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August 9, 2000

VIA FACSIMILE & U.S. MAIL

U.S. Army Corps of Engineers
Sacramento District Planning Division
Attn: Nina Bicknese
1325 J Street
Sacramento, CA 95814-2922

Re: Draft General Re-Evaluation Report/Environmental Impact Report and
Supplemental Environmental Impact Statement for Proposed Modifications to the
Guadalupe River Project, Downtown San Jose, California. SCH#199902056.

Dear Ms. Bicknese:

We represent Union Pacific Railroad, which owns property along the Guadalupe River that would be affected by proposed modifications to the Guadalupe River Project between Coleman Avenue and New Julian Street. We have reviewed the draft report on the proposed modifications and would like to enter the following comments into the public record.

Union Pacific is concerned about potential flooding of the properties adjacent to the proposed bypass outlets. We request clarification of Figure 3.4-6, as the perspective of the drawing is unclear, and it is not possible to discern how the flow from each of the outlets would return to the river. Such clarification is necessary to determine the impact on adjacent lands and comply with environmental regulations regarding the project impact and its consistency with the existing approved land uses. We are also concerned because we have heard that changes are being considered to the number of culverts and the location of bypass outlets. We believe that without a precise definition of the physical size and location of the improvements, the project description is inadequate and incomplete.

The draft report also indicates on page 3-31 that the U.S. Army Corps of Engineers and the Santa Clara Valley Water District are investigating whether the proposed top-of-bank hiking trail will involve an at-grade pedestrian crossing of the reconstructed Union Pacific bridge No. 4

UP-1

UP-2

Nina Bricknese
U.S. Army Corps of Engineers
August 9, 2000

or an underground crossing of the bridge. Union Pacific's policy strongly opposes any at-grade pedestrian crossing of a main line right-of-way for safety reasons. Accordingly, you should assume that any such crossing will have to be grade separated.

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Please contact me if you have any questions regarding these comments.

Very truly yours,

BERLINER COHEN



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Cc: Rich Gooch, Union Pacific