

92-06-064

DECISION NO. _____

CASE NO. _____

APP. NO. _____

92-06-024

S/ELB

Decision 92 09 064 SEP 16 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 (1) the Hammatt Overhead)
structure over the tracks and right of)
way of the Southern Pacific Transpor-)
tation Company; (2) close the)
Railroad's "C" Street Grade Crossing,)
PUC No. B-136.5; (3) Removing and)
replacing the warning devices at the)
Railroad's Third Street Grade Crossing,)
PUC No. B-136.2; and (4) Removing and)
replacing the warning devices at the)
Railroad's Collier Road Grade Crossing,)
PUC No. B-134.0, in Merced County,)
State of California.)

ORIGINAL

Application 92-06-024
(Filed June 16, 1992)

O P I N I O N

As part of a 6.2 mile project to realign State Route 99 (SR-99) and convert it to a 4-lane freeway, the California Department of Transportation (Caltrans) requests authority to construct Hammatt Avenue at separated grades over the tracks of Southern Pacific Transportation Company's (SPT) El Paso Route Main Line in Livingston, Merced County. Authority is also sought to close Livingston's existing "C" Street grade crossing after the "Hammatt Overhead" is open to vehicular traffic. In addition, Caltrans requests authority to upgrade the warning devices at Livingston's Third Street and Merced County's Collier Road grade crossings.

The proposed freeway construction will provide reduced congestion and safer traffic flow by eliminating signalized intersections along existing SR-99. The proposed Hammatt Overhead will convey local traffic over SR-99 and the railroad track.

During construction of the overhead the temporary impaired vertical clearance will be 22'-0". Upon completion of the overhead, Hammatt Avenue will be extended north to a T-intersection with Walnut Street. The new overhead will be located approximately 0.2 mile east of C Street grade crossing, which will be closed.

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 August 5, 1987 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 92-06-024 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. Sketches of the crossing sites are set forth in Appendix A.

The Commission's Safety Division Traffic Engineering staff has 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 Facts

1. Notice of the application was published in the Commission's Daily Calendar on June 30, 1992. No protests have been received.

2. Caltrans requests authority under Public Utilities (PU) Code Sections 1201-1205 to construct the Hammatt Overhead at separated grades over the tracks of SPT's El Paso Route Main Line in Livingston, Merced County.

3. Caltrans also requests authority to close the C Street grade crossing (Crossing B-136.5) in Livingston upon completion of the Hammatt Overhead.

4. Caltrans also requests authority to upgrade the warning devices at Third Street (Crossing B-136.2) in Livingston and at Collier Road (Crossing B-134.0) in Merced County.

5. Construction of the Hammatt Overhead, closure of the C Street grade crossing and upgrading the warning devices at Third Street and Collier Road are required as part of the construction of SR-99 freeway.

6. Public convenience, necessity, and safety require construction of the Hammatt Overhead, closure of the C Street grade crossing, and upgrading the warning devices at the Third Street and Collier Road grade crossings.

7. Public safety requires that protection at the Third Street and Collier Road grade crossings be two Standard No. 9 automatic gate-type signals (General Order (GO) 75-C).

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

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

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 the Hammatt Overhead at

A.92-06-024 S/ELB

separated grades over the tracks of Southern Pacific Transportation Company's (SPT) El Paso Route Main Line in Livingston, Merced County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing B-136.7-A.

2. Caltrans is also authorized to upgrade the warning devices at Third Street and Collier Road railroad grade crossings, identified as Crossings B-136.2 and B-134.0, respectively. Protection at these grade crossings shall be two Standard No. 9 automatic gate-type signals (GO 75-C).

3. Upon completion of the Hammatt Overhead and its opening to vehicular traffic, the existing C Street grade crossing (Crossing B-136.5) shall be closed and physically removed.

4. Clearances shall be in accordance with GO 26-D, except that during the period of construction of the Hammatt Overhead a clearance of 22'-0" 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.

5. 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.

6. 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.

7. 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 crossings approved by SPT, shall be filed by Caltrans with the Commission's Safety Division prior to commencing construction.

A.92-06-024 S/ELB

Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

8. 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.

9. 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.

10. The Executive Director shall serve a copy of this order on SPT, so that SPT is informed of the obligations herein imposed upon it.

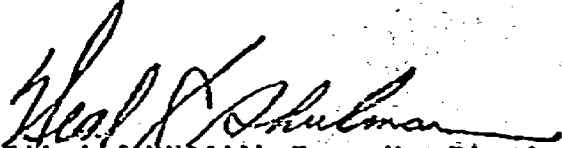
11. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated SEP 16 1992, at San Francisco, California.

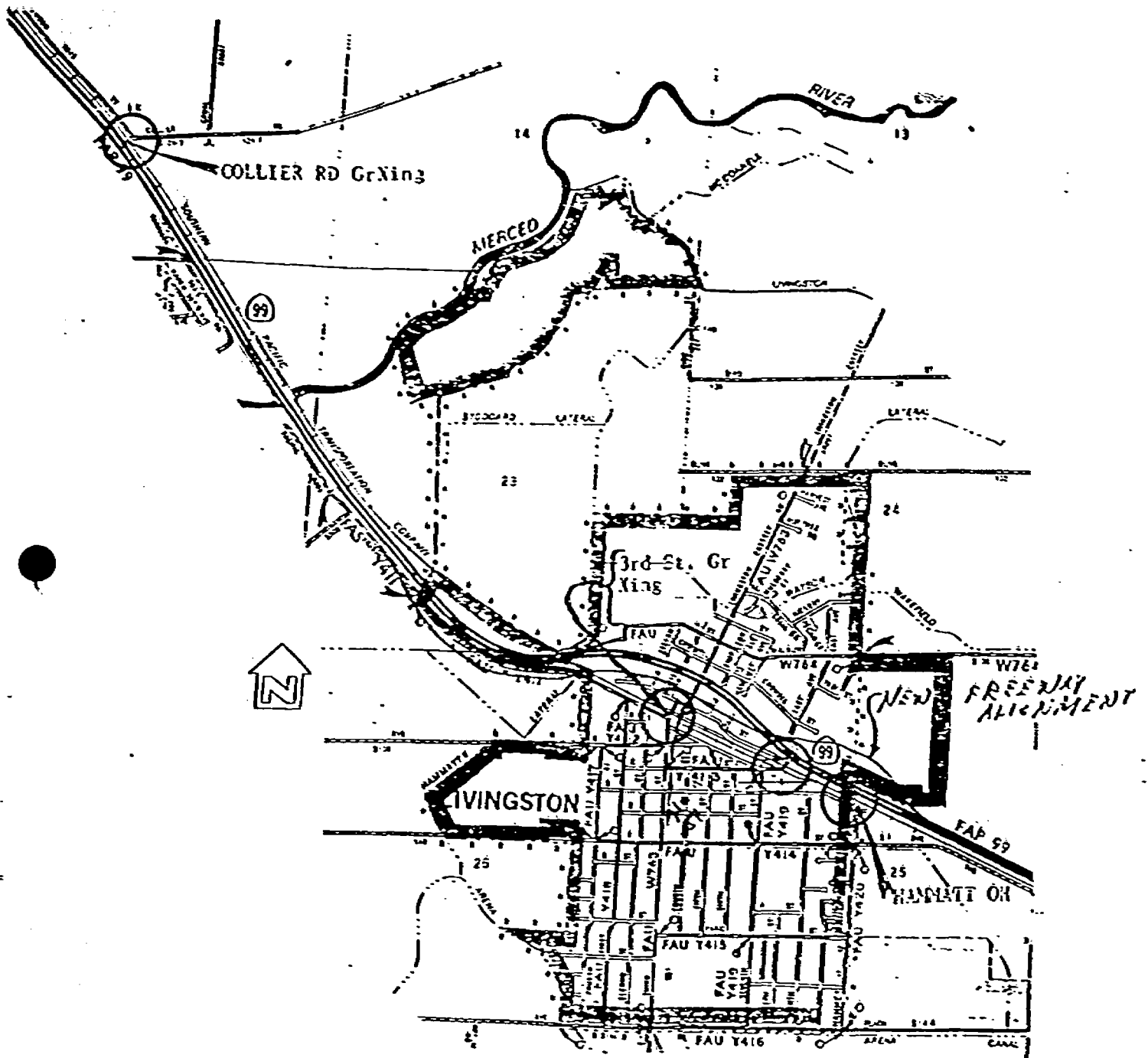
DANIEL Wm. FESSLER
President
JOHN B. OHANIAN
PATRICIA M. ECKERT
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SCHULMAN, Executive Director

A. 92-06-024 S/ELB

APPENDIX A
1 OF 2



VICINITY MAP

