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Office of the Mayor

August 15, 2007

Honorable Nancy Wieben-Stock
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

RE: ORANGE COUNTY RAIL CROSSING SAFETY

Honorable Judge Wieben-Stock:

The City of San Juan Capistrano has reviewed the Grand Jury report entitled, "Orange County Rail Crossing Safety: Snapshot of a Process."

In accordance with the California Penal Code that specifies required permissible responses to the findings and recommendations, we would like to offer the following responses:

Findings

F-1. Impacted cities are strongly concerned about noise from OCTA/Metrolink train horns at railroad crossings. The cost of totally eliminating train horns county-wide through quiet-zone corridor treatments of could be in the range of \$50-\$60 million.

Response: The respondent agrees with the finding.

F-2. It is unclear how the burden of cost for upgraded crossings will be shared by the OCTA and impacted cities.

Response: In recent weeks, OCTA has proposed a cost sharing plan for improvements, whereby the OCTA will fund 88% of costs and the cities will provide funding for the remaining 12%. This is a "Quiet Zone Working Committee" recommendation and it has not been ratified by the OCTA Board of Directors.

San Juan Capistrano: Preserving the Past to Enhance the Future.



Recommendation

R-1. The burden of construction and inspection costs for these grade crossing treatments needs to be shared by the OCTA and impacted cities according to an agreed formula.

Response: The respondent agrees with the finding.

In case of questions or comments, please contact Nasser Abbaszadeh, Engineering and Building Director at 949/443-6398.

Sincerely,

A handwritten signature in black ink that reads "Sam Allevato". The signature is written in a cursive, flowing style.

Sam Allevato

Mayor

C: Councilmembers

Dave Adams

Nasser Abbaszadeh