

Date of Hearing: June 8, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Isaac G. Bryan, Chair

SB 1008 (Ochoa Bogh) – As Introduced February 9, 2026

SENATE VOTE: 36-0

SUBJECT: California Environmental Quality Act: exemption: railroad grade crossing closure

SUMMARY: Reenacts an exemption from the California Environmental Quality Act (CEQA) for the closure of a railroad grade crossing by order of the Public Utilities Commission (PUC) when the PUC has found the crossing to present a threat to public safety.

EXISTING LAW:

- 1) Requires lead agencies with the principal responsibility for carrying out or approving a proposed project which may have a significant effect on the environment to prepare a negative declaration, mitigated negative declaration, or environmental impact report (EIR) for this action, unless the project is exempt from CEQA (CEQA includes various statutory exemptions, as well as categorical exemptions in the CEQA guidelines). (Public Resources Code (PRC) 21000, *et seq.*)
- 2) Exempted from CEQA, until January 1, 2025, the closure of a railroad grade crossing by order of the PUC when the PUC has found the crossing to present a threat to public safety, except for any crossing for high-speed rail. (former PRC 21080.14)
- 3) Exempts from CEQA any railroad grade separation project which eliminates an existing grade crossing or which reconstructs an existing grade separation. (PRC 21080.13)
- 4) Exempts from CEQA high-speed rail maintenance facilities and stations that have been evaluated in a prior project-level EIR. (PRC 21080.70)
- 5) Grants the PUC exclusive authority over railroad crossings, including prescribing the terms of installation, operation, maintenance, use, and protection of each crossing, as well as requiring the closure or separation of grades at any crossing. (Public Utilities Code 1201, *et seq.*)

FISCAL EFFECT: According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS:

- 1) **Background.** The PUC has broad and exclusive power to regulate railroad crossings. The original CEQA exemption reenacted by this bill stems from the passage of AB 660 (Galgiani), Chapter 315, Statutes of 2008, which eliminated a provision from Section 2450 of the Streets and Highways Code which had described a grade separation project to include removal or relocation of highways or tracks to eliminate existing at-grade crossings. This section, combined with Section 21080.13 of Public Resources Code exempting certain grade separation projects, gave the PUC grounds to claim a CEQA exemption for the closure of an at-grade crossing.

To confirm its ability to claim a CEQA exemption for orders to close at-grade crossing found to be unsafe, the PUC sponsored AB 1665 (Galgiani), Chapter 721, Statutes of 2012, which created the exemption that is the subject of this bill. AB 1665 included a 2016 sunset, which was extended to 2019 by SB 348 (Galgiani), Chapter 143, Statutes of 2015, and to 2025 by AB 1824 (Committee on Natural Resources), Chapter 466, Statutes of 2019.

It appears the prior exemption was used twice, for railroad crossing closures in Glendale in 2015 and Union City in 2024.

2) **Author's statement:**

Senate Bill 1008...is a non-controversial measure that restores a longstanding policy to ensure timely action on rail safety...Without this exemption, the PUC must complete a CEQA review before closing an unsafe at-grade rail crossing, potentially delaying critical safety improvements and leaving communities exposed to preventable risks. SB 1008 simply reinstates the prior exemption, allowing the PUC to continue exercising its authority to alter or abolish dangerous crossings in a timely manner to protect public safety.

3) **Double referral.** This bill has been double referred to the Utilities and Energy Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

American Society of Civil Engineers, Region 9
BNSF Railway
California Short Line Railroad Association
Union Pacific Railroad

Opposition

None on file

Analysis Prepared by: Lawrence Lingbloom / NAT. RES. /