

Decision 83 04 063 APR 20 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of
California, Department of Trans-
portation for an order authorizing
the widening of an existing
crossing at separated grades known
as "Marshall Avenue Overhead"
(BK. No. 57-369), over the San
Diego and Arizona Eastern Trans-
portation Company's track in San
Diego County.

Application 82-12-11
(Filed December 6, 1982)

O P I N I O N

As part of the project to widen and improve portions of Route 8 from West Main Street to Route 67 and on Route 67 from Interstate 8 to 0.1 mile south of Greenfield Drive, the State of California, Department of Transportation (Caltrans), requests authority to widen the Marshall Avenue Overhead over the tracks of the San Diego and Arizona Eastern Transportation Company's (SD&AE) La Mesa Branch Line in El Cajon, San Diego County.

Caltrans is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Section 21000 et seq. Caltrans has determined that the project is categorically exempt from CEQA under PR Code Section 21080.13.1/

1/ Section 21080.13 was added to the PR Code by Chapter 58, Statutes 1982, as an urgency statute effective February 18, 1982.

The Commission is a responsible agency for this project under CEQA and has independently evaluated and assessed the lead agency's categorical exemption determination. The site of the proposed project has been inspected by the Commission staff.

The project will improve Interstate Route 8 by widening the Marshall Avenue Overhead from four to five lanes with nine foot shoulders in each direction of travel. Interstate Route 8, which includes the Marshall Avenue Overhead, is an east-west route which is currently experiencing peak hour traffic delays within the City of El Cajon.

Notice of the application was published in the Commission's Daily Calendar on December 9, 1982. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to widen the Marshall Avenue Overhead over the tracks of SD&AE's La Mesa Branch Line in El Cajon, San Diego County.
2. Widening of the Marshall Avenue Overhead is required to reduce traffic delays on Interstate Route 8 between Main Street and the Route 67 Interchange.
3. Public convenience and necessity require widening of the Marshall Avenue Overhead.

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

5. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's categorical exemption determination.

6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

7. The activity is not covered by the requirements set forth in CEQA and, therefore, the Guidelines (14 Cal. Admin. Code - Div. 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

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 State of California, Department of Transportation (Caltrans), is authorized to widen the Marshall Avenue Overhead over the tracks of San Diego and Arizona Eastern Transportation Company's (SD&AE) La Mesa Branch Line in El Cajon, San Diego County, at the location and substantially as shown by plans attached to the application identified as Crossing 36D-17.29-AC.

2. Clearances shall be in accordance with General Order 26-D; except that during the period of construction a clearance of not less than 21'0" above top of rail shall be authorized and SD&AE 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.

3. A minimum temporary horizontal clearance of 7'6" shall be permitted on the side of the track adjacent to the existing collision wall provided that instructions are issued by the railroad advising the employees of the impaired horizontal clearance.

4. Caltrans shall notify the Commission and SD&AE at least 15, but not more than 30 days in advance of the date when the temporary impaired overhead and horizontal clearances 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 SD&AE, 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 of the work under this order, Caltrans shall notify the Commission in writing of the completion of the work authorized.

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.

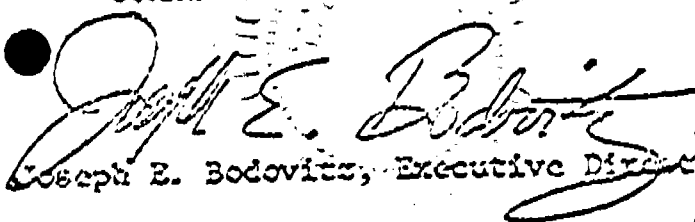
This order becomes effective 30 days from today.

Dated APR 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
DONALD VIAL
Commissioners

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

Commissioner Priscilla C. Grew, being
necessarily absent, did not participate
in the disposition of this proceeding.


Joseph E. Bodovitz, Executive Director