

Decision 88 06 014 JUN 8 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Santa Clara County)
Transit District for an order author-)
izing construction of an at-grade)
crossing of Blossom River Way by the)
light rail transit line of the)
Guadalupe Corridor Project in the City)
of San Jose, California.)

Application 87-07-019
(Filed July 13, 1987)

O P I N I O N

As part of the Guadalupe Corridor Project to construct a light rail transit (LRT) system, a four lane freeway, and bicycle facilities, the Santa Clara County Transit District (SCCTD) requests authority to construct its light rail vehicle (LRV) tracks at grade across Blossom River Way in San Jose, Santa Clara County.

The multi-modal transportation improvements will provide relief to the congested major highways and local streets in the area. The LRT system is approximately 20 miles in length between Great America Amusement Park in north Santa Clara and the IBM business park in south San Jose. Major impacts include displacement of 69 residential and 17 non-residential structures, increased traffic congestion at isolated locations, and removal of mature trees along north First Street. Mitigation measures will include relocation assistance, possible future grade separations, and a landscape replacement program.

The Guadalupe Corridor Joint Power Board (GCJPB), consisting of SCCTD; the State of California, Department of Transportation; the County of Santa Clara; the City of San Jose; and the City of Santa Clara, is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as

amended, Public Resources Code Sections 21000, et seq. The project is covered by a Final Environmental Impact Statement (FEIS) which was approved by the Federal Highway Administration on August 12, 1983. On September 15, 1987 a Notice of Determination was filed with the Santa Clara County Clerk which found that "The project will have significant effect on the environment."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's FEIS. The site of the proposed project has been inspected by the Commission's Traffic Engineering staff. The staff examined the need for and safety of the proposed crossing. The staff recommends that the new crossing be approved subject to the installation of automatic gate-type signals.

Application 87-07-019 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 40, which rule relates to the construction of a railroad track across a public highway. Existing grade conditions and the close proximity to Oakridge Station preclude construction of a grade separation at this location. A sketch of the project vicinity is set forth as Appendix A.

Notice of the application was published in the Commission's Daily Calendar on July 20, 1987. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. SCCTD requests authority under Public Utilities Code Sections 1201-1205 to construct its LRV tracks at grade across Blossom River Way in San Jose, Santa Clara County.
2. Construction of the crossing is an essential element in the construction of the LRT system.
3. Public convenience and necessity require construction of the crossing.

4. Public safety requires that protection at the crossing be two Standard No. 9 automatic gate-type signals (General Order (GO) 75-C).

5. GCJPB is lead agency for this project under CEQA, as amended.

6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's FEIS.

7. The Guadalupe Corridor Project will have a significant effect on the environment; however, mitigation measures will reduce the severity of the adverse impacts to acceptable levels.

Conclusion of Law

The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The Santa Clara County Transit District (SCCTD) is authorized to construct its LRV tracks at-grade across Blossom River Way in San Jose, Santa Clara County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 82L - 8.26.

2. Clearances shall be in accordance with GO 26-D.

3. Construction of the crossing shall be equal or superior to Standard No. 1 of GO 72-B.

4. Protection at the crossing shall be two Standard No. 9 automatic gate-type signals (GO 75-C).

5. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between SCCTD, Caltrans, and the City of San Jose. A copy of the agreement, together with plans of the crossing approved by all parties involved, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

6. Within 30 days after completion of the work under this order, SCCTD shall notify the Commission in writing that the authorized work has been completed.

7. This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

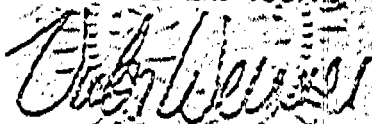
8. The application is granted as set forth above.

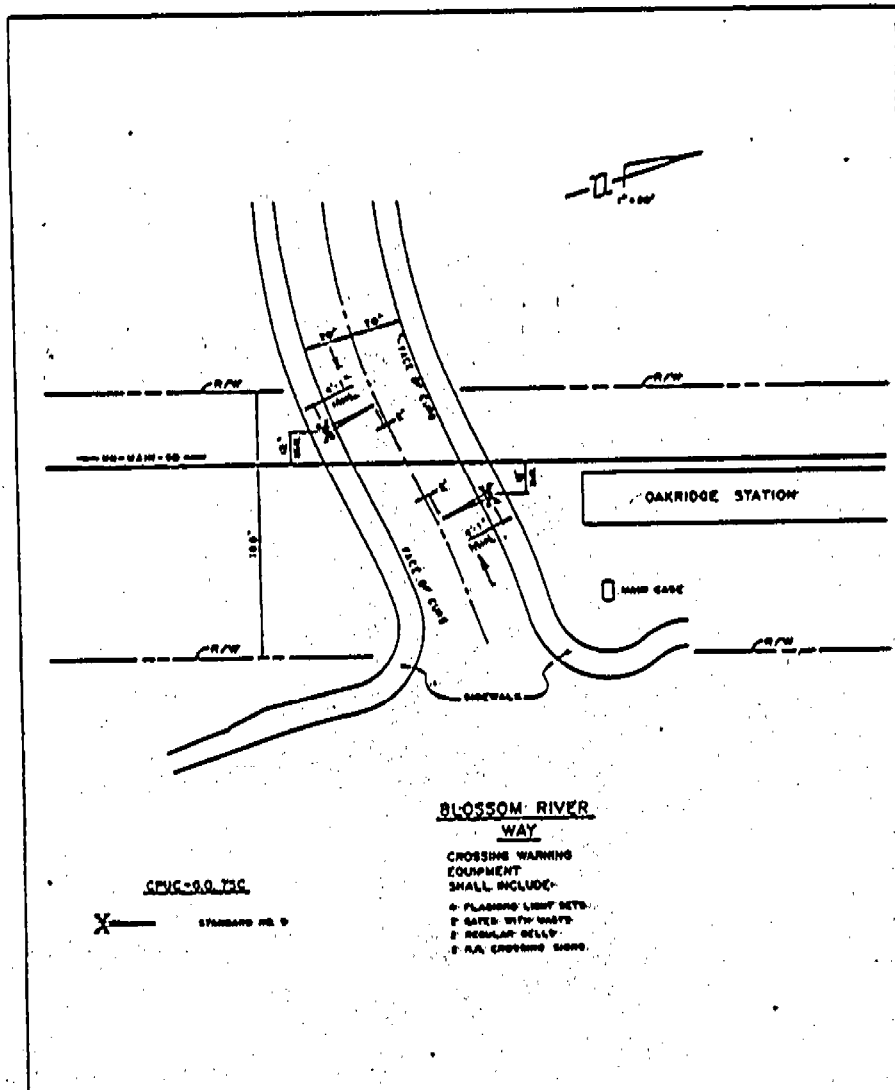
This order is effective 30 days from today.

Dated JUN 8 1988, at Carson, California.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Victor Weisner, Executive Director



Appendix A