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PUBLIC UTILITIES COMMISSION

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June 2, 2010

File Number: G.10-04-006

Craig M. Pope
Director
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2700 M Street, Suite 400
Bakersfield, CA 93301

Re: General Order 88-B Request for Authority to Alter the Hageman Road Highway-Rail Crossing, CPUC Crossing No. 002-895.30, DOT No. 028376B in the City of Bakersfield, Kern County

Dear Mr. Pope:

This refers to your letter dated April 14, 2010 and received by us on April 19, 2010 requesting authorization pursuant to Commission General Order (GO) 88-B to grade-separate the existing at-grade highway-rail crossing of the BNSF Railway (BNSF) track in the City of Bakersfield, Kern County. The crossing is identified as Hageman Road Highway-Rail Crossing, CPUC Crossing No. 002-895.30, DOT No. 028376B.

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, Hageman Road is a two-lane road running east/west. BNSF currently runs approximately 25 freight trains per day and Amtrak runs approximately 12 passenger trains per day on this track.

The County of Kern Roads Department (County) states in its GO88-B request letter that "Significant benefit and safety will be achieved by construction of a grade-separated crossing and elimination of the existing at-grade crossing. Traffic delay and congestion will be reduced. The potential for train/vehicle accidents will be essentially eliminated."

The County states in its GO88-B request letter that "The County and BNSF will ensure that two Standard No. 9 (flashing light and signals with automatic gates) warning devices will remain in place, or be relocated and fully functional, at all times during construction at the existing Hageman Road crossing and/or the Hageman Road crossing at the interim railroad shoofly until such time as the underpass is open to vehicular traffic. Traffic controls will be provided during construction in compliance with Section 8A.05 Temporary Traffic Control Zones, of the California Manual on Uniform Traffic Control Devices (CA MUTCD). BNSF will provide flagging services and coordinate other rail/vehicle safety features during construction."

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.
- Public road, under BNSF Railway with 6 travel lanes, shoulders, raised median, turn lanes and sidewalks;

The new overpass will be identified as CPUC Crossing No. 002-895.31-A, DOT No. 028376B.

Staff has investigated the County's request, and finds it adequately addresses compliance and safety. As the City and BNSF 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 the California Manual on Uniform Traffic Control Devices published by Caltrans.

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

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 new structure is opened to traffic and the at-grade crossing is removed from service, 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 Sergio Licon at (213) 576-7085 or sal@cpuc.ca.gov.

Sincerely,



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