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## PUBLIC UTILITIES COMMISSION

515 L STREET, SUITE 1119  
SACRAMENTO, CA 95814



March 17, 2010

File Number: G.10-02-004

Michael Whitlock  
City Engineer  
City of Tulare  
411 East Kern Avenue  
Tulare, CA 93274

**Re: General Order 88-B Request for Authority to Alter the Cartmill Avenue Highway-Rail Crossing, CPUC Crossing No. 001B-247.90, DOT No. 756975E in the City of Tulare, Tulare County**

Dear Mr. Whitlock:

This refers to your letter dated January 22, 2010 and received by us on February 12, 2010 requesting authorization pursuant to Commission General Order (GO) 88-B to grade-separate the existing at-grade highway-rail crossing of the Union Pacific Railroad (UPRR) track in the City of Tulare (City), Tulare County. The crossing is identified as the Cartmill Avenue Highway-Rail Crossing, CPUC Crossing No. 001B-247.90, DOT No. 756975E.

The crossing is currently a single track crossing equipped with two Commission Standard 9 (flashing light signal assembly with automatic gate arm) warning devices. At this location, Cartmill Road is a two-lane road running east/west. UPRR currently runs approximately 11 trains per day and San Joaquin Valley Railroad (SJVR) operates approximately 2 trains per day on this track.

The City states in its GO88-B request letter that "The proposed Cartmill Avenue Grade Separation is considered essential to the future safety of traffic movements and prompt response of police, fire, and other emergency vehicles within the City of Tulare".

During construction, the City is requesting a temporary impaired vertical clearance of 21 feet. Commission General Order (GO) 26-D, Section 2.1, requires a minimum vertical clearance of 22 feet 6 inches. The City requests a temporary deviation from the vertical clearance requirements of GO 26-D. The City provided evidence from UPRR regarding the temporary deviation, and their representative indicated they do not oppose the request. The minimum permanent vertical clearance above top of rail will be 23 feet 6 inches, which meets the minimum requirements specified by GO 26-D.

Also, during construction, the City is requesting a temporary horizontal clearance of 12 feet. Since this is within the requirements of Commission General Order (GO) 26-D, Section 3, a temporary deviation is not needed. The minimum permanent horizontal clearance will be 54 feet.

The City states in its GO88-B request letter that “All vehicular traffic will be detoured around the site during construction...Existing crossing protection, consisting of Type 9 gates, will remain in place during construction to allow Contractor crossings of the U.P. track. Protective fencing will be required along the railroad right of way lines to keep construction equipment and personnel out of unauthorized areas.”

The proposed alteration as indicated in the request letter and/or shown in the attachments shall consist of:

- Constructing the grade separated structure parallel and adjacent to the existing at-grade crossing.
- The existing at-grade crossing will be closed to public access while the overhead structure is constructed, but will remain with current warning devices for construction contractor use.

The existing at-grade crossing is to be completely removed from all service within 30 days of opening the grade separated crossing. The grade separated overpass will be identified as CPUC Crossing No. 001B-247.90-A.

Staff has investigated the City’s request, and finds it adequately addresses compliance and safety. As the City and UPRR are in agreement as to the design and apportionments of the cost under the provisions of GO 88-B, you may proceed with the improvements as described in your request letter and attachments, and summarized above.

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

This project is statutorily exempt from the requirements of the California Environment Quality Act of 1970, as amended [California Pubic Resources Code 21080.13].

Pursuant to Commission Resolution SX-76 and Section 16.2 of General Order (GO) 26-D, the City is granted a temporary deviation from GO 26-D, Section 2.1 and is authorized a temporary overhead clearance of not less than 21 feet above the top of the highest rail to the lowest of point on the overhead structure, during the construction period of the Cartmill Avenue Grade Separation structure, CPUC Crossing No. 001B-247.90-A, DOT No. 756975E in the City of Tulare, Tulare County.

The following requirements shall apply to the temporary deviation to GO 26-D, Section 2.1:

1. The City shall notify UPRR and the Los Angeles office of the Commission’s Consumer Protection and Safety Division – Rail Operations Safety Branch (ROSB) and Rail Crossings Engineering Section at least 15 days but not more than 30 days in advance of the date when the City will create the temporary reduced overhead clearance. Commission notification may be made to [rces@cpuc.ca.gov](mailto:rces@cpuc.ca.gov).
2. UPRR shall issue instructions to all individuals responsible for operation of trains over these tracks of the temporary reduced clearance of 21 feet beneath the Cartmill Avenue Grade

Separation structure, and shall submit the instructions in advance of the date when the City will create the temporary reduced overhead clearance to the Los Angeles office of ROSB and RCES. Notification may be made to [rces@cpuc.ca.gov](mailto:rces@cpuc.ca.gov).

This authorization shall expire if the above conditions are not complied with or if the work is not completed within three 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, the Commission's Rail Crossings Engineering Section (RCES) may reevaluate the crossing prior to granting an extension.

Within 30 days after the grade separation structure is opened and the at-grade crossing is completely removed, UPRR 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](mailto:rces@cpuc.ca.gov) as outlined on the web page.

If you have any questions, please contact Sergio Licon at (213) 576-7085 or [sal@cpuc.ca.gov](mailto:sal@cpuc.ca.gov).

Sincerely,



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

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