

Decision 91 01 045 JAN 25 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of
 California, Department of Transporta-)
 tion, for an order authorizing the)
 Department to: Construct a new cross-)
 ing at separated grades to be known)
 as the "Saratoga Avenue Underpass")
 under the relocated track of the)
 Southern Pacific Transportation)
 Company's Vasona Branch line, close)
 an existing grade-crossing, and)
 construct three temporary grade-)
 crossings, in the City of Saratoga,)
 County of Santa Clara, State of Cali-)
 fornia.)

ORIGINAL

Application 90-10-014
 (Filed October 2, 1990;
 amended October 25, 1990)

O P I N I O N

As part of the State Route 85 (SR-85) Project to construct a 6-lane freeway between U.S. Route 101 in south San Jose and Interstate 280 in Cupertino, the California Department of Transportation (Caltrans) requests authority to construct the Saratoga Avenue Underpass at separated grades under the relocated tracks of Southern Pacific Transportation Company's (SPT) Vasona Branch Line in Saratoga, Santa Clara County. The underpass will replace the present grade crossing of Saratoga Avenue. Authority is also sought to construct three temporary grade crossings of the Saratoga Avenue detour road.

The 18 mile long project will complete a regional transportation network and relieve congestion on existing streets. Major impacts include displacement of approximately 408 residences and 69 businesses, changes in local traffic patterns, decreases in riparian vegetation along several water courses, increase in noise levels, and visual impact. Mitigation measures will include relocation assistance, habitat replacement or restoration, construction of sound attenuation barriers, and landscaping.

Saratoga Avenue is a major 4-lane thoroughfare and will become an access road to and from SR-85. Because the existing grade crossing interferes with proposed SR-85 alignment, the tracks will be moved southwest (200 feet) and the new crossing will be grade separated. Construction of the underpass will require a temporary detour road that will be traversed at different stages of construction by three separate track alignments - the existing, a shoofly track, and the permanently relocated track.

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 Impact Statement (EIS), Caltrans approved the project. On November 4, 1987 a Notice of Determination was filed with the Office of Planning and Research which found that "The project will 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 EIS.

The site of the proposed project has been inspected by the Safety Division's Traffic Engineering staff. The staff examined the need for and safety of the proposed construction and recommends issuance of an ex-parte order authorizing construction of the proposed undercrossing and temporary grade crossings, subject to the installation of automatic gate-type signals as protection.

Caltrans has met 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 set forth as Appendix A.

Findings of Facts

1. Notices of the application and amendment were published in the Commission's Daily Calendar on October 16 and November 2,

1990, respectively. No protests have been received. A public hearing is not necessary.

2. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to construct the Saratoga Avenue Underpass at separated grades under the tracks of SPT's Vasona Branch Line in Saratoga, Santa Clara County.

3. The proposed construction of SR-85 freeway requires permanent relocation of a segment of SPT's Vasona Branch Line between SPT Milepost EN-44.8 and EN-46.2.

4. Railroad operations require use of three temporary grade crossings of the Saratoga Avenue detour until the opening of the Saratoga Avenue Underpass to vehicular traffic.

5. Construction of the Saratoga Avenue Underpass is required as part of the construction of SR-85 through the City of Saratoga.

6. Public convenience, necessity, and safety require construction of the Saratoga Avenue Underpass.

7. Public safety requires that protection at each of the temporary detour grade crossings be two Standard No. 9-A gate-type signals with cantilevers (General Order (GO) 75-C).

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

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

10. 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.

ORDER

IT IS ORDERED that:

1. The State of California, Department of Transportation, (Caltrans), is authorized to construct the Saratoga Avenue Underpass at separated grades under the tracks of Southern Pacific Transportation Company's (SPT) Vasona Branch Line in Saratoga, Santa Clara County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing EN-45.2-B.

2. Caltrans is also authorized to construct 3 temporary grade crossings of the Saratoga Avenue detour across SPT's tracks which will be required during the period of construction. One crossing shall be at the existing track alignment. The second crossing shall be interfaced with the temporary shoofly track. The third crossing shall be interfaced with the permanently relocated track. Protection at all three temporary grade crossings shall be two Standard No. 9-A gate-type signals with cantilevers (GO 75-C).

3. Upon completion of the Saratoga Avenue Underpass, the shoofly track, the existing grade crossing (Crossing EN-45.2), and all three temporary grade crossings shall be physically removed.

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

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

6. 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.

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 SPT, 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.

8. Within 30 days after completion of the work under this order, Caltrans shall notify the Commission's Safety Division 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.

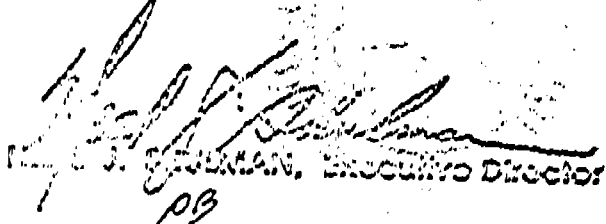
10. The application is granted as set forth above.

This order becomes effective 30 days from today.

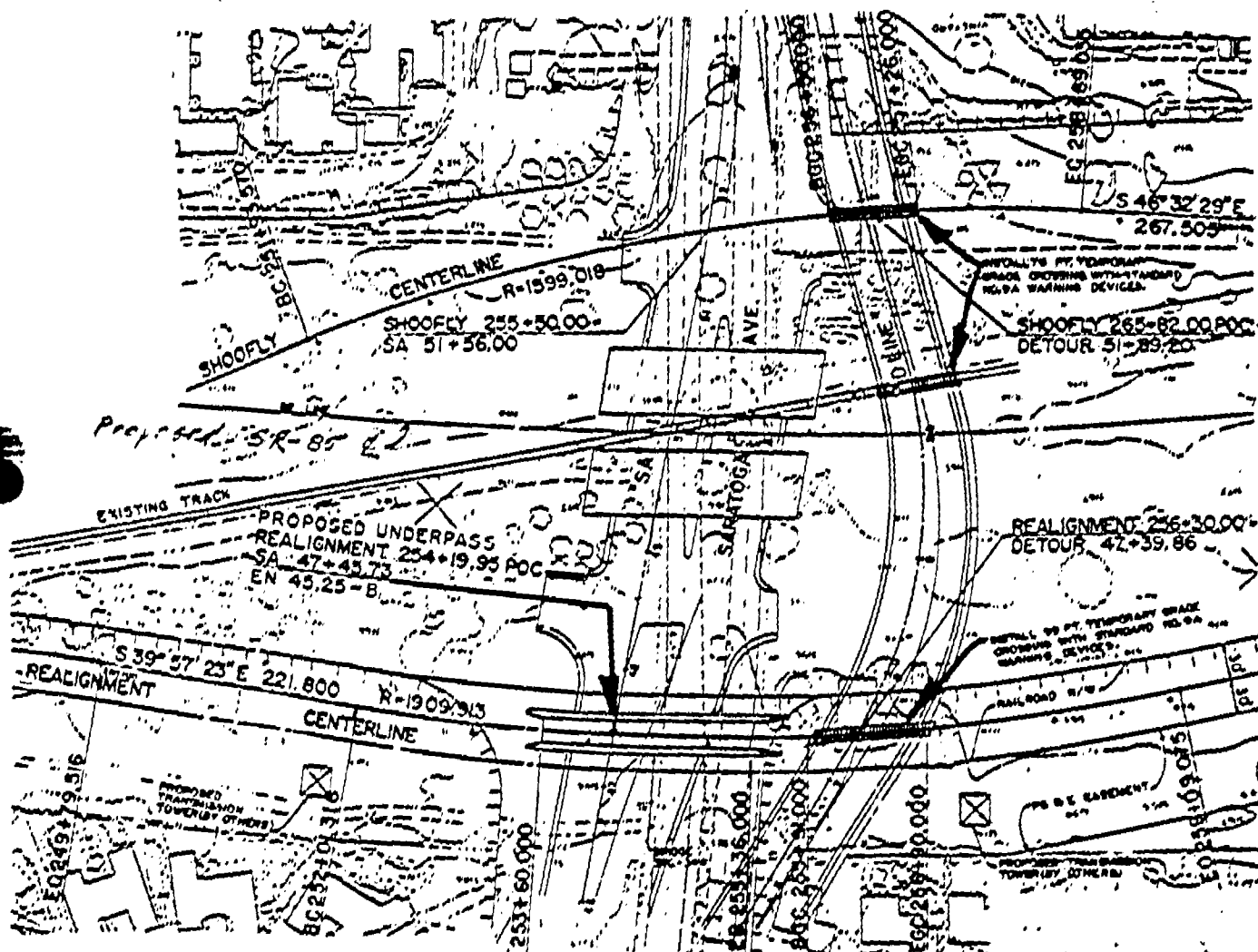
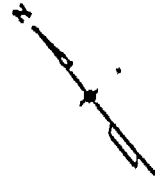
Dated JAN 25 1991, at San Francisco, California.

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

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


JOHN B. OHANIAN, Executive Director
PB

DATE	DESCRIPTION	BY	SCALE	DATE



PROPOSED TEMPORARY GRADE CROSSINGS-SARATOGA AVENUE DETOUR ROAD
PLAN
 1" = 50'