

PUBLIC UTILITIES COMMISSION

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



May 16, 2018

File Number: XREQ 2018040006
E. American Avenue
County of Fresno

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 E. American Avenue Crossing, CPUC Crossing No. 002-992.30 and DOT No. 028459P, in Unincorporated Area of Fresno County.

Dear Mr. Armistead:

This refers to your letter received by us via email on April 20, 2018, requesting authorization, pursuant to California Public Utilities Commission (Commission) General Order (GO) 88-B, to alter the E. American Avenue at-grade highway-rail crossing (crossing) of the BNSF Railway Company (BNSF) tracks in unincorporated area of Fresno County (County). The crossing is identified as CPUC Crossing No. 002-992.30 and DOT Crossing No. 028459P.

The California High Speed Rail Authority (CHSRA) proposes to grade separate the crossing with an overhead roadway over two existing BNSF tracks and two CHSRA proposed tracks. The CHSRA tracks will be located generally parallel and west of the BNSF tracks. The overhead roadway will be a multi-span bridge that will consist of two 12 foot wide vehicle lanes and two 8 foot wide shoulders.

The new grade-separated crossing will be identified as CPUC Crossing No. 002-992.30-A for BNSF tracks and 135S-197.49-A for CHSRA tracks. The crossing will be identified as DOT Crossing No. 968535A, shared by both BNSF and CHSRA tracks.

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

- Eliminating BNSF's at-grade highway-rail crossing at E. American Avenue;
- Constructing the new E. American Avenue overhead roadway over the CHSRA and BNSF tracks;
- Installing two CHSRA tracks west of the BNSF tracks; and
- Installing a continuous Access Restricted (AR) fence or barrier. The AR fence will be 8 foot high and consist of welded wire mesh.

The overhead roadway shall meet the vertical and horizontal clearance requirements of the Commission's GO 26-D.

CHSRA states in its GO 88-B request that although no falsework is proposed, a temporary clearance exception for a minimum vertical clearance of 21 feet-6 inches is requested for consistency with the drawings. 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 these tracks 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 the California High-Speed Train (CHST) Project Construction Package 1 (CP1) involving the Fresno to Bakersfield Section. CHSRA has prepared and filed a Final Environmental Impact Report/Environmental Impact Statement, with findings of significant impact, for the overall Fresno to Bakersfield Section of the CHST Project, of which this project is a part, that 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. CHSRA and the County must complete all the proposed alterations mentioned above for RCEB to consider this GO 88-B application closed.

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 six years of the date of this letter. The County, BNSF, and CHSRA are in agreement with the six-year authorization in which to complete construction of the proposed improvements. 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 should 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: Mohammad H. Alimi, County
Taylor Smith, BNSF

