

## PUBLIC UTILITIES COMMISSION

180 PROMENADE CIRCLE, SUITE 115  
SACRAMENTO, CA 95834



July 21, 2010

File Number: G.10-06-019  
City of San Marcos, County of San Diego

Mike Edwards  
City of San Marcos  
1 Civic Center Drive  
San Marcos, CA 92069

Re: **General Order 88-B Request for Authority to Modify the State Route 78 (Mission Overhead) Highway-Rail Crossing, CPUC Crossing No. 106E-118.85-A, DOT No. 027582K, in the City of San Marcos, San Diego County.**

Dear Mr. Edwards:

This refers to your letter, dated June 11, 2010 (received on June 14, 2010), requesting authorization, pursuant to Commission General Order (GO) 88-B, to modify the existing grade separated crossing of the North County Transit District (NCTD) tracks and State Route 78 (SR 78) in the City of San Marcos, San Diego County. The crossing is identified by CPUC Crossing Number 106E-118.85-A.

In addition to NCTD Sprinter commuter trains, the BNSF Railway (BNSF) operate freight trains over this line. It is proposed to widen the existing grade separated structure of SR 78 to accommodate an eastbound auxiliary lane. During construction, the City is requesting a temporary impaired overhead vertical clearance of 20 feet 5 inches. Commission General Order (GO) 26-D, Section 2.1, requires a minimum vertical clearance of 22 feet 6 inches. Therefore, the City requests a temporary deviation from the vertical clearance requirements of GO 26-D. As part of the project, the ultimate overhead clearance will be increased from 23 feet 4 inches to 23 feet 8 inches.

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, and BNSF 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 June 14, 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.

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 20 feet 5 inches above the top of the highest rail to the lowest of point on the overhead structure and falsework, during the period of construction of the SR-78

Overhead structure, CPUC Crossing Number 106E-188.85-A, DOT No. **027582K**, in the City of San Marcos, San Diego County.

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

1. City shall notify NCTD 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. NCTD shall issue instructions to all individuals responsible for operation of trains over these tracks of the temporary reduced clearance of 20 feet 5 inches beneath the SR 78 Overhead 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).

Relative to the grade separation, this project is categorically exempt from the requirements of the California Environment Quality Act of 1970, as amended. [California Public 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, RCES may reevaluate the crossing prior to granting an extension.

Within 30 days after completion of this project, City 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 Laurence Michael at (213) 576-7076 or [ldi@cpuc.ca.gov](mailto:ldi@cpuc.ca.gov).

Sincerely,



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

C: Melvin Thomas, BNSF  
Keith Kranda, NCTD