



FILED
1-28-16
04:59 PM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

A1601013

Application of the California High-Speed Rail Authority to construct proposed high-speed tracks and grade separations at Avenue 7 (MP 180.27); Avenue 8 (MP 179.08); Avenue 9 (MP 177.94); Avenue 10 (MP 176.85); Avenue 11 (MP 175.82); and Avenue 12 HST (MP 174.81) within the County of Madera, California.

Application No. _____

APPLICATION

The California High-Speed Rail Authority (CHSRA or Applicant) hereby respectfully requests authority from the California Public Utilities Commission (CPUC or Commission) to construct proposed tracks and highway-rail overhead grade separations in the County of Madera at Avenue 7, Avenue 8, Avenue 9, Avenue 10, Avenue 11, and Avenue 12 HST, which are part of the proposed California High-Speed Train System (CHSTS).

In support of this application the Applicant asserts that:

1. The Applicant's exact legal name is California High-Speed Rail Authority and CHSRA is a public agency formed pursuant to the California High-Speed Rail Act (California Public Utilities Code § 185000 *et seq.*).
2. Applicant's principal place of business is California High-Speed Rail Authority, 770 L Street, Suite 620; Sacramento, CA 95814. The main telephone number is (916) 324-1541.
3. All correspondence, communication, notices, orders and other papers relative to this application should be addressed to: Bruce W. Armistead, Director of

Operations and Maintenance, at the above address and at the following e-mail address: Bruce.Armistead@hsr.ca.gov. Mr. Armistead is an employee of CHSRA and Applicant's authorized agent.

4. The proposed CHSRA mainline tracks and overhead grade separation structures at Avenue 7, Avenue 8, Avenue 9, Avenue 10, Avenue 11, and Avenue 12 HST are a part of the California High-Speed Train Project Construction Package 1 (CP1 Project). The CP1 Project is the first construction package of the CHSTS. CHSRA is working cooperatively with local stakeholders—government agencies and railroads—along the corridor.

The CP1 Project limits begin in Madera County in the north and extend south through the City of Fresno, into unincorporated Fresno County. The CP1 Project length is approximately thirty miles and consists of two CHSTS mainline tracks, generally aligned in a north-south direction.

Grade separations allow for safe and simultaneous movement of highway and rail modes of travel. With that consideration, the proposed highway-rail and rail-rail crossings of the CP1 Project include nineteen (19) new grade separations, modification of thirteen (13) existing at-grade crossings to grade separations, and modification of six (6) existing grade separations. Eight (8) existing at-grade crossings and one (1) existing grade separation are proposed to be closed. No new at-grade crossings are proposed for the CP1 Project.

For the protection of the general public and the CHSTS passengers, the CHSTS will be a closed corridor. Unauthorized access to CHSRA right-of-way will be protected with the use of a continuous Access Restricted (AR) fence or barrier. The typical AR fence consists of an eight foot (8 ft) welded wire mesh, which is more resistant to climbing and forced entry than chain link fence. When required by CHSRA criteria, expanded metal mesh fence or barrier walls will be used. In addition to the AR fence or barrier wall, intrusion monitoring and detection is proposed. CHSRA will employ security services to enforce right-of-way access restrictions.

The overhead contact system, which will supply energy to the rail vehicles, is consistent with the requirements of General Orders 26-D, 95, 128 and 176.

5. This application and relief sought herein is filed pursuant to Sections 1201 through 1205, inclusive, of the Public Utilities Code and in accordance with Rules 3.7 and 3.9 of the Commission's Rules of Practice and Procedure.
6. The CHSRA, in cooperation with Madera County, proposes to construct two CHSTS mainline tracks and overhead grade separation structures at Avenue 7, Avenue 8, Avenue 9, Avenue 10, Avenue 11, and Avenue 12 HST located in Madera County.

For each of the proposed crossings, the CHSTS mile post, proposed CPUC crossing number and DOT crossing number are listed in the following table. These crossings are along the CHSTS Sierra Subdivision.

Crossing Name	Mile Post	Proposed CPUC Xing #	DOT #
Avenue 7	180.27	135S-180.27-A	968 513A
Avenue 8	179.08	135S-179.08-A	968 512T
Avenue 9	177.94	135S-177.94-A	968 511L
Avenue 10	176.85	135S-176.85-A	968 502M
Avenue 11	175.82	135S-175.82-A	968 501F
Avenue 12 HST	174.81	135S-174.81-A	968 500Y

7. The legal descriptions for the locations of the proposed CHSTS grade separations at Avenue 7, Avenue 8, Avenue 9, Avenue 10, Avenue 11, and Avenue 12 HST (Rule 3.7(a)) are provided in Exhibit A, attached hereto and made a part hereof.
8. The crossing identification numbers of the nearest existing public crossings (Rule 3.7(b)) are as follows:

Along the CP1 Project alignment the nearest crossing to the south is at W. Herndon Ave. and the UPRR's Fresno Subdivision mainline tracks in the County of Fresno, with CPUC No. 001B-195.80 and DOT No. 757312B.

The nearest crossing along the CP1 Project alignment to the north is at Avenue 15 and the BNSF's Stockton Subdivision mainline tracks in the County of Madera, with CPUC No. 002-1018.80 and DOT No. 028606A.

9. CP1 Project design drawings showing the general vicinity (Rule 3.7 (e)), proposed horizontal and vertical alignment for the two CHSTS tracks (Rule 3.7 (f) and 3.9 (c)), roadway plan and profile (Rule 3.7 (d) and (f)), and structure design drawings (Rule 3.7 (d)) for each proposed crossing site are provided in Exhibit B, attached hereto and made a part hereof.

As shown on the design drawings and as summarized in the following table, the minimum permanent clearances exceed the clearances required by General Order 26-D. No temporary clearance exceptions are requested.

Crossing Name	Engineering Station	Minimum Vertical	Minimum Horizontal
Avenue 7	Track "S2" Sta. 10380+87.06	27'-11" at Track "S2"	>25' (33.5' Track "S2" to Bent 2)
Avenue 8	Track "S2" Sta. 10317+96.03	27'-10" at Track "S1"	>25' (33.7' Track "S1" to Abutment 2)
Avenue 9	Track "S2" Sta. 10257+67.03	27'-10" at Track "S2"	>25' (42.8' Track "S1" to AR fence)
Avenue 10	Track "S2" Sta. 10200+11.89	27'-5" at Track "S1"	>25' (40.2' Track "S1" to Abutment 2)
Avenue 11	Track "S2" Sta. 10145+87.51	27'-7" at Track "S1"	>25' (37.2' Track "S2" to Abutment 1)
Avenue 12 HST	Track "S2" Sta. 10091+90.91	27.60' (27'-7") at Track "S2"	>25' (31.8' Track "S2" to Abutment 1)

10. In support of the proposed grade separations at Avenue 7, Avenue 8, Avenue 9, Avenue 10, Avenue 11 and Avenue 12 HST a letter of concurrence from the County of Madera is provided in Exhibit C1, attached hereto and made a part hereof. The agreements between the CHSRA and Madera County (Rule 3.9 (a)) were provided to the Commission as Exhibits C2 and C3 to Application Number A.15-10-007 and are made a part hereof by reference. A Notice of Availability for the Agreement and Settlement is attached hereto as Exhibit C2.

11. The CHSRA, as the lead agency under the provisions of the California Environmental Quality Act (CEQA), prepared the *Final Environmental Impact Report/ Environmental Impact Statement (Final EIR/EIS) for the Merced to Fresno Section* of the California High-Speed Train Project. The Federal Railroad Administration (FRA) was the lead agency under the National Environmental Policy Act (NEPA). The Notice of Determination (NOD) for the *Final EIR/EIS* was certified on May 3, 2012 (State Clearinghouse No. 2009091125) and Record of Decision (ROD) was dated September 18, 2012. The *Final EIR/EIS for the Merced to Fresno Section* of the California High-Speed Train Project was provided to the Commission (Rule 2.4) on archival and standard CD-ROM/DVD as Exhibit D to Application Number A.15-10-007. A Notice of Availability for the *Final EIR/EIS* is attached hereto as Exhibit D.
12. Attached hereto as Exhibit E is the Scoping Memo for this application.
13. Attached hereto as Exhibit F is the Certificate of Service for this application.
14. Attached hereto as Exhibit G is the Verification for this application.

WHEREFORE, the Applicant respectfully requests:

1. That the Public Utilities Commission of the State of California issue an Order authorizing construction of the overhead grade separations of Avenue 7, Avenue 8, Avenue 9, Avenue 10, Avenue 11, and Avenue 12 HST, and CHSTS mainline tracks, pursuant to the provisions of Sections 1201-1205, inclusive, of California Public Utilities Code.
2. That the Order provides seventy-two (72) months from the date of such an Order within which to complete the work requested. The extended period of time is requested due to the unique nature of the CP1 Project.

The CP1 Project scope includes design and construction of the structures and track roadbed, encompassing nearly 50 crossings. To complete construction at the Avenue 7, Avenue 8, Avenue 9, Avenue 10, Avenue 11, and Avenue 12 HST crossings and all of the crossings along the length of the CP1 Project, CHSRA anticipates issuing a separate contract within several years for construction of the proposed tracks and overhead contact system. The

construction of the CP1 Project and the future track work contract will not be complete within the standard 36-month authorization period, but is likely to be completed within 72 months. In addition, since the proposed crossings are grade separations, the clearances and crossing configurations are well defined and not subject to the variability common for at-grade crossings. Given the number of new CHSTS crossing requests that will be submitted to the CPUC in the coming months and years, authorizing the extended period for this crossing will relieve both the CP1 Project and CPUC staff of preparing and processing numerous crossing extensions that will result with a 36-month Order.

Signed



Bruce W. Armistead
Director of Operations and Maintenance
California High-Speed Rail Authority
770 L Street, Suite 620
Sacramento, CA 95814
Tel: (916) 324-1541
E-Mail: Bruce.Armistead@hsr.ca.gov

List of Exhibits

Exhibit A

Crossing Legal Descriptions

A1 - Avenue 7 Overhead
A2 - Avenue 8 Overhead
A3 - Avenue 9 Overhead
A4 - Avenue 10 Overhead
A5 - Avenue 11 Overhead
A6 - Avenue 12 HST Overhead

Exhibit B

Project Drawings

B1 – Vicinity Map
B2 – Structure Drawings
 B2-1 – Avenue 7
 B2-2 – Avenue 8
 B2-3 – Avenue 9
 B2-4 – Avenue 10
 B2-5 – Avenue 11
 B2-6 – Avenue 12 HST
B3 – Roadway Drawings
 B3-1 – Avenue 7
 B3-2 – Avenue 8
 B3-3 – Avenue 9
 B3-4 – Avenue 10
 B3-5 – Avenue 11
 B3-6 – Avenue 12 HST
B4 – Guideway Drawings
 B4-1 – Track Charts
 B4-2 – Track Typical Cross Sections
 B4-3 – Guideway Plan and Profile
 B4-3.1 – Avenue 7
 B4-3.2 – Avenue 8
 B4-3.3 – Avenue 9
 B4-3.4 – Avenue 10
 B4-3.5 – Avenue 11
 B4-3.6 – Avenue 12 HST

Exhibit C

Local Project Support

C1 - Letter of Concurrence
C2 - Notice of Availability-Agreement and Settlement

Exhibit D

Notice of Availability-Final EIR/EIS for Merced to Fresno Section of California High-Speed Train Project

Exhibit E

Scoping Memo

Exhibit F

Certificate of Service

Exhibit G

Verification

Exhibit A

Crossing Legal Descriptions

Exhibit A1 – Avenue 7 Overhead

EXHIBIT "A"
LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Madera, State of California and is described as follows:

Avenue 7 Overcrossing

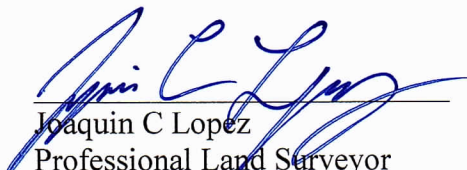
Being a portion of the South 1/2 of the Southwest 1/4 of Section 30, Township 12 South, Range 19 East, Mount Diablo Meridian, said portion described as follows:

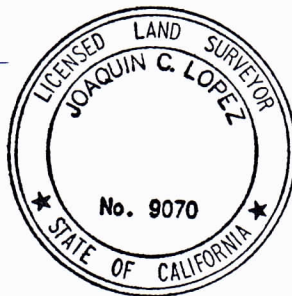
COMMENCING at a 1-1/4" iron pipe with a plastic tag stamped "PLS6360" marking the southwest corner of said Section 30 per corner record on file with the Madera County Surveyor, dated April 13, 2000 and filed as the Southeast corner of Section 25, Township 12 South, Range 18 East, Mount Diablo Meridian; thence along the south line of said Section 30, North 89°26'13" East, 1174.24 feet; thence leaving said south line, North 00°33'47" West, 179.53 feet to the **POINT OF BEGINNING**; thence North 41°40'46" West, 52.33 feet; thence North 83°22'04" East, 194.52 feet; thence South 41°40'46" East, 52.33 feet; thence South 83°22'04" West, 194.52 feet to the **POINT OF BEGINNING**.

Bearings and distances are based on the California Coordinate System of 1983, Zone 3, as shown on Record of Survey, Book 60, Pages 130-131, Madera County Records. Distances are U.S. Survey Feet. Distances are grid distances. Divide grid distances shown hereinabove by 1.00001349 to obtain ground level distances.

END DESCRIPTION

This real property description has been prepared by me, or under my direction in conformance with the requirements of the Professional Land Surveyor's Act.


Joaquin C Lopez
Professional Land Surveyor
California No. 9070



12/31/15
Date

Exhibit A

Crossing Legal Descriptions

Exhibit A2 – Avenue 8 Overhead

EXHIBIT "A"
LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Madera, State of California and is described as follows:

Avenue 8 Overcrossing


Being a portion of the North 1/2 of the Northeast 1/4 of Section 25, and a portion of the South 1/2 of the Southeast 1/4 of Section 24, Township 12 South, Range 18 East, Mount Diablo Meridian, said portion described as follows:

COMMENCING at a 3/4" iron pipe with a plastic tag stamped "LS4546" marking the south 1/4 corner of said Section 24 according to the Record of Survey recorded in Volume 44 of Maps, Page 26, Madera County Records; thence along the south line of said Southeast 1/4 of Section 24, North 89°48'27" East, 143.74 feet; thence leaving said south line, North 00°11'33" West, 17.35 feet to the **POINT OF BEGINNING**; thence North 89°48'06" East, 111.40 feet; thence South 28°42'35" East, 39.64 feet; thence South 89°48'06" West, 111.40 feet; thence North 28°42'35" West, 39.64 feet to the **POINT OF BEGINNING**.

Bearings and distances are based on the California Coordinate System of 1983, Zone 3, as shown on Record of Survey, Book 60, Pages 130-131, Madera County Records. Distances are U.S. Survey Feet. Distances are grid distances. Divide grid distances shown hereinabove by 1.00001349 to obtain ground level distances.

END DESCRIPTION

This real property description has been prepared by me, or under my direction in conformance with the requirements of the Professional Land Surveyor's Act.


Joaquin C Lopez
Professional Land Surveyor
California No. 9070



12/31/15
Date

Exhibit A

Crossing Legal Descriptions

Exhibit A3 – Avenue 9 Overhead

EXHIBIT "A"
LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Madera, State of California and is described as follows:

Avenue 9 Overcrossing

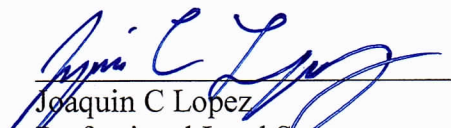
Being a portion of the Southeast 1/4 of the Southeast 1/4 of Section 14, and a portion of the Southwest 1/4 of the Southwest 1/4 of Section 13, and a portion of the Northwest 1/4 of the Northwest 1/4 of Section 24, and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 23, Township 12 South, Range 18 East, Mount Diablo Meridian, said portion described as follows:

COMMENCING at an untagged 1" iron pipe marking the corner common to said Sections 13, 14, 23 and 24, per Corner Record No. 49011E on file with the Madera County Surveyor; thence along the south line of said Southeast 1/4 of the Southeast 1/4 of Section 14, South 89°25'33" West, 112.69 feet; thence leaving said south line, South 00°34'27" East, 38.80 feet to the **POINT OF BEGINNING**; thence North 28°06'51" West, 75.45 feet; thence North 89°31'40" East, 175.41 feet; thence South 28°06'51" East, 75.45 feet; thence South 89°31'40" West, 175.41 feet to the **POINT OF BEGINNING**.

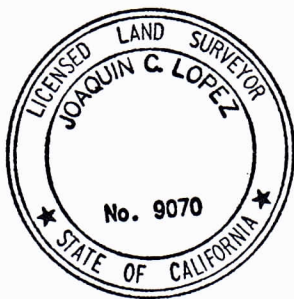
Bearings and distances are based on the California Coordinate System of 1983, Zone 3, as shown on Record of Survey, Book 60, Pages 130-131, Madera County Records. Distances are U.S. Survey Feet. Distances are grid distances. Divide grid distances shown hereinabove by 1.00001349 to obtain ground level distances.

END DESCRIPTION

This real property description has been prepared by me, or under my direction in conformance with the requirements of the Professional Land Surveyor's Act.



Joaquin C Lopez
Professional Land Surveyor
California No. 9070



12/31/15
Date

Exhibit A

Crossing Legal Descriptions

Exhibit A4 – Avenue 10 Overhead

EXHIBIT "A"
LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Madera, State of California and is described as follows:

Avenue 10 Overcrossing


Being a portion of the Southwest 1/4 of the Southeast 1/4 of Section 11, and a portion of the Northwest 1/4 of the Northeast 1/4 of Section 14, Township 12 South, Range 18 East, Mount Diablo Meridian, said portion described as follows:

COMMENCING at an untagged 1/2" rebar marking the southeast corner of said Section 11; thence along the south line of said Southeast 1/4 of Section 11, South 89°16'18" West, 2198.01 feet; thence leaving said south line, South 00°43'39" East, 19.63 feet to the **POINT OF BEGINNING**; thence South 89°15'28" West, 113.08 feet; thence North 17°20'23" West, 36.35 feet; thence North 89°15'28" East, 113.08 feet; thence South 17°20'23" East, 36.35 feet to the **POINT OF BEGINNING**.

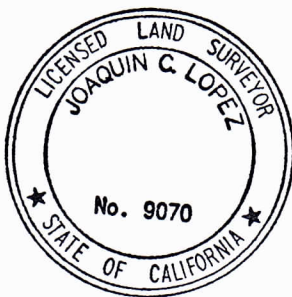
Bearings and distances are based on the California Coordinate System of 1983, Zone 3, as shown on Record of Survey, Book 60, Pages 130-131, Madera County Records. Distances are U.S. Survey Feet. Distances are grid distances. Divide grid distances shown hereinabove by 1.00001349 to obtain ground level distances.

END DESCRIPTION

This real property description has been prepared by me, or under my direction in conformance with the requirements of the Professional Land Surveyor's Act.



Joaquin C Lopez
Professional Land Surveyor
California No. 9070



12/31/15
Date

Exhibit A

Crossing Legal Descriptions

Exhibit A5 – Avenue 11 Overhead

EXHIBIT "A"
LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Madera, State of California and is described as follows:

Avenue 11 Overcrossing

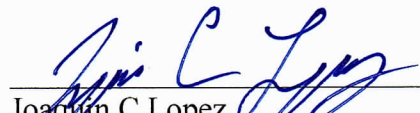
Being a portion of the South 1/2 of the Southwest 1/4 of Section 2, and a portion of the North 1/2 of the Northwest 1/4 of Section 11, Township 12 South, Range 18 East, Mount Diablo Meridian, said portion described as follows:

COMMENCING at a 1" iron pipe with an illegible tag marking the southwest corner of said Section 2, according to that certain Parcel Map No. 3529, recorded in Volume 42 of Maps at Page 122, Madera County Records; thence along the south line of said Southwest 1/4 of Section 2, North 89°11'39" East, 1704.45 feet; thence leaving said south line, North 00°48'21" West, 17.92 feet to the **POINT OF BEGINNING**; thence North 89°11'53" East, 104.13 feet; thence South 12°18'07" East, 35.55 feet; thence South 89°11'53" West, 104.13 feet; thence North 12°18'07" West, 35.55 feet to the **POINT OF BEGINNING**.

Bearings and distances are based on the California Coordinate System of 1983, Zone 3, as shown on Record of Survey, Book 60, Pages 130-131, Madera County Records. Distances are U.S. Survey Feet. Distances are grid distances. Divide grid distances shown hereinabove by 1.00001349 to obtain ground level distances.

END DESCRIPTION

This real property description has been prepared by me, or under my direction in conformance with the requirements of the Professional Land Surveyor's Act.


Joaquin C Lopez
Professional Land Surveyor
California No. 9070



12/31/15
Date

Exhibit A

Crossing Legal Descriptions

Exhibit A6 – Avenue 12 HST Overhead

EXHIBIT "A"
LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Madera, State of California and is described as follows:

Avenue 12/HST Overcrossing

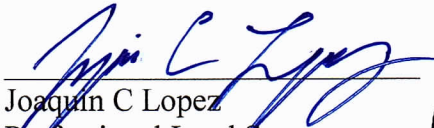
Being a portion of the Southwest 1/4 of the Southwest 1/4 of Section 35, Township 11 South, Range 18 East, Mount Diablo Meridian, said portion described as follows:

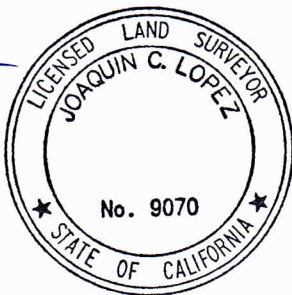
COMMENCING at an untagged 3/4" iron pipe marking the south 1/4 corner of said Section 35; thence along the south line of said Southwest 1/4 of Section 35, North 89°39'17" West, 1995.09 feet; thence leaving said south line, North 00°20'43" East, 120.51 feet to the **POINT OF BEGINNING**; thence North 89°49'03" West, 164.58 feet; thence North 16°01'50" West, 69.61 feet; thence South 89°49'03" East, 164.58 feet; thence South 16°01'50" East, 69.61 feet to the **POINT OF BEGINNING**.

Bearings and distances are based on the California Coordinate System of 1983, Zone 3, as shown on Record of Survey, Book 60, Pages 130-131, Madera County Records. Distances are U.S. Survey Feet. Distances are grid distances. Divide grid distances shown hereinabove by 1.00001349 to obtain ground level distances.

END DESCRIPTION

This real property description has been prepared by me, or under my direction in conformance with the requirements of the Professional Land Surveyor's Act.


Joaquin C Lopez
Professional Land Surveyor
California No. 9070



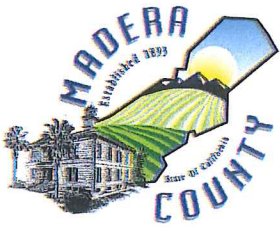
12/31/15
Date

Exhibit C

Local Project Support

Exhibit C1 – Letter of Concurrence

**Exhibit C2 – NOA for Agreement and
Settlement**



COUNTY OF MADERA
PUBLIC WORKS DEPARTMENT
JOHANNES J. HOEVERTSZ
DIRECTOR

200 West 4th Street
Madera, CA 93637
Main Line - (559) 675-7811
Special Districts - (559) 675-7820
Fairmead Landfill - (559) 665-1310

June 10, 2015


Kathryn Grack, PE
Senior Project Engineer
Parsons - Rail and Transit Systems
2201 Dupont Drive, Suite 200
Irvine, CA 92612

**Subject: Letter of Concurrence for Avenue 7 to Avenue 12 Overhead Grade
Separations in the County of Madera in Relation to High Speed Train CP-1
Construction**

The California High Speed Rail Authority (CHSRA) proposes to construct several grade separations throughout the County of Madera in conjunction with the construction of the CP-1 segment for the high-speed train (HST) project. The proposed construction of the grade separations will replace the existing at-grade crossings at various intersections.

CHSRA staff and its consultants have been working with the County of Madera Public Works Department on the proposed grade separations at the affected County roads. The latest set of improvement plans for the grade separations at Avenue 7, Avenue 8, Avenue 9, Avenue 10, Avenue 11, and Avenue 12 have been reviewed and found to be acceptable. The County of Madera is in concurrence with the proposed grade separation designs and configurations as presented in relation to the CP-1 HST segment.

Sincerely,



Johannes J. Hoevertsz, PE
Public Works Director

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the California High-Speed Rail Authority to construct proposed high-speed tracks and grade separations at Avenue 7 (MP 180.27); Avenue 8 (MP 179.08); Avenue 9 (MP 177.94); Avenue 10 (MP 176.85); Avenue 11 (MP 175.82); and Avenue 12 HST (MP 174.81) within the County of Madera, California.

Application No. _____

NOTICE OF AVAILABILITY

**MASTER AGREEMENT BY AND BETWEEN
CALIFORNIA HIGH-SPEED RAIL AUTHORITY AND COUNTY OF MADERA
AND
SETTLEMENT AGREEMENT
COUNTY OF MADERA AND CALIFORNIA HIGH-SPEED RAIL AUTHORITY**

TO ALL PARTIES TO THIS APPLICATION:

In support of its applications, the California High-Speed Rail Authority (Applicant) submitted the *Master Agreement by and between California High-Speed Rail Authority and County of Madera (Agreement)* and *Settlement Agreement County of Madera and California High-Speed Rail Authority (Settlement)* to the Commission as Exhibit C2 and Exhibit C3 to Application Number A.15-10-007.

Pursuant to Rule 1.9(d) of the Commission's Rules of Practice and Procedure, the Applicant is issuing this Notice of Availability (NOA). The NOA is being served on all parties listed on the official service lists for this application, which are attached as Exhibit F - Certificate of Service.

The *Agreement* and *Settlement* are available at the following URL, which has been posted at the web-site since October 26, 2015:

<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M155/K377/155377211.PDF>

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the California High-Speed Rail Authority to construct proposed high-speed tracks and grade separations at Avenue 7 (MP 180.27); Avenue 8 (MP 179.08); Avenue 9 (MP 177.94); Avenue 10 (MP 176.85); Avenue 11 (MP 175.82); and Avenue 12 HST (MP 174.81) within the County of Madera, California.

Application No. _____

NOTICE OF AVAILABILITY

**FINAL ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL IMPACT
STATEMENT FOR THE MERCED TO FRESNO SECTION OF THE
CALIFORNIA HIGH-SPEED TRAIN PROJECT**

TO ALL PARTIES TO THIS APPLICATION:

In support of its applications, the California High-Speed Rail Authority (Applicant) submitted the *Final Environmental Impact Report/ Environmental Impact Statement for the Merced to Fresno Section of the California High-Speed Train Project (Final EIR/EIS)* on an archival CD-ROM/DVD to the Docket Office for physical filing as Exhibit D to Application Number A.15-10-007.

Pursuant to Rule 1.9(d) of the Commission's Rules of Practice and Procedure, the Applicant is issuing this Notice of Availability (NOA). The NOA is being served on all parties listed on the official service lists for this application, which are attached as Exhibit F - Certificate of Service.

The *Final EIR/EIS* is available at the following URL, which has been posted at the web-site since late 2012:

http://www.hsr.ca.gov/Programs/Environmental_Planning/final_merced_fresno.html

Exhibit E

Scoping Memo

Scoping Memo Information for Applications

A. Category (Check the category that is most appropriate)

☐ **Adjudicatory** - “Adjudicatory” proceedings are: (1) enforcement investigations into possible violations of any provision of statutory law or order or rule of the Commission; and (2) complaints against regulated entities, including those complaints that challenge the accuracy of a bill, but excluding those complaints that challenge the reasonableness of rates or charges, past, present, or future, such as **formal rough crossing complaints** (maximum 12 month process if hearings are required).

☒ **Ratesetting** - “Ratesetting” proceedings are proceedings in which the Commission sets or investigates rates for a specifically named utility (or utilities), or establishes a mechanism that in turn sets the rates for a specifically named utility (or utilities). “Ratesetting” proceedings include complaints that challenge the reasonableness of rates or charges, past, present, or future. Other proceedings may also be categorized as ratesetting when they do not clearly fit into one category, such as **railroad crossing applications** (maximum 18 month process if hearings are required).

☐ **Quasi-legislative** - “Quasi-legislative” proceedings are proceedings that establish policy or rules (including generic ratemaking policy or rules) affecting a class of regulated entities, including those proceedings in which the Commission investigates rates or practices for an entire regulated industry or class of entities within the industry.

B. Are hearings necessary?

☐

Yes

☒

No

If yes, identify the material disputed factual issues on which hearings should be held, and the general nature of the evidence to be introduced. Railroad crossing applications which are not controversial usually do not require hearings.

Are public witness hearings necessary? ☐ Yes ☒ No

Public witness hearings are set up for the purpose of getting input from the general public and any entity that will not be a party to the proceeding. Such input usually involves presenting written or oral statements to the presiding officer, not sworn testimony. Public witness statements are not subject to cross-examination.

C. Issues - List here the specific issues that need to be addressed in the proceeding.
None

D. Schedule (Even if you checked “No” in B above) Should the Commission decide to hold hearings, indicate here the proposed schedule for completing the proceeding within 12 months (if categorized as adjudicatory) or 18 months (if categorized as ratesetting or quasi-legislative).

The schedule should include proposed dates for the following events as needed:

<u>January 28, 2016</u>	Filing Date
<u>February 29, 2016</u>	Comment Period
<u>May 27, 2016</u>	Proposed Decision (4 months from filing)
<u>July 28, 2016</u>	Final Decision (6 months from filing)

If hearings unexpectedly becomes necessary:

<u>July 28, 2016</u>	Prehearing conference
<u>October 28, 2016</u>	Hearings
<u>January 27, 2017</u>	Briefs due
<u>February 28, 2017</u>	Submission
<u>May 29, 2017</u>	Proposed decision (90 days after submission)
<u>July 28, 2017</u>	Final decision (60 days after proposed decision is mailed)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the California High-Speed Rail Authority to construct proposed high-speed tracks and grade separations at Avenue 7 (MP 180.27); Avenue 8 (MP 179.08); Avenue 9 (MP 177.94); Avenue 10 (MP 176.85); Avenue 11 (MP 175.82); and Avenue 12 HST (MP 174.81) within the County of Madera, California.

Application No. _____

CERTIFICATE OF SERVICE

I, Kathryn Grack, P.E., of Tutor Perini, Zachry, Parsons Joint Venture, on behalf of the California High-Speed Rail Authority, certify that I have this day mailed a copy of the attached Application and Exhibits in the above captioned proceeding by FedEx, or if noted, by e-mail or hand delivery, to each party named in the following service list, on this 28th day of January, 2016 at Fresno, California.

By: Kathryn A. Grack
Kathryn A. Grack, P.E.
Senior Project Engineer

Service List

Parties:

Bruce W. Armistead
Director of Operations & Maintenance
California High-Speed Rail Authority
770 L Street, Suite 620
Sacramento, CA 95814
Bruce.Armistead@hsr.ca.gov

Hugo Mejia
Design Construction Manager
California High-Speed Rail Authority
1401 Fulton Street, Suite 300
Fresno, CA 93721
Hugo.Mejia@hsr.ca.gov
Hand Delivery

Information Only:

Johannes Hoevertsz
Road Commissioner
County of Madera
2037 W. Cleveland Ave. M.S. 'D'
Madera, CA 93637
jhoevertsz2@madera-county.com

Jesus Avitia, CP1 Railroad Coordinator
Wong+Harris
javitia@wongharris.com
E-Mail Only


State:	
Karen Clopton Chief Administrative Law Judge California Public Utilities Commission 505 Van Ness Avenue San Francisco, CA 94102 karen.clopton@cpuc.ca.gov	Michael Robertson, P.E., Manager Rail Crossings and Engineering Branch California Public Utilities Commission 320 West 4 th Street, Suite 500 Los Angeles, CA 90013 michael.robertson@cpuc.ca.gov
Marvin Kennix, Utilities Engineer Rail Crossings and Engineering Branch California Public Utilities Commission 180 Promenade Circle, Suite 115 Sacramento, CA 95834-2939 marvin.kennix@cpuc.ca.gov	Anton Garabetian, P.E., Supervisor Rail Crossings and Engineering Branch California Public Utilities Commission antranig.garabetian@cpuc.ca.gov E-Mail Only
Felix Ko, P.E. Acting Senior Utilities Engineer Rail Crossings and Engineering Branch California Public Utilities Commission felix.ko@cpuc.ca.gov E-Mail Only	

Exhibit G

Verification

I am an officer of the California High Speed Rail Authority, Applicant herein, and am authorized to make this verification on its behalf. The contents of this document are true of my own knowledge, except as matters that are stated on information or belief, and as to those matters, I believe them to be true.

Dated this 21st day of January, 2016 at Sacramento, California.

Signed 
Bruce Armistead
Director of Operations and Maintenance
California High-Speed Rail Authority
770 L Street, Suite 620
Sacramento, CA 95814
Tel: (916) 324-1541