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March 29, 2010

File Number: G.10-01-011
City of San Diego, County of San Diego

Frank Gaines
Project Manager
City of San Diego
225 Broadway Suite 1100
San Diego, CA 92101

Re: **General Order 88-B Request for Authority to Modify the Market Street Highway-Rail Crossing, CPUC Crossing No. 002-267.90 in the City of San Diego, San Diego County.**

Dear Mr. Gaines:

This refers to your letter, dated January 8, 2010, requesting authorization, pursuant to Commission General Order (GO) 88-B, to modify the existing at-grade crossing of Market Street in the City of San Diego, San Diego County. The crossing is identified by CPUC Crossing Number 002-267.90. The initial GO 88-B requests submitted on behalf of the City did not clearly describe all the proposed modifications at the crossings. On February 4, 2010, a revised set of GO 88-B requests were submitted that included additional detail of the proposed alterations and revised engineering plans.

This crossing is over one mainline BNSF Railway (BNSF) track, and two San Diego Metropolitan Transit Systems (MTS) tracks. In addition to BNSF and MTS trains, the North County Transit District (NCTD) and the National Passenger Railroad Corporation (Amtrak) operate passenger trains over this line. The proposed improvements are part of the downtown San Diego Quiet Zone (Q.0612001).

The City proposes the following alterations:

- Install a westbound pre-signal on Market Street
- Install R3-1 train activated "NO RIGHT TURN" blank out signs at northbound Harbor Drive and Market Street .
- Install barricade fencing on existing raised median east of tracks.
- Install two Commission Standard 8 (flashing light signal assembly) warning devices for the pedestrian path that runs adjacent to the tracks.
- Install pedestrian barriers at the existing pedestrian path to prevent pedestrians from cutting across Market Street to get to the other side of the path.
- Install Commission Standard 8 warning devices southeast quadrant of the crossing.
- Modify the existing Commission Standard 9 (flashing light signal assembly with automatic gate) warning device at the east median by removing west facing flashers.

- Install a Commission Standard 9E (Commission Standard 9 installed on the departure side of the at-grade crossing, also known as an exit gate) warning device at the northwest quadrant of the crossing along with vehicle presence detection system.
- Install Americans with Disabilities Act (ADA) compliant detectable warning tactile strips on all sidewalk approaches.
- Install MUTCD complaint signage include W10-9 “NO TRAIN HORN” signs.
- Application of MUTCD compliant pavement markings and renewed MUTCD signage;

The Commission’s Rail Crossings Engineering Section (RCES) investigated the request filed by the City, and finds it adequately addresses compliance and safety. As the City, NCTD, MTS, BNSF, and Amtrak are all in agreement as to the design and apportionments of the cost under the provisions of GO 88-B, the improvements as described in your request dated February 4, 2010 and summarized above are authorized.

Temporary traffic controls shall be provided in compliance with Section 8A.05, Temporary Traffic Control Zones, of the California Manual on Uniform Traffic Control Devices (CA MUTCD), published by the California Department of Transportation.

All parties shall comply with all applicable rules, including Commission General Orders and the CA MUTCD.

This project is categorically exempt from the requirements of the California Environment Quality Act of 1970, as amended. [California Pubic Resources Code 21084].

This authorization shall expire if the above conditions are not complied with or if the work is not completed within two years of the date of this letter. Upon written request to this office, the time to complete the project may be extended. Any written request for a time extension must include concurrence letters by involved parties in support of the time extension. If an extension is requested, RCES may reevaluate the crossing prior to granting an extension.

Within 30 days after completion of this project, BNSF shall notify RCES that the authorized work is completed, by submitting a completed Commission Standard Form G titled *Report of Changes at Highway Grade Crossings and Separations*. Form G requirements and forms can be obtained at the CPUC web site Form G page at <http://www.cpuc.ca.gov/formg>. This report may be submitted electronically to rces@cpuc.ca.gov as outlined on the web page.

If you have any questions, please contact Laurence Michael at (213) 576-7076 or ldi@cpuc.ca.gov .

Sincerely,

A handwritten signature in black ink that reads "Daren Gilbert". The signature is written in a cursive style with a large, prominent "D" and "G".

Daren Gilbert, Supervisor
Rail Crossings Engineering Section
Consumer Protection and Safety Division

C: John Shurson, BNSF
Wayne Terry, MTS

Keith Kranda, NCTD
John Eschenbach, Amtrak