

Decision No. 83210**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California, Department of Transportation, for an order authorizing the construction of a crossing at separation of grade over the tracks of the Northwestern Pacific Railroad Company's Korblex Branch track at approximate highway station 398+88 and approximate railroad engineering station 447+27, and the closing of PUC crossing number SCA-293.7 of the Northwestern Pacific Railroad Company's Korblex Branch track, and the relocation of existing PUC crossing SCA-293.4 at grade across the tracks of the Northwestern Pacific Railroad Company's Korblex Branch track, in connection with the reconstruction of a portion of State Route 101 between 7th Street in Arcata to the Arcata Overhead in Humboldt County.

Application No. 54640  
(Filed February 7, 1974)

### O P I N I O N

The State of California Department of Transportation (applicant) requests authority to construct a crossing at separated grades of St. Louis Road over the tracks of the Northwestern Pacific Railroad Company in the City of Arcata, County of Humboldt, and to close the existing St. Louis Road grade crossing across the tracks of the Northwestern Pacific Railroad Company. The existing crossing is identified as Crossing No. SCA-293.7. The applicant further requests authority to relocate Crossing No. SCA-293.4 identified in the application, Exhibit "C", as Sunset Avenue crossing at grade.

The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. The application states:

"On or about November 15, 1973, pursuant to Section 1503.8 of Chapter 2, Title 21 of the California Administrative Code.

The Department filed its Notice of Determination approving this project. On January 17, 1974, the ~~Superior Court of Humboldt~~ County in the case of 'Coalition for a Sensible Arcata Freeway v. Moe', decided that the Environmental Impact Statement for this project is adequate. Further on January 17, 1974, the U. S. Department of Transportation, Federal Highway Administration, approved the Environmental Impact Statement for said project".

Notice of the application was published in the Commission's Daily Calendar on February 8, 1974. No protests have been received. A public hearing is not necessary.

#### F I N D I N G S

After consideration, the Commission finds:

1. Applicant should be authorized to construct St. Louis Road at separated grades, to close existing St. Louis Road crossing at grade, and to relocate Sunset Avenue at grade, all across the Northwestern Pacific Railroad Company tracks.

2. Construction and maintenance expense of the overpass and the closing of the existing St. Louis Road crossing and costs of installation of automatic protection should be borne in accordance with an agreement to be entered into between the parties relative thereto. A copy of said agreement and plans should be filed with the Commission.

3. Costs of relocating the Sunset Avenue crossing should be borne by the applicant. Maintenance costs of the automatic protection should be shared equally between the applicant and the railroad.

4. During the period of construction of the separation structure, an impaired clearance should be authorized.

5. The Commission has considered the applicant's final Environmental Impact Statement in rendering its decision on this project, and finds that the planned construction is the most feasible and economical that will minimize environmental impact.

6. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plan set forth in the application and comply with applicable rules and general orders of the Commission.

### C O N C L U S I O N S

We conclude that the application should be granted as set forth in the following order:

### O R D E R

IT IS ORDERED that:

1. Applicant is authorized to construct a crossing at separated grades of St. Louis Road over the tracks of the Northwestern Pacific Railroad Company in the City of Arcata in the County of Humboldt at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. 5CA-293.9-A. Applicant is further authorized to relocate Sunset Avenue across the tracks of the Northwestern Pacific Railroad Company in the City of Arcata in the County of Humboldt, to the location and substantially as shown by plans attached to the application, to be identified as Crossing No. 5CA-293.37.

2. Upon completion, the existing Crossing No. 5CA-293.7 of St. Louis Road and the existing Crossing 5CA-293.4 of Sunset Avenue shall be abandoned and effectively closed.

3. Protection at Crossing No. 5CA-293.37 shall be two Standard No. 9A gates with cantilever signals (General Order No. 75-C).

4. Construction of said grade crossing shall be equal or superior to Standard No. 4B (General Order No. 72-B).

5. Width of said grade crossing shall be approximately 56 feet and grades of approach shall not exceed six percent adjacent to tracks as shown on plans attached to the application.

6. At the St. Louis Road Grade Separation, clearances shall be in accordance with General Order No. 26-D except that during the period of construction a clearance of not less than 21' 0"

above top of rail is authorized and the Northwestern Pacific Railroad Company is authorized to operate with such reduced vertical clearances provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars.

The applicant shall notify the Commission and the railroad at least 15 but not more than 30 days in advance of the date when the temporary impaired clearance will be created.

Walkway areas adjacent to the railroad tracks shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.

7. At the relocated Sunset Avenue Crossing, clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.

8. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties relative thereto, with the following exceptions:

a) Costs of relocating the Sunset Avenue crossing shall be borne by the applicant.

b) Maintenance costs of the automatic protection shall be shared equally between the railroad and the governmental body having jurisdiction over the grade crossing at the time incurred.

c) Maintenance of the grade crossing shall be in accordance with General Order No. 72-B.

9. Construction plans of the grade separation and the grade crossing approved by the Southern Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission within 120 days from the date hereof.

10. 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 three years unless time be extended or if the above conditions are not complied with.

This 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 30th  
day of JULY, 1974.

Simon L. Sturgeon  
President  
William Symons, Jr.

[Signature]  
[Signature]  
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.