

S/MEA

Decision 91 07 061 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 North Goshen Overhead.)  
This structure crosses the Southern )  
Pacific Transportation Company's tracks )  
at the referenced PUC crossing, located )  
in the City of Goshen, Tulare County, )  
State of California. )

**ORIGINAL**

Application 91-03-063  
(Filed March 29, 1991)

OPINION

The State of California, Department of Transportation (Caltrans), requests authority to redeck and widen State Route 99 (SR-99) on the North Goshen Overhead over Southern Pacific Transportation Company's main line tracks in Goshen, Tulare County.

The existing overhead is composed of two separate structures, one northbound and the other southbound, each structure carrying two lanes of traffic. Both structures will be widened by approximately 15 feet to provide shoulders.

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 widening and

redecking of North Goshen Overhead, and recommends that the improvements be authorized as requested in the application.

Application 91-03-063 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 track. A sketch of the project vicinity is set forth in Appendix A.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on April 3, 1991. No protests have been received. A public hearing is not necessary.
2. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to redeck and widen SR-99 on the North Goshen Overhead at separated grades over SPT's main line tracks in Goshen, Tulare County.
3. Widening of the North Goshen Overhead will make possible the addition of shoulders on the structures.
4. Public convenience, necessity, and safety require redecking and widening of the North Goshen 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 categorically exempt under 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 redeck and widen SR-99 on the North Goshen Overhead over Southern Pacific Transportation Company's (SPT) main line tracks in Goshen, Tulare County, at the location and substantially as shown by plans attached to the application, identified as Crossing BD-240.2-A.
2. 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'-6" shall be authorized, and SPT shall be authorized to operate with such reduced clearance, provided that the railroad issues instructions (and files them with the Commission's Safety Division) forbidding employees to ride on tops of cars beneath the structures.
3. Caltrans shall notify the Commission's Safety Division and SPT at least 15, but not more than 30, days in advance of the date when the temporary impaired clearances will be created.
4. 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.
5. 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.

6. 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.

7. 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.

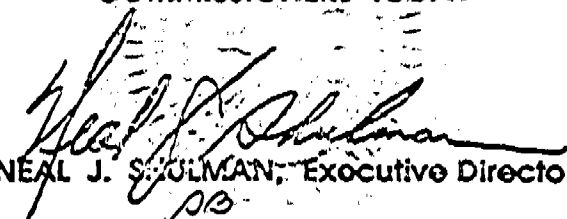
8. The application is granted as set forth above.

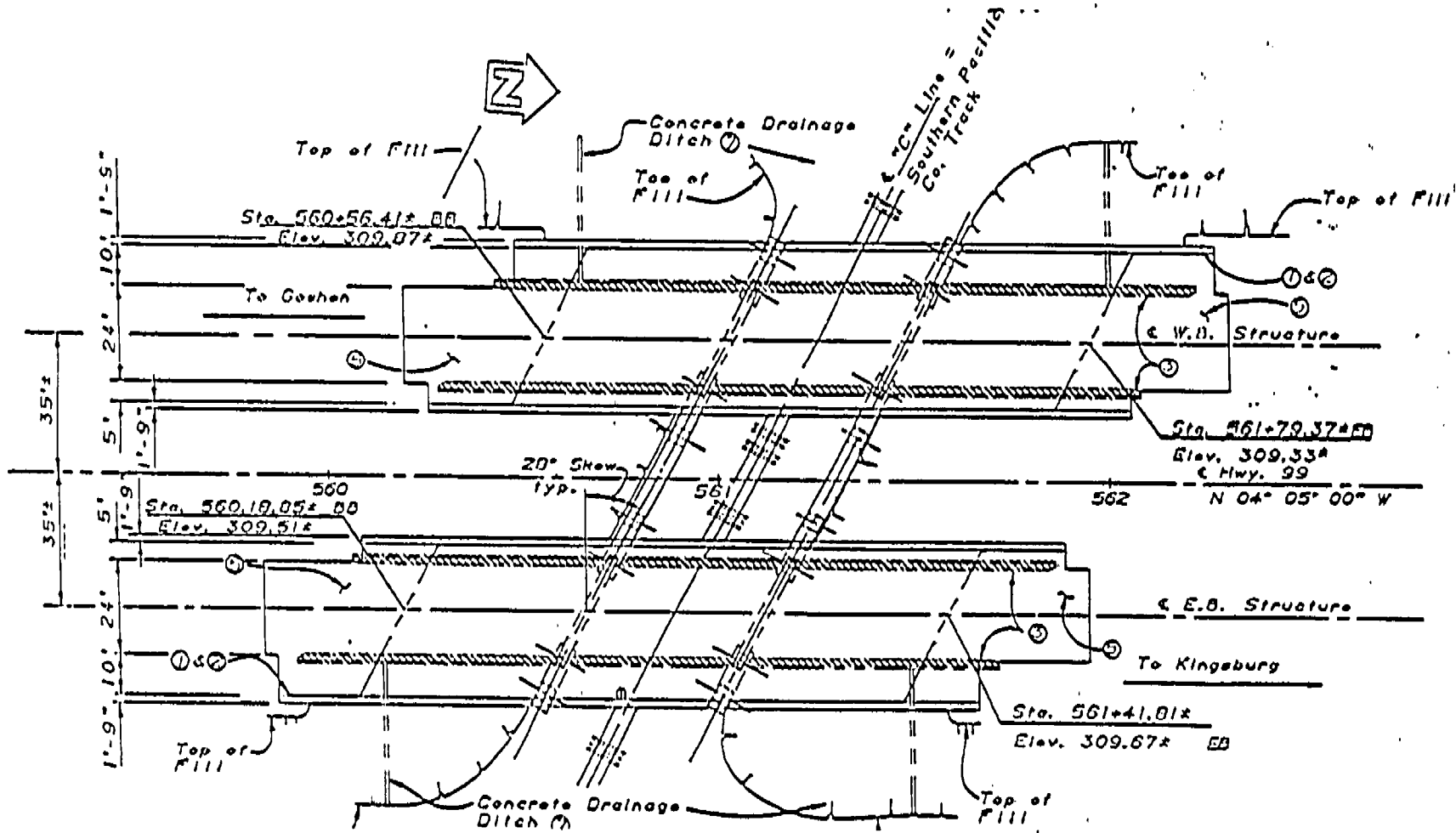
This order becomes effective 30 days from today.

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. SULMAN, Executive Director



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APPENDIX A