

PUBLIC UTILITIES COMMISSION

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



April 16, 2018

File Number: XREQ 2018030009
Avenue 12
Unincorporated Madera County

Bruce W. Armistead
Director of Operations and Maintenance
California High Speed Rail Authority
770 L Street, Suite 620
Sacramento, CA 95814

Re: General Order 88-B Request for Authority to Alter the Avenue 12 Crossing, CPUC Crossing No. 002-1015.10 and DOT No. 028601R, in Unincorporated Madera County.

Dear Mr. Armistead:

This refers to your letter received by us via email on March 8, 2018, requesting authorization, pursuant to California Public Utilities Commission (Commission) General Order (GO) 88-B, to alter the Avenue 12 at-grade highway-rail crossing (crossing) of the BNSF Railway Company (BNSF) track in unincorporated Madera County (County). The crossing is identified as CPUC Crossing No. 002-1015.10 and DOT Crossing No. 028601R.

The California High Speed Rail Authority (CHSRA) proposes to eliminate the at-grade crossing at Avenue 12 and replace it with a grade-separated (overhead) crossing over BNSF's mainline track along an offset alignment to the north of existing Avenue 12. These improvements will be east of, and a continuation of construction work for a proposed CHSRA overhead grade separation over two high-speed rail tracks that was approved in a Commission December 2016 decision (D1612005). CHSRA is bringing forward this project on behalf of BNSF because the proximity of the Avenue 12 at-grade crossing to the proposed CHSRA overhead grade separation is causing the at-grade crossing to be eliminated and replaced with a separate overhead grade separation. The roadway carried on the proposed single-span bridge will consist of two 12 foot lanes and one 8 foot shoulder, and a concrete edge barrier with chain link fencing for each direction of traffic over the BNSF track. There will be a median in between the lanes of opposing traffic.

The new crossing will be identified as CPUC Crossing No. 002-1015.10-A and DOT Crossing No. 972115C.

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

- Eliminating BNSF's at-grade highway-rail crossing at Avenue 12; and
- Constructing the new Avenue 12 Overhead over the BNSF track.

The overhead shall meet the vertical and horizontal clearance requirements of the Commission's GO 26-D, and the minimum vertical and horizontal clearance requirements per plans for the BNSF track.

During construction, CHSRA is requesting a temporary minimum vertical construction clearance of 21 feet–6 inches. Pursuant to Commission Resolution SX-76 and Section 16.2 of GO 26-D, CHSRA 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 of the structure. BNSF provided concurrence to the proposed modification and impaired temporary vertical clearance during construction.

The following requirements pertain to this authorization:

1. CHSRA shall notify BNSF and the Commission's Safety and Enforcement Division – Rail Operations Safety Branch (ROSB) and Rail Crossings and Engineering Branch (RCEB) at least 15 days but not more than 30 days in advance of the date when CHSRA will create the temporary reduced vertical clearance. For the Commission, this notification may be submitted electronically to rceb@cpuc.ca.gov.
2. BNSF shall issue instructions to all individuals responsible for operation of trains over the track of the temporary reduced vertical clearance of 21 feet 6 inches, and submit the instructions in advance of the date when CHSRA will create the temporary reduced vertical clearance to the office of ROSB and RCEB. This notification may be submitted electronically to rceb@cpuc.ca.gov.
3. The existing at-grade highway-rail crossing shall be closed and all 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.

This crossing project is part of Construction Package 1 (CP1) of the California High-Speed Train (CHST) Project involving the Merced to Fresno Section of the CHST Project. CHSRA has prepared and filed a Final Environmental Impact Report/Environmental Impact Statement, with findings of significant impact, for the overall Merced to Fresno Section of the CHST Project. The overall Merced to Fresno Section of the CHST Project, of which this project is a part, is not exempt from the requirements of the California Environment Quality Act (CEQA) of 1970, as amended [California Public Resources Code § 21084]; however, as this particular crossing project involves eliminating an existing at-grade crossing and replacing it with a grade-separated crossing, this project is statutorily exempt from the requirements of the California Environmental Quality Act of 1970, as amended [California Public Resources Code §21080.13].

RCEB staff has investigated the request by CHSRA, and finds it adequately addresses compliance and safety. As the County, BNSF, and CHSRA (Parties) are in agreement as to the design and apportionments of the cost under the provisions of GO 88-B, CHSRA may proceed with the improvements as described in its request letter and attachments, and summarized above.

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). Temporary traffic controls shall be in compliance with the latest version of the CAMUTCD and detour plans as agreed to by the Parties.

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 CHSRA shall notify RCEB that the authorized work is completed by submitting a completed Commission Standard Form G. Form G requirements and forms can be obtained at the CPUC web site at <http://www.cpuc.ca.gov/crossings/>. This report may be submitted electronically to rceb@cpuc.ca.gov.

At the conclusion of the project, CHSRA must submit an updated electronic inventory form (Form F6180.71) to the Federal Railroad Administration, reflecting the changes. The Commission requests a concurrent copy of the updated inventory form be submitted to rceb@cpuc.ca.gov.

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

Cc: Ahmad Alkhayyat, County
Taylor Smith, BNSF

