

Trail users and homeowners have been using and maintaining the trail for 25+ years. The introduction of excursion trains has been alarming to trail users because they are worried about trail access, the trail being closed, and trail user safety and experience. Consistently there have been train only proposals that do not address joint use.

History of Train Proposals:

- **2007 SPTC-JPA brings RFP for train starting in downtown Folsom. 4 options to explore: stop at Hwy 50, County line, Latrobe, or Shingle Springs.**
- **EDC BOS's response: "EDC's opinion that the primary usage is for trails with track usage to help pay for said trails"**
- **2009 EDC BOS approves museum program to run from El Dorado to Mo Flat.**
- **City of Folsom denies train starting from downtown.**
- **SPTC-JPA approves train runs into EDC without EDC BOS approval, without consideration to existing trail use, without following EDC Master Plan**
- **Chaos**
- **2011 EDC BOS approves train use Shingle Up, A place and plan to work out all the joint use train and trail bugs for future considerations.**
- **Both museum and Folsom run. Because of no prior agreements Folsom pays nothing. A profit sharing/cost sharing agreement is not worked out between the groups. Folsom is asked to leave.**
- **Every year Folsom returns. Licenses in their favor are denied.**
- **2013 a couple pancake breakfasts are approved by BOS. Not up to CPUC standards.**
- **2014 a couple more pancake breakfasts are approved by BOS. Not up to CPUC standards.**

Problems with Pancake proposal:

- **CPUC safety regulations have not been met. Entire length must be signed at a minimum. Other requirements may be required from CPUC.**
- **There have been 2 safety incidents on the corridor involving PSVRR.**
- ***Reckless speeder operation with a mountain biker***
- ***Unsafe driving for conditions, speeder derailed, "We were within inches of going over the trestle and into the creek below."***
- **Per CPUC, every trail crossing and shared use area to be treated as a 4 way stop. Trail now gets 10 stop signs as they travel the 7 miles.**
- **No funding available to implement CPUC requirements (signage plan.)**
- **Any public funding identified, should be applied to bringing 2009 & 2011 approved section 2 up to CPUC standards.**

Problems with additional 27 runs:

- **No economic benefit to EDC (how much should EDC charge per passenger?)**
- **CPUC likely to have additional requirements. No funding.**
- **PSVRR insurance liability was reduced from \$5 million to \$1 million because of reduced runs. Liability needs to be revisited with increased runs.**
- **Increased noise for trail users**
- **Increased noise for home owners (outreach to homeowners in SPTC study not considered here.)**
- **Stated class 1 certification ambitions would close trail.**
- **EDC SPTC Master Plan states not more than 2 round trip runs per day**

Problems with both proposals:

They are rail only proposals, not rails with trails proposals.

- **Immediate trail impacts not identified**
- **Long term trail and other impacts not identified.**
- **How does it fit into the bigger picture?**

If you don't plan for success, then you plan for failure. EDC needs a plan everyone can understand. The SPTC study will give us the facts to develop that plan. All fiscal, economic and legal concerns need to be addressed. Please wait for the facts before approving anymore use on the corridor.

July 17th, 2007

46. 07-1251 Supervisor Sweeney recommending presentation by Dan Bolster regarding the development of excursion rail service in the Sacramento-Placerville Transportation Corridor; and provide direction for same.

Attachments: [Sacramento-Placerville Transportation Corridor JPA.pdf](#)

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to approve, generally, the format of the Request for Proposal with the addition of an opening statement that it is El Dorado County's opinion that the primary usage is for trails with track usage to help to pay for said trails; and to refer this matter to the Sacramento-Placerville Transportation Corridor Joint Powers Authority Board.

Yes: 4 - Dupray, Sweeney, Briggs and Santiago

Absent: 1 – Baumann

SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY

Member Agencies: City of Folsom / County of El Dorado / County of Sacramento / Regional Transit

June 22, 2007

Dan Bolster
El Dorado County
3000 Fairlane Court, Suite 1
Placerville, CA 95667

Tom Garcia
City of Folsom
50 Natoma Street
Folsom, CA 95630

Tammy Urquhart
County of Sacramento
906 G Street, Suite 510
Sacramento, CA 95814

Subject: Use of SPTC-JPA Corridor

Dear JPA Staff Members:

The Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA) Board of Directors has directed JPA staff to obtain community input on potential uses and improvements to the Placerville Branch rail corridor as it stands today. These improvements may include excursion rail service, demonstration rail service, Class 1 bike trails and natural trails. With light rail service now extended to downtown Folsom, the segment of current interest would reach from the Wye in Folsom to Placerville. This segment passes through portions of the corridor allocated to the City of Folsom and the Counties of Sacramento and El Dorado.

Two Workshops were conducted in April and May to solicit public interest; one in Placerville and one in Folsom. The Workshops were well-attended and demonstrated a significant interest in developing trails for hiking, biking and equestrian usage. The development of such trails does not necessitate a high degree of coordination among the member agencies (though some coordination is desirable) and, therefore, each member agency should be responsible for developing trail improvements(s) in its own allocated portion. The JPA's role is only to ensure that:

- A continuous rail corridor is preserved and the uses do not violate any existing agreement, or the Rails-to-Trails Act for all rail-banked portions;
- The rights reserved by the JPA and other JPA member agencies in the Reciprocal Use and Funding Agreement (RUFA) are maintained; and

The JPA and its members are adequately protected from liability exposure.

However, a number of people at the Workshops expressed interest in the initiation of some form of excursion rail service on the railroad corridor. Any such excursion rail service would likely cross the allocated portions of more than one member agency. One of the roles of the JPA is to assist in coordinating uses of the corridor that span two or more member agencies' allocated portions and to advise the member agencies of potential practical and legal issues that may affect the proposed uses.

Given the JPA Board's direction, the public interest, and the above circumstances, JPA staff is taking the lead in preparing a Request for Proposals (RFP) to solicit proposals for the development of excursion rail service in the corridor. Such service would likely be within the portion allocated to each of your jurisdictions. In order for the JPA to issue an RFP and award a lease or other contract to the successful excursion rail operator, the governing body of each of your jurisdictions will need to consider and approve the proposed RFP and authorize the JPA to award the contract. Accordingly, I am requesting that you present your Board/Council with the details of this opportunity and request their approval of the general parameters of the RFP, attached. If the governing body of each of your jurisdictions approves the general parameters, JPA Staff will prepare the actual RFP and certain key contract provisions for their review and approval.

Thank you for your assistance in this matter. Timing-wise, JPA staff would like to present the status of the RFP development to the JPA Board at the August 13, 2007 Regular Meeting.

Sincerely,



John C. Segerdell
Chief Executive Officer
SPTC-JPA

c: Fred Arnold - Regional Transit
Paul Chrisman - Miller Owen & Trost
Bob Grandy - Fehr & Peers
Jill Happ - Regional Transit

**RFP PARAMETERS
FOR
EXCURSION RAIL SERVICE**

1. Geographic Limits: Proposals may include any or all of the following alternatives for the geographic limits of the proposed excursion rail service. The SPTC-JPA reserves the right to choose the alternative it deems most beneficial. The starting point for each alternative is assumed to be the Folsom Wye.

Ending Point Alternatives:

- a. Highway 50
 - b. Sacramento/El Dorado County line
 - c. Latrobe
 - d. Shingle Springs
2. Schedule of Rail Operations: Excursion rail service will be limited in its operating hours to weekends and holidays only. Within El Dorado County, excursion rail service is further limited to daylight hours, subject to seasonal variation, but not earlier than 8:00 a.m., or later than 8:00 p.m., with a maximum of two round trips per day. Special events may be scheduled, but will be subject to the prior written approval of the City of Folsom, the County of Sacramento, and/or the County of El Dorado, as applicable.
3. Joint Use of Right-of-Way and Tracks:
 - a. The SPTC-JPA will reserve the right to permit third-party usage of the tracks at any time outside of the excursion operator's normal operating hours. In addition, should the SPTC-JPA so request from time to time, the excursion operator will cooperate reasonably with third parties to permit other uses of the tracks during the excursion operator's normal operating hours, subject to reasonable safety precautions.
 - b. The SPTC-JPA and its member agencies intend to preserve the excess width of the right-of-way for other potential uses, including natural trails, bicycle trails and equestrian trails. All proposals must evidence compatibility of the excursion rail service with such other uses of the right-of-way and provide for reasonable safety precautions.

4. Financial Issues: The proposal must include the following:
 - a. Financial Proposal for Capital Expenses: The proposer is responsible for assessing the condition of the right-of-way and trackage, and determining the capital improvements necessary to operate the proposed excursion rail service. The SPTC-JPA may obtain a report from an engineering consultant, but the proposer must perform its own due diligence investigation and may not rely upon the SPTC-JPA's report. The SPTC-JPA and its member agencies may assist the operator in obtaining state or federal grants, but will not provide any local funding for capital expenses.
 - b. Financial Proposal for Operating Expenses and Revenues: The proposal must include a financial plan setting forth the estimated operating expenses and revenues. The proposal must also include the amount of rent or license fees to be paid to the SPTC-JPA for the lease or license. Neither the SPTC-JPA, nor its member agencies, will subsidize operating expenses.

5. Liability and Insurance:
 - a. Insurance: The operator will be required to carry insurance in an amount approved by the SPTC-JPA and its member agencies.
 - b. Allocation of Liability: The excursion operator will defend and indemnify the SPTC-JPA against all liabilities arising out of its usage of the right-of-way, except for liabilities arising out of the active negligence of the SPTC-JPA or its member agencies.

6. Lease/License Subject to Existing Rights:
 - a. Railbanking Rights: The lease or license will be subject to the potential reinstatement of freight rail service on the right-of-way. The SPTC-JPA will reserve the right to modify, or terminate, the lease or license for excursion rail service in the event freight rail service is reinstated on the right-of-way.
 - b. Rights under Reciprocal Use and Funding Agreement: The Reciprocal Use and Funding Agreement among the SPTC-JPA and its member agencies sets forth certain reciprocal rights to use each member agency's allocated portion of the right-of-way. To date, these reciprocal usage rights have not been invoked by any member agency.

7. Other Issues:

- a. The proposal must show compliance with the Americans with Disabilities Act and other applicable laws, rules and regulations.
- b. The proposal must include a plan for storing and maintaining rail vehicles when not in use.
- c. The proposal must include a plan for appropriate station facilities at the start point.
- d. The operator will be responsible for ensuring compliance with regulatory requirements for all operations of excursion rail service and uses of the track, including crossings of the right-of-way.
- e. The operator will be responsible for maintaining the leased area of the right-of-way, including the surface of each crossing, to the extent of the envelope of the leased area within the crossing. The SPTC-JPA and its member agencies reserve the right to perform any maintenance or repair they deem necessary within the envelope of the leased area within each public crossing, and to charge the operator for the cost thereof.
- d. The operator will not permit passengers to disembark its trains, except at stops approved by the SPTC-JPA in writing.

Because of potential impacts and the number of considerations, the provision of excursion rail services is anticipated to require additional guidelines and regulations.

At a minimum, proposals to develop excursion rail projects will require:

- operational agreements between the private enterprise, El Dorado County, and the SPTC-JPA to avoid conflicts with other rail users and to ensure compliance with the provisions of the Reciprocal Use and Funding Agreement and operating guidelines; and,
- franchise agreements between El Dorado County and the private sponsor which are expected to include, but not be limited to the following:
 - demonstration of adequate financial and other resources to maintain and operate pursuant to the franchise agreement;
 - terms for compliance with applicable local, State, and Federal laws and regulations;
 - terms for ensuring that all necessary permits will be obtained and renewed as needed;
 - terms for payment of all necessary capital, maintenance, and operational costs;
 - terms for payment of franchise fees in addition to capital, maintenance, and operational costs; and,
 - requirements for provision of insurance.

Both El Dorado County and the Sacramento-Placerville Transportation Corridor Joint Powers Authority are expected to also impose additional administrative requirements.

Guidelines for Excursion Rail Projects Parallel to Trail Projects

Where trail and excursion rail uses are planned for joint use, terrain and available right-of-way width may pose design challenges. While the corridor width may vary from 66 to 200 feet, the corridor section may be within a narrow cut or on a fill section making adequate separation of uses difficult to achieve. Figure 18 identifies a standard for these sections, in order to maximize safety and enjoyment.

Personal Rail Cars

Use of personal rail cars on the corridor will be subject to such permits, regulations, and fees imposed by El Dorado County and the Sacramento-Placerville Transportation Corridor Joint Powers Authority.



Jackie No <jackieno@gmail.com>

FW: El Dorado Trail, SPTC Corridor Crossings

Stewart, David R. <david.stewart@cpuc.ca.gov>

Thu, Jan 16, 2014 at 11:10 AM

To: Jackie Neau <jackieno@gmail.com>, "Kenison, Michael" <michael.kenison@wellsfargoadvisors.com>

When we talked about planking the bridges, we discussed that the rail guys would treat them like road crossings. They would stop prior to crossing, send one vehicle over and secure the other end to hold any trail users. Then the speeders would cross. As long as that policy is adopted and used, I don't see a problem with the Skagit operation.

David Stewart**Utilities Engineer****Office: (916) 928-2515****Cell: (415) 806-0490****From:** Jackie Neau [mailto:jackieno@gmail.com]**Sent:** Thursday, January 16, 2014 10:33 AM**To:** Kenison, Michael; Stewart, David R.**Subject:** Re: FW: FW: El Dorado Trail, SPTC Corridor Crossings

Dave,

Thanks so much for your responses. It really does help with planning and phasing of projects. I have one additional question. When we had our meeting on the corridor, you told me that we could not deck and share the bridges if anything larger than a speeder was running. Do you consider Folsom's 24 passenger modified Skagit as larger than a speeder? Please see attached pictures.

The math problem is a fully loaded Skagit traveling in one direction at 15 miles per hour (Folsom's approved speed limit.) A mountain bike traveling in the opposite direction at 15 miles per hour (bike trails allowed speed.) What is the impact at a blind corner or crossing? I understand, as with any accident, the chances are not very high of this ever happening. And if you say it's not a problem, I believe you. However, this is a vehicle running out where there is an open trail that shares cuts, fills and bridges and we need clarification of sharing the bridges with this vehicle.

Thanks,

Jackie

On Thu, Jan 16, 2014 at 9:34 AM, <michael.kenison@wellsfargoadvisors.com> wrote:

Michael Kenison
Associate Vice President - Investments

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800 366-7530
michael.kenison@wfadvisors.com

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Folsom, CA 95630

From: Stewart, David R. [mailto:david.stewart@cpuc.ca.gov]
Sent: Tuesday, December 31, 2013 11:25 AM
To: Kenison, Michael
Subject: RE: FW: El Dorado Trail, SPTC Corridor Crossings

Another set of questions for you Dave,

“fills”, Bridges, and maintenance walkways(just outside the ties) can be maintained for better trail use with Speeders. But these joint spots cannot be used as a trail with Class I Certified rails? **Correct.**

With Class I Rails, does the trail need to be 10 feet from the rails everywhere or is there some wiggle room in sections where the trail is hard to move? **The closest edge of the trail should be no closer than 10 feet from the centerline of the track.**

The written agreement you mentioned below is between the JPA and EDC? And then registered with FRA? Or just the first? **Both. The agreement is between the affected parties and registering it with the FRA makes the crossing official.**

I am waiting for Vickie to ok the test crossing, and we can set up a time to design this first one.

Have a great Christmas,

Mike

Michael Kenison
Associate Vice President - Investments

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From: Stewart, David R. [mailto:david.stewart@cpuc.ca.gov]
Sent: Tuesday, December 10, 2013 2:00 PM
To: Kenison, Michael

Subject: RE: El Dorado Trail, SPTC Corridor Crossings

Mike,

That seems to pretty much capture what we have been talking about.

At this stage any crossing surface that you all can agree on is probably ok. Signage is a must. It should be set back @ 10 ' from the track on the path approach. The RR will need to place signage along the ROW for each crossing also.

There also needs to be a written agreement to make sure everything is documented.

David Stewart

Utilities Engineer

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From: michael.kenison@wellsfargoadvisors.com [mailto:michael.kenison@wellsfargoadvisors.com]
Sent: Friday, December 06, 2013 2:11 PM
To: Stewart, David R.

Subject: RE: El Dorado Trail, SPTC Corridor Crossings

Hi Dave,

Still trying to set up a meeting for the crossing. Can I ask you a few questions? Is the process to legitimize the crossing as follows:

- 1) Identify the crossing that are needed that can't be eliminated, JPA, EDC, El Dorado Western and Trails representatives agree.
- 2) Register those with the FRA?
- 3) Design a crossing that can be used and repeated on the rails in the corridor

- 4) Work can them be performed

Do you have some general parameters for the crossing design? I know you mentioned

- 1) Signs to alert trail users of potential rail traffic. How far from the rails does this sign need to be set back?
- 2) Maintaining the maintenance path on the rail bed that runs along the edge of the ties for rail worker use.
- 3) Perpendicular crossing for safer bike passage.
- 4) No material above the rails

What else do we need to be aware of or should be designed into our rock crossings?

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From: Stewart, David R. [<mailto:david.stewart@cpuc.ca.gov>]
Sent: Friday, December 06, 2013 11:21 AM
To: Kenison, Michael; mary.cory@edcgov.us
Cc: vickie.sanders@edcgov.us; cleosquared@msn.com; mikejken@yahoo.com; dbolster@edctc.org; jsegerdell@pghwong.com; eldorberry@comcast.net; paykris@hughes.net; Peter@trackservicesinc.com; mary_k_jackson@att.net; ginedh@sbcglobal.net

Subject: RE: El Dorado Trail, SPTC Corridor Crossings

I'm happy to attend.

My schedule is fairly open.

David Stewart

Utilities Engineer

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From: michael.kenison@wellsfargoadvisors.com [mailto:michael.kenison@wellsfargoadvisors.com]
Sent: Thursday, December 05, 2013 10:42 AM
To: mary.cory@edcgov.us
Cc: vickie.sanders@edcgov.us; cleosquared@msn.com; mikejken@yahoo.com; Stewart, David R.; dbolster@edctc.org; jsegerdell@pghwong.com; eldorberry@comcast.net; paykris@hughes.net; Peter@trackservicesinc.com; mary_k_jackson@att.net; ginedh@sbcglobal.net

Subject: RE: El Dorado Trail, SPTC Corridor Crossings

I would like to set a day to design a crossing that will be the model for the crossings we have identified. Would you respond if you would like to be part of this group. I would like to meet at the "Spur" near Missouri Flat next week with those interested. The scope of the crossing test will be:

- 1) test crushed rock that I think will work for both train and trail. Suggestions welcome
- 2) work with a layout that satisfies both train and trail, and CPUC requirements.
- 3) Test crossings for functionality
- 4) Understand layout for signage and setbacks from rails
- 5) Leave a functional crossing that can be reviewed by all interested.

Mike

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From: Kenison, Michael
Sent: Monday, November 25, 2013 10:55 AM
To: 'Mary Cory'
Cc: 'Vickie Sanders'; 'cleosquared@msn.com'; 'mikejken@yahoo.com'; 'Stewart, David R.'; 'dbolster@edctc.org'; 'John Segerdell'; 'Berry Keith'; 'Kris Payne'; 'Peter Schulze'; Mary Jackson (mary_k_jackson@att.net); ginedh@sbcglobal.net

Subject: RE: El Dorado Trail, SPTC Corridor Crossings

Looks like 12/2, 1 PM. Let's meet on Greenstone Road where the tracks cross. We can walk about a half mile to the crossing to the West.

Then drive to the Shingle Springs station and look at the trail alignment there and decide on a crossing on the West end. Marlon Ginney will meet us there, around 2.

There is another crossing down South Shingle that I would like to visit. At the 5th and last road crossing, we will hike about .5 miles to the trail crossing.

Once there, another 500 yards to the West, is the Latrobe "fill", 1500 feet long. I would like the group to see this, discuss the trail here.

There is more to see, so if we have time and anyone would like to see more "fills", we can do more.

Mike

530-919-5147

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On Wed, Nov 20, 2013 at 8:24 AM, <michael.kenison@wellsfargoadvisors.com> wrote:

<https://maps.google.com/maps/ms?msid=209136807463837583044.0004eb9d7a83ce676fcee&msa=0&ll=38.60396,-120.950203&spn=0.028406,0.055575>

This map shows some of the existing EDT crossings of the rails. Some are useable in their current condition and they are marked in Yellow. The crossings I would like to maintain are the crossings in Red. I would like get a site review on these crossings, so please let me know if you want to be part of this review.

I would like to set something up for the first week in December. Best days for me would Monday the 2nd and Thursday the 5th. We will need to walk to two of these, about .5 miles in or less. The others we can drive to. Less than 3 hours to review these crossings. 11 to 2?

Let me know,

Mike

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Mary Cory, Museum Administrator
El Dorado County Historical Museum
mary.cory@edcgov.us

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Thank you.

Railroad trestle, Shingle Springs, Ca. This incident occurred on 12/11/12 at 0700 hours. The following information was provided by the reporting party:

"I am a volunteer for the Placerville and Sacramento Valley Railroad. www.psvrr.org Myself and two others were riding on the tracks in a speeder inspecting the railroad tracks. As we approached the trestle crossing Latrobe Creek we saw something suspicious on the trestle. We applied the brakes but speeder brakes are mechanical and do not stop like an automobile. We ended up going onto the trestle at aprox. 3mph. Someone had placed 2 large heavy boards on the trestle laying on the sides of both tracks. The speeder derailed and went sideways on the tracks before we came to a stop. We were within inches of going over the trestle and into the creek below, about a 20 ft. drop. We all would have been killed or seriously injured. We identified the boards as boards we had been using several months before and had left them a long way up the tracks. It would have