

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

Governor's Office of Planning & Research



April 23, 2021

April 26, 2021

Peterson Vollmann
City of Oakland
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

STATE CLEARINGHOUSE

Re: Notice of Preparation
Oakland Waterfront Ballpark District
SCH # 2018112070

Dear Mr. Vollmann,

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. CPUC appreciates the early coordination of the project with both CPUC and Union Pacific Railroad (UPRR) and hopes to continue building on the previous plans presented to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The project is located near multiple at-grade highway-rail crossings, including:

Crossing Name	CPUC No.	DOT No.
Market St	001D-6.20	749580R
Martin Luther King Way	001D-6.40	749571X
Clay St	001D-6.50	749583L
Washington St	001D-6.60	749584T
Broadway	001D-6.70	749585A
Franklin St	001D-6.75	749586G
Webster St	001D-6.80	749587N
Oakland Jack London Square Station	001D-7.00-D	Unknown

Please ensure the nearby crossings and tracks comply with applicable federal and state requirements. Applicable state requirements include:

- California Manual on Uniform Traffic Control Devices – Chapter 8 (<http://www.dot.ca.gov/hq/traffops/engineering/mutcd/>)
- CPUC General Order 26-D, Clearances on railroads and street railroads as to side and overhead structures parallel tracks and crossings,
- CPUC General Order 72-B, Construction and maintenance of crossings
- CPUC General Order 75-D, Warning devices for at-grade railroad crossings
- CPUC General Order 88-B, Alterations of railroad crossings
- CPUC General Order 118, Construction, reconstruction and maintenance of walkways and control of vegetation adjacent to railroad tracks

A link to the Commission's General Orders and Public Utilities Code can be found here <http://www.cpuc.ca.gov/crossings>.

According to Chapter 4.15.7, the increase in pedestrian usage of area by an order of 35,000 pedestrians per weekday or evening ball game.

The adjacent rail line is part of Union Pacific Railroad's (UP) Niles Subdivision and is heavily used by vehicular, pedestrian, and rail traffic. There are currently 62 trains per day, including 42 Amtrak passenger trains. The adjacent Port of Oakland leads to heavy freight rail traffic. The track along this segment becomes street running with the majority of the crossings having three tracks. The area around the track is commercial, with restaurants, stores, hotels, bars, and a theater on either side of the tracks. The public crosses the tracks to access Jack London Square, located south of the tracks. The public will also be required to cross the tracks to access the proposed ballpark. UP has a future plan to reconnect the third track. Use of this third track by trains will completely prevent use of Embarcadero by vehicles. Activation of the third track will greatly hinder access to and from the proposed ballpark.

Over the past ten years there have been multiple vehicular and pedestrian incidents involving trains along this segment of track. Constructing the ballpark will greatly add to both vehicular and pedestrian traffic in the area. Safety of the public must be addressed by the environmental documents.

The CPUC has the following comments on the ballpark project:

- The DEIR states that there will be 8,900 additional parking spaces. This volume of traffic will be entering the development by using an at grade crossing. CPUC would require grade separation of one or more at grade crossings to ensure safe access to the ballpark. The only grade separated vehicular access mentioned in the DEIR is for emergency vehicles only.
- The DEIR should evaluate traffic conditions outside of the ball game peak conditions due to the mixed use nature of the development.
- Due to the multi-track nature of the crossings, the DEIR should analyze the risk of multiple trains occupying the same crossing and causing a "second train incident" with pedestrian.
- Table 4.15-42 demonstrates pedestrian, bicycle, and vehicular traffic for arrival to the game. A study into the departure of the traffic after a game would be needed due to patrons of the game leaving in masses in a short amount of time and potentially after consuming alcohol.
- The proposed pedestrian overpass concept described in the DEIR requires climbing stairs on both sides. This is not accessible to wheelchairs and may be seen as too much effort for most pedestrians.
- Any new pedestrian or vehicular crossings (i.e. 7th Street west as stated in the DEIR) added as part of this project must be authorized via CPUC's formal application process.
- All railroad crossing modifications must be approved via CPUC's GO 88-B application process that will include concurrence from the railroad.
- Any crossing that is not grade separated will need to be equipped with pedestrian automatic gate arms, and emergency exit swing gates on all sides.
- CPUC will need to review a stadium management plan to address traffic and crowd control for game events along the corridor. The CPUC recommend staff and law enforcement supervise the crossings during a game event.

- Designing for bicyclists should be done in a manner that prevents bicyclists from being entrapped by automatic gate arms. Cycle tracks must be protected from train events and entrapments.
- The CPUC recommends grade separating the existing Market St and Martin Luther King Jr. Way at-grade crossings as part of the project. The existing crossings are not designed to accommodate the heavy pedestrian and vehicular traffic a ballpark will bring.
 - Heavy train traffic will prevent ingress/egress from the ballpark should the at-grade crossings remain. Both long freight trains and Amtrak passenger trains frequently travel through this rail line, resulting in constant crossing activations. Frequent crossing activations in combination with inebriated fans may increase the likelihood of rail incidents.
 - Any railroad incident in the vicinity will completely block access to the stadium while the train is stopped for the investigation should the crossings remain at-grade.
- Further attention to details is required for the placement of vandal resistant fencing, so that it does not violate clearance requirements from the tracks per GO 26-D and it does not impede visibility of the trains by the crossing users if an at grade crossing is present.
- Analyzing the location of parking lots and pedestrian travel paths to the stadium is critical. The CPUC recommends minimizing pedestrian exposure to the railroad tracks as much as possible.
- Should any of the crossings remain at-grade, the CPUC will require:
 - A diagnostic review of all of the nearby at-grade highway-rail crossings.
 - Signalizing all the intersections along Embarcadero with railroad preemption.
 - Installing raised concrete medians on the railroad crossing approaches.
 - Installing Americans with Disabilities Act compliant curb ramps at all intersections.
 - Full and bicyclist treatments
- Train horn noise will increase during events due to the increase in the volume of pedestrians along the tracks.

Thank you for your consideration of these comments. If you have any questions in this matter, please call me at (415) 703-1815 or email me at siavash.mozaffari@cpuc.ca.gov.

Sincerely,

S.mozaffari

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