



707 C Street
San Rafael, CA 94901
(415) 482-8660
(415) 482-8603
www.altaplanning.com

September 26, 2007

Carmen Borg, Urban Planner
Shute, Mihaly & Weinberger
396 Hayes Street
San Francisco, CA 94102

RE: Review of Safety Conditions for the City of Saratoga De Anza Trail

Dear Ms. Borg:

Alta Planning + Design is pleased to submit this review of the safety conditions on the planned De Anza Trail in the City of Saratoga. Specifically, we have prepared a response to the concerns identified by the California Public Utilities Commission (CPUC) in their letter dated May 15, 2007.

Background

Alta Planning + Design is considered one of the nation's leading experts in the field of rails-with-trails, rail trails, greenways, and related facilities. Aside from completing over 500 trail and greenway studies nationwide, Alta has helped lead the national research on rails-with-trails (RWT) through the completion of the Rails-with-Trails: Lessons Learned Literature Review, Current Practices, Conclusions publication for the Federal Transit Administration (FTA), Federal Highway Administration (FHWA) and Federal Railroad Administration (FRA) (August 2002, FTA-MA-26-0052-04-1). That report states: "The research in this report has shown that well-designed RWTs meet the operational needs of railroads, often providing benefits in the form of reduced trespassing and dumping (p. VII). Based on the lessons learned in this study, it is clear that well-designed RWTs can bring numerous benefits to communities and railroads alike. (p. XI)."

In addition, Alta has worked on over 20 rail-with-trail projects throughout California, including the Union Pacific Rail Trail Feasibility Study (Alta Transportation Consulting, August 2001) that includes the De Anza Trail segment.

CPUC Letter

CPUC Letter of May 15, 2007

The CPUC provides design and operating standards for railroad tracks and related facilities within the railroad right-of-way, and issues approvals and permits for all existing and proposed public and private railroad crossings in California. The CPUC jurisdiction does not cover existing or proposed roadways, parks, trails, or other facilities (such as the De Anza Trail) located adjacent to the railroad right-of-way. As we understand it, the De Anza project does not include any new or modified crossings of the Union Pacific Railroad (UPRR) tracks. An unofficial crossing at Fredericksburg Drive, was recently closed by the City of Saratoga.

The CPUC suggests that further environmental review is required due to several factors, addressed below.

Fencing

The CPUC mentions concerns about safety and the lack of fencing being proposed along the trail. Generally there is no requirement for adjacent landowners to provide fencing on a railroad right-of-way, and in fact, much of the railroad right-of-way in California and the United States is not fenced. Railroads often directly parallel roadways with sidewalks, in which no fencing is provided by either party. Even on the high speed, high volume Caltrain corridor, the right-of-way is often not fenced.

The Rails-with-Trails: Lessons Learned Literature Review, Current Practices, Conclusions report provides this guidance on fencing and rails-with-trails:

Over 70 percent of existing rail-with-trails (RWTs) utilize fencing and other barriers such as vegetation for separation from adjacent active railroads and other properties (see Figures 5.14 and 5.15). Barriers include fencing (34 percent), vegetation (21 percent), vertical grade (16 percent), and drainage ditch (12 percent). The fencing style varies considerably, from chain link to wire, wrought iron, vinyl, steel picket, and wooden rail. Fencing height ranges from 0.8 m (3 ft) to 1.8 m (6 ft), although typical height is 0.8 to 1.2 m (3 to 4 ft).

There are about 12 existing rail-with-trail projects in California. Some facilities, including the Davis-Sacramento Bikeway, are located directly adjacent to the Union Pacific Railroad Main Line (see photo below). No security fencing is provided between the bikeway and the active tracks, which are approximately 40 feet from the bikeway. Other RWT projects, such as the San Luis Obispo Rail Trail or San Fernando Rail Trail, do provide a barrier between the trail and tracks. These facilities are located close to heavily-used mainlines. For example, the San Fernando RWT is located about 20 feet from the UPRR mainline, and utilizes a wrought-iron fence partially due to its proximity to a school.



Davis-Sacramento Bicycle Path, about 2 miles east of Davis



Lehigh River Gorge Trail, adjacent to the Reading and Northern Railroad Company tracks.
Jim Thorpe, PA

While it is expected that the De Anza Trail will result in a modest increase in additional people walking or bicycling on the new pathway, the trail is expected to have moderate to low usage and to serve local residents from the immediate neighborhoods due to its shorter length. Our research indicates that a well-designed RWT will actually reduce the number of people trespassing on the tracks—despite a modest increase in use of the trail. People will also be located further away from the railroad tracks than where many people currently walk or bicycle. People want to walk, bike, or run on an even surface, not a railroad track. The De Anza Trail will provide that opportunity.

As of 2003, there have been only two recorded instances on the 80+ RWTs in the United States of a trail user incident involving a trespasser from an adjacent trail. While not every railroad corridor is suitable for an adjacent trail, the De Anza trail meets all of the requirements identified in the FHWA report (adequate setback, low speed/volume trains, off railroad property). Specifically:

- Crossings: The trail does not include any new crossings of the railroad tracks.
- Setback: The trail exceeds the minimum recommended setback from a low traffic, low speed branch line of 10 feet from edge of trail to track centerline. The actual setback is closer to 50 feet from track centerline.
- Property: The trail is not on railroad property.
- Maintenance: The trail does not impact railroad operations or maintenance.

- Security: The trail will enhance public oversight and management of the corridor.
- Capacity: The trail does not impact any future required tracks, and no additional tracks are proposed.



Existing segment of the Cottonbelt Trail along the DART tracks. Grapevine, TX

Based on research of over 100 RWTs in the U.S. and internationally, including input from railroad companies, the California Public Utilities Commission, Federal Railroad Authority, and other parties in “Rails-with-Trails: Lessons Learned Literature Review, Current Practices, Conclusions”, we do not expect the De Anza Trail to increase trespassing or safety incidents on the trail or by trail users if the facility is designed and operated to current standards and best practices, including a Trail Management Plan. a Current Trail plans appear to meet all existing state and local laws, regulations, and requirements, as well as the ‘best practices’ from around the U.S. The trail will provide local residents with a safe place to walk or bicycle away from automobiles and the railroad tracks.

We agree with the CPUC letter that safety is always a concern whenever the general public and railroads are involved, and that it is prudent to take measures to protect both the public and the railroad. The FHWA Rails-with-Trails: Lessons Learned Literature Review, Current Practices, Conclusions Study states that fencing is needed where trespassing exists on the railroad property. During our study of this corridor we did not note a pattern of regular trespassing at any one location. There are no “destinations” across the tracks for pedestrians and bicyclists using the trail, therefore there is no incentive or reason for trail users to cross the tracks.

Attractive Nuisance

The proposed De Anza Trail will terminate at Saratoga Avenue, and tie the pathway into the sidewalk system along Saratoga Avenue. There are no trail facilities located further east along the railroad corridor, and therefore there is no incentive for people to trespass at this location any more than are currently doing so. The proposed fencing and signage will dissuade people from attempting to continue along the corridor once the trail terminates.

Saratoga-Sunnyvale Road

The CPUC indicated a concern that there was no crossing of the Saratoga-Sunnyvale Road. However, the improvement plans show the trail terminating on the east side of this road, and no crossing is proposed. Nearby intersections will allow people to cross this road legally and access the trail without crossing at the railroad tracks.

Conclusions and Recommendations

The following items summarize our conclusions and recommendations to the City both in regards to the specific CPUC and CEQA issues mentioned, but for the overall development of the trail.

1. The proposed De Anza Trail meets or exceeds all of the criteria for RWTs identified in the FHWA 'Rails-with-Trails: Lessons Learned Literature Review, Current Practices, Conclusions' report, therefore we expect this trail to function in a safe manner similar to the other 100+ RWTs in the United States.
2. Despite the fact that the de Anza Trail is not expected to significantly increase safety problems in the corridor, the City can consider fencing to delineate the trail from the railroad property.
3. Install 'No Trespassing' and other signage including civil penalties. Identify the signage on improvement plans and detail sheets.
4. Prepare a Trail Management Plan (TMP) that clearly identifies how the trail would be operated and maintained. Elements of the TMP would include safety, liability, security, operations, maintenance responsibilities and practices, and emergency response procedures.



Four thousand student bicycle commuters use the Libba Cotton Trail daily. *Chapel Hill, NC*