

ORIGINAL

Decision 82 03 036 **MAR 16 1982**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of the City of Sacramento for )  
construction of Marconi Avenue )  
overhead at separated grades over )  
the tracks of the Southern Pacific )  
Transportation Company. )

Application 82-01-45  
(Filed January 22, 1982)

O P I N I O N

The City of Sacramento (City) requests authority to construct the "Marconi Avenue Overhead" over the tracks of Southern Pacific Transportation Company's (SPT) Ogden Main Line in Sacramento, Sacramento County.

City 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, City issued a Negative Declaration and approved the project. On December 28, 1981, a Notice of Determination was filed with the Sacramento County Clerk 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 independently evaluated and assessed the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

The priority list of grade separation projects for fiscal year 1981-82, as set forth in Decision 93160, dated June 2, 1981, shows this project as Priority No. 3.

The project will replace an existing grade crossing at Arcade Boulevard with an overhead that will accommodate two travel lanes in each direction. Construction of the overhead will improve the safety of rail operations in the area and reduce vehicular traffic delay.

Notice of the application was published in the Commission's Daily Calendar on January 25, 1982. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities Code Sections 1201-1205 to construct the Marconi Avenue Overhead over the tracks of SPT's Ogden Main Line in Sacramento, Sacramento County.
2. Construction of the overhead is required to improve the safety of rail operations and reduce vehicular traffic delay.

3. After completion of the Marconi Avenue Overhead, and its opening to vehicular traffic, the existing Arcade Boulevard grade crossing, Crossing A-94.9, should be closed and physically removed.

4. Public convenience, necessity, and safety require construction of the Marconi Avenue Overhead.

5. Applicant is the lead agency for this project under CEQA, as amended.

6. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.

7. The project will have no significant effect on the environment.

Conclusion of Law

The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The City of Sacramento (City) is authorized to construct the Marconi Avenue Overhead over the tracks of Southern Pacific Transportation Company's (SPT) Ogden Main Line in Sacramento,

A.82-01-45 T/ET/DV/WPSC \*

Sacramento County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing A-95.0-A.

2. Upon completion of the Marconi Avenue Overhead and its opening to vehicular traffic, the existing Arcade Boulevard grade crossing, Crossing A-94.9, shall be closed and physically removed.

3. Clearances shall be in accordance with General Order 26-D; except that during the period of construction a clearance of not less than 22' - 0" above top of rail shall be authorized and SPT shall be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars beneath the structure.

4. City shall notify the Commission and SPT at least 15, but not more than 30, days in advance of the date when the temporary impaired clearance will be created.

5. Walkways shall conform to General Order 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.

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

7. Within 30 days after completion, under this order, City shall advise the Commission in writing.

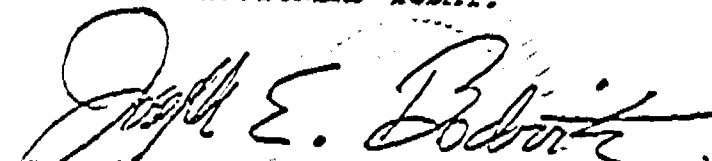
This authorization shall expire if not exercised within three years, unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated MAR 16 1982, at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. GRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. CREW  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director