

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298

EI 7009  
KB



March 10, 2008

Section of Environmental Analysis  
Surface Transportation Board  
1925 K Street, N.W., Room 504  
Washington, D.C. 20423-0001

**SUBJECT: STB Docket No. AB-398 (Sub. No. 7X)**

We recently received notice of a petition by the San Joaquin Valley Railroad (SJVRR) to abandon a 30.57 mile section of track between Strathmore and Jovista, in Tulare County.

It is unclear at this stage what the schedule would be for SJVRR to remove rail and ties from the right-of-way. We believe this is an important environmental consideration when abandoning the line. In particular, we request that the Surface Transportation Board require, as a condition for the exemption, that the rail and ties be removed both along the right-of-way and at the 36 at-grade highway-rail crossings along the corridor within 2 years of granting the exemption. A listing of the 36 crossings is attached at the end of this letter.

Tracks left in the roadway and not maintained cause a multitude of concerns, foremost among them being traffic and pedestrian safety hazards:

1. Track left in the roadway and sidewalks adjacent to crossings have caused feet, bicycle wheels, and wheelchairs to get caught in the flangeway, resulting in damage or injury to the equipment and person.
2. Rails and ties have been known to break and create sharp obstacles protruding above the roadway grade which can cause damage to equipment and person. After a period of time, railroad ties rot and ballast becomes foul, which in turn causes depression and/or potholes in the roadway areas and is a hazard to motorists.
3. Vehicles, particularly buses and those carrying hazardous materials, under Section 22452 of the California Vehicle Code may be cited by law enforcement for failure to stop at railroad track in the roadway. However, if vehicles do stop at the track unnecessarily, it creates a potential for vehicle-vehicle rear-end collisions. The most effective way to remedy this situation is removal of the track in the roadway.
4. Local agencies should not be left financially accountable for removal or maintenance of the crossings. Priority must be given to cleaning up the abandoned rail right-of-way and crossings.
5. The Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD), Section 8A.04, includes the following requirement:

*"When a highway-rail grade crossing is eliminated, the traffic control devices for the crossing shall be removed."*

This section also includes the following "Guidance", meaning that deviations are allowed only if engineering judgment or an engineering study indicates the deviation to be appropriate.

*"Where a railroad is eliminated at a highway-rail grade crossing, the tracks should be removed or paved over."*

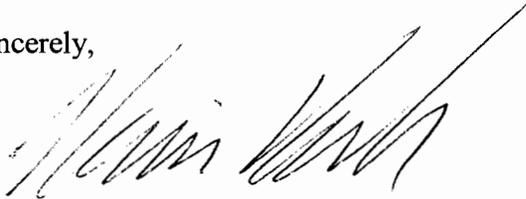
We recommend that the 'TRACKS OUT OF SERVICE' (MUTCD R8-9) sign be posted at the crossing until the tracks are removed from the roadway, and that both the track and warning devices be removed within 2 years subsequent to abandonment.

Please include discussion on this topic in the environmental analysis as part of this proceeding. In general, we recommend that timely removal of track at highway-rail crossings be established as a condition for most abandonments.

An additional concern brought about by this proposed abandonment is the future of the Tulare Valley Railroad's "Ultra Spur," from milepost 66.29 thru 71.50. The SJVRR line that is the subject of this docket is the sole access to that line. As part of SJVRR's proposed abandonment, the same conditions should be included for the Tulare Valley Railroad's Ultra Spur.

I can be contacted with any questions or concerns on this topic at (415)703-2795.

Sincerely,



Kevin Boles  
Environmental Specialist  
Rail Crossings Engineering Section  
California Public Utilities Commission

cc: Randy Perry, SJVR

CONTACTS:

Rini Ghosh, STB, fax: (202)565-9000  
Section of Environmental Analysis  
Surface Transportation Board  
1925 K St., N.W.  
Washington, D.C. 20423-0001  
[ghoshr@stb.dot.gov](mailto:ghoshr@stb.dot.gov)