



CITY OF ORANGE

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CG

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October 27 2005

Ms. Catherine Glidden
Surface Transportation Board
Case Control Unit
Washington, D.C. 20423

**RE: Docket No. AB-33(Sub-No.232X), Union Pacific Railroad Company
-Abandonment Exemption – In Orange County, California
-(Tustin Industrial Lead)**

Dear Ms. Glidden:

The City of Orange would like to comment on the proposed action referenced above.

The track abandonment requested by the Union Pacific Railroad Company creates concerns by the City regarding vehicular and pedestrian safety at the three signalized arterial crossings within the proposed area of abandonment.

The three arterial crossings of concern, Walnut Avenue, Collins Avenue and Katella Avenue, all currently have signalized gates with flashers. The gates on the west side of the tracks are owned and operated by the Southern California Regional Rail Authority (SCRRA). The gates on the east side of the tracks are owned by the Union Pacific Railroad Company.

The Environmental Assessment (October 21, 2005) states on Page 1 that "If the abandonment is granted, UP would eliminate grade crossings at these locations, thereby improving public safety." This statement is misleading. Even with the abandonment of the Union Pacific track, an active rail line still exists at these three arterial crossings. The east side gates and flashers would need to be relocated and continue to operate. No grade crossings will be eliminated by this abandonment.

The Environmental Assessment fails to discuss which agency will be responsible for the relocation of the east side gates and flashers. The City of Orange believes that since the gates are owned by Union Pacific, and it is Union Pacific that has initiated this request for abandonment, that Union Pacific should bear the cost for the necessary relocation of the east side gates and flashers.

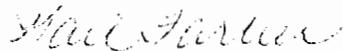
The City of Orange has additional public safety concerns regarding this project. In previous discussions that have occurred between the City of Orange and Union Pacific (UP), Real Estate representatives from UP indicated that it was their intention to only remove track that was outside of the road crossing. The track that crosses the three highways would be left in place. Leaving the track section within the road crossing, but outside the gates that would be relocated, creates a potentially dangerous condition for vehicles that use these three crossings. To mitigate this situation, Union Pacific should remove the railroad track located within the road crossing.

Another safety issue associated with this proposed abandonment relates to the development of the remaining parcels of land. In order to access these parcels, driveways will have to be constructed that will be immediately adjacent to an active rail line. It is unsafe to locate a vehicular driveway so close to an active rail line. This situation does not currently exist, but could certainly be expected if these parcels were to be developed.

The Environmental Assessment should address this, as well as the aforementioned, safety concerns before approving the abandonment.

The City of Orange appreciates the opportunity to be involved in issues that affect the safety of local citizens and visitors to our city. If you have any questions, please contact the City Traffic Engineer, Tom Mahood at (714) 744-5536.

Sincerely,



Gail Farber, P.E.

Public Works Director/City Engineer

cc: Tom Mahood
Doug Keys
Ron Mathieu, Metrolink
TE File