

PUBLIC UTILITIES COMMISSION

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



May 16, 2019

File Number: XREQ 2019050003
Hesse Avenue
Unincorporated Tulare County

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

SENT VIA EMAIL

Re: General Order 88-B Request for Authority to Alter the Hesse Avenue At-Grade Highway-Rail Crossing, CPUC Crossing Number 002-943.52 and DOT Number 028326X in unincorporated Tulare County

Dear Mr. Armistead:

This refers to your letter, received by us on April 5, 2019, requesting authorization, pursuant to California Public Utilities Commission (Commission/CPUC) General Order (GO) 88-B, to modify the Hesse Avenue highway-rail at-grade crossing (crossing) of BNSF Railway Company (BNSF) Bakersfield Subdivision track in unincorporated Tulare County (County). The crossing is identified as CPUC Crossing No. 002-943.52 and DOT No. 028326X.

The crossing consists of a single track and a two-lane roadway, located approximately 80 feet west of the intersection of Hesse Avenue/Central Valley Highway (State Route 43). The crossing is equipped with two Commission Standard 9 (flashing light signal assembly with automatic gate arm) warning devices. BNSF operates approximately thirty-eight freight trains daily with a maximum speed of 70 miles per hour (MPH) and Amtrak operates fourteen passenger trains daily with a maximum speed of 79 MPH. The average daily traffic is approximately 1,380 vehicles.

The California High Speed Rail Authority (CHSRA) proposes to eliminate the at-grade Hesse Avenue crossing and replace it with a grade-separated (overhead) crossing over BNSF track and two CHSRA proposed tracks. The two CHSRA tracks will be located generally parallel and west of the BNSF track. The overhead roadway will be a multi-span bridge that will consist of two 12-foot-wide vehicle lanes and two 4-foot-wide shoulders.

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

- Eliminating BNSF at-grade highway-rail crossing at Hesse Avenue;
- Eliminating BNSF at-grade highway-rail crossing at Avenue 128;
- Constructing the new Hesse Avenue overhead crossing over the BNSF and CHSRA 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 feet high and consist of welded wire mesh.

The grade-separated crossing shall meet the vertical and horizontal clearance requirements of the Commission's GO 26-D and the CHSRA. No temporary clearance exceptions are requested.

The existing at-grade crossing DOT No. 028326X shall be retired. The new grade-separated crossing shall be identified as CPUC Crossing Nos. 002-943.52-A for the BNSF track and 135S-248.10-A for the CHSRA tracks. The new crossing shall be identified as DOT No. 973209G, shared by both BNSF and CHSRA tracks.

This crossing project is part of the California High-Speed Train (CHST) Project Construction Package 2-3 (CP2-3) involving the section from Fresno to one mile north of the Tulare-Kern county line. CHSRA has prepared and filed a Final Environmental Impact Report/Environmental Impact Statement, with findings of significant impact, for the overall section from Fresno to one mile north of the Tulare-Kern county line of the CHST Project, of which this project is a part, which 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].

The Commission's Rail Crossings and Engineering Branch (RCEB) investigated CHSRA's request 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, the improvements as described in your request letter, and summarized above, are authorized.

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). During construction, 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. Upon written request to this office, the time to complete the project may be extended. Any written request for a time extension must include concurrence letters by involved Parties in support of the time extension. If an extension is requested, RCEB may re-evaluate the crossing prior to granting an extension.

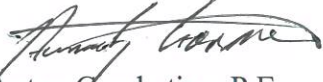
Within 30 days after completion of this project, the CHSRA shall notify RCEB that the authorized work is completed, by submitting a completed Commission Standard Form G title *Report of Changes at Highway Grade Crossings and Separation*. Form G requirements and forms can be obtained at the CPUC web site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

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

Bruce Armistead
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If you have any questions, please contact Matthew Cervantes at (213) 266-4716 or mci@cpuc.ca.gov

Sincerely,



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

C: **(SENT VIA EMAIL)**
Reed Schenke, County of Tulare
Garth Fernandez, Cal-Trans
Taylor Smith, BNSF
Valentin Ibarra

