

PUBLIC UTILITIES COMMISSION

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



April 14, 2020

File Number: XREQ 2020030001
Twenty Mule Team Road
Unincorporated Kern County

Michael Dillenbeck
Public Works Manager
Kern County Public Works
2700 M Street, Suite 400
Bakersfield, CA 93301

SENT VIA EMAIL

Re: General Order 88-B Request for Authority to Alter the Twenty Mule Team Road At-Grade Highway-Rail Crossing, CPUC Crossing Number 002-784.93-C and DOT Number 028211D in Unincorporated Kern County

Dear Mr. Dillenbeck:

This refers to your letter, received by us on March 6, 2020, requesting authorization, pursuant to California Public Utilities Commission (Commission/CPUC) General Order (GO) 88-B, to modify the Twenty Mule Team Road highway-rail at-grade spur crossing (crossing) of U.S. Borax Inc. (U.S. Borax) railroad track, in unincorporated Kern County (County). The crossing is identified as CPUC Crossing No. 002-784.93-C and DOT Crossing No. 028211D.

The crossing consists of one spur track and an east-west roadway with one through lane in each direction. The crossing is equipped with two Commission Standard 9A (Flashing Light Signal Assembly with Automatic Gate Arm and Additional Flashing Light Signals over the Roadway on a Cantilevered Arm) warning devices. U.S. Borax operates two freight trains daily over the crossing with a maximum speed of 10 miles per hour. The average daily traffic at Boron Avenue is approximately 1,900 vehicles. The crossing is located approximately 300 feet north of the BNSF Railway mainline from where the spur diverges and continues northward to the U.S. Borax mining facility.

The County proposes the following safety improvements within the U.S. Borax right-of-way (ROW), as indicated in the request letter and/or shown in the attachments:

- Construct Americans with Disabilities Act (ADA) compliant pedestrian and bike pathway and install detectable warning tactile strips at the north side of the crossing.
- Install ADA compliant steel pipe handrail for both eastbound and westbound pedestrians, terminating within the U.S. Borax ROW.
- Install concrete crossing panels to be tied into the new pathway north of the crossing.
- Apply California Manual on Uniform Traffic Control Devices (CA MUTCD) standard signage and pavement markings.

The Commission's Rail Crossings and Engineering Branch (RCEB) investigated the request by the County and finds that it adequately addresses compliance and safety. As the County and U.S. Borax 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 received on March 6, 2020, and summarized above, are authorized.

All parties shall comply with all applicable rules, including Commission GOs and the current version of CAMUTCD, published by California Department of Transportation. The County must complete all the proposed alterations mentioned above for RCEB to consider this GO 88-B application closed.

Temporary traffic controls shall be provided in compliance with the current version of the CA MUTCD. Refer to CA MUTCD Section 6G.18 and Figure 6H-46 regarding "Work in the Vicinity of a Grade Crossing."

U.S. Borax must ensure that Emergency Notification Systems signs are installed on new warning devices to comply with CFR 234.309.

This project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended. [California Public Resources Code §21084].

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 RCEB, 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 reevaluate the crossing prior to granting an extension.

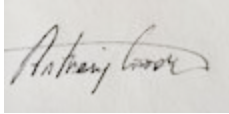
Within 30 days after completion of this project, the County shall notify RCEB that the authorized work is completed, by submitting a completed Commission Standard Form G titled *Report of Changes at Highway Grade Crossings and Separation*. Form G requirements and forms can be obtained at the CPUC web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

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

Michael Dillenbeck
XREQ 2020030001
April 14, 2020
Page 3 of 3

If you have any questions, please contact Oliver Garcia at (213) 369-4674, or og1@cpuc.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Anton Garabetian", is shown within a light gray rectangular box.

Anton Garabetian, P.E.
Acting Program Manager
Rail Crossings and Engineering Branch
Safety and Enforcement Division

C: **(SENT VIA EMAIL)**
Amanda Smith, U.S. Borax
Craig M. Pope, County of Kern