Decision <u>95-08-041</u> August 11, 1995

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 the Route 58 Lenwood Overhead,
State Bridge No. 54-1112 R/L, and
Lenwood Overhead Ramp, State Bridge No.
54-1112 S, over the tracks and right of
way of The Atchison, Topeka and Santa Fe
Railway Company located in San Bernardino
County, State of California

Application 94-08-032 (Filed August 18, 1994)

ORIGINAL

OPINION

As part of the project to construct State Route (SR) 58 on a new alignment 0.5 miles east of Summerset Road near Hinkley to Interstate (I-15) 15, the State of California Department of Transportation (Caltrans) requests authority construct SR-58 Lenwood Overhead and Lenwood Overhead Ramp at separated grades over The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) Main Line tracks in and near Barstow, San Bernardino County.

Caltrans proposes to construct the SR-58 Lenwood Overhead and Lenwood Overhead Ramp at separated grades, as indicated in the Application and Appendix A attached to the application, to improve highway system continuity, reduce route circuity, improve safety, increase highway capacity, and maintain conformity with the rest of the route. Upon completion of the grade separation Overheads and their availability for public traffic, vehicular traffic will be rerouted from the existing SR-58 at-grade crossing (near Dixie Road), which will be entirely removed and closed, and from the existing SR-58 to the grade separation Overheads on the new alignment.

Caltrans is the lead agency for this project under California Environmental Quality Act of 1970 (CEQA), as amended,

Public Resources (PR) Code Sections 21000, et seq. After preparation and review of an Initial Study, Caltrans issued a Negative Declaration which determined that the proposed project will not have a significant effect on the environment for the following reasons:

- * The project would not have a significant effect on existing air or water quality, noise levels, energy consumption, land use, or be growth inducing.
- * The project would not significantly affect any state or federally listed endangered or threatened plants or animals.
- * No parklands, wetlands, or historically or culturally significant properties or sites would be affected.
- * The project would not significantly affect population trends, neighborhoods, or local business, industry, economy, or employment.
- * There are no known hazardous waste sites associated with the proposed project.

The Federal Highway Administration (FHWA) reviewed the environmental data prepared by Caltrans and that agency (FHWA) took full responsibility for the accuracy, scope, and contents of the environmental assessment.

The Commission is a responsible agency for this project under CEQA, has also reviewed and considered the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission's Safety and Enforcement Division - Traffic Engineering Staff. After reviewing the need for and the safety of the proposed grade separation Overheads, Staff recommends that Caltrans' request be granted.

The application was found to be in compliance under the Commission's filing requirements, including Rule 38 of Rules of Practice and Procedure which relates to the construction of public

highway crossings and separations over a railroad. A site map and detailed drawings of the overheads are shown in Appendix A.

Findings of Fact

- 1. Notice of the Application was published in the Commission's Daily Calendar on August 25, 1994. No protests have been received. A public hearing is not necessary.
- 2. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to construct the SR-58 Lenwood Overhead and Lenwood Overhead Ramp at separated grades over AT&SP's Main Line in and near Barstow, San Bernardino County.
- 3. The upgrading, realignment, improvement of SR-58 and construction of SR-58 Lenwood Overhead and Lenwood Overhead Ramp will improve highway system continuity, reduce route circuity, improve safety, increase highway capacity, and maintain conformity with the rest of the route.
- 4. Public convenience, necessity and safety require construction of the grade separation Overheads.
- 5. Upon completion of the Lenwood Overhead and Lenwood Overhead Ramp and their opening to vehicular traffic, the existing SR-58 at-grade crossing (near Dixie Road) will be entirely removed and closed.
- 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.

Conclusion of Law

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

QRDER

IT IS ORDERED THAT:

- 1. State of California, Department of Transportation (Caltrans), is authorized to construct State Route (SR) 58 Lenwood Overhead and Lenwood Overhead Ramp at separated grades over the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) Main Line in and near Barstow, San Bernardino County, at the location and substantially as shown by plans attached to the Application and Appendix A of this order, identified as Crossing 2-4.02-A (Lenwood Overhead northwesterly), Crossing 2-4.04-A (Lenwood Overhead southeasterly) and Crossing 2-4.05-A (Lenwood Overhead Ramp).
- 2. Upon completion of the overheads and their opening to vehicular traffic, the existing SR-58 grade crossing, Crossing 2-753.20, shall be closed and physically removed.
- 3. Clearances shall be in accordance with General Order (GO) 26-D, except that during the period of construction a temporary vertical construction clearance of not less than 21.5 feet above top of rail during construction of the Lenwood Overhead and Lenwood Overhead Ramp will be authorized. AT&SF shall be authorized to operate with such reduced overhead clearance provided that the railroad issues instructions and files them with the Commission's Safety and Enforcement Division, forbidding employees to ride on tops of cars beneath the structure.
- 4. Caltrans shall notify the Commission's Safety and Enforcement Division and AT&SF at least 15, but not more than 30, days in advance of the date when the temporary impaired clearances will be created.

- 5. 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.
- 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 approved by AT&SP, shall be filed with the Commission's Safety and Enforcement Division Staff 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 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.

9. The application is granted as set forth above.
This order becomes effective 30 days from today.
Dated <u>AUG 11 1995</u> at San Francisco, California.

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
Commissioners

I CERTIFY THAT THIS DEVICED BY THE ABOVE

COMMISSIONERS TODAY

Ansang Resoutive Director

- 6 -







