

S/ELB

Decision 92 03 043 MAR 11 1992

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:  
Widen the existing Diana Street  
Overhead over The Atchison, Topeka and  
Santa Fe Railway Company's "2" Line  
located in the City of Fresno, Fresno  
County, California.

ORIGINAL

Application 91-10-069  
(Filed October 28, 1991)

OPINION

As part of the State Route 180 (SR-180) project to construct on new alignment a freeway and expressway between U.S. Route 99 and Chestnut Avenue, the California Department of Transportation (Caltrans) requests authority to widen the Diana Street Overhead at separated grades over the tracks of The Atchinson, Topeka and Santa Fe Railway Company's (AT&SF) main line in Fresno, Fresno County.

The Diana Street Overhead is located at the east end of the SR-180 freeway and expressway project. The widening will add three lanes in each direction in the median of the existing structure.

The 4.8 mile long project is part of a regional transportation network to relieve congestion on existing streets. Major impacts include displacement of residences and 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.

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

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and review of an Environmental Impact Statement (EIS), Caltrans approved the project. On November 4, 1977 a Notice of Determination was filed with the Secretary for Resources which found that "The project will have a significant effect on the environment." An environmental reevaluation was prepared and approved on July 7, 1989, and resulted in no new significant impacts.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's EIS. The Commission's Safety Division Traffic Engineering staff inspected the site of the proposed project. After reviewing the need for and safety of the proposed construction, staff recommends issuance of an ex-parte order authorizing widening of the Diana Street Overhead.

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 crossing area is set forth as Appendix A.

#### Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on December 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 widen the Diana Street Overhead on SR-180 at separated grades over the tracks of AT&SF's main line in Fresno, Fresno County.
3. Widening of the Diana Street Overhead is required as part of the construction of realigned SR-180 in the City of Fresno.
4. Public convenience, necessity, and safety require widening of the Diana Street 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 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.

O R D E R

IT IS ORDERED that:

1. The State of California, Department of Transportation, (Caltrans), is authorized to widen the Diana Street Overhead on SR-180 at separated grades over the tracks of The Atchinson, Topeka and Santa Fe Railway Company's (AT&SF) main line in Fresno, Fresno County, at the location and substantially as shown by plans attached to the application, identified as Crossing 2-999.2-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" above top of rail shall be authorized, and AT&SF shall be authorized to operate with such reduced overhead clearance provided 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 AT&SF 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 AT&SF, 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.

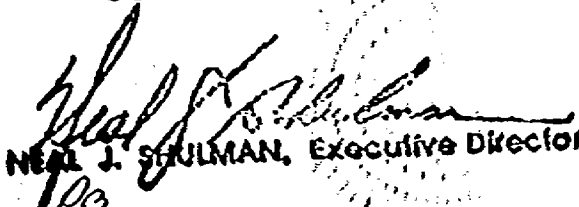
8. The application is granted as set forth above.

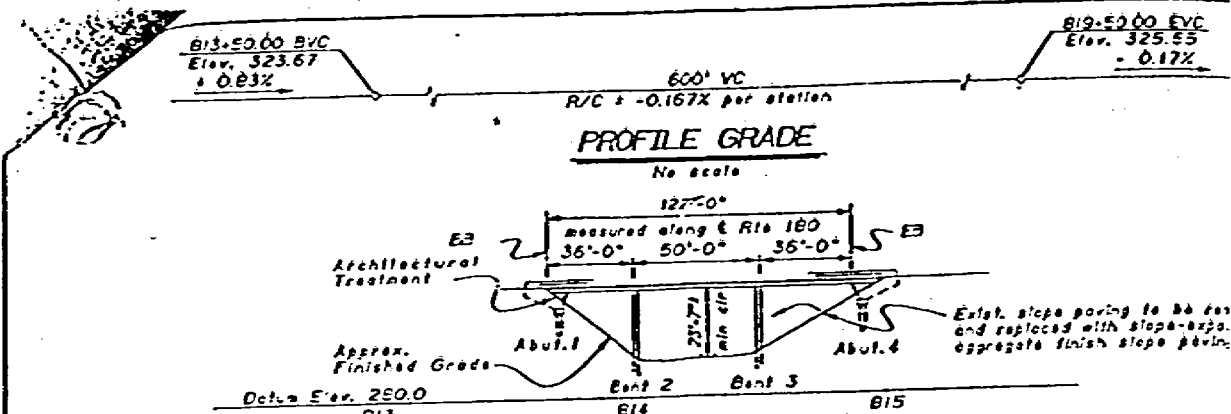
This order becomes effective 30 days from today.

Dated MAR 11 1992, at San Francisco, California.

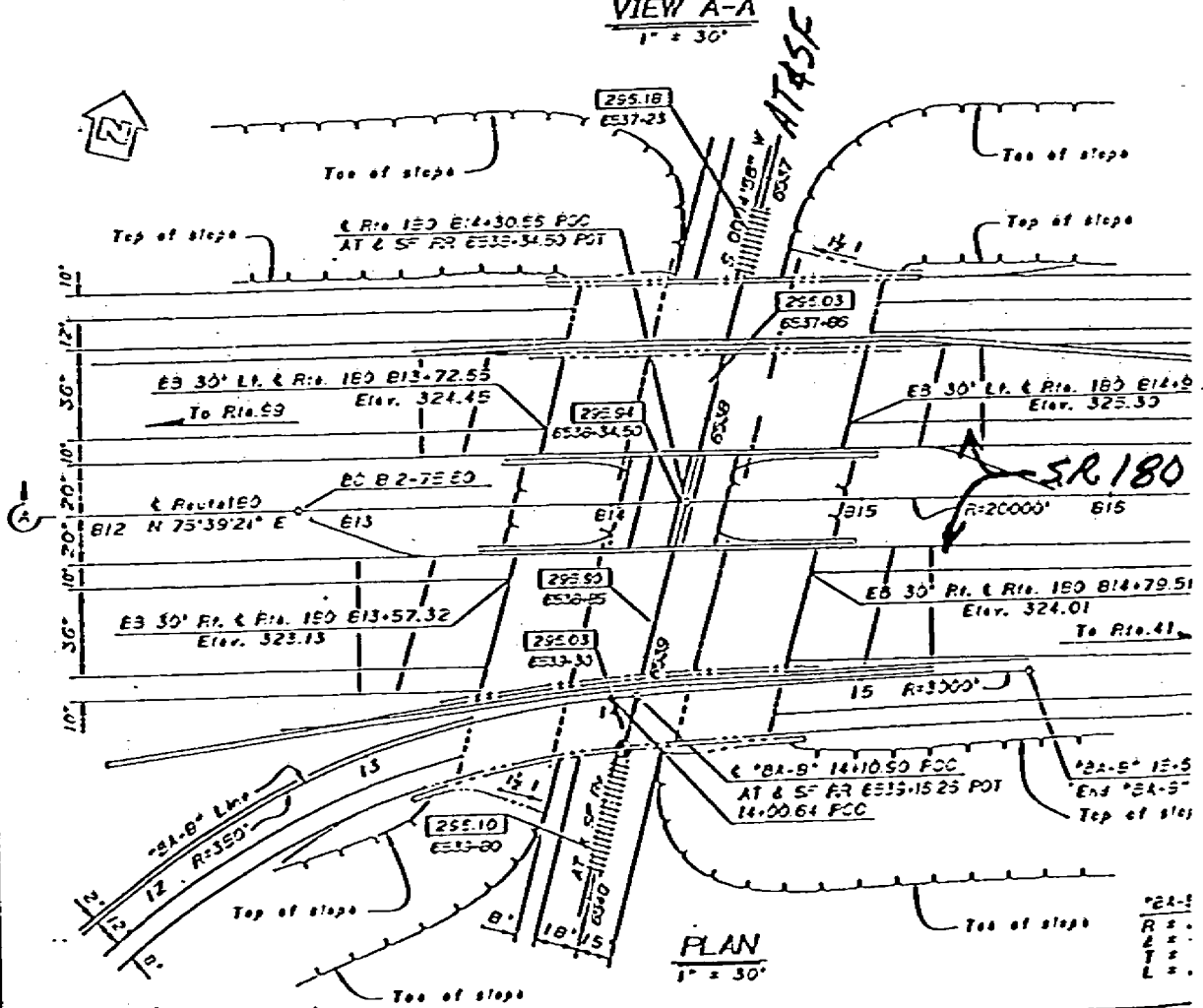
DANIEL Wm. FESSLER  
President  
JOHN B. CHANIAN  
PATRICIA M. ECKERT  
NORMAN D. SHUMWAY  
Commissioners

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

  
NEAL J. SCHULMAN, Executive Director



VIEW A-A  
1" = 30'



DR GIC 2-18 SCALE 1/4" = 1'

FOR 25x25 PLAN