

Decision 89 08 012 AUG 3 1989

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Santa Clara)
County Transit District for an order)
authorizing construction of grade)
separated crossings of the Southern)
Pacific Transportation railway by the)
light rail transit line of the)
Guadalupe Corridor project in the)
City of San Jose, California.)

Application 87-12-026
(Filed December 11, 1987)

OPINION

As a 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 in the median area of proposed State Route (SR) 87 freeway at separated grades under Southern Pacific Transportation Company's (SPT) tracks (known as the Fuller Underpass) in San Jose, Santa Clara County.

The multi-modal transportation improvements will provide relief to 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. The underpass is part of a project to extend the Guadalupe Corridor Freeway and light rail tracks southerly on new alignment. Major impacts include displacement of 69 residential and 17 non-residential structures, and increased traffic congestion at isolated locations. Mitigation measures will include relocation assistance, and possible future grade separations.

The Guadalupe Corridor Joint Powers Board (GCJPB) consisting of the Santa Clara County Transportation District, Caltrans, 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.

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 Safety Division Traffic Engineering staff. The staff examined the need for and safety of the proposed grade separation. Review and processing of this application were delayed while SCCTD finalized its design profiles. Applicant provided the needed information to staff on April 10, 1989. The staff recommends that the new grade separation structure be authorized.

Application 87-12-026 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 41, which relates to the construction of a railroad track across another railroad track. 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 December 21, 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 in the median area of proposed SR-87 freeway at separated grades under SPT's tracks in San Jose, Santa Clara County.
2. Construction of the Fuller Underpass is an essential element of the Guadalupe Corridor Project.
3. Public convenience, necessity, and safety require construction of the Fuller Underpass.
4. GCJPB is the lead agency for this project under CEQA, as amended.

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

6. 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.

Conclusions of Law

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

ORDER

IT IS ORDERED that:

1. The Santa Clara County Transit District (SCCTD) is authorized to construct its LRV tracks in the median area of proposed SR-87 freeway at separated grades under Southern Pacific Transportation Company's (SPT) tracks in San Jose, Santa Clara County, at the location and substantially as shown by plans attached to the application, to be identified as SCCTD Crossing 82A-3.11-A and as SPT Crossing E-48.2-B.

2. Clearances from SPT's facilities shall be in accordance with General Order (GO) 26-D. Walkways shall conform to GO 118.

3. Light rail vehicle operating clearances shall be in accordance with GO-143.

4. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement, together with plans of the crossing approved by SPT, 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.

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

6. 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.

7. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated ANG 3 1989, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

Commissioner Stanley W. Hulett,
being necessarily absent, did not
participate.

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


Victor Weisser, Executive Director

PB

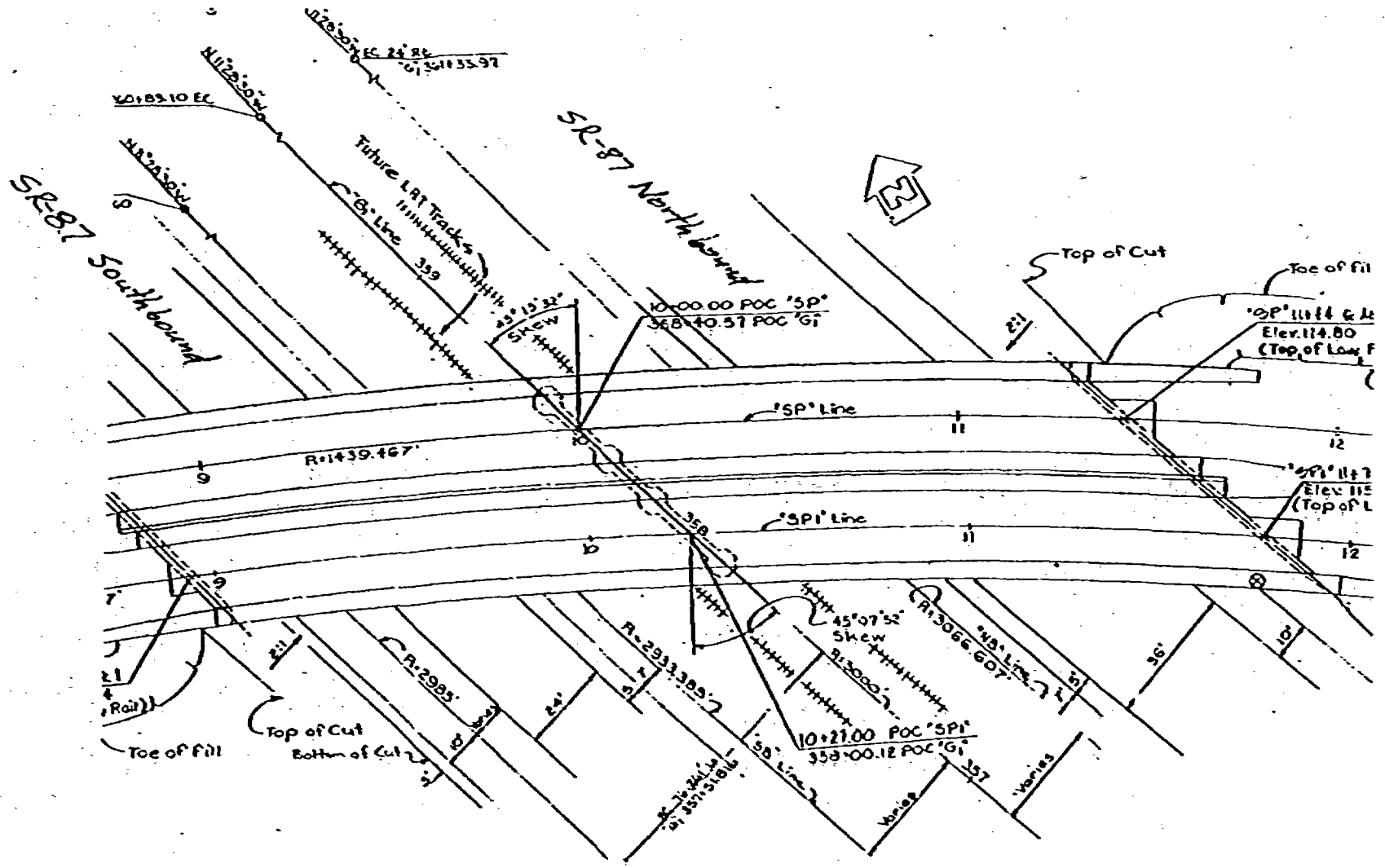
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for the image quality*



SOUTHERN PACIFIC RAIL ROAD CROSSING
FULLER UNDERPASS
Guadalupe Corridor Project
San Jose, California

APPENDIX A