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Decision No. 83952

**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  
grade separation, to be known as San  
Fernando Road Overhead, over the Southern  
Pacific Transportation Company's El Paso  
mainline in connection with the improve-  
ment of a portion of State Route 118 to  
freeway standards on new alignment in the  
City of Los Angeles, Los Angeles County. )

Application No. 55185  
(Filed September 18, 1974)  
(Amended October 3, 1974)

O P I N I O N

The State of California, Department of Transportation, requests authority to construct San Fernando Road Overhead, State Route 118, at separated grades over the tracks of the Southern Pacific Transportation Company as shown on plans attached to the application, as amended, in the City of Los Angeles, Los Angeles County.

Applicant states that this is an ongoing project within the provisions of Section 15070 of the California Administrative Code. An Environmental Fact Sheet was approved and accepted by the Federal Highway Administration on June 9, 1971. The ongoing project was begun in 1969, with the acquisition of right of way, relocation of utilities and construction of embankments.

Notice of the application and amendment was published in the Commission's Daily Calendars on September 20, 1974 and October 7, 1974. No protests have been received. A public hearing is not necessary.

### F I N D I N G S

1. Applicant should be authorized to construct San Fernando Road Overhead, State Route 118, at separated grades over the tracks of the Southern Pacific Transportation Company at the location and substantially as shown by plans attached to the application, as amended, in the City of Los Angeles, Los Angeles County.

2. Construction and maintenance expenses should be borne in accordance with an agreement to be entered into between the parties relative thereto.

3. This is an ongoing project within the provisions of Section 15070 of the California Administrative Code, the project having been commenced in 1969, with the acquisition of right of way, relocation of utilities and construction of embankments.

4. An Environmental Fact Sheet was submitted by applicant and approved by the Federal Highway Administration on June 9, 1971. The project was reviewed as required in Section 4-C of the Interim Guidelines for Implementation of Section 102(2) (C) of the National Environmental Policy Act of 1969. It was determined that this project had been developed in such a manner as to give detailed consideration to the potential impact upon the quality of human environment and that modifications of the project and an Environmental Statement were not required.

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

On the basis of the foregoing findings, we conclude that the application, as amended, should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The State of California, Department of Transportation, is authorized to construct San Fernando Road Overhead, State Route 118, at separated grades over the tracks of the Southern Pacific Transportation Company at the location and substantially as shown by plans attached to the application, as amended, in the City of Los Angeles, Los Angeles County, to be identified as Crossing No. B-462.8-A.

2. Clearances shall be in accordance with General Order No. 26-D, except that during the period of construction a clearance of not less than 21'2" above top of rail is authorized and the Southern Pacific Transportation Company is authorized to operate with such reduced overhead clearances provided that instructions are issued by the railroad and filed with the Commission forbidding the employees to ride on tops of cars.

The applicant shall notify the Commission and the Southern Pacific Transportation Company 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.

3. Construction and maintenance expenses shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of said agreement, together with plans of said crossing approved by the Southern Pacific Transportation Company shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

4. 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 7th  
day of JANUARY, 1975.

Vernon L. Sturgeon  
President  
William J. Quirke, Jr.  
[Signature]

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Commissioners