

PUBLIC UTILITIES COMMISSION

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



October 19, 2020

File Number: XREQ2020090011

K Street
City of Merced

Kate Kalinosky
Manager of Public Projects
BNSF Railway Company
740 E. Carnegie Drive
San Bernardino, CA 92408

SENT VIA EMAIL

Re: General Order 88-B Request for Authority to Alter the K Street At-Grade Highway-Rail Crossing, CPUC Crossing No. 002-1056.00 and DOT Crossing No. 028670Y, in the City of Merced, County of Merced.

Dear Ms. Kalinosky:

This refers to your letter dated September 3, 2020, received by us on September 15, 2020, requesting authorization, pursuant to California Public Utilities Commission (Commission) General Order (GO) 88-B, to alter the K Street at-grade highway-rail crossing (crossing) of the BNSF Railway Company (BNSF) tracks, in the City of Merced (City), County of Merced. The crossing is identified as CPUC Crossing No. 002-1056.00, and DOT Crossing No. 028670Y.

The K Street crossing has two tracks aligned in a westerly-easterly direction and two lanes aligned in a northerly-southerly direction. The crossing is equipped with two Commission Standard 9 (flashing light signal assembly with automatic gate arm) warning devices. BNSF operates 29 freight trains per day and the National Railroad Passenger Corporation (Amtrak) operates 12 trains per day, both at a maximum speed of 60 miles per hour through the crossing. The average daily vehicle traffic across the crossing is 1,233.

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

- Reconstructing the sidewalks in the northeast (NE) and southeast (SE) quadrants of the crossing to meet Americans with Disabilities Act (ADA) standards.
- Installing Commission Standard 9 pedestrian warning devices (with back flashers) at the sidewalk approaches in the NE and SE quadrants of the crossing.
- Installing emergency egress swing gates to work in conjunction with the Commission Standard 9 pedestrian warning devices. Emergency egress swing gates shall be designed to spring back to the closed position after having been opened.
- Installing detectable warning (tactile strips) on the sidewalk approaches in the NE and SE quadrants of the crossing, 1 foot in advance of the Commission Standard 9 pedestrian warning devices and the emergency egress swing gates.

- Installing detectable warning on both sides of the driveway for the Amtrak station in the SE quadrant of the crossing.
- Installing an intertrack fence to extend beyond the limits of the proposed, modified passenger platform to the east.
- Installing handrails in the NE and SE quadrants of the crossing for channelization of pedestrians.
- Reconstructing the sidewalks in the northwest (NW) and southwest (SW) quadrants of the crossing to meet ADA standards.
- Installing detectable warning on the sidewalk approaches in the NW quadrant, 1 foot in advance of the warning device, and in the SW quadrant, 12 feet minimum from the nearest rail.
- Repaving and re-profiling the K Street roadway near the crossing.
- Constructing a raised median on K Street on both sides of the tracks.
- Removing the bollards on the platform in the SE quadrant of crossing.
- Removing the unsafe guardrail and vertical rails in the SE quadrant in front of the existing Commission Standard 9 warning device.
- Removing the unsafe vertical rails in the SW quadrant near the red curb.
- Installing curb and gutter.
- Installing signage and striping.

The Commission's Rail Crossings and Engineering Branch (RCEB) investigated the request by BNSF and finds it adequately addresses compliance and safety. As BNSF and the City (Parties) agree to the design and apportionments of the cost under the provisions of GO 88-B, BNSF may proceed with the alterations as described in its request letter and attachments and summarized above. BNSF must complete all of the proposed alterations mentioned above for RCEB to consider this GO 88-B application closed.

BNSF must ensure that Emergency Notification System signs are installed to comply with Title 49 Code of Federal Regulations, Section 234.309.

The City shall provide temporary traffic controls in compliance with Section 8A.08, Temporary Traffic Control Zones, of the 2014 California Manual on Uniform Traffic Control Devices (CAMUTCD), published by the California Department of Transportation.

All Parties shall comply with all applicable rules, including Commission General Orders and the latest version of the CAMUTCD.

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

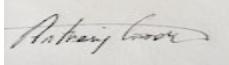
This authorization shall expire if the above conditions are not complied with or if the work is not completed within three years of the date of this letter. Upon written request to RCEB, the time to complete the project may be extended. Any written request for a time extension must include concurrence 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, BNSF shall notify RCEB that the authorized work is completed by submitting a completed Commission Standard Form G. Form G requirements can be obtained at the Commission's website at <http://www.cpuc.ca.gov/crossings>. This report may be submitted electronically to rceb@cpuc.ca.gov.

At the conclusion of the project, BNSF 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. 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) 597-5760 or email at mlk@cpuc.ca.gov.

Sincerely,



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

Cc:

Michael Beltran, City
Betty L. Miller, Caltrans
Cassim Mamoon, Amtrak