PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

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ENVR 20261000007

Peter Gilli
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San Bruno, CA 94066

Transmitted via email: pgilli@sanbruno.ca.gov; Tanforan@sanbruno.ca.gov

Re: Final Environmental Impact Report for the proposed Tanforan Redevelopment Project (SCH #2023120409)

Dear Director Gilli:

The California Public Utilities Commission (CPUC or Commission), Rail Safety Division, Rail Crossings and Engineering Branch (RCEB), submits these comments on the Final Environmental Impact Report (Final EIR) for the Tanforan Redevelopment Project (State Clearinghouse SCH #2023120409). The CPUC has statutory jurisdiction over the safety, construction, alteration, and operation of railroad and public highway-rail crossings under California Public Utilities Code Sections 1201 through 1205. It exercises that authority under General Orders (GO) 26-D, 72-B, 75-D, 88-B, 95, and 164-F.

The 44-acre project site is directly adjacent to the San Bruno Bay Area Rapid Transit (BART) station and the Peninsula Corridor Joint Powers Board (Caltrain) electrified passenger rail corridor. The proposed redevelopment, which would authorize between 1,014 and 1,514 multifamily residential units, up to 1,723,580 square feet of life-science office and laboratory space, retail, a 170-room hotel, and up to 6,221 parking stalls, would generate a substantial increase in vehicular, pedestrian, and micromobility activity in the immediate vicinity of the rail line. The site also interfaces with the Scott Street at-grade highway-rail crossing (CPUC No. 105E-10.48; U.S. DOT No. 754867B) on the Caltrain corridor and lies near the South Linden Avenue at-grade crossing (CPUC No. 105E-09.70; U.S. DOT No. 754866U) in South San Francisco.

The CPUC was unable to comment on the Draft EIR because it was not consulted as required under CEQA Guidelines §15086. Section 15086(a) requires the lead agency to consult with responsible and trustee agencies and to request their comments on the Draft EIR. The Final EIR contains no record of such consultation with the CPUC. The CPUC's review of the Final EIR does not waive its right to comment on the environmental record, and certification of the Final EIR does not substitute for the consultation required by law.

This letter addresses approval authority, queuing at crossings, hazard and emergency access analysis, rail noise and vibration, construction protection, rail-adjacent circulation, and traffic control standards. We ask that the City address each concern in the record before the San Bruno City Council certifies the Final EIR, anticipated on November 10, 2026.

1. Responsible Agency Jurisdiction

Chapter 2 of the Final EIR (Table 2-1) lists no CPUC comments, and Section 2.7 does not identify CPUC authorization as a required approval. Under CEQA Guidelines Section 15381, the CPUC is a Responsible Agency for any discretionary authorization required under General Order 88-B or Public Utilities Code Sections 1201–1205. This includes any physical alteration, signal preemption modification, or substantial traffic intensification of an at-grade crossing serving the project. Sections 2.7 (Required Project Approvals) and 2.8 (Other Potential Approvals) should explicitly list CPUC authorization. The CPUC should also be included on distribution lists for the certified Final EIR, Planning Commission actions, and the Notice of Determination.

2. Crossing Identification, Traffic Queuing, and Diagnostic Assessment (Scott Street)

The Final EIR does not identify, assess, or mitigate impacts on the at-grade highway-rail and pedestrian crossings that serve project-related vehicle, pedestrian, or bicycle trips. The Scott Street crossing (CPUC No. 105E-10.48; DOT No. 754867B) is the City of San Bruno's only remaining at-grade crossing following the Caltrain Grade Separation Project. It is currently prioritized on the CPUC Grade Separation Priority List and is under study as part of the joint South Linden Avenue and Scott Street Grade Separation Project.

Although Caltrans (Letter 2) identified level-of-service (LOS) degradation at nearby intersections and freeway ramps, the EIR does not analyze queuing at the rail crossing. The CPUC requests that the EIR:

- Explicitly identify the Scott Street crossing (CPUC No. 105E-10.48) and any affected BART and Caltrain facilities in the project transportation setting.
- Quantify existing and project-generated trips traversing the Scott Street crossing across all travel modes, under Flex Zone Scenarios A and B.
- Analyze intersection queue storage and spillback along Huntington Avenue, Sneath Lane, and Scott Street to confirm that vehicle queues do not extend onto the railroad tracks or foul the minimum track clearance envelope.
- Evaluate railroad traffic signal preemption and interconnection between adjacent traffic signals and crossing warning devices, in accordance with CPUC standards.

- Convene a formal Diagnostic Team review with the CPUC, Caltrain, BART, and the City to identify the required crossing safety treatments. Any modification to crossing warning devices or roadway geometry requires CPUC approval under GO 88-B and GO 75-D.

3. Rail Corridor Geometric Design Hazards and Emergency Access

Queuing at the crossing also bears on whether the project creates hazards under CEQA. In responding to Comments 2-2 and 2-3, the Final EIR states that LOS is informational only under SB 743. SB 743 does not relieve a lead agency of evaluating hazards under CEQA Guidelines Appendix G, Section XVII(c) (substantially increasing hazards due to a geometric design feature or incompatible uses) or of evaluating inadequate emergency access under Section XVII(d). Both criteria apply along the rail corridor, yet the EIR does not analyze either criterion.

Turning movements onto Huntington Avenue and Sneath Lane, combined with increased gate-down time from high-frequency electrified Caltrain service, could create geometric hazards and pose a risk of vehicle entrapment. Because the San Bruno Police Station and emergency services are located on Huntington Avenue, blocked crossings could also affect emergency response routes across the tracks. The EIR should analyze both criteria and state a significance finding for each.

4. Rail Noise, Locomotive Horns, and Ground-Borne Vibration

The effects of noise and vibration from rail operations constitute a related gap. While Section 3.10 and Master Response 2 evaluate airport noise within the SFO 70 dBA CNEL contour (Mitigation Measure NOI-3), the EIR does not assess rail noise or ground-borne vibration at the proposed residential buildings nearest the Caltrain and BART alignments.

Caltrain's electrified Stadler KISS fleet has different noise, vibration, and acceleration profiles than legacy diesel equipment. Because Scott Street is an active at-grade crossing, trains approaching the crossing must sound locomotive warning horns under federal regulation (49 CFR Part 222). This would generate high single-event maximum noise levels (Lmax) that could substantially disturb sensitive residential receptors. To align with the San Bruno General Plan Health and Safety Element and avoid adding to cumulative noise burdens, the Noise Reduction Plan under Mitigation Measure NOI-3 should be expanded to model rail ground-borne vibration and horn noise and to establish structural attenuation measures that meet acceptable interior thresholds.

5. Construction Staging, Crane Encroachment, and Rail Corridor Protection

Final EIR Figure 2-1 and the revised Mitigation Measure HAZ-5 address temporary construction crane heights relative to FAA Part 77 airspace surfaces. The EIR does not include a rail safety evaluation of crane operations, swing radii, haul routes, or staging near the rail right-of-way.

Caltrain operates a 25 kV AC overhead contact system (OCS) catenary. Uncoordinated crane swings, boom deflections, or material staging near the Caltrain and BART rights-of-way pose electrocution and derailment hazards. The City should adopt a mandatory condition requiring a Construction Rail Protection Plan, approved by the CPUC, Caltrain, and BART, before issuing grading or building permits. The plan should enforce CPUC General Order 26-D structural clearance envelopes, prohibit crane booms from slewing over active tracks or catenary wires, and restrict heavy construction haul routes across the Scott Street crossing.

6. Multimodal Connectivity and Deferred Crossing Treatments

The gap extends to rail-adjacent circulation. Comment Letters 2 (Caltrans), 8 (Wilsey), and 16 (Silicon Valley Bicycle Coalition) requested definitive details on bicycle infrastructure classifications, intersection treatments, and direct connections to the BART station and the Centennial Way Trail terminus. As revised in Chapter 3 (p. 3-16), the EIR notes that the Walk 'N Bike Plan proposes Class II bicycle lanes with a road diet on Sneath Lane between National Avenue and Huntington Avenue, and a Class IV two-way cycle track along the Huntington Avenue/San Antonio corridor from Sneath Lane to San Mateo Avenue, as part of the Huntington Avenue Pedestrian/Bikeway Safety Project.

However, in Responses 2-6, 8-2, 8-5, and 8-7, the City declined to define internal bicycle facilities or the direct project-to-BART crossing interface. The City states that these details are not required for impact assessment and will be deferred to subsequent Planned Development (P-D) zoning reviews. The CPUC disagrees with deferring rail-adjacent circulation. The routing and design of pedestrian and bicycle facilities determine exposure, crossing volumes, and the potential for gate circumvention at the BART station and the Caltrain corridor. The EIR should define these treatments at all rail-adjacent access points, including where the Sneath Lane Class II facility and the Huntington Avenue/San Antonio Class IV cycle track meet the corridor, before project approval.

7. Traffic Control Standards for Rail-Adjacent Improvements

The City's responses also defer to traffic control standards for these facilities. Response 8-5 states that connections to external streets will follow Manual on Uniform Traffic Control

Devices (MUTCD) guidance, and Response 2-6 defers facility details to Planned Development zoning. For all roadway, bikeway, and pedestrian improvements that interface with the rail corridor or Scott Street, the EIR and conditions of approval should specifically require adherence to Parts 8 (Traffic Control for Railroad and Light Rail Transit Grade Crossings) and Part 9 (Traffic Control for Bicycle Facilities) of the California MUTCD (CA MUTCD), as well as CPUC General Order 75-D. These requirements include channelization, sidewalk pedestrian gates, emergency swing gates, dynamic envelope pavement markings, and detectable tactile warnings.

8. Requested Action

To protect public safety and ensure the environmental record is legally sound, the CPUC requests that the City of San Bruno:

- Initiate formal consultation with the CPUC Rail Crossings and Engineering Branch regarding the Scott Street crossing (CPUC No. 105E-10.48) and the rail corridor interface.
- Provide written responses to the seven concerns in Sections 1 through 7 of this letter in the administrative record before the City Council considers certification of the Final EIR on November 10, 2026.
- Adopt enforceable mitigation measures or conditions of approval requiring CPUC General Order 88-B authorization, CA MUTCD Parts 8 and Part 9 compliance, a Construction Rail Protection Plan, and rail noise and vibration attenuation, and include them in the Mitigation Monitoring and Reporting Program (MMRP).
- Transmit all notices of public hearings on the Final EIR, and a copy of the Notice of Determination upon approval, to the CPUC.

Thank you for your consideration. We look forward to working with the City on these matters. If you have questions, please contact Eyitejumade "Ade" Sogbesan by email at eyitejumade.sogbesan@cpuc.ca.gov.

Sincerely,



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