

Decision 91 11 015 NOV 6 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:)
Construct a new crossing at separated)
grades to be known as the "More Avenue)
Pedestrian Overcrossing" over the track)
of the Southern Pacific Transportation)
Company's Vasona Branch line, in the)
City of Campbell, County of Santa Clara,)
State of California.)

ORIGINAL

Application 91-08-038
(Filed August 15, 1991)

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 More Avenue Pedestrian Overcrossing at separated grades over the tracks of Southern Pacific Transportation Company's (SPT) Vasona Branch Line in Campbell, Santa Clara County.

SPT's tracks in the vicinity of the crossing are parallel to and south of proposed SR-85. The overcrossing will cross the tracks and proposed SR-85, and is required to provide for access by students to the Westmont High School in the City of Campbell.

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 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.

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 pedestrian overcrossing.

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. Notice of the application was published in the Commission's Daily Calendar on August 28, 1991.
2. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to construct the More Avenue Pedestrian Overcrossing at separated grades over the tracks of SPT's Vasona Branch Line in Campbell, Santa Clara County.
3. The proposed overcrossing is required to provide a safe and dependable route for pedestrians between a large residential area and Westmont High School in the City Of Campbell.
4. Public convenience, necessity, and safety require construction of the More Avenue Pedestrian Overcrossing.

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 EIS.

7. 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.

Conclusions of Law

1. The application is uncontested, and a public hearing is not necessary.

2. 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 More Avenue Pedestrian Overcrossing at separated grades over the tracks of Southern Pacific Transportation Company's (SPT) Vasona Branch Line in Campbell, Santa Clara County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing EN-46.6-AD.

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 22 feet above top of rail shall be authorized, and SPT shall be authorized to operate with such reduced overhead 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 structure.

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 overhead clearance 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.

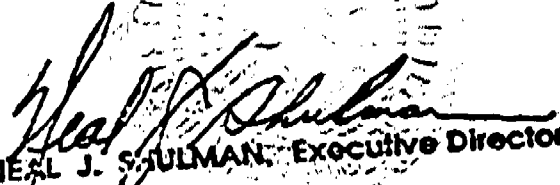
6. Within 30 days after completion of the work under this order, Caltrans shall notify the Commission's Safety Division in writing that the authorized work has been completed.

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 NOV 6 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

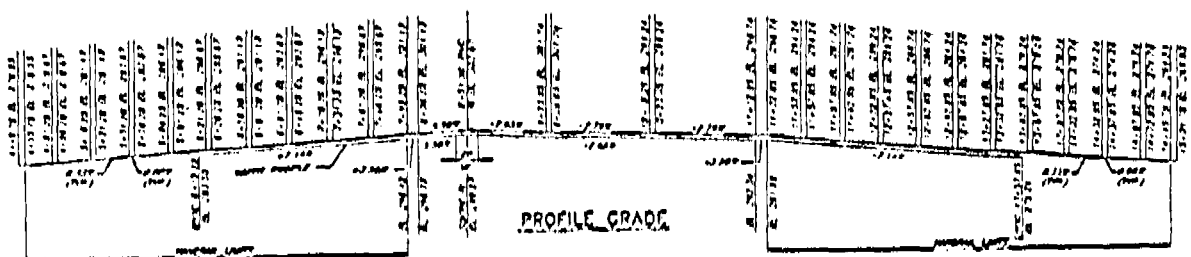
I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY


NEAL J. S. SULMAN, Executive Director

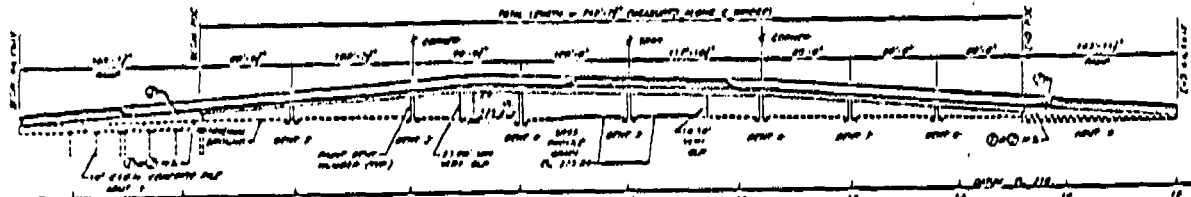
LEGEND

- PROPOSED
- EXISTING
- LEVEL SURFACE
- POINT OF VERTICAL CURVE BEGINNING
- EASEMENT AREA

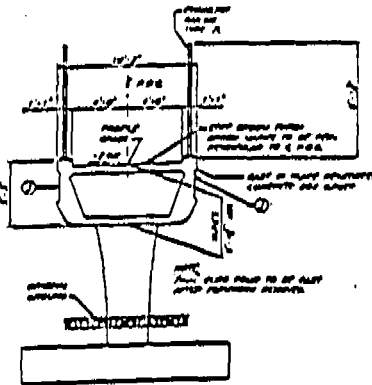
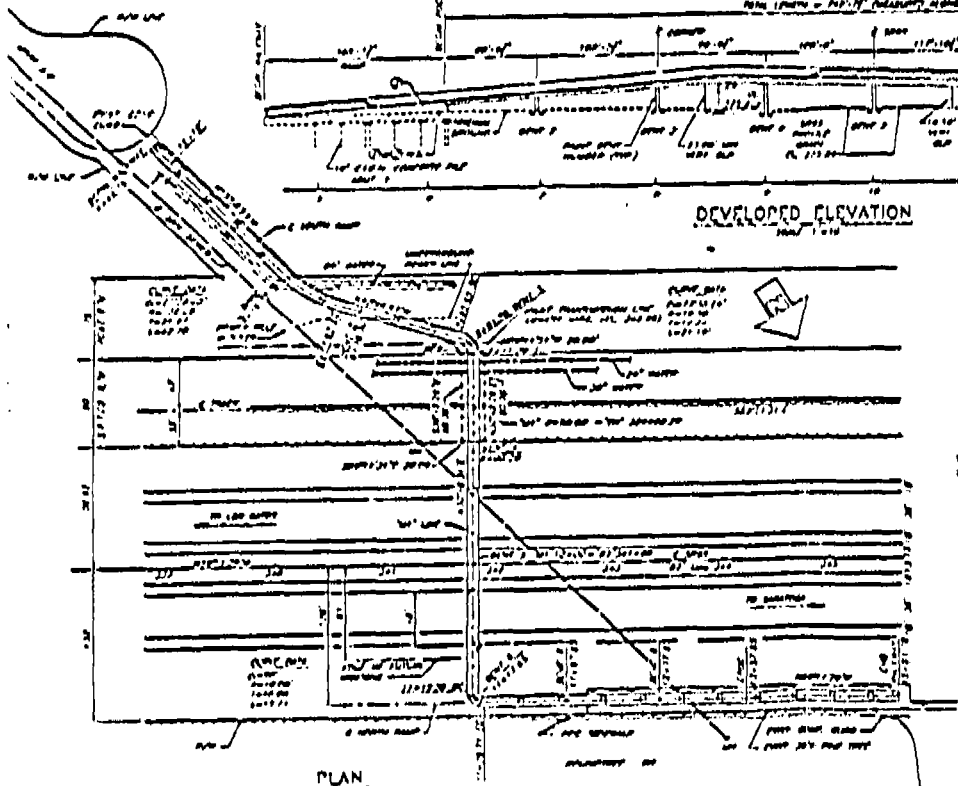
PROFILE SPYCG TRACK
SCALE 1" = 20'



DEVELOPED ELEVATION
SCALE 1" = 10'



PLAN
SCALE 1" = 20'



TYPICAL SECTION
SCALE 1" = 10'

A. 91-08-038 S/E/LB

APPENDIX A