

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

**RAIL SAFETY AND CARRIERS DIVISION**  
Rail Safety Branch  
Railroad Operations and Safety Section

**RESOLUTION SR-103**  
Date: September 2, 1999

**RESOLUTION**

**RESOLUTION SR- 103. GRANTING A VARIANCE FROM THE COMMISSION'S SIDE CLEARANCE REQUIREMENTS FOR EIGHT PROPOSED BNSF/AMTRAK YARD TRACKS ADJACENT TO SUPPORT COLUMNS AT THE SEVENTH STREET VIADUCT OVERPASS IN DOWNTOWN LOS ANGELES.**

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By letter dated June 9, 1999, Burlington Northern Santa Fe Railway (BNSF) and National Railroad Passenger Corporation (Amtrak) request a variance from minimum side clearance requirements of the Commission's General Order 26-D (G.O. 26-D), Section 3.2, which requires eight feet six inches to any obstruction above top of tangent rail.

As part of a \$20 million redevelopment project jointly financed by BNSF, Amtrak, and the State of California (CALTRANS), the entities wish to construct nine tracks adjacent to six support columns of the historical Seventh Street Viaduct overhead road separation. The proposal (from compass west to east) involves one track between the first two columns (which will have adequate CPUC side clearance of eight feet six inches) and two tracks each between the remaining columns (which will require the variance sought here). Amtrak plans to use the first five tracks to handle its new Express Mail business and to stage passenger equipment for its new servicing and inspection facility at Eighth Street. BNSF plans to expand its existing First Street Yard, which will be renamed "West Bank Yard," for efficient handling of bare table flat cars destined for the Los Angeles/Long Beach Ports. The request maintains that without the tracks sought for construction Amtrak will be hampered in its efforts to become self-sufficient, and BNSF will be limited in its handling of Los Angeles intermodal business for access to the Alameda Corridor currently under construction.

Staff has explored alternatives to the sought variance. Columns of the historic Seventh Street Viaduct cannot be altered without damaging the bridge's integrity. In point of fact, the fourth column (from west to east) is currently impaired with a side clearance of six feet eight inches from the track's centerline as a result of some unauthorized earthquake retrofitting by the

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City of Los Angeles. Fewer tracks or gantlet tracks to temporarily enable tracks to share common space between the columns would not meet the project's objectives of building trains at the location. The prospect of "rebuilding" previously removed tracks with thirteen-foot centers was discouraged by Staff based on Commission precedent (Decision 86-02-058) that prior 13-foot centers must have 14-foot track centers when reconstructed. BNSF's final proposal was to have 14-foot track centers, but to provide only eight feet to the face of the viaduct columns. This plan would also raise existing tracks sufficiently to eliminate the current impairment of the fourth column. The proposal amounts to applying to the current structure the minimum side clearance of eight feet zero inches usually permitted for through bridges and tunnels (G.O. 26-D, Sec. 3.10).

On May 28, 1999, ranking officials of BNSF and Amtrak met on site with CPUC Staff and the State Legislative Director of United Transportation Union. At the meeting, all parties reached consensus that the proposed variance would not compromise safety of operations at the location provided specific safeguards were imposed. The parties subsequently reviewed and finalized the details and language of precautionary measures, and these will become requirements of the following order. Staff is convinced that safety has been served through the proposed measures.

Because of the agreement reached, this is an uncontested matter in which the resolution grants the relief requested. Accordingly, pursuant to PU Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

**THEREFORE, IT IS ORDERED** that BNSF and Amtrak are granted variance from side-clearance requirements of G.O. 26-D, Section 3.2, to build tracks under the Seventh Street Viaduct in Los Angeles with minimum side clearances of eight feet zero inches, as provided for in G.O. 26-D, Section 3.10. The variance is subject to the following conditions:

1. Authorization of this variance will be non-precedent setting.
2. Each viaduct column facing the movement on either side of approach shall be painted every six months with white reflectorized paint to be seen at night and each viaduct column shall have a reflectorized sign saying, "Employees are not permitted to ride on a car beyond this point."
3. Timetables will have a special restriction that will be highlighted in bold underlined print that says, **\*EMPLOYEES SHALL NOT RIDE ON CARS WHEN OPERATING UNDER THE SEVENTH STREET**

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**VIADUCT AT MILEPOST 142.0 AT WEST BANK YARD IN  
LOS ANGELES. TRAIN MUST STOP BEFORE SHOVING  
CARS UNDER THE VIADUCT. EACH MOVEMENT UNDER  
THE VIADUCT WILL BE HANDLED BY AN EMPLOYEE ON  
THE GROUND WHO WILL CONTROL THE CONTINUED  
MOVEMENT BEYOND THE POINT WHERE MOVEMENT  
ORIGINALLY STOPPED.\***

4. Daily messages, printed on distinctive colored paper, will be issued to train crews containing the above restriction until new timetables are issued that have this restriction.
5. Both BNSF and Amtrak shall include the restriction in their various notices, such as Superintendent's Bulletins, Employee Handbook, and in the train crews' daily job briefings.

This resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on September 2, 1999. The following Commissioners approved it:



WESLEY M. FRANKLIN  
Executive Director

RICHARD A. BILAS  
President  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
JOEL Z. HYATT  
CARL W. WOOD  
Commissioners