, Hearthstone submitted an application to CPUC, and acknowledged through the storm drain Easement Agreement that CPUC approval of the plans and the location of the proposed Rail Crossing were required before VCTC can consider granting an easement for the construction, operation and maintenance of the rail crossing and utilities pursuant to a separate easement agreement. With the November 2018 drainage Easement Agreement, VCTC and Hearthstone agreed upon the content and form of the rail crossing agreement, provided CPUC approval is granted.

On February 27, 2020, the CPUC approved a decision granting authorization to the City of Fillmore to construct a new at-grade crossing at Trestle Way on the VCTC SPBL at Mile Post 425.81.

VCTC staff is working with the developer to review the crossing plan for consistency with previously submitted plans and to bring forward for Commission approval the rail crossing and utilities easement agreement.



**Figure 1. Hearthstone Trestle Way Crossing Location**