

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

CHIEF EXECUTIVE OFFICE



June 26, 2008

2008 JUN 30 P 2 51

Keith Boggs
Stanislaus County
1010 10th St., Ste. 3400
Modesto, CA 95354

Re: Notice of Preparation, Draft Environmental Impact Report (EIR)
West Park
SCH# 2008062066

Dear Mr. Boggs:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The proposed project would be in close proximity to a rail crossing on Marshall Road, slightly east of SR 33, and could increase vehicular and pedestrian traffic at that location. In addition, the project would include short-haul rail service to and from the Port of Oakland. If this would increase train frequency, it could affect safety conditions at crossings along the way. The CEQA documentation should evaluate, for example, whether traffic queues would extend across railroad tracks. Such queuing increases the possibility that a motorist would stop on the tracks and be unable to clear the tracks as a train approaches, e.g., due to congestion or a stalled vehicle. In addition to the potential impacts of the proposed project itself, the CEQA document should consider cumulative rail safety-related impacts created by other projects. In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians.

General categories of measures to reduce potential adverse impacts on rail safety include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
- Improvements to warning devices at existing highway-rail crossings
- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption

- Installation of median separation to prevent vehicles from driving around railroad crossing gates
- Where soundwalls, landscaping, buildings, etc. would be installed near crossings, maintaining the visibility of warning devices and approaching trains
- Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
- Installation of pedestrian-specific warning devices and channelization
- Construction of pull-out lanes for buses and vehicles transporting hazardous materials
- Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
- Elimination of driveways near crossings
- Increased enforcement of traffic laws at crossings
- Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing. If the project includes a proposed new crossing, the CPUC will be a responsible party under CEQA and the impacts of the crossing must be discussed in its CEQA documentation.

Thank you for your consideration of these comments. If you have any questions in this matter, please call me at (415) 703-1306.

Sincerely,



Daniel Kevin
Regulatory Analyst
Consumer Protection and Safety Division