

PUBLIC UTILITIES COMMISSION

320 W. 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



November 1, 2012

File Number: G.12-10-005
Palm Avenue
San Bernardino, San Bernardino County

Garry Cohoe
Director of Project Delivery
San Bernardino Associated Governments
1170 W. Third Street, 2nd Floor
San Bernardino, CA 92410

Re: General Order 88-B Request for Authority to Modify the Palm Avenue Highway-Rail Crossing, CPUC Crossing No. 002-74.00 and DOT No. 026105N, in the City of San Bernardino, San Bernardino County

Dear Mr. Cohoe:

This refers to your letter dated October 3, 2012, received by us on October 5, 2012, requesting authorization, pursuant to California Public Utilities Commission (Commission) General Order (GO) 88-B, to grade-separate the existing Palm Avenue at-grade crossing on the BNSF Railway Company (BNSF) mainline 2 – Barstow to National City tracks, in City of San Bernardino (City), San Bernardino County, identified as CPUC Crossing Number 002-74.00 and DOT Number 026105N.

The Palm Avenue at-grade crossing is a divided roadway with four lanes, two lanes in each direction that crosses over three BNSF tracks. The crossing is equipped with one curb mounted Commission Standard 9-A (flashing light signal assembly with automatic gate arm and additional flashing light signal over the roadway on a cantilevered arm) and one curb mounted and two median mounted Commission Standard 9 (flashing light signal assembly with automatic gate arm) warning devices with advance warning signage and pavement markings.

In addition to BNSF and Union Pacific Railroad Company freight trains, the National Passenger Railroad Corporation (Amtrak) operates passenger trains over this line.

San Bernardino Associated Governments (SANBAG) proposes to construct a two lane overhead bridge structure over the BNSF railroad tracks, north of the Palm Avenue at-grade crossing.

During construction, the Palm Avenue at-grade crossing will remain open to all vehicular traffic. As part of the project, SANBAG requests a temporary deviation from the vertical clearance requirements of Commission GO 26-D, for an impaired clearance of 21 feet 6 inches above the top rail during construction. Commission GO 26-D, Section 2.1, requires a minimum vertical clearance

of 22 feet 6 inches. The overhead bridge structure permanent vertical clearance will be 25-feet 0-inches. BNSF provided concurrence to the proposed modification and impaired temporary vertical clearance during construction.

The Commission's Rail Crossings Engineering Section (RCES) investigated the request by SANBAG, and finds it adequately addresses compliance and safety. As SANBAG, City, and BNSF are 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 letter dated October 3, 2012, and summarized above are authorized.

The following requirements pertain to this authorization:

- The new grade separated structure will be identified as CPUC Crossing Number 002-74.06-A and DOT Number 929074M;
- The existing at-grade crossing shall be closed to public access by installing a permanent concrete barrier with fence on top and all railroad warning devices and signage shall be removed once the new grade separated crossing is constructed and traffic is routed onto the complete grade separated crossing; and
- BNSF shall provide the train schedule and railroad flagging during construction for the safety of the public, construction workers, train operators and train operations.

Temporary traffic controls shall be provided in compliance with 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 CA MUTCD.

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

Pursuant to Commission Resolution SX-76 and Section 16.2 of GO 26-D, SANBAG is granted a temporary deviation from GO 26-D, Section 2.1 and is authorized a temporary overhead clearance of not less than 21 feet 6 inches above the top of the highest rail to the lowest of point on the overhead structure during construction, including construction false work.

SANBAG shall notify BNSF 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 County will create the temporary reduced vertical clearance. For the Commission, this notification may be submitted electronically to rces@cpuc.ca.gov.

This authorization shall expire if the above conditions are not complied with and the work is not completed within three years of the date of this letter. Upon written request to RCES, the time to complete the project may be extended. Any written request for a time extension must include

Garry Cohoe
G.12-10-005
November 1, 2012
Page 3 of 3

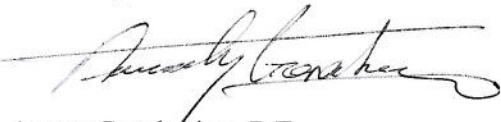
concurrence letters by involved parties in support of the time extension. If an extension is requested, RCES may reevaluate the crossing prior to granting an extension.

Within 30 days after completion of this project, SANBAG shall notify RCES that the authorized work is completed, by submitting a completed Commission Standard Form G title *Report of Changes at Highway Grade Crossings and Separation*. Form G requirements and forms can be obtained at the Commission web site Form G page at <http://www.cpuc.ca.gov/PUC/safety/Rail/Crossings/formg> . This report may be submitted electronically to rces@cpuc.ca.gov as outlined on the web page.

At the conclusion of the project, BNSF should submit an updated Federal Railroad Administration (FRA) inventory form to the FRA, reflecting the changes. Commission requests a concurrent copy of the updated inventory form be submitted to rces@cpuc.ca.gov.

If you have any questions, please contact Bill Lay at 213-576-1399 or bll@cpuc.ca.gov.

Sincerely,



Anton Garabetian, P.E.
Program and Project Supervisor
Rail Crossings Engineering Section
Consumer Protection and Safety Division

C: Melvin Thomas, Public Project Manager, BNSF
Kenneth Tom, Manager Public Projects, UPRR
Harry Steelman, Division Engineer, Amtrak
Robert Eisenbeisz, City Engineer, City of San Bernardino