

Decision No. 82125

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California, )  
 Department of Transportation, for an )  
 order to improve two spur track grade )  
 crossings of the Southern Pacific Trans- )  
 portation Company known as "Clayton" )  
 PUC No. C-118.4-C and "Ahart", PUC No. )  
 C-118.6-C in connection with a highway )  
 improvement project from 7th Street in )  
 Lincoln, California to 1 mile south of )  
 the Yuba County line on State Route 65 )  
 in Placer County. )

Application No. 54259  
 (Filed August 22, 1973)

O P I N I O N

The State of California Department of Transportation seeks an order of the Commission authorizing the improvement of two spur track grade crossings of the Southern Pacific Transportation Company in connection with a highway improvement project on State Route 65 north of the City of Lincoln, County of Placer.

Applicant states that the California Highway Commission is the lead agency for the project pursuant to the California Environmental Quality Act of 1970, as amended. It further states the project is exempt from filing an Environmental Impact Statement or Fact Sheet under Chapter 2 of Title 21, California Administrative Code, Section 1510.1(c)-16. The California Administrative Code Section is consistent with Rule 17.1, Sections (m)(1) (A)6 and (m)(1) (B)2 of the Commission's Rules of Practice and Procedure covering categorical exemptions.

Notice of the application was published in the Commission's Daily Calendar on August 25, 1973. No protests have been received. A public hearing is not necessary.

Findings

1. The request is in the public interest and the Commission finds that the project involved in this proceeding is categorically exempt from the Environmental Impact Report requirements of California Environmental Quality Act of 1970, as amended, under Rule 17.1(m) of the Rules of Practice and Procedure.

2. Applicant should be authorized to widen State Highway Route 65 across the two existing spur tracks of the Southern Pacific Transportation Company tracks, identified as Crossing No. C-118.4-C and No. C-118.6-C.

3. Both crossings have been declared exempt from the provisions of Section 22452 of the State of California Vehicle Code which requires certain vehicles to stop at railroad crossings.

4. The existing crossing protection should be appropriately relocated which consists of two Standard No. 9 gate signals (General Order No. 75-C) at Crossing No. C-118.4-C and two Standard No. 1R signs (General Order No. 75-C) at Crossing No. C-118.6-C.

5. The width of crossings should be not less than 40 feet and grades of approach as shown on the plans (Exhibit "C") attached to the application. Construction should be equal or superior to Standard No. 3 of General Order No. 72-B.

6. Clearances, including any curbs, should conform to General Order No. 26-D. Walkways should conform to General Order No. 118.

7. Construction expense of the crossings and relocation of automatic protection should be borne in accordance with an agreement to be entered into between the parties or, if they fail to agree, by further order of the Commission.

8. Maintenance cost of the crossings outside of lines two feet outside of rails should be borne by the applicant. The Southern Pacific Transportation Company shall bear maintenance cost of the crossings between such lines. Maintenance costs of the automatic protection should be divided equally between the applicant

and the railroad pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

O R D E R

IT IS ORDERED that:

1. California Department of Transportation is authorized to widen State Highway Route 65 across the existing spur track crossings (Nos. C-118.4-C and C-118.6-C), of the Southern Pacific Transportation Company in Placer County.

2. The application is granted conditioned on the findings set forth in this order.

3. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within two years unless the time be extended or if conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require. The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 13<sup>th</sup> day of NOVEMBER, 1973.

Yvonne L. Sturgeon  
President  
William Synovis J.  
William W. ...  
...  
Commissioners