

PUBLIC UTILITIES COMMISSION

320 W. 4th Street, Suite 500
Los Angeles, CA 90013



March 9, 2015

File Number: XREQ 2015010010

Scott Mozier
Director of Public Works
City of Fresno
2600 Fresno Street
Fresno, CA 93721

SENT VIA E-MAIL

Re: General Order 88-B Request for Authority to Construct the Veterans Boulevard Grade-Separated (Overhead) Highway–Rail Crossing, CPUC Crossing No. 001B-196.70-A and DOT No. 440861R

Dear Mr. Mozier:

This refers to your letter received by us via email on January 27, 2015, requesting authorization, pursuant to California Public Utilities Commission (Commission) General Order (GO) 88-B, to construct the Veterans Boulevard grade-separated highway-rail crossing (crossing) over the Union Pacific Railroad (UPRR) tracks. The crossing will eliminate the existing Carnegie Avenue at-grade crossing identified as CPUC Crossing No. 001B-197.20 and DOT No. 757313H in the City of Fresno (City). The crossing will be identified as CPUC Crossing No. 001B-196.70-A and DOT No. 440861R and has been designed to cross over future California High Speed Rail (HSR) Authority and UPRR tracks.

The six lane crossing will connect a proposed section of Veterans Boulevard and West Bullard Avenue on one side of the tracks with a proposed, re-aligned Golden State Boulevard and southwesterly section of Veterans Boulevard on the other side of the tracks. This southwesterly section of Veterans Boulevard will connect to Veterans Boulevard/State Route (SR) 99 interchange. The crossing is an essential part of the overall Veterans Boulevard/SR 99 Interchange project. When construction of the crossing is completed, the existing at-grade crossing at Carnegie Avenue will be closed. The California Department of Transportation (Caltrans), in cooperation with the City, has filed a Notice of Determination for the Veterans Boulevard/SR 99 Interchange project, in compliance with Section 21108 or 21152 of the California Public Resources Code, which states the project will not have a significant effect on the environment. Caltrans has also filed an Environmental Impact Report for the overall interchange project. HSR Authority is funding the Veterans Boulevard grade separation, including the closure of Carnegie Avenue.

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

- Constructing the Veterans Boulevard grade separation per plans. The new overhead structure shall meet the vertical and horizontal clearance requirements of the Commission's GO 26-D, and the minimum vertical clearance requirements per plans for UPRR and HSR tracks of 23 feet-7 inches and 27 feet-1 inch, respectively, and the minimum horizontal clearance requirement for UPRR and HSR tracks per plans of 25 feet laterally from the centerline of the most outside track to the nearest obstruction;
- Establishing temporary minimum vertical clearance of 21 feet-6 inches during construction; and
- Eliminating the existing at-grade crossing at Carnegie Avenue per plan which will include removing (but not limited to): the crossing surface, warning devices, both roadway approaches, pavement markings, and signage.

The Commission's Rail Crossings and Engineering Branch (RCEB) staff has investigated the request by the City, and finds it adequately addresses compliance and safety. As the City, UPRR, and HSR (Parties) are in agreement as to the design and apportionments of the cost under the provisions of GO 88-B, the City may proceed with the improvements as described in its request letter and attachments, and summarized above.

Pursuant to Commission Resolution SX-76 and Section 16.2 of GO 26-D, City is granted a temporary deviation from GO 26-D, Section 2.1 and is authorized a temporary vertical clearance of not less than 21 feet 6 inches from the top of rail, during construction period of the structure.

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

1. City shall notify UPRR and the Los Angeles office of the Commission's Safety and Enforcement Division – Rail Operations Safety Branch (ROSB) and RCEB at least 15 days but not more than 30 days in advance of the date when City will create the temporary reduced vertical clearance. For the Commission, this notification may be submitted electronically to rceb@cpuc.ca.gov.
2. UPRR shall issue instructions to all individuals responsible for operation of trains over these tracks of the temporary reduced vertical clearance of 21 feet 6 inches, and shall submit the instructions in advance of the date when City will create the temporary reduced vertical clearance to the Los Angeles office of ROSB and RCEB. This notification may be submitted electronically to rceb@cpuc.ca.gov.

All Parties shall comply with all applicable rules, including other Commission General Orders and the latest version of the California Manual on Uniform Traffic Control Devices (CAMUTCD).

Although the overall Veterans Boulevard/SR 99 Interchange project is not exempt from the requirements of the California Environment Quality Act (CEQA) of 1970, as amended [California Public Resources Code § 21084], RCEB has determined that the construction of the Veterans Boulevard grade separation alone, by virtue of it eliminating the existing at-grade crossing at Carnegie Avenue while producing no significant effect on the environment, is exempt from CEQA pursuant to California Public Resources Code, Section 21080.13.

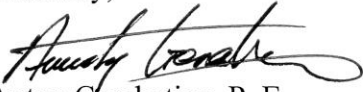
This authorization shall expire if the above conditions are not complied with or if the work is not completed within three years of the date of this letter. Upon written request to this office, the time to complete the project may be extended. A written request for a time extension must include concurrence letters by interested Parties in support of the time extension. If an extension is requested, RCEB may reevaluate the crossing prior to granting an extension.

Within 30 days after completion of this project, the City shall notify RCEB that the authorized work is completed by submitting a completed Commission Standard Form G *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/PUC/safety/Rail/Crossings/formg.htm>. This report may be submitted electronically to rceb@cpuc.ca.gov.

At the conclusion of the project, UPRR must submit an updated electronic inventory form (Form F6180.71) to the Federal Railroad Administration, reflecting the changes. 49 CFR 234 Section 234.409 requires the railroads to submit periodic crossing inventory updates a minimum of once every three years.

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

Sincerely,



Anton Garabetian, P. E.
Program and Project Supervisor
Rail Crossings and Engineering Branch
Safety and Enforcement Division

SENT VIA E-MAIL

Cc: Randall Morrison
Mary Schroll
Terry Ogle

