

S/ASC

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Decision 92 03 072 MAR 3 1 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:)
Construct a crossing at separated grades)
to be known as "Faith Home Road)
Overcrossing," over the Southern Pacific)
Transportation Company's "B" Line.)
Construction of the overhead structure)
is part of a proposed project to upgrade)
the existing State Route 99 in)
Stanislaus County to Freeway Standards)
between post miles R7.1 and 10.6.)

ORIGINAL
Application 91-08-036
(Filed August 22, 1991)

O P I N I O N

As part of the project to upgrade a 3.5 mile segment of existing U.S. Route 99 to six lane freeway standards, the State of California, Department of Transportation (Caltrans), requests authority to construct Faith Home Road Overcrossing at separated grades over Southern Pacific Transportation Company's (SPT) main line tracks near the community of Keyes, Stanislaus County.

Existing Route 99 at Faith Home Road is a four lane expressway, with Faith Home Road crossing both the expressway and SPT's tracks at grade. Upon completion of the overcrossing the existing grade crossings at Faith Home Road and Prairie Flower Road, located 0.7 mile to the north, will be closed. The vehicular traffic using the Prairie Flower Road grade crossing will be diverted via frontage roads to the new overcrossing at Faith Home Road.

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 Initial Study, Caltrans issued a Negative

Declaration and approved the project. On October 12, 1989, a Notice of Determination was filed with the Office of Planning and Research which found that: "The project will not 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 Initial Study and Negative Declaration. Application 91-08-036 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.

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, the staff recommends that the sought authority be granted.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on August 28, 1991. No protests have been filed.

2. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to construct Faith Home Road at separated grades over SPT's main line tracks near the community of Keyes, Stanislaus County.

3. The proposed Faith Home Road Overcrossing is an essential element in the construction of the Route 99 freeway project.

4. Upon completion of the Faith Home Road Overcrossing the existing at-grade crossings of Faith Home Road and Prairie Flower Road will be closed.

5. Public convenience, necessity, and safety require construction of the overcrossing.

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

7. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

8. The project will have no significant impact on the environment.

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 construct Faith Home Road at separated grades over Southern Pacific Transportation Company's (SPT) main line tracks near the community of Keyes, Stanislaus County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing B-120.06-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 feet 9 inches above top of rail is authorized, and SPT is 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 SPT at least 15, but not more than 30, days in advance of the date when the temporary impaired 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. Upon completion of the Faith Home Road Overcrossing and its opening to vehicular traffic, the existing grade crossings at Faith Home Road, Crossing B-120.1, and Prairie Flower Road, Crossing B-119.5, shall be physically closed and the roadway surface across the tracks obliterated.

7. 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.

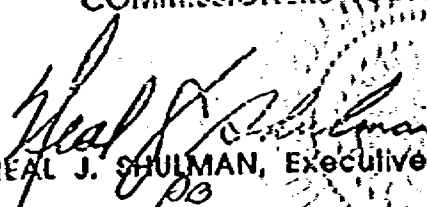
8. This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.


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9. The application is granted as set forth above.
This order becomes effective 30 days from today.
Dated MAR 31 1992, at San Francisco, California.

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

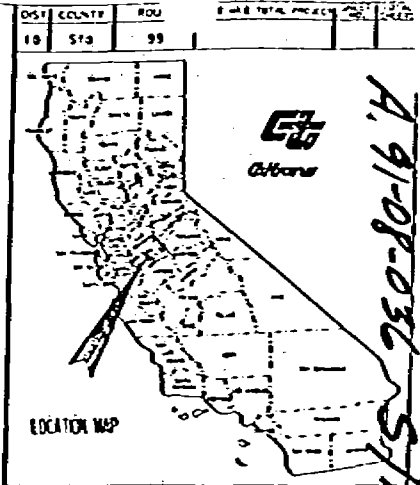
I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


NEAL J. SHULMAN, Executive Director

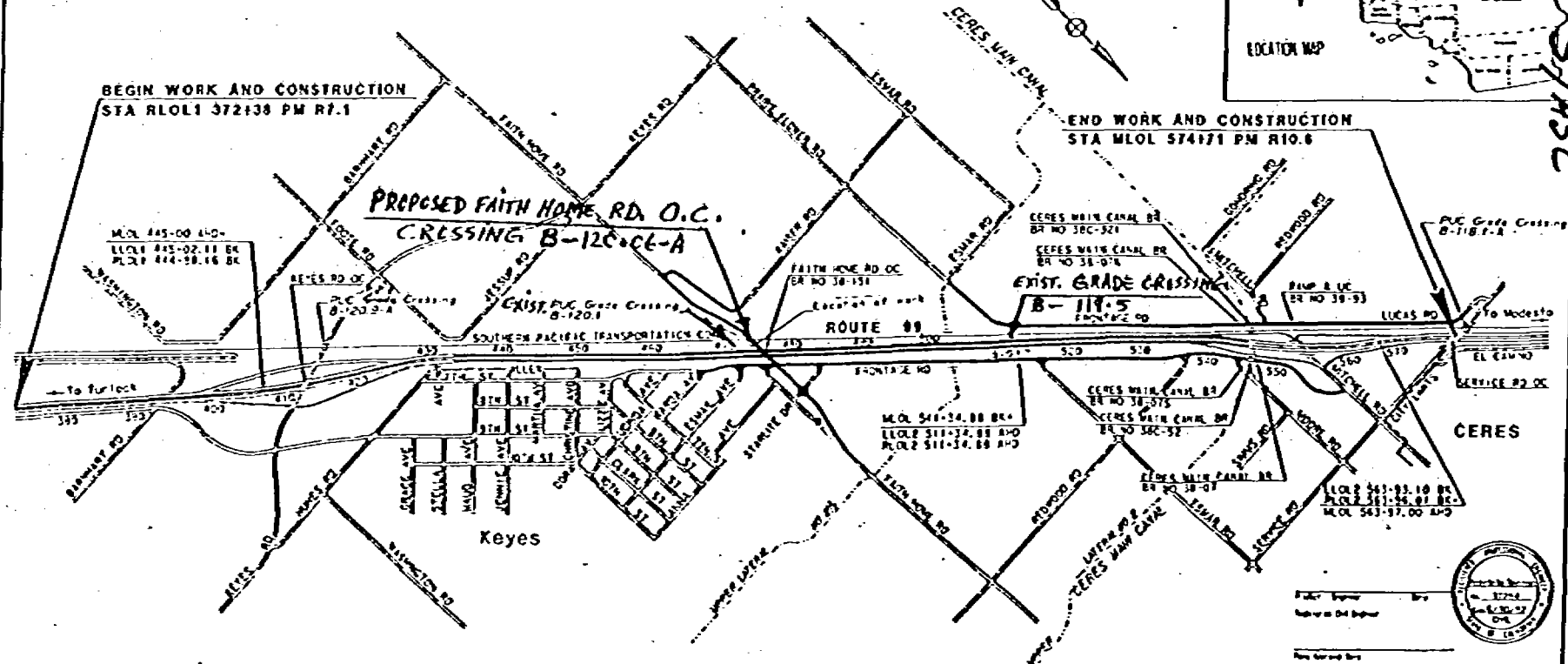


INDEX OF SHEETS

STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 PROJECT PLANS FOR CONSTRUCTION ON
 STATE HIGHWAY
 IN STANISLAUS COUNTY
 AT KEYES FROM 0.7 MILE SOUTH OF
 KEYES ROAD OVERCROSSING
 TO SERVICE ROAD OVERCROSSING
 To be supplemented by Standard Plans dated January, 1938



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The Contractor shall possess the Class for Classes of License as specified in the Notice to Contractors.

NO SCALE

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION	DIVISION OF STRUCTURES STRUCTURE DESIGN 8	PROJECT NO. 30-154 SHEET NO. 89.0	FAITH HOME ROAD OVERCROSSING PUBLIC UTILITIES COMMISSION SHEET-EXHIBIT "B"
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FOR DETAILS PLANS SEE SCALE 6" = 1" SHEET

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APPENDIX A
A. 91-08-036