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PUBLIC UTILITIES COMMISSION

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July 9, 2010

David Leamon
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File No. G.10-06-004

Re: General Order 88-B Request for Authority to Alter Beard Avenue Highway–Rail Crossing, CPUC Crossing No. 028-3.20, DOT No. 853828H in the County of Stanislaus.

Dear Mr. Leamon:

This refers to your letter dated June 3, 2010, and received by us on June 4, 2010, requesting authorization pursuant to Commission General Order (GO) 88-B, to alter an at-grade highway-rail crossing of the Modesto & Empire Traction Company (MET) track in the County of Stanislaus (County). The crossing is identified as Beard Avenue Highway-Rail Crossing, CPUC Crossing No. 028-3.20, DOT No. 853828H.

Beard Avenue is a two-lane local roadway in an industrial, unincorporated area within the County. Beard Avenue has no sidewalks or medians at the crossing. The Beard Avenue crossing has a single track frequented by MET freight trains. The track is less than 40 feet south of where Beard Avenue intersects with State Route (SR) 132, with the rail line running parallel to SR 132. The crossing is equipped with two Commission Standard 9–A (flashing light signal assembly with automatic gate arm with additional flashing lights over the roadway on a cantilevered arm) warning devices.

The County states in its GO 88-B request letter that “Public safety and truck turning movements will be benefited through the improvements at this crossing. The alterations are a relocation of existing facilities that will continue to function in compliance with applicable standards.”

The proposed alterations, as indicated in the request letter and/or shown on the plans, shall consist of:

- Relocating the Commission Standard No. 9-A warning device in a westerly direction in the northwest quadrant of the crossing per plan;

- installing curbing in the northwest quadrant to provide necessary clearance requirements for the relocated shoulder-mounted warning device masts per plan;
- widening the road radius returns at the northwest and northeast corners to accommodate required truck turning movements per plan;
- installing the following signs per plan: a W10-3 at-grade crossing advance warning sign on the eastbound SR 132 parallel approach as required by the California Manual on Uniform Traffic Control Devices (CAMUTCD), Section 8B.04 (a W48 (CA) sign noted in the City's GO 88 request to be installed below the W10-3 sign shall not be installed as there is only a single track); a W10-1 at-grade crossing advance warning sign on the northbound Beard Avenue approach as required per CAMUTCD, Section 8B.04; and an R8-8 (DO NOT STOP ON TRACKS) sign on the northbound approach. The R8-8 sign will be installed south of the south side warning device with the consideration that it shall not block the visibility of the warning device lamps;
- repositioning and repainting the at-grade crossing pavement markings (RXR) on the northbound Beard Avenue approach at 75 feet south of the location shown on the original plan as agreed per phone conversation between Staff and County personnel on 6/8/10. This is being done because the location of the pavement markings on the original plan is too close to the track (the County submitted a revised plan showing this change after submitting the original plan). The W10-1 sign noted above should be installed on the shoulder of the northbound approach to correspond with the location of the relocated pavement markings.

Staff has investigated the request by the County and finds it adequately addresses compliance and safety. As the County, MET, and the California Department of Transportation (Caltrans) 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.

Temporary traffic controls shall be provided in compliance with Section 8A.05, Temporary Traffic Control Zones, of the CAMUTCD, published by Caltrans.

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

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. A written request for a time extension must include concurrence letters by interested parties in support of the time extension. If an extension is requested, staff from the Commission's Rail Crossings Engineering Section (RCES) may reevaluate the crossing prior to granting an extension.

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Within 30 days after completion of this project, the County 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 Marvin Kennix at (916) 928-3809 or email at mlk@cpuc.ca.gov.

Sincerely,



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

Cc:

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