

PUBLIC UTILITIES COMMISSION

180 Promenade Circle, Suite 115
Sacramento, CA 95834



November 30, 2010

Scott L. Mozier
Assistant Public Works Director/City Engineer
City of Fresno
2600 Fresno Street
Fresno, CA 93721-3615

File No. G.10-10-008

Re: General Order 88-B Request for Authority to Alter Annadale Avenue Highway–Rail Crossing, CPUC Crossing No. 002V-68.42-C, DOT No. 029062H, in both the City of Fresno and County of Fresno (Shared Jurisdiction).

Dear Mr. Mozier:

This refers to your letter signed by you on October 25, 2010, and received by us on October 29, 2010, requesting authorization pursuant to Commission General Order (GO) 88-B, to alter an at-grade highway-rail crossing of a BNSF Railway (BNSF) spur track located in both the City of Fresno (City) and County of Fresno (County). The crossing is identified as Annadale Avenue Highway-Rail Crossing, CPUC Crossing No. 002V-68.42-C, DOT No. 029062H, and is under the shared jurisdiction of the City and County, as likewise is the roadway.

Annadale Avenue is a two-lane local roadway at the crossing. The crossing traverses a border line along the roadway between a southwestern part of the City and the County, and therefore jurisdiction of the crossing is shared by the City and the County. The crossing has a single spur track, in an industrial area, frequented by BNSF freight trains. There are no raised medians or sidewalks at the crossing. The crossing is equipped with a crossbucks (R15-1) sign on both sides of the track. This project proposes to add a spur track to the subject crossing in order to better serve the adjacent Penny Newman grain facility. This new spur track will connect to other tracks which will ultimately connect to the BNSF mainline.

The City states in its GO 88-B request letter, “The new track layout will reduce the number of times BNSF needs to bring cars to the grain facility site. Because the new track layout will allow more cars to be brought to the Penny Newman grain facility per trip and allow trains to make fewer trips because of the increased track storage, there will be less time spent by trains on Annadale Avenue and therefore, public safety will be increased.”

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

- Adding a new spur track approximately 85 feet westerly of the existing spur track at the crossing to serve the Penny Newman grain facility per plan;

- installing concrete panels for the new spur track surface per plan;
- installing on each side of the crossing, a new crossbucks (R15-1) sign with below it a (R15-2) (Number of Tracks - 2 TRACKS) sign and a Yield (R1-2) sign as noted on the plan. The crossbucks sign on each side of the crossing shall be placed at a minimum 15 feet from the nearest rail and 12 feet from the edge of the traveled way as noted on the plan;
- installing a W48(CA) (Number of Tracks -2 TRACKS) sign below the existing W10-1 sign on both approaches to the crossing per plan;
- installing pavement markings (RXR) on the roadway corresponding to the location of the W10-1 sign on both approaches per plan;
- removing the existing spur track in the roadway at the adjacent crossing to the west, CPUC Crossing No. 002V-68.43-C. This will essentially close this crossing;
- removing the W10-1 signs and pavement markings (RXR) associated with the adjacent crossing to the west, CPUC Crossing No. 002V-68.43-C, once it is closed.

Staff has investigated the request by the City, and finds it adequately addresses compliance and safety. As the City, County, 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.

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

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.

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. The Form G should report the new crossing, as well as closure and removal of the existing crossing.

If you have any questions, please contact Marvin Kennix at (916) 928-3809 or email at mlk@cpuc.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Daren Gilbert". The signature is written in a cursive style with a large, stylized "D" and "G".

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

Cc: Joe Bruzee, Planner, Division of Public Works and Planning, County of Fresno
John Stilley, Manager of Industry and Public Projects, BNSF Railway