

S/RE/

Decision 90 08 040 AUG 8 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: )     Application 90-01-003  
Construct an overhead on new alignment )     (Filed January 4, 1990)  
on State Route 12 at post mile 14.7 )  
near Denverton, Solano County, )  
California. )

O P I N I O N

The State of California (Caltrans) requests authority to replace and widen the existing Denverton Overhead by constructing a new overhead structure for State Route (SR) 12 on new alignment over Union Pacific Railroad Company's (UP) tracks near Denverton, Solano County.

The project is located between Fairfield and Rio Vista, in a portion of the county which is mostly grassy rangeland. The California Railway Museum at Rio Vista Junction is the only development near the project, and is the chief user of the track under the overhead.

The existing structure is quite old, very narrow, and has poor vertical sight distance due to relatively steep approach grades. The new structure will have greatly improved sight distance and standard width shoulders as part of its expanded width.

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. After preparation and review of an Environmental Assessment, Caltrans issued a Negative Declaration and approved the project. On July 28, 1987, a Notice of Determination was filed with the Office of Planning and

Research, State Clearinghouse, which found that "The project will not have a 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 Environmental Assessment and Negative Declaration. The application meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38, which relates to the construction of a public highway across a railroad. A sketch of the project vicinity is included as Appendix A.

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, and recommends issuance of an ex parte order authorizing the replacement overhead.

Notice of the application was published in the Commission's Daily Calendar on January 9, 1990. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Caltrans requests authority under Public Utilities (PU) Code Sections 1201-1205 to replace and widen the existing overhead carrying SR-12 over UP's tracks, known as the Denverton Overhead, by constructing a new structure on new alignment to carry SR-12 over the same tracks near Denverton, Solano County.

2. The crossing is an essential element of SR-12.

3. Public convenience, necessity, and safety require construction of the replacement Denverton Overhead.

4. Public safety requires that, upon completion of the replacement Denverton Overhead and its opening to vehicular traffic, the existing overhead structure be closed and physically removed.

5. Caltrans is the 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 Environmental Assessment and Negative Declaration.

7. The project will have no significant impact on the environment.

Conclusion of Law

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

ORDER

IT IS ORDERED that:

1. The State of California (Caltrans) is authorized to construct State Route 12 over Union Pacific Railroad Company's (UP) tracks near Denverton, Solano County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing 8-58.0-A.

2. Upon completion of the replacement Denverton Overhead, and its opening to vehicular traffic, the existing Denverton Overhead, identified as Crossing 8-58.1-A, shall be closed and physically removed.

3. Clearances shall be in accordance with General Order (GO) 26-D; except that during the period of construction a clearance of not less than 21' above top of rail shall be authorized and UP shall be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroad and filed with the Commission's Safety Division forbidding employees to ride on tops of cars beneath the structure.

4. Caltrans shall notify the Commission's Safety Division and UP at least 15, but not more than 30, days in advance of the date when the temporary impaired clearance will be created.

5. Walkways shall conform to GO 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of

obstructions and shall be promptly restored to their original condition in the event of damage during construction.

6. 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 UP, shall be filed with the Commission's Safety Division prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

7. Within 30 days after completion of the work under this order, Caltrans shall advise the Commission's Safety Division in writing that the authorized work has been completed.

8. 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.

9. The application is granted as set forth above.

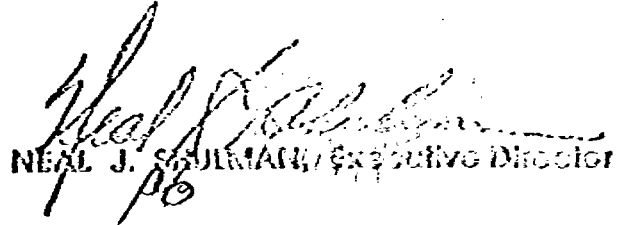
This order becomes effective 30 days from today.

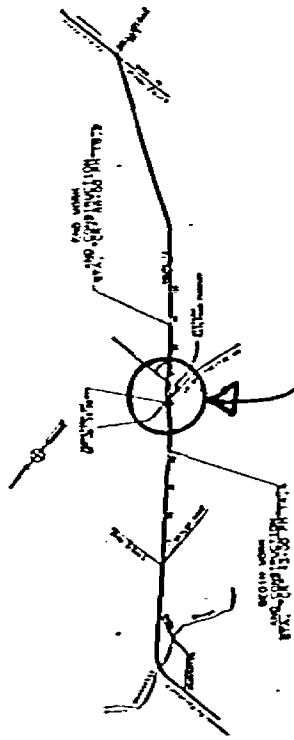
Dated     AUG 8 1990    , at San Francisco, California.

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

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

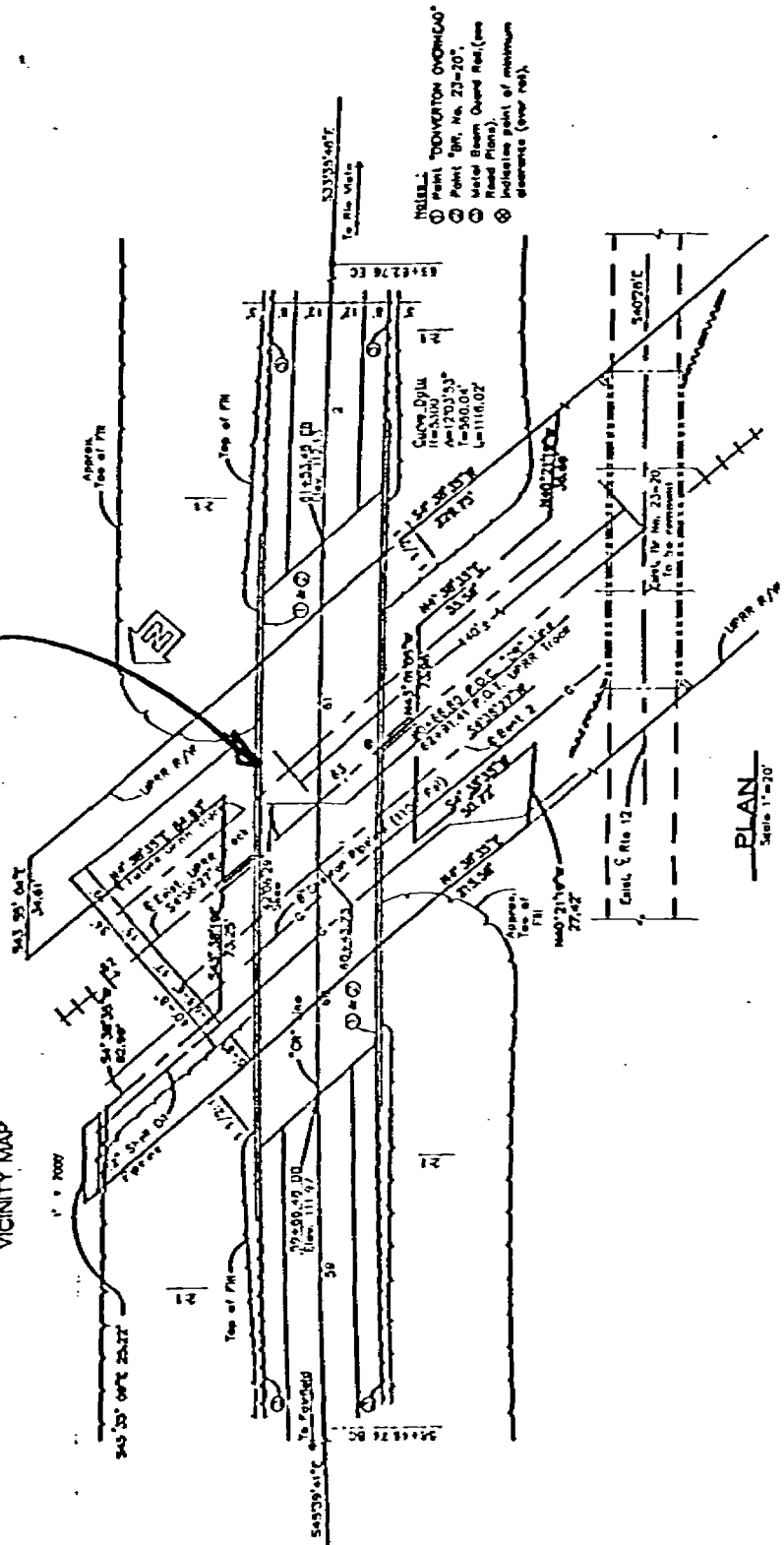
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NEAL J. SAULMAN, Executive Director



*Structure*

VICINITY MAP  
1" = 2000'



PLAN  
Scale 1"=200'