

Mailed
3/21/97Decision 97-03-047 March 18, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Sacramento Regional)	
Transit District for an Order)	
authorizing District to construct,)	Application 94-04-013
modify, maintain, and operate a light)	(Filed April 5, 1994)
rail passenger system and Southern)	(Amended June 7, 1994)
Pacific Transportation Company tracks)	(Amended August 31, 1994)
across Butterfield Way, Bradshaw Road,)	(Amended March 20, 1995)
Horn Road, Routier Road, and Mather)	(Amended February 26, 1997)
Field Road in the County of Sacramento,)	
State of California.)	

O P I N I O N

As part of the project to construct an extension to the light rail transit (LRT) system, the Sacramento Regional Transit District (SRTD) requests authority to construct its light rail vehicle (LRV) tracks at grade across five streets of the County of Sacramento (County), adjacent to tracks of the Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA), formerly the Union Pacific Railroad Company's (UP) Placerville Branch Line, in Sacramento County, as set forth in Appendix A.

The Southern Pacific Transportation Company (SPT) owned the Placerville Branch line until its recent merger with UP. UP now retains operating rights over the JPA owned tracks. All references hereafter referring to UP's former ownership imply and acknowledge SPT's original ownership before the merger.

The project extends the starter line for 2.3 miles from the current terminus at Butterfield Station to Mather Field Road. Each crossing will be modified to accommodate projected rail and vehicular movements, as indicated below:

BUTTERFIELD WAY: add LRT double-tracks,

BRADSHAW ROAD: relocate JPA track, add LRT double-tracks, widen roadway,
HORN ROAD: relocate JPA track, add LRT double-tracks,
ROUTIER ROAD: relocate JPA track, add LRT double-tracks, widen roadway, and
MATHER FIELD ROAD: relocate JPA track and spur, widen roadway.

These modifications will allow SRTD to run new passenger service, while UP maintains trackage rights for freight service. The modifications at Mather Field Road takes into account future LRT extensions for which double tracks are to be added across the street by SRTD.

At present the mainline track at Mather Field Road is equipped with automatic warning devices and the spur line is flagged. Train frequency is minimal on the spur line, and geometric limitations preclude optimal placement of warning devices for both tracks, the mainline will be equipped with warning devices while the spur line retains flagging operations by UP (see Appendix A, pg 1 of 2).

During construction of the Bradshaw Road, Horn Road, Routier Road, and Mather Field Road crossings, the existing crossing warning devices will be temporarily removed. These crossings shall be flagged by SRTD's construction contractor in coordination with UP operations personnel. Operation of warning devices at Butterfield Way will not be impacted by construction.

SRTD 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 Environmental Impact Report (EIR) and a Revised Environmental Assessment, SRTD approved the project. On January 21, 1994 a Notice of Determination was filed with the Sacramento County Recorder which found that: "The project will not have a

significant effect on the environment" and "Mitigation measures were adopted as a condition of approval of the project."

The Revised Environmental Assessment identified the impacts of an unacceptable traffic level of service and visual competition between a historic building and new catenary poles. The mitigation measures are incorporation of an exclusive right-turn lane and placement of the catenary poles as far away as possible under engineering guidelines.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's EIR and Revised Environmental Assessment.

The site of the proposed project has been inspected by the Commission's Rail Safety and Carriers Division Traffic Engineering staff. The staff examined the need for and safety of the proposed construction and recommends issuance of an ex-parte order authorizing the crossing as requested. SRTD has expressed the desire to commence construction at the earliest possible date; therefore, the 30-day effective date on the order should be waived.

Application A.94-04-013 has met the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 39 (to widen or relocate an existing crossing) and Rule 40 (to construct a railroad track across a public highway). Amendments to the application were filed on August 31, 1994, March 20, 1995, and February 26, 1997, and notice of the amendments were published in the Commission's Daily Calendar on September 26, 1994, April 12, 1995, and February 28, 1997, respectively. The application was also amended on June 7, 1994. A sketch of the crossing area is set forth as Appendix A, pg. 2 of 2.

Findings of Facts

1. Notice of the application was published in the Commission's Daily Calendar on April 12, 1994. Four amendments were filed. No protests have been received.
2. SRTD requests authority under Public Utilities Code Sections 1201-1205 to construct its LRV tracks at grade across five streets of the County, adjacent to the tracks of JPA, formerly UP's Placerville Branch Line, in Sacramento County.
3. Construction of the crossings is an essential element in the extension of the LRT system.
4. Public convenience, necessity, and safety require construction of the crossings.
5. Public safety requires that the crossings be equipped with warning devices as set forth in Appendix A, pg. 1 of 2.
6. Public safety requires that vehicular movements at the adjacent intersections be preempted by train movements.
7. The Bradshaw Road, Horn Road, Routier Road, and Mather Field Road crossings will be flagged during construction.
8. SRTD 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 EIR and Revised Environmental Assessment.
10. The project will have no significant effect 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 Sacramento Regional Transit District (SRTD), is authorized to construct its light rail vehicle (LRV) tracks at grade across five streets of the County of Sacramento (County), adjacent to tracks of the Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA), formerly the Union Pacific Railroad Company's (UP) Placerville Branch Line, in Sacramento County, as set forth in Appendix A.

2. The crossings shall be identified as follows, Butterfield Way 083E-9.53, Bradshaw Road 083E-10.03, Horn Road 083E-10.50, Routier Road 083E-11.19, and Mather Field Road 001AH-101.5.

3. Construction of the crossings shall be equal or superior to Standard No. 1 of General Order (GO) 72-B.

4. Clearances shall be in accordance with GO 26-D and GO 143-A.

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. The crossings shall be equipped with automatic warning devices as set forth in Appendix A, pg. 1 of 2.

7. Vehicular movements at the adjacent intersections shall be preempted by train movements.

8. During construction, no on-rail vehicle shall operate over the crossing unless it is first brought to a stop and traffic on the street is protected by a member of the crew, or SRTD construction contractor employee, acting as a flagman.

9. 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 the JPA, County, and UP, shall be filed with

the Commission's Rail Safety and Carriers Division prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

10. Within 30 days after completion of the work under this order, SRTD shall notify the Commission's Rail Safety and Carriers Division in writing that the authorized work has been completed.

11. This authorization shall expire if not exercised within two 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.

12. The application is granted as set forth above.

13. Application 94-04-013 is closed.

This order becomes effective today.

Dated March 18, 1997, at San Francisco, California.

P. GREGORY CONLON

President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners

As part of the project to construct an extension to the light rail transit system, the Sacramento Regional Transit District requests authority to construct its light rail vehicle (LRV) tracks at grade across five streets of the County of Sacramento, adjacent to tracks of the Sacramento-Placerville Transportation Corridor Joint Powers Authority, formerly the Union Pacific Railroad Company's (UP) Placerville Branch Line, in Sacramento County, as set forth below:

<u>Street Name</u>	<u>Crossing No.</u> <u>LRV / SPT</u>	<u>Warning Devices</u> <u>(GO 75-C)</u>
Butterfield Way	83E-9.53 (AH-99.3)	Three Standard No. 9 One Standard No. 9A
Bradshaw Road	83E-10.03 (AH-99.8)	Two Standard No. 9 Two Standard No. 9A
Horn Road	83E-10.50 (AH-100.3)	One Standard No. 9 One Standard No. 9A
Routier Road	83E-11.19 (AH-101.0)	Three Standard No. 9 One Standard No. 9A
Mather Field Road	83E-11.69 (AH-101.5)	Three Standard No. 9 One Standard No. 9A Flagging by UP at spur

Standard No. 9 is an automatic gate-type signal.

Standard No. 9A is an automatic gate-type signal with cantilever.

