



Borough of West Chester, Pennsylvania
West Chester Borough Council
Committee to Reestablish Rail Service to West Chester

COMMITTEE CORRESPONDENCE

TO: Council President Patrick McCoy
West Chester Borough Council
FROM: Jason Levinn, Chair
Committee to Reestablish Rail Service to West Chester
SUBJECT: Rail Committee 2023-2024 Annual Report to Borough Council

DATE: March 19, 2024

COPIES TO: Council Vice President Nicole Scimone
Councilman Bernie Flynn
Councilwoman Lisa Dorsey
Councilman Brian McGinnis
Councilwoman Shelia Vaccaro
Councilman Bryan Travis
Mayor Lillian L. DeBaptiste
Borough Manager Sean Metrick
Railroad Committee Members

West Chester Borough Council Members,

The committee would like to take this opportunity to thank Borough Council and the citizens of West Chester for a decade of strong support for restoring rail service to West Chester Borough. Today, March 19th, 2024, marks the 10-year anniversary for the Committee to Reestablish Rail Service to West Chester. While many studies have been conducted, funding applications submitted, new partnerships attained and new ideas incorporated over the past decade, the fact remains that we cannot all walk down to Market Street and ride along Chester Creek to Philadelphia and beyond.

We have learned a great deal about the barriers we still face in restoring daily passenger rail service, and our committee is working hard today to prevent another decade from passing without Borough residents having the rail service that every county seat in SEPTA territory can and should require. This memo is intended to serve as a summary of the committee's progress in 2023, and a lookahead to the goals we have for 2024.

2023 Year in Review

On multiple occasions spanning a period of more than nine years, our committee has met with SEPTA staff and made very limited progress toward restoring rail service on the West Chester

branch line. For example, in 2018 SEPTA provided input to a 2018 Pennsylvania Department of Transportation West Chester Line Restoration Feasibility Study which estimated the cost to reestablish passenger service on the branch line would be between \$380 million and \$644 million, a cost that neither SEPTA nor the local community could fund. The study also concluded approximately \$20 million would be needed to advance the project to the next phase of planning and engineering.

Starting in 2021, following several public discussions about the insurmountable costs of restoring full SEPTA Regional Rail service on the line, our committee began engaging Pittsburgh-based Railroad Development Corporation's Pop-Up Metro, LLC (PUM) subsidiary regarding an alternative means to re-establish rail service on the West Chester branch line using its battery-propelled metro concept in demonstration service. Recent estimates place the capital cost for a 2–3-year demonstration service at roughly \$20-30 million for necessary track upgrades, which is a fraction of the cost outlined in SEPTA's feasibility study.

As the metro option was further developed, beginning on May 12, 2022, numerous attempts to schedule meetings with SEPTA to seek their input on the metro concept were attempted, with significant delays. PUM met with SEPTA on January 10, 2023, in Washington, DC and with committee representatives and SEPTA on May 23, 2023, at SEPTA HQ in Philadelphia. SEPTA provided a list of seven specific concerns regarding the restoration of service in a May 22, 2023, letter. The committee and PUM immediately provided detailed technical responses on May 24, 2023, after the meeting in Philadelphia. Roughly four months passed as the committee and PUM made regular attempts to continue the dialogue with SEPTA, and on September 14, 2023, SEPTA provided final responses in their letter to PUM and concluded with the following statement:

“At this time, the Pop-up Metro concept does not align with SEPTA's priorities, and SEPTA does not have the time or resources to dedicate to this proposal from Pop-Up Metro, LLC.”

Over the course of 2023, as PUM and the committee engaged SEPTA on the metro concept, PUM developed a detailed Preliminary Operating Plan, which demonstrates the proposed approach for service delivery, maintenance of rolling stock, maintenance of way (track infrastructure), operations and safety. The Operating Plan is a critical component of PUM's active application to the Federal Railroad Administration (FRA) for a shared-use waiver (of which there are currently over a dozen operating in the U.S.), which PUM also initiated with the FRA in 2023. The committee would also like to underscore that PUM's Operating Plan, which has been reviewed and approved by the committee, envisions shared use of the West Chester branch line between PUM passenger trains, West Chester Railroad tourist trains and possibly also quarry stone freight trains. As outlined in PUM's Preliminary Operating Plan, all operators would be safely protected from one another by electric locks on the railroad that would prevent any unsafe conditions. Officials with the FRA also provided valuable input on PUM's Operating Plan.

Another milestone in 2023 was the successful publicity event on July 17, 2023, spearheaded by the committee, to bring elected officials and key stakeholders to Rock Hill Furnace, PA, where PUM is currently storing its prototype battery trainset and performing test runs on a short track at the facility. Participants were able to ride and operate the trainset and gain a full understanding of how modern and clean these cars are and would be for West Chester. Photos of the visit are available here: <https://photos.app.goo.gl/hExVzgVnjzi8uKHu8>

On behalf of the Borough, the committee would like to thank PUM for their tireless and generous support of our efforts since we began collaborating in 2021. PUM has assembled a highly qualified and passionate team that believes deeply in affordable, sustainable rail transportation that could be a revolution in public transit in the U.S., and Pennsylvania has a chance to be front and center with a homegrown company demonstrating what the future can look like. Again, we thank PUM for their support and look forward to continuing our efforts together in 2024 and beyond.

2024 Plan Forward

Looking forward to the rest of 2024, we are focused on building strong coalitions and putting in place a framework for success. As was made clear by the committee's and PUM's extended engagement with SEPTA in 2023, SEPTA will not have the time or the financial resources to support a metro concept on the West Chester branch line for the foreseeable future. The committee is fully aware of the financial challenges facing SEPTA, and we sincerely hope that elected leaders in Pennsylvania will advocate for and pass a more sustainable funding source for SEPTA going forward, as without this action, significant reductions to SEPTA's system and service are on the horizon. Our committee, however, does not believe that these circumstances mean that we should conclude our efforts, in fact we believe it is a clear signal that a new direction is needed, especially in the realm of governance.

We are actively researching the pros and cons of various governance approaches that could support the metro concept, such as public authorities and non-profit organizations. Relevant authority examples we will be studying include the Susquehanna Economic Development Association - Council of Governments Joint Rail Authority (SEDA-COG JRA), which has successfully operated short line railroads acquired from Conrail in Pennsylvania for over 40 years; and the Schuylkill River Passenger Rail Authority (SRPRA), which recently succeeded in securing an FRA grant for restoration of intercity passenger rail service to Reading, PA. On the non-profit front, we will study the mechanics of the Transportation Management Association of Chester County (TMACC) and discuss the tradeoffs of authorities and non-profits for managing rail service. Such an entity would reinforce the Borough's leadership and efforts to date, and the committee will recommend that other local stakeholders, such as West Chester and Cheyney Universities, be part of its board structure to ensure future efforts are not solely borne by the Borough. To be clear, our goal is to create an entity that is wholly separate and distinct from our committee.

We have also received direction from the Borough to support discussions around current and future lease agreements for the West Chester branch line, which the Borough holds directly with SEPTA and sub-leases to 4 States Railway Services which operates the West Chester Railroad tourist trains. We recommend renewing the current lease for the second of five additional 1-year option years and will shortly provide a track-changed version for a "Second Amendment" to the lease that is inclusive of all changes requested by 4 States' in their November 20, 2022, letter to the Borough. In addition to 4 States' requested edits, the committee recommends inclusion of an additional term in the sublease to 4 States requiring full cooperation with a qualified third-party inspection. We will also continue to support discussions regarding a new 15-year lease with SEPTA and companion sublease for tourist operations.

As mentioned regarding inspections, the Borough has requested a detailed scope and cost estimate for a qualified third-party inspection of the West Chester branch line, and we will soon provide these to Council. Our current rough estimate is \$25,000 inclusive of right-of-entry fees to be paid to SEPTA. The committee recommends immediate inspection of the line to protect the Borough from any liability and to ensure safe operations can continue unimpeded.

To quantify current support for the metro concept and underpin future conversations with elected officials in Pennsylvania, we would like to formally request that Borough Council implement a November 2024 ballot initiative asking Borough residents the following question:

Would you like to have access to clean, affordable and sustainable rail service between West Chester and Wawa, connecting to SEPTA trains running into Philadelphia?

For reference, in 2021 the Mayor of West Chester collected 500 petition signatures in support of restoring rail service, so we believe a ballot initiative could be highly successful. We believe now is the time for such an initiative, with new leadership on the SEPTA Board, inclusive of Chester County Commissioner Marian Moskowitz serving in the role of Vice Chair and many other elected officials in the region looking for evidence to support rail service to West Chester.

In closing, we would like to share some very exciting news that the committee received recently from PUM. As mentioned before, the PUM team is very passionate and committed to advancing an initiative that could be transformative for public transportation in the United States, and the West Chester branch line could be the perfect place to begin this new era. Consequently, PUM has offered to donate their first battery trainset for service on the West Chester branch line. This would be a multi-million-dollar gift and would be recognized by Federal authorities as a local match to any future funding; however, it is one that will be first come, first serve. West Chester is not the only place where PUM is collaborating, and there is a strong chance that if we let too much more time pass, we will miss out on this major opportunity. To enable West Chester to benefit from this generous offer, the following criteria will need to be met:

- 1) A supportive governance structure must be established.
- 2) Start-up funding must be secured.
- 3) An acceptable donation or lease arrangement with SEPTA regarding the West Chester branch line must be negotiated.

So, our committee is very focused in 2024 on how we can build a supportive governance structure that can apply for start-up funding, receive donated assets, and ultimately operate service. We thank the Borough again for a decade of solidarity in pursuing rail service, and we look forward to working closely with you toward advancing this mission in 2024.

Thank you,

Committee to Reestablish Rail Service to West Chester

- Jason Levinn, Chair
- Tom Hickey, Vice Chair
- Jordan Norley
- Craig Blizzard
- Jim Sargent
- John McGee
- Brian Forgue
- Tommy Myles

Enclosed Attachments:

- West Chester Metro Project Profile
- West Chester Metro Preliminary Operating Plan