

ORIGINAL

Decision 90 01 046 JAN 24 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California, Department of Transportation, for an order authorizing the Department to construct the "B" Street Underpass in Stockton, California.

) Application 89-08-032  
) (Filed August 17, 1989;  
) amended December 18, 1989  
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)  
)

O P I N I O N

As part of the project to construct an additional segment of the Stockton Cross-Town Freeway (State Route (SR) 4), the State of California, Department of Transportation (Caltrans), requests authority to construct the 'B' Street Underpass at separated grades under a spur track of the Central California Traction Company (CCT) in Stockton, San Joaquin County.

Caltrans also requests authority in its amendment to the application to construct a shoofly track and to relocate crossing protection from the spur track to the shoofly as depicted on Sheet Four of Exhibit B in the application as amended, to permit continued rail operations during construction of the underpass.

The Cross-Town Freeway will be a vital east-west connecting link between the Interstate 5 (I-5) Freeway and SR-99, which are both north-south thoroughfares, and will remove through traffic from congested city streets. SR-4 has been constructed on a viaduct eastward from the I-5 Freeway, and presently ends at Wilson Way. Caltrans proposes to continue construction eastward to SR 99 of a depressed six-lane freeway which would involve a crossing under the tracks of CCT. A shoofly will be constructed east of the existing tracks to handle rail traffic during construction of the new underpass. Vehicular traffic will continue to cross the track of the railroad on the shoofly. Appendix A is a sketch of the proposed crossing location.

Caltrans 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) dated August 25, 1986, and approved by the Federal Highway Administration (FHWA) on August 28, 1986.

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

The application meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38, which relates to construction of a public highway across a railroad.

The site of the proposed project has been inspected by the Commission's Safety Division Traffic Engineering staff. The staff examined the need for the proposed rail crossings and recommends issuance of an ex parte order authorizing the proposed crossings.

Notice of the application and its amendment were published in the Commission's Daily Calendar on August 28 and December 19, 1989, respectively. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to construct the 'B' Street Underpass along SR-4 at separated grades under a spur track of CCT in Stockton, San Joaquin County.

2. Railroad operations require construction of a temporary shoofly track to the east of CCT's existing track during construction of the underpass.

3. Construction of the shoofly track requires that grade crossings at Main, Washington, and Market Streets, and alleys

between Market and Myrtle Streets, and between Lafayette and Main Streets, be temporarily relocated during construction of the 'B' Street Underpass.

4. Construction of the underpass is an essential element in the Stockton Cross-Town Freeway.

5. Public convenience, necessity, and safety require construction of the underpass.

6. Caltrans is the lead agency for this project under CEQA, as amended.

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

8. The project will have a significant effect on the environment; however, the adopted 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 State of California, Department of Transportation (Caltrans), is authorized to construct the 'B' Street Underpass along SR-4 at separated grades under a spur track of the Central California Traction Company (CCT) in Stockton, San Joaquin County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 61-0.8-BC.

2. Caltrans is also authorized to construct a temporary shoofly track to the east of CCT's existing spur track and to temporarily modify existing grade crossings at Main Street (Crossing 61-0.82-C), Washington Street (Crossing 61-0.80-C),

Market Street (Crossing 61-0.74-C), an alley (Crossing 61-0.71-DC) between Market and Myrtle Streets, and an alley (Crossing 61-0.84-DC) between Lafayette and Main Streets, as shown on Sheet 4 of Exhibit B in the application as amended, in order to permit continued rail operations during construction of the underpass.

3. Protection at all of the temporary modified crossings, with the exception of Main Street, shall continue to be Standard No. 1-R crossing signs (General Order (GO) 75-C), as shown on Sheet 4 of Exhibit B of the application as amended. Protection at the temporary Main Street crossing shall remain No. 2 crossing signs. Upon removal of the shoofly track Standard No. 1 crossing signs shall be installed at the Main Street crossing and the No. 2 signs shall be removed.

4. Construction of the temporary modified crossings shall be equal or superior to Standard No. 1 of GO 72-B.

5. Upon completion of the 'B' Street Underpass, the shoofly track shall be physically removed.

6. Clearances shall be in accordance with GO 26-D. Walkways shall conform to GO 118.

7. 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 crossings approved by CCT, 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.

8. 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.

9. 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.

10. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated JAN 24 1990, at San Francisco, California.

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

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

*Wesley Franklun*

WESLEY FRANKLIN, Acting Executive Director

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