

PUBLIC UTILITIES COMMISSION

180 PROMENADE CIRCLE, SUITE 115
SACRAMENTO, CA 95834



September 27, 2010

File Number: G.10-09-004
City of Fremont, County of Alameda

James E. Pierson
Transportation and Operations Director
City of Fremont
39550 Liberty Street, P.O. Box 5006
Fremont, CA 94537-5006

Re: **General Order 88-B Request for Authority to Modify the Warren Avenue Highway-Rail Crossing in the City of Fremont, Alameda County**
CPUC Crossing No. 001DA-36.20, DOT No. 750073E
CPUC Crossing No. 004G-6.70, DOT No. 833885S

Dear Mr. Pierson:

This refers to your letter, dated September 1, 2010, and received by us on September 8, 2010, requesting authorization, pursuant to Commission General Order (GO) 88-B, to modify the existing at-grade crossing of the Union Pacific Railroad Company's (UPRR) Warm Springs Subdivision track and Warren Avenue in the City of Fremont (City), Alameda County. The crossings are identified as the Warren Avenue Highway-Rail Crossing, CPUC Crossing No. 001DA-36.20, DOT No. 750073E for the west crossing (Warm Springs Subdivision Main Line) and CPUC Crossing No. 004G-6.70, DOT No. 833885S for the east crossing (Milpitas Subdivision Main Line). The request was signed by both the City and Santa Clara Valley Transportation Authority (VTA). VTA is identified as the lead agency for the Freight Railroad Relocation Project.

Warren Avenue is a four lane roadway with median islands dividing the eastbound and westbound approaches to the crossing. The crossing is currently equipped with four Commission Standard 9 (flashing light signal assembly with automatic gate) warning devices at the west crossing. There are additionally four Commission Standard 9 warning devices at the east crossing.

The crossings currently have separate sets of crossing warning devices since they are approximately 125 feet apart. However, due to the close proximity to each other they are interconnected for coordinated operation consistent with industry standards. There is a signalized intersection located approximately 250 feet west of the existing track.

The tracks are being modified so that the west railroad corridor accommodates all freight traffic. The result of the project will be 2 tracks located approximately 25 feet further from the intersection. The east corridor is owned by VTA and will become a public transportation corridor, with any future crossing of the public transportation corridor to be grade separated. The entire Warren Avenue crossing is planned for grade separation as part of the long-term plan. However, this authorization is only for the near-term modifications, as described below.

The City states in its GO 88-B request letter that “The proposed crossing modifications will enhance motorist safety while allowing the relocation of two freight tracks and eventual grade separation of the crossing. The overall purpose of these modifications is to consolidate freight traffic on one side of a previously wider rail corridor. The relocation of freight tracks in this manner clears the adjacent publicly owned corridor for future rail transportation projects and the eventual grade separation of Warren Avenue.”

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

1. Install two freight tracks and associated concrete panels across Warren Avenue in the UPRR-owned corridor. The existing Warm Springs Main Line will be relocated 27 feet to the east (centerline-to-centerline) of its present location. Existing Milpitas Main Line will be relocated approximately 100 feet to the west of its present location. The two newly installed tracks will be at-grade and 15 feet apart (centerline-to-centerline). The existing roadway surface will be altered to accommodate the new track and crossing panels.
2. Install new asphalt roadway surface to meet the newly installed crossing panels.
3. Install four Standard 9 (flashing light signal assembly with automatic gate) warning devices for the reconfigured crossing.
4. Install new stop bars on each approach lane of Warren Avenue, no less than eight feet in advance of the lowered gate arms.
5. Install new median, curb and gutter along the resurfaced portion of Warren Avenue.
6. Install roadway striping on the resurfaced roadway.
7. Update all track numbers signs.
 - o W48(CA) advance warning signs on each approach
 - o R15-2 signs placed below each Crossbuck (R15-1) sign

After completion of these modifications, the freight track in the VTA right-of-way will remain active for a limited period of time. Upon being deactivated, the track is planned for removal. When the freight track in the VTA right-of-way is removed, the track and associated warning devices must also be removed from the roadway and the roadway renovated as appropriate. CPUC staff is in strong support of the long-term plan to fully grade-separate all tracks at this crossing.

The agency responsible for the traffic signal, whether Caltrans or the City, must ensure that railroad preemption of the intersection traffic signal is functioning prior to the crossing being placed back into operation. Conventional traffic signals are located at the intersection and are currently operating in all-red-flash mode. There is less than 250 feet of Clear Storage Distance between the intersection stop line and the crossing. Due to the presence of freeway ramps and the Warren Avenue freeway overpass constructed in recent years, it is expected that traffic queues may extend to the tracks during peak hours.

UPRR should review the proposed camera location. The plans attached to the request show the relocation of a camera that is used to visually monitor the crossing during operation of a Remote Control Locomotive through the crossing. In order to allow monitoring of whether the warning devices have activated properly, the cameras should be offset from the placement of crossing warning devices.

The Commission's Rail Crossings Engineering Section (RCES) investigated the request filed by the City, and finds it adequately addresses compliance and safety. As City and VTA have joined in the request, and UPRR is also 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 September 1, 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, the 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 as outlined on the web page.

If you have any questions, please contact Kevin Schumacher at (415) 703-1208 or kevin.schumacher@cpuc.ca.gov.

Sincerely,



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

cc: Jim Smith, UPRR
Benjamin Scharf, VTA