

S/ELB

Decision 91 07 058 JUL 24 1991

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:)
Redeck and Widen Califa Overhead)
located in Madera County, State of)
California.)

ORIGINAL
Application 91-03-056
(Filed March 22, 1991)

OPINION

The State of California, Department of Transportation (Caltrans), requests authority to widen the Califa Overhead on State Route (SR) 99 at separated grades over the tracks of Southern Pacific Transportation Company's (SPT) El Paso Main Line in Madera County, State of California.

The Califa Overhead carries only southbound traffic on SR 99 over the tracks. Northbound traffic passes under the tracks at a separate location.

The proposed widening will add one ten foot shoulder to the structure. The addition of the shoulder will improve safety for motorists using SR 99. Widening will take place on the west side of the existing structure.

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. Caltrans has determined that the project is categorically exempt from CEQA under Title 21 (Department of Transportation), Subchapter 11, Section 1510.1 of the California Administrative Code.

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

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 construction, and recommends issuance of an ex parte order authorizing widening of the Califa Overhead.

The application meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 39, which relates to the widening of a public highway across a railroad track. A sketch of the crossing area is included as Appendix A.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on March 29, 1991. No protests have been received. A public hearing is not necessary.
2. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to widen the Califa Overhead on SR 99 at separated grades over the tracks of SPT's El Paso Main Line in Madera County.
3. Widening of the Califa Overhead is required to improve the safety of motorists.
4. Public convenience, necessity, and safety require widening of the Califa Overhead.
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 Categorical Exemption determination.
7. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. The application should be granted as set forth in the following order.
2. The activity is not covered by the requirements set forth in CEQA and, therefore, the Guidelines (14 Cal. Admin. Code - Div. 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

ORDER

IT IS ORDERED that:

1. The State of California, Department of Transportation (Caltrans), is authorized to widen the Califa Overhead on SR 99 at separated grades over the tracks of Southern Pacific Transportation Company's (SPT) El Paso Main Line in Madera County, at the location and substantially as shown by plans attached to the application, identified as Crossing B-171.6-A.
2. Clearances shall be in accordance with General Order (GO) 26-D. 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.
3. 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'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.
4. 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.

5. 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.

6. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated JUL 24 1991, at San Francisco, California.

PATRICIA M. ECKERT

President

G. MITCHELL WILK

JOHN B. OHANIAN

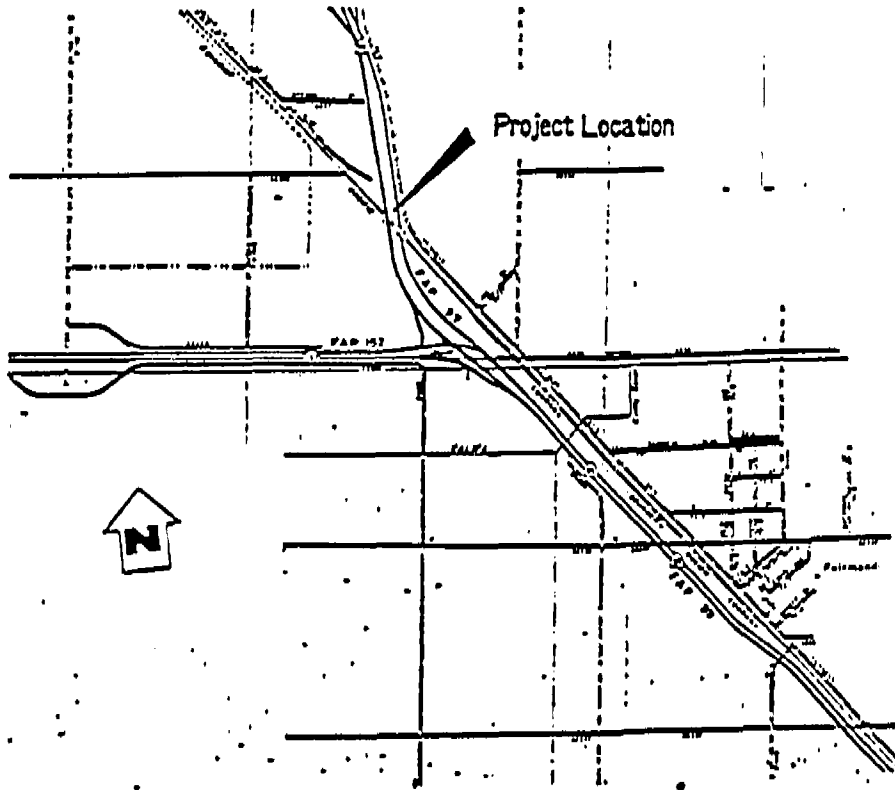
DANIEL Wm. FESSLER

NORMAN D. SHUMWAY

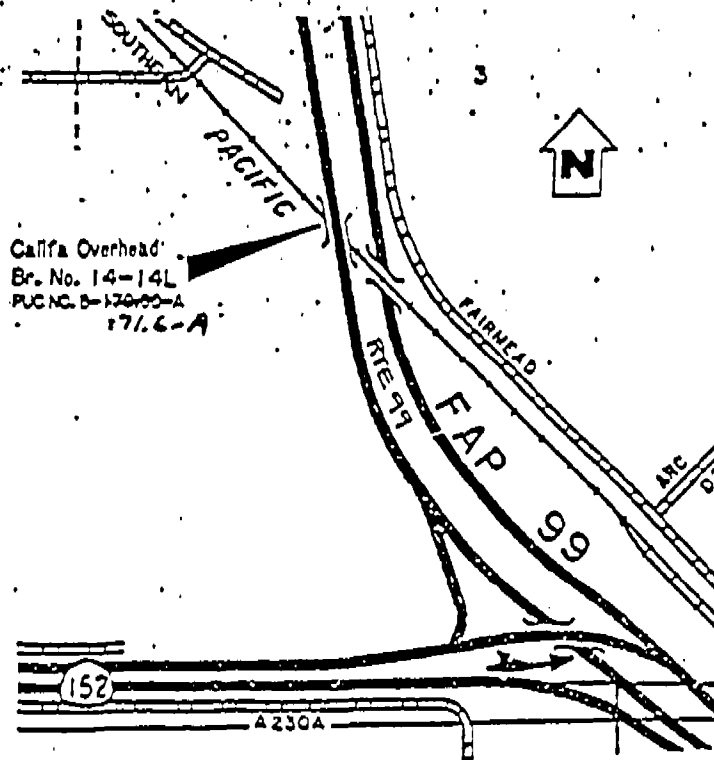
Commissioners

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


NEAL J. SHULMAN, Executive Director



VICINITY MAP



VICINITY MAP